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Minutes of a Special Meeting of the Town Board of the Town of Riverhead, held on June 9, 1977 at 8:00 P.M., at the Wading River Elementary School, Wading River, New York, on the matter of the application of the Shorewood Water Corporation for a Franchise in the Wading River area to use the streets, highways and public places for the construction of water conduits, lines and mains and to engage in the business of a water works corporation in that area.

Present:

Allen M. Smith, Supervisor
George G. Young, Councilman
Francis E. Menendez, Councilman
John Lombardi, Councilman
Jessie Tomlinson, Councilwoman

Also present:

Peter S. Danowski, Jr., Town Attorney

(Supervisor Smith made the following statement:)

SUPERVISOR SMITH: Ladies and gentlemen, if I could have your attention, please. I thank you all for coming out this evening to address or listen or study the particular issue which affects our community here in Wading River. I would impress upon you that this is not an informal meeting of the Town Board. It is a regularly called meeting on public notice, as is required by the Town Law and the Transportation Corporation Law. We are maintaining a set of minutes that are being taken by this young lady to my right. If you talk too fast, or if you don't talk loud enough, she will not be able to get down what you say. If she does not get down what you say, when we come to make a decision on this matter and wish to review the minutes, we will not have had the benefit of what you have to say. So, please, as you address the Board with reference to this particular matter, give your name and address to Miss Block. She will take them down. Please be conscious of the Stenographer.

We are here this evening to consider the application of the Shorewood Water Corporation. Mr. Haugaard represents that particular corporation.

Bill, if you would, please explain to the people present what is proposed by your company.

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MR. HAUGAARD: Thank you, Mr. Supervisor.

Members of the Town Board, ladies and gentlemen, my name is William Haugaard. I'm a lawyer here in Wading River. In the matter of this application I'm representing Shorewood Water Corporation. The Shorewood Water Corporation is a privately owned corporation. It's in business and it wants to expand its operations. It's a private business, as I said, and it's here to make a business proposition, you might say, to the people of Wading River. Actually, if it expands its business, it will make more money. That's its interest in this application. Your interest is to see that the benefits to Wading River justifies the application.

I want to say one other thing. The Shorewood Water Corporation is a public utility. It's regulated by the Public Service Commission of the State of New York. In particular, it is regulated as to rates. I want to say, also, so there's no misunderstanding at some future time, that the Shorewood Water Corporation now has pending in Albany an application for an increase in rates, which is the first rate increase application made in nearly 20 years.

Now, what does this application involve? The application here before the Town Board involves two things. First of all, the Shorewood Water Corporation wants to use the streets

of the Town of Riverhead - - some of the streets of the Town of Riverhead to lay its pipes underneath the streets. Secondly, the Shorewood Water Corporation wants permission from the Town to do business - - to engage in the business of a water works corporation - - to sell water.

Since this application was first talked about, I have personally heard of and been asked a number of questions. First of all, the question was raised as to environmental concern. As far as the ground water table is concerned - - that's as far as it affects the ground water - - the pumps of this corporation are all located on the Brookhaven side. All of those wells have to be, and have been, approved by the Department of Environmental Conservation of the State of New York and by the Health Department. That's where all the ground water considerations are taken into account.

As far as disruption is concerned, the disruption in laying pipe in streets, or anywhere else, is extremely temporary. It would probably be only a matter of weeks before the entire system as proposed, or as we will describe in a minute, would be installed. The Corporation would have to place a bond with the Town Attorney. It would dig up the streets, place pipe in, fill it up and pave. Then the bond would be released. If they failed to do that, then the Town would

recover on the bond.

I suppose it's obvious, as far as the environment is concerned, what the Corporation is selling is water. So, if a pipe broke you would get a lot of water. So, I don't think, after having considered the ground level business, that environmental consideration is really of any great significance.

Now, what exactly is proposed? It is very important that we make this one point. At the present time, the corporation has a line, shown in red, running along the Long Island Lighting Company's right-of-way, ending at Randel Road in the Town of Brookhaven. It has a line running through the Rod & Gun Club property, which is being developed, and extending out almost as far as Vanderbilt - - Bob Caffrey's (phonetic) house, actually, on North Country Road.

The reason this application was made is that the owner of the shopping center that is proposed for the southeast corner of Manor Road and 25A wants it. He wants the water. So, the initial proposal is to run a line, running along the Lighting Company's right-of-way, along maybe - - I'd say 100 or 200 feet south of Sofar Wood Road (phonetic), to the Gateway subdivision, crossing the Riverhead Town line to the west of Dogwood Drive on the Lighting Company's right-of-way. The company then wants to take one of three routes over

to Manor Road: Either along Front Street, which is not open; Benjamin Street, which I believe is still a private road which is open, or the Lighting Company's right-of-way and down to Wading River-Manor Road. Now, that is what the company proposes to do immediately. The application here is for the right to do business and to lay pipes in all of the streets shown on this section of Riverhead Town. That is, North Country Road, Wading River-Manor Road, Front Street, Benjamin Street, Leonard Street, Gully Road, Dogwood Drive and Overhill Road. There's no representation being made at this time that the people residing there will get water service. The only thing they are going to do immediately is run along here (indicating).

As we said before, this is a business corporation. There has to be a financial incentive. That is to say, enough persons who want water before they will extend their lines. If enough people want it, they will do so. However, a few people here (indicating), which is on the other side and which really doesn't affect Riverhead Town, and in this area here (indicating) will be within distance of the initial pipe to be laid. You have to be within 75 feet. If you are within 75 feet the company must connect you.

It may do more, but we are asking for the right to do business and to lay in the low area shown here (indicating).

We are saying that at the present they will run a line to here (indicating).

I want to mention one substantial benefit to the people in this area (indicating). The Corporation will also install fire hydrants as it goes along. These hydrants are approved by insurance underwriting organizations and so forth. These will help directly in fighting fires, of course. In addition, they will affect the insurance rates on the persons who are within - - the houses within a thousand feet of each hydrant. Specifically, according to figures given to me by Bill Miller's (phonetic) successor, Bill Harden (phonetic), the savings in insurance on the home owner will be ten per cent. If you have just straight fire coverage it runs fifty per cent and the savings on commercial property are even more substantial.

The hydrants, however, will be rented from the company, or the use of the hydrants will be rented from the company by the Wading River Fire District. So, the Fire District will be paying money to the Corporation for the use of these hydrants. The charge used to be \$55 per hydrant. I believe an application is pending, or has been approved - -

UNIDENTIFIED SPEAKER: Pending.

MR. HAUGAARD: To raise that to \$70 per year per

hydrant. You are talking initially of maybe three, four, five hydrants. Something in that order. Not a hundred, or anything like that. The Town or the Fire District will pay a little more in taxes and the people in the Fire District will gain in fire protection and in a lower insurance rate.

Briefly, if I may, the Town Attorney is here, the Building Inspector is here, and I'm sure they will all jump on me if I misrepresent something. The point here that has been raised is what effect does water have on the development of the Town, public water. Now, all of Wading River all the way out to Wildwood State Park and the Town line, and as far south as the south part of 25A, with the exceptions that I'm going to list, is Residence B zoned. At the present time Residence B zoned is minimum lot size of 22,000 square feet. The Town Board is currently considering an application for a change of zone or an elevation of the classification to 30,000 square feet; 22,000 square feet is essentially a little more than half an acre and 30,000 is just slightly under three-quarters of an acre.

Now, as far as Residence B zoning is concerned, there is no effect that I have been able to find on that zoning by the absence or presence of public water. There's an exception to that which is a little complicated, which I will

get to in a minute. You cannot go lower than the present 22,000 square feet simply because of the water. Now, some areas of the Town in the affected area are Business C and B. Business C is our neighborhood business zone. That's down around the post office and O'Neil's (phonetic). And also along 25A from the Town line to Wading River-Manor Road. The rest of 25A extending out - - there's 500 feet on each side of the road - - extending out past where the Texaco station was is Business B. In Business B, water does affect zoning regulations to the extent that you are permitted by special permit, I think - -

Is that right, Ray?

To go to 50 feet height.

No special permit?

You are permitted to go to 50 feet in height rather than 35 feet, which is the maximum number without water. So, water, the presence of water, does affect the height requirement there.

Here are the two areas where there has been some confusion. I'm going to take the easy one first. In one of our Town zones that does not affect Wading River at all, Residence C, is you have public water the minimum lot size is reduced from 20,000 to 15,000 square feet. Now, the

nearest Residence C zone is way off this map - - is out beyond Wildwood Park, Oak Hill, Baiting Hollow.

The other exception, or rather confusing element, is to take into consideration County Health Department regulations. At the present time, any subdivision of more than four lots must either be of lot sizes of at least 40,000 square feet, or have public water. When that is reduced, it only goes down to the maximum amount permitted by the zoning law.

What does that mean here in Wading River? Well, Barnes Woods (phonetic), for example, I happen to know about. When Barnes Woods was put in, it had to go - - because of Health Department requirements - - it had to go to 40,000 square feet, which is approximately an acre. The zoning is only 22,000 square feet. It could not do that. Had Barnes Woods had public water, it could have gone down to, but not below, the zoning of 22,000. The reason I recall all that is because that seems to have been a much discussed problem.

I hope I have made it clear to you. The point there is, of course, as far as development is concerned, this is a matter completely under the jurisdiction of the Town Board. It can set minimum sizes for lots, regardless of water supply, as it sees fit. Further the application - - I want one little point so that you don't think we are tricky

or too tricky - - if the pipe is laid eventually we hope it will be along North Country Road, for example. In spite of the fact that it looks as though - - we are including in our application the 75 feet beyond it so that we can hook up to persons on the far side of that road. Any other extensions, that is of a water main beyond the area shown here (indicating), would require a new application to the Town Board and be subject to the same considerations that you have.

I have tried to answer the most common questions, and we will leave it at that, Mr. Supervisor.

SUPERVISOR SMITH: Thank you, Mr. Haugaard. If we may, I have a couple of questions.

MISS BLOCK: I haven't shown proof of posting and publishing.

SUPERVISOR SMITH: Go ahead.

MISS BLOCK: Public Hearing - 8:00 P.M.

The Town Clerk submitted affidavits of publishing and posting Public Notice of Public Hearing to be held at the Wading River Elementary School, Wading River-Manorville Road, Wading River, New York, on June 9, 1977, Thursday, at 8 P.M. o'clock on the matter of the application of the Shorewood Water Corporation for a franchise in the Wading River area to use the streets, highways and public places for the

construction of water conduits, lines and mains and to engage in the business of a water works corporation in that area.

The affidavits were ordered to be placed on file.

Petition:

We also have a petition which was submitted to us and signed by 16 residents of Benjamin Street, Wading River, stating that should the Town Board act favorably on the petition of the Shorewood Water Company to extend its service into Riverhead Town, they do not want the pipeline route to traverse Benjamin Street. Also, that at this time they are not interested in availing themselves of the service, nor having their street disrupted for the installation of a water main. They feel that more suitable routes are available for consideration, potential approval and use, and collectively make no commitment either for endorsement or rejection of the Shorewood Water Company petition by the Riverhead Town Board.

Filed.

I have a communication-which was handed to me this evening. It's from Bill Nohejl. He lives on Long Pond Road, Wading River:

"Dear Members of the Town Board: I regret not being able to attend tonights' hearing due to a previous

commitment.

"I wish to go on record as favoring the proposal presented on the following conditions:

"1. That the proposed water mains be installed under Town, County or State roads.

"2. The property rights of all the residents be respected by being excluded from condemnation or easements on their property.

"3. The property owners shall not be taxed or assessed if this proposal is successful.

"4. The homeowner shall not be compelled to hook up to this water service against their free will.

"I commend the Town Board for having this hearing in the area that is directly affected.

"Sincerely yours, Bill Nohejl."

That's essentially my correspondence.

SUPERVISOR SMITH: Thank you, Miss Block.

Mr. Haugaard, could we have an additional copy, or copies of this exhibit, for the Town Clerk's record?

MR. HAUGAARD: You can have that.

SUPERVISOR SMITH: All right. We need to complete this file, if we can, please, a copy of the Certificate of Incorporation.

I have several questions. The application speaks of a franchise in perpetuity. We are advised by Mr. Danowski that the statute speaks generally of a ten-year or twenty-year contract. If either you or Mr. Reid could address the ten or twenty-year period at some point during the evening, I would appreciate it.

There are two other matters that have come to mind in studying the application that you might be able to discuss with Mr. Reid. One, whether or not you are seeking in the application an exclusive franchise within the roadways of the community. Secondly, should your corporation at some point wish to sell to the Suffolk County Water Authority or otherwise, that any water district within the Town of Riverhead be given a right of first refusal with reference to that sale.

Those are the three items. I don't necessarily need the answer at the moment. We have plenty of people here. We will let them speak and maybe after a break, you will address those questions.

If anyone would like to address the Town Board with reference to this particular matter, or pose questions, please stand and give your name and address to Miss Block. If there are questions, ask them of me and I will ask them of Mr. Haugaard, rather than having people go directly at each other.

Is there anyone wishing to speak?

(There was no response.)

SUPERVISOR SMITH: We can all go home.

ROGER A DRAGNA, Orchard Road: I'd like to know the status of that shopping center they're proposing to bring the water into. What is happening on that shopping center?

SUPERVISOR SMITH: We conferred last on that six months ago. The site plan was approved.

Ray, have they ever picked up building permits?

MR. WIWCZAR: They picked it up and their building permit expired and they renewed it.

SUPERVISOR SMITH: How old is the second one?

MR. WIWCZAR: Around two months.

SUPERVISOR SMITH: That leaves them how much longer to work on it?

MR. WIWCZAR: You have to start the job in four months.

SUPERVISOR SMITH: So they have two more months on the second permit that's been issued.

MR. A DRAGNA: How many permits can they get, indefinite?

SUPERVISOR SMITH: If it's a permitted use under the zoning as it currently stands, and he wants to keep paying

the permit application fee, he can come back as many times as the gentleman might wish. It is a permitted use at this point.

LOU CHAUNCEY: Is it possible this is holding up the shopping center that's proposed? Is it possible that this hearing or the right to the water is what's holding it up - - is why we haven't gotten it yet?

SUPERVISOR SMITH: It's a possibility, sir. There are many factors that go into building and I don't happen to know. It could be finances. It could be a million other things.

UNIDENTIFIED SPEAKER: We all have to ask questions of you, but shouldn't he have referred his question to Mr. Haugaard?

SUPERVISOR SMITH: Mr. Haugaard, do we know what the building problems are?

Mr. Reid?

MR. REID: Would you like me to answer that? I don't know the answer, but I spoke with the owner of the shopping center some two months ago. He said then that he would delay the construction - - continue to delay the construction - - pending the resolution of the matter which we are here for this evening. At that time he said that he was waiting to determine whether he wanted - - before he started construction

he had to know which way to go; what kind of construction to put in, whether to put in a sprinkler building or other type of construction.

SUPERVISOR SMITH: I guess the answer is it does.

Is there anything else?

RICHARD LARSEN (Wading River): I'm a member of the Riverhead Planning Board and I'm obligated to address myself to that facet of the Master Plan which affects the disposition of the extension of water directly in the Town. On Page 21 of the Master Plan it says, "In keeping with the concerns of the Environmental Plan, all one-family developments shall have 40,000 square foot lot sizes unless both public sewerage and water supply systems are available. 'Public' in this context would include local area systems. It is proposed that no new Residence C District Area be approved, nor any high density residence districts be developed where public sewerage and water supply systems are not available. Neither should be located outside of the urbanized band of the general concept of development." That is to say that no water or sewer district should be developed outside of the hamlet area of the Town in keeping with the general Master Plan guide for the development of the Town of Riverhead.

Also, the Master Plan calls for all of the Wading

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River area to be low density. Low density, which is on Page 18, says there should be one acre or more - - units per lot. If, in fact, we go to Residence B and we have water - - which is currently 22,000 square feet - - it might go to 30,000 - - but, in fact, this would change the general character of this area. I would like to at least have that on the record. Thank you.

SUPERVISOR SMITH: Is there anybody else who would choose to address the Town Board on this matter?

JIM RYAN (Benjamin Street, Wading River): If you will bear with me, Mr. Smith, I put together this letter rather in haste this afternoon. Please excuse any grammatical errors.

"RR1 Benjamin Street, Wading River, New York, 11792.
June 9, 1977.

"To the Riverhead Town Board:

"As collectively stated to Mrs. Tomlinson on 30 April at my home, as reaffirmed in our letter delivered to the Town Board on 3 May, and as again reiterated by myself to the Town Board on 7 June, the eight families of Benjamin Street - -

"Karen and Dick Maddas, Pat and John Hauser, Christine and Russ Knights, Gloria and Ted Ivey, Betsy and Ken Bensen, Joann and Steve Wohlleb, Mary and Pat Murray, Jean and Jim Ryan

again wish it to be known that:

"If the Riverhead Town Board should act favorably

upon the petition of the Shorewood Water Company to extend its operation into Riverhead Town, such approval should be granted only upon the guarantee of the utilization of a route not to include Benjamin Street.

"1. We are, at this time and for the foreseeable future not interested in availing ourselves of the services of the Shorewood Water Company.

"2. We have no desire to have our private road disrupted and torn up for the installation of a water main.

"3. We have no desire to see created in the form of trenching and pipe laying operations, intolerable safety hazards for our children -

"Linda, age 13; Steve, age 10; Jennifer, Kristen, Colleen, and Jennifer Jean, age 8; Christine, age 7, Carol Ann, age 6; Susan and Christopher, age 4; Steven and Patrick, age 3; and, Robyn, age 8 months.

"4. We have no desire to see our roadbed in a worse physical condition as a result of water main installation operations.

"5. The four families on the north side of Benjamin Street would not grant an easement to allow the installation of a water main running north from Benjamin Street to the Quail Hollow development. We do not desire the environmental destruction of the natural vegetation

which includes numerous dogwoods and other trees - that exists along the north - south property lines of these four homes.

"(6) We do not desire the destruction of the roadway circle, and its large shade tree, at the west end of our street - which would occur as a result of water main installation operations.

"(7) We feel that more suitable routes are available - namely Route 25A, or the LILCO right-of-way, for the installation of a water main.

"Again, let it be stated that we, collectively, make no commitment either for endorsement of or rejection of the Shorewood Water Company petition by the Riverhead Town Board. We merely state that any potential decision granting approval of this petition should include the guarantee that the route shall not utilize Benjamin Street.

"We individually may or may not choose to express our opinions, either pro or con, to the Town Board with respect to the Shorewood Water Company petition.

"At this time we would like to invite the members of the Town Board, individually or collectively, to spend an hour with us on our block in order that you may gain better insight as to the unique physical character of our

street and surroundings, and to experience the special and unique personal relationships that exist among our eight families. Indeed, in three years time, we have become a close-knit family.

"On behalf of the 29 members of the eight families of Benjamin Street I remain,

"Respectfully yours, Jim Ryan."

SUPERVISOR SMITH: Thank you, Mr. Ryan. You asked me the other day, Tuesday, to do some work with reference to the title to the land underneath the street to which you have made reference, and on which you live. Quite frankly, I have not pursued the actual title in that one of the things that I suspected Tuesday evening turned out to be true upon examination. I would tell you, although Mr. Reid appears before you this evening and is laying out for you as best he can, the route that he is proposing - - I guess it's wrong to say "he is" - - but his corporation is chartered pursuant to the Transportation Law and they do have the power of condemnation of private property. So, the issue of whether or not your street is public or not public, whether you might own it to the center, et cetera, although it may bear on this application tonight, because it's being framed in that particular way of determining exactly where the pipes may go, there is a power of eminent

domain with this kind of corporation.

MR. REID: I'm not sure, but it seems to me that it can only be exercised after permission is granted by the Public Service Commission. We cannot enter into such by ourselves.

That's one question that I would comment on. Secondly, we have, as you heard from Mr. Haugaard, two other alternative routes that we propose.

SUPERVISOR SMITH: I'm not arguing with the manner in which you appear before the Town Board this evening. I find you to be a very nice gentleman. But these people are here to consider the future of their particular community, and I think in some fairness to them we lay all the cards on the table as we see them. Neither you nor I would deny that in the Transportation Corporation Law the kind of charter that you hold does grant you power of eminent domain.

MR. REID: I want to continue, Mr. Supervisor, by saying that since the people on Benjamin Street are not interested - - the reason we sought first to go on Benjamin Street was to get customers. There were eight potential customers there, but obviously they are not customers. Therefore, it would be much more expeditious for us to go another route where there are customers, either on the

Lighting Company's right-of-way or Front Street. We would be glad to stipulate that we would not go down Benjamin Street.

SUPERVISOR SMITH: Thank you, sir.

JOHN HAUSER (Benjamin Street): I appreciate Mr. Reid's comments about our street, but I think we should have a little further clarification. It was my understanding coming here that not only was the route proposed to go down Benjamin Street, but to the borderline between myself and Christine and Russ Knights. An easement was to be made through our property into the other Broad Hollow subdivision. I think, as I understand it, and I think people should clearly understand that not only can our private streets be condemned, but you could very well wind up with a water main running right through your lot. That seems to be what was proposed to us initially, and was never clarified.

SUPERVISOR SMITH: I think, Mr. Hauser, what Mr. Reid has just said is that - -

You are abandoning, for the record, sir, that portion of your application as it pertains to Benjamin?

MR. REID: Yes, sir, we are. We will further stipulate that we will not go down Benjamin Street at all if the people don't want us. We will have to be invited in in order to go there.

This gentleman mentioned something else that goes beyond that, however, Mr. Supervisor, which I think should be clarified. That is the thought that we expressed sometime ago about acquiring an easement from one of the three property owners at the end of Leonard, south end of Leonard Street in Quail Hollow, in order to bring a water main into the Quail Hollow subdivision. I met with the members of the Quail Hollow Civic Association about ten days or so ago and, after looking at the three particular properties - - I think this gentleman may have been referring to one of them - - I abandoned that idea then as being - - while it's physically possible to do pretty nearly everything, the damage that we would do to the property of any of those three people would be beyond reason. I will, under no circumstances, even seek an easement for that purpose. But, in order to serve the Quail Hollow subdivision, we will go down the Town roads only.

SUPERVISOR SMITH: Thank you, sir.

Does anyone else wish to address the Town Board with reference to this matter?

ROGER LEE (Francis Street): I have a couple of comments. First of all, I'm looking forward to the chance of having public water on my street as one of the streets in this proposal. Currently our well is doing all right. We

were somewhat fortunate. We were struck by lightning two or three years ago. So, the whole mechanism was replaced under insurance. Several of my neighbors don't have that opportunity and their wells are starting to go. They are looking at one thousand, two thousand or more dollars to replace them with new wells. So, the idea of having public water on our street is nice for me.

In addition to that, I like the idea of having fire hydrants in the neighborhood, not only for myself and other people who would be near the hydrants, but particularly for the school. I think it's very beneficial for the community.

The last comment is on the cost. Currently it costs us more to soften our water than it would to buy the water from this company. So, even though our well is in good shape at the moment, if you were to run a water line up our street tomorrow, we would connect to it because it would cost us less than softening the water currently.

SUPERVISOR SMITH: Thank you, sir.

Murtha
JACK MURTHA (Wading River Civic Association, president): I have a few questions. One, is there any proposal for any wells to be placed in the Wading River area, new wells?

SUPERVISOR SMITH: The Water District owns acreage contiguous with the - - in the section of Fresh Pond Road and

Sound Avenue where a deep well was drilled and tested for water quality. So, there's a well site that potentially could service this area.

MR. ~~MIRTHER~~^{Murtha}: What happened to this proposal? Are there any wells going to be drilled right now?

SUPERVISOR SMITH: Was it Mr. Reid's proposal?

MR. ~~MIRTHER~~^{Murtha}: Yes.

MR. HAUGAARD: No.

MR. ~~MIRTHER~~^{Murtha}: So, then, all the water will be coming from the Shoreham well?

MR. HAUGAARD: Yes.

MR. REID: May I answer that? Yes, we would under no circumstances drill wells in the Wading River area. From the evidence that we have obtained so far, the wells in this area have an excessive amount of iron and manganese. The wells in the Shoreham area have such a small amount of iron and manganese that it's hardly measurable. I have had tests made by the same engineers that the Town uses. They were made two weeks ago. So, we would not come to Wading River.

MR. ~~MIRTHER~~^{Murtha}: So, what we are saying, then, is that there will be no wells over here and all the water has to be piped over from Shoreham?

SUPERVISOR SMITH: I think that problem is clear.

Murtha
MR. ~~MIRTHER~~: I have spoken to some people in Shoreham and they weren't satisfied with the pressure that they had in many parts of the summer months, but that's besides the point.

We spoke of the savings in insurance, a ten per cent reduction in fire insurance, but we also said that there would be only about three or four hydrants. Now, I don't know, to my way of thinking, three or four hydrants and ten per cent fire insurance, we are not talking about a tremendous savings as far as fire insurance reduction would be concerned.

SUPERVISOR SMITH: I believe there are probably engineering standards that would be conformed to with reference to placing the hydrants. I do believe the gentleman explained that it's within 100 - - 1,000 feet of a particular hydrant.

Murtha
MR. ~~MIRTHER~~: True. How many houses are we actually talking about that would receive this ten per cent savings?

SUPERVISOR SMITH: That's an open question, but - -

Murtha
MR. ~~MIRTHER~~: There must have been a study made.

SUPERVISOR SMITH: Do we have an answer to that, Mr. Haugaard?

MR. HAUGAARD: The initial line is along - - now, you were going either way - - they are going to put in hydrants.

Anything within a thousand feet of that would get the insurance reduction. I don't know exactly how to tell you what that would be.

MR. REID: Mr. Supervisor.

SUPERVISOR SMITH: Mr. Reid.

MR. REID: Our policy has been established quite recently to install fire hydrants at every 500 foot interval. This is substantially beyond the requirements of the insurance writers organizations, who will allow a reduction in insurance for any residence or building within a thousand feet by reason of an approved hydrant. We are doing so because one of the things upon which the rates are based is the distance between hydrants. The best rating is given for communities that have hydrants of 500 feet. That's the policy that we have established and, if the Wading River Fire Commissioners are agreeable to such a policy, we would follow that policy.

SUPERVISOR SMITH: Thank you, sir.

MR. ^{Murtha}~~MERTHER~~: The only other question I have is that you started out with 40,000 square feet and we dropped down to 22,000 square feet as far as the necessary piece of land to build on, and if the present Town Board is still here in five years, ten years, two years - -

SUPERVISOR SMITH: Or seven months.

MR. ^{Murtha}~~MERTHER~~: I'll give you the benefit of the doubt.

SUPERVISOR SMITH: All is friendly still.

Murtha
MR. ~~MIRTHER~~: It isn't all friendly - - and we had a tremendous guarantee that these rules and commitments could be maintained, fine. But, clearly, every November it's a new ball of wax. We went through this last May.

SUPERVISOR SMITH: If I may - -

Murtha
MR. ~~MIRTHER~~: And there's nobody guaranteeing anything.

SUPERVISOR SMITH: If I may bring you up-to-date as best I can, there's a study. I'll explain. Yesterday afternoon County Executive John Klein met with the Builders' Association, and I'm on one of his committees with reference to this kind of matter, and there is a study that's called the 208 Water Study. Rather than the arbitrary rules that currently exist by the Department of Health with reference to installation of sewers and water supply, there will be some changes that will permit us, at least at the County level, to build on less than a full acre. But I think it's safe to say, Jack, that at this point, and pending the filing of the 208 Water Study, that there will be no building, subdivision building, unless - - 20,000 square feet - - unless there's a water supply.

Murtha
MR. ~~MIRTHER~~: That's part of the problem.

SUPERVISOR SMITH: I've laid it out for you. I'm not trying to hide anything from you. The other thing is we have a documented resolution with reference to the 30,000 square foot requirement as discussed by Mr. Haugaard.

MR. ^{Murtha}~~MURPHY~~: I don't really see what the tremendous advantage is to having this water come into the Riverhead part of Wading River to the people that live here. I have not heard anyone tell me that - - you know - - this is something that's going to be the answer to all our problems. We do have wells that are probably not the greatest in the world, but we also have kind of a large piece of property that you have to build on. These are the things basically that we are trying to maintain, not to increase the density. We are looking to keep it. Not to be exclusive, but - -

SUPERVISOR SMITH: There are arguments on both sides of the issue. If I were to argue Mr. Haugaard's side of it for the moment, I think that we live on an island and that water supply is one of our finest resources. Whether it be through zoning or through water supply, it could be either public or private, these are issues that we will face sooner or later.

MR. ^{Murtha}~~MURPHY~~: All right, but when you are going west and I've lived west - - and I've had water, public type water - - they are in bigger trouble than we are. I think one of the

reasons is the density of the communities. They cannot afford the sewage that - - well, basically, we can't afford it, either, and - -

SUPERVISOR SMITH: That's what we are here to debate.

MR. ^{Murtha}~~MURPHY~~: Well, I haven't heard anybody say that we really need it, except Mr. Reid and Mr. Haugaard.

SUPERVISOR SMITH: Let's have you sit down and we will ask for other people.

UNIDENTIFIED SPEAKER: How did sewage get in? We are talking about water.

SUPERVISOR SMITH: There are several ways of addressing water quality. They go hand and hand.

CHRISTINE KNIGHTS (Benjamin Street): I have a few questions for either Mr. Reid or Mr. Haugaard.

SUPERVISOR SMITH: Why don't you ask me?

CHRISTINE KNIGHTS: I was under the impression that the water main where the line starts is located somewhere in Ridge and that Wading River was basically the end of the line. Therefore, it would greatly affect the pressure. I may be wrong. What I'm wondering, is how it will affect the pressure for people like myself who live really high on the hill. I have the feeling, from the information I gathered, that the

pressure would be very low the higher up you are. The altitude of your house - - and that there's a booster available, that no one has spoken about, for the homes that are high, but that's also very costly. I also have not heard anyone talk about a specific - - unless I'm not paying attention - - specific costs to the hookup - - to the lines with the booster with the meters - - the cost of the water per gallon with the washing loads, with the toilet flushing, et cetera, et cetera, all which runs into great cost according to the figures that were quoted to us at the original Association meeting where the matter was brought up. So, I wonder if some of these questions could be answered tonight?

SUPERVISOR SMITH: Mr. Reid, I assume these fall within your jurisdiction. Shall we have an answer, please, to the pressure problem first?

MR. REID: Our system is what is known as a gravity system, which means that the pressure varies with any particular location, depending upon the height of that location above sea level. The system that we now have varies tremendously, with a pressure variance in Wading River, for instance, of 150 pounds per square inch at the residence of my son, who lives on North Country Road, down as low as 27 pounds at the highest point in Wading River, that's the Rod & Gun Club. By

law we are required to maintain a minimum of 20 pounds per square inch at all times and we have always done that.

The question was asked of me, Mr. Supervisor, at the Civic Association: If a person desired a higher pressure could they achieve that? My answer was: Yes, by installing a pump in their house in order to boost the pressure higher. The last time that I heard a price on that was in the order of \$200 for such a pump.

SUPERVISOR SMITH: Would you address - - let's take it two ways. Let's take your current rates and the rates that are currently pending before the Public Service Commission.

MR. REID: The smallest that we have now is a five-eighths inch meter. Under our present rate schedule the charge for three months for a five-eighths inch meter is \$9.90. That allows the use of 9,000 gallons of water, or a hundred gallons a day. We have applied for an increase in rates. The new rate for that smallest meter, five-eighths inch meter, allowing the same 9,000 gallons, will be \$9. You heard right. Actually, we will be reducing the charge for the smallest meter from \$9.90, for three months, to \$9 for the same amount of water. The result of this will be that approximately 38 per cent of our present

customers will actually receive a reduced water bill in the future because that's all they use is 9,000 gallons of water. We have applied for an increase in rates, but the increase is for the people who use beyond that. The increase will be substantially for them. It will be at least 25 per cent, but these are the people who use large quantities of water. They are the ones who force us into a position - - we have just ordered yesterday a new thousand gallon a minute well in order that we have a sufficient amount of water to deliver for our customers.

We will install, by the way, an additional thousand gallon a minute well later this year. We will increase our capacity by 2,000 gallons.

SUPERVISOR SMITH: What are the prices, please? You say above the 9,000 gallons - -

MR. REID: The rate for the first 9,000 gallons comes out to the \$9.90 that I quoted. The next 66,000 gallons is at the rate of 75¢ per thousand. The proposed new rate will be \$1 per thousand for the first 75,000 gallons. Above that will be 75¢ instead of 50¢ as it presently is. We are attempting in this way, through our customers' pocket-books, to bring about the conservation of water. If they want water we will provide it, but that they are going to

have to pay for it. Hopefully we will bring about a reduction in the consumption of water in this way. We have proposals with the Public Service Commission. They seem to, so far, look favorably upon the idea, not necessarily upon the actual figures.

SUPERVISOR SMITH: Mrs. Knights, you have a question?

CHRISTINE KNIGHTS: Can I assume from what you are saying that a person who may have a large family is basically going to be penalized? Because they will require more water they are going to have to absorb the additional costs?

MR. REID: Somebody has to pay for it, and we propose that the people - -

CHRISTINE KNIGHTS: I just want it in layman's terms. I want everybody aware of that.

I also was told that it takes 30 gallons out of the 100 that we are allowed each day for \$9 - - 30 gallons to do one machine load of wash. A large family or a family such as myself - - I do four loads of wash a day sometimes. At 30 gallons I would be exceeding that hundred gallons per day just on wash. That's not including doing the dishes, taking a shower, watering my lawn, filling a little pool, or other things that in the summer is going to make a big difference.

Also, I was told that the water pressure - - if your neighbor decides to fill his built-in pool, your water pressure goes down considerably. Who's going to go down and tell their neighbor to turn off their water hose?

SUPERVISOR SMITH: Mrs. Knights, it was supposed to be a question, but we will take it as a statement.

MR. REID: I would like to respond to the last part of that. I don't know of an instance in the 30 years that I have been operating this company when a neighbor's water pressure has been reduced. Our mains are all of a minimum of six inches in size. Under no circumstances will a neighbor's use of the water affect their neighbor's water supply.

SUPERVISOR SMITH: Mr. Reid, we are going to take one more question and then we will take a break.

What are your hookup prices?

MR. REID: We charge nothing to connect to our main. We bring the service line to the customer's property line at no cost. We require the customer to provide a suitable container to install our water meter. We, in most cases, do provide that for the customer. The customer does not have to take our meter pit, but in nearly every case they do. The charge for that is \$195. There's an additional charge to run from the meter pit, that's installed at the property line into the house.

This runs normally no more than \$2 a foot. We do not do that. Other contractors do that.

SUPERVISOR SMITH: Sir, if we may, Mrs. Tomlinson has one question. Then we must give this young lady a break or her fingers will fall off.

COUNCILWOMAN TOMLINSON: You didn't answer Mrs. Knights' question about the main water pipe coming from Ridge.

MR. REID: I'm not quite sure why that was brought in. Our mains go from Shoreham - - on the waterfront here in Shoreham (indicating). Some of our wells are up in this area (indicating) all the way down to Leisure Village on the other side of Ridge. As far as that's concerned, they all go the full distance. The entire system is linked, all one system. So that our wells, actually three of them, are up at the north end of the system and one is at Leisure Village. There will be an additional one in two months up at the north end and an additional one at the south end. Ridge is a part of our system, but we don't bring water necessarily from Ridge. Most of it will come from the north.

SUPERVISOR SMITH: We will continue in five minutes.

(Supervisor Smith called a five-minute recess, after which the meeting resumed.)

SUPERVISOR SMITH: Ladies and gentlemen, we will bring the meeting back to order.

I would like to answer one inquiry that was put to me while we were on a break. Although the results of the 208 Study may permit, as far as the County of Suffolk goes, building on lots that are less than 40,000 square feet, the zoning of the Town of Riverhead, again, will remain controlling. So that if the zoning is, for instance, at 30,000 square feet or 40,000 square feet or 60 or 80, no matter what the Department of Health said with reference to what was permissible pursuant to their rulings, the controlling ordinance in that instance would be the zoning of the Town of Riverhead. When we finish up and close this hearing, those of you that might wish to discuss that particular issue will be given an opportunity to speak. But that is not really the issue before us at this time.

We had some hands at the close that have not spoken yet.

Sir, I don't believe you said anything.

FAUSTO DEL MAESTO (North Country Road, Corner of Randel Road, Wading River): I happen to be at the end of the line of the Shorewood Company. I recently got hooked up and I just have a few statements, no questions or anything. I have

noticed double pressure that I have had with my well. I also had a sand filter on my well, plus water softener. I know I've reduced the cost. There's a lot of things people don't realize. I'm using my well now as a sprinkler for my lawn. I was able to tie in the water to the rest of the house. I don't know about the electrical savings. I don't have a figure, but I know I saved. The value of my house - - I'm not an expert - - but I feel I can ask more for my house if I were to sell the house. I have a hydrant nearby. When me and my wife start a family, I will feel more secure. I'm a newcomer. I've been here only a year. There's nothing more I can say. I feel very happy about the system.

Thank you.

SUPERVISOR SMITH: Thank you, sir.

BILL CROWLEY: Talking about the value of the house, how would that affect the tax rate, say you were to hook up to the City water? Would the tax rate go up?

SUPERVISOR SMITH: I don't believe so, sir. It's a question that should be addressed to our Town Assessor, as you may or may not know. I don't have a veto power over what they do. I do not believe that they would go to that extreme.

Far left, red shirt.

WILLIAM MILLER: I just want to add something to what Mr. Crowley said. As far as the value of an acre of land that has City water or has a well, it's normally discounted, if it doesn't have the City water, for the cost of putting in the system, which maybe is fifteen hundred or two thousand dollars. But, from a standpoint of having fire protection, something like that doesn't affect the value of land specifically, as an assessor or real estate broker would say. But it does have an intrinsical value.

SUPERVISOR SMITH: Now, the gentleman with the pink shirt.

GORDON HYGOM: I'd like to know - - he was talking about costs before - - what's the cost to the Fire District per hydrant, and approximately how many hydrants will there be?

SUPERVISOR SMITH: \$70 per year, three to four hydrants.

GORDON HYGOM: Thank you.

SUPERVISOR SMITH: Again, on the left side.

ROBERT KALFUR (Wading River): I'd like to mention something that people don't realize. A couple of years ago my well didn't go bad, but for some reason the water table changed. I have an above the ground pool, and it cost me a

fortune each year in chemicals trying to keep the iron out. At least with this in there now, I don't have that problem. It solved that for me. I was fortunate. I was one of those who had to buy a pressure reducing valve to stop from blowing the lines.

The other people didn't seem to realize amounts. I have a larger meter. I pay a little extra, but if I want to put a sprinkler system in, I can then do it. The meter I have is 22,000 gallons for \$18.75. Now, in terms of what that amounts to, I have a fair size house and I have been sprinkling and doing everything with that amount of water. When my pool was bad I changed my pool, which is above the ground. That took 13,000 gallons. It sprung a leak and I refilled it. So, I used 26,000 gallons on the pool alone, plus watering and all that sort of stuff. I ended up with a \$60 water bill for the quarter. Since that time, without the problems with the pool and all that, and having put my sprinkler on, my bill - - I have not reached my minimum bill yet of \$18.75. I pay the \$18.75, but I have not used the 22,000 gallons of water per quarter.

SUPERVISOR SMITH: Thank you, sir.

DOROTHY GILL (Wading River): I would be interested to know what the average yearly cost of a water customer of the

Shorewood Water Company is.

MR. REID: The average last year, 1976, was approximately \$65 for the entire twelve months.

SUPERVISOR SMITH: Gordon.

GORDON DANBY (Wading River): I believe this is one of the biggest issues that's come along in a long time. I must say, with no prejudice against Mr. Reid or his Water Company, I believe that the Town Board should reject this request at this time. My reason is purely and simply, I consider we are really at a very crucial point in the development of this area and a large scale, public water system without sewers is dynamite.

A gentleman from the Suffolk County Water Authority came to this Village a few years ago and gave a very interesting speech. We have no water except what falls from the sky. It's slowly percolated through the sand and fuses out to the ocean again on both sides. This takes many years. The result of that, depending on how deep you go, is the water is in the condition from what you do to it for roughly a generation. It's not one year. It's 30 or 40 years. This gentleman pointed out that Nassau County is already pumping the water on the bottom terrain. They can't go any deeper. Anything above that has been polluted in one generation. This is obviously a

pattern that can be repeated anywhere on the Island. It would take them clearly another generation or more to rectify that situation once it happens. In fact, his speech was so well received that another group in the community invited him back to hear these things.

You may have noticed recently in the papers that Nassau is very close to having to import water. That's worse than gasoline.

The point I would like to make is the following: That without sewers it's a time bomb. In theory they are not connected. I agree they are not connected. I don't dispute the deep well, public water system might work out better for some people. I'm worried about a more basic issue; namely - - I'm not saying there should never be a public or private water authority in this area. One of the cliches in the East End is that we are not going to make the mistakes of Islip. What does that mean in simple English? It means that if we don't do things differently than they did, we are going to go down the same path.

Dick Larsen referred to the fact that we have at least a Master Plan that has certain layouts for the entire area. The population is very close to this. In my judgment, our goal in the next year or so should be to review and totally

balance the Master Plan for this area so it is defensible in court. Even zoning doesn't stand up if it seems to be arbitrary. Water systems come under the public domain. Some gentleman next door wants to develop some high density purpose for his land and he does it. Then you say to the guy down the road - - you say - - you can't do that because we have too much density around here. He will bring you to court. It will be arbitrary and capricious if we don't have a plan that's for long term survival - - a good way of life here. For that reason, I feel such a thing is taken in the short run and not taken in the long run. Either I benefit or I lose. We will all lose if nobody can afford to live here. It doesn't mean that you all have to be rich. If we don't get sewers, we are just going to go down the same tubes as happened in other places.

I'll make the following specific example. The gentleman from the shopping center wants to come in here. He's been negotiating for a couple years. He has been dialoguing the community. Everything is fine. Then all of a sudden it appears that he's implying a threat. If it's not going to go this way, he's not going to build a shopping center. I take this as not to his credit. It worries me. That's precisely the point I'm getting at. If you look at 25A it's a mess. If we do not have a balanced plan that can stand up in court, we might as

well forget about a better place for our children.

SUPERVISOR SMITH: Thank you, Mr. Danby.

LOU CHAUNCEY (Breezy Point Road, Wading River): In rebuttal to what the gentleman just said, whether we draw from Mr. Reid's company or we take from our own wells, we are going to diminish the supply just the same. Mr. Reid's company will send us a bill, which will, in a way, curb us from diminishing that supply too quickly. I don't notice any difference in my electrical bill only because my home has always had well water. I have always had the same amount of water. I'm sure if I installed Mr. Reid's water my electrical bill may go down. I might see a difference where I might conserve and I think that's true of most people here. I don't believe that only because you are getting Mr. Reid's water or any water company's, that's going to make any difference whatsoever in the amount of water that you use. It all comes from one pool basically. As a matter of fact, the water that's going to come to us in Wading River isn't going to be from underneath our own ground. It's going to be from another area. So that if we use it, we are not diminishing our own, am I right?

SUPERVISOR SMITH: Mr. Miller, you had your hand up before.

MR. MILLER: Mr. Danby made a very fine speech. However, Nassau County's problem is basically because they

paved too much of it and built too many houses on it. Suffolk County for many years has required discharge basins and they have been keeping the density down. I think if they continue to do that and with the zoning setup basically at 42,000, to keep the density down - - whether or not we have a water system they are going to build just as many houses here.

SUPERVISOR SMITH: Mr. Danby, I don't want to get you and Mr. Miller in a fist fight. Why don't we let some other people talk, and then you and he can beat on each other.

I think there was a hand - -

JIM RYAN (Benjamin Street, Wading River): I agree with Mr. Reid a hundred per cent that the time has come for the conservation of water as well as oil, electricity, or whatever. However, a figure of a hundred gallons a day has been used here tonight. I'll ask my friend, Betty Bensen, to give us some relevant statistics.

How many loads of wash do you do a day?

BETSY BENSEN: Well, I frequently do three.

JIM RYAN: Approximately 40 gallons per load, three times a day, okay. There's a family of four. Two showers, two baths, cooking, sanitary conditions. That's a lot more than a hundred gallons a day. Did you add up the figures?

SUPERVISOR SMITH: Yes, sir.

JIM RYAN: Okay. I think the figure of a hundred gallons a day is too conservative. It would be a nice goal to reach. Perhaps that's what the residents in California have been asked to reach because of the drought conditions in the West, but it is a conservative figure for a family of four.

SUPERVISOR SMITH: Thank you, sir.

Ma'am, you haven't spoken.

SARA WOOD: Sir, I'm confused. You don't have to use the well water even if it comes on your street, do you?

SUPERVISOR SMITH: No, ma'am.

ROGER LEE: Can you tell us what the rates are and the amount of water mentioned for the three-quarter inch - - he quoted you, I believe, the \$9.90 for the five-eighths inch meter. If you get a larger meter I think you will find the rates go up, and so will the volume.

MR. REID: A three-quarter inch meter allows 9,000 gallons a quarter - - 12,000 gallons a quarter. The price presently is \$12.50. With the Public Service Commission's approval, our rate will become \$12 instead of \$12.50. A one-inch meter is 22,000 gallons. The price is presently \$18.90. That will go to \$22.

SUPERVISOR SMITH: Thank you, sir.

Mr. Haugaard, can we pick up with those questions?

MR. HAUGAARD: Mr. Supervisor, you asked us to answer certain questions after the break. We will supply a copy of our Certificate of Incorporation. We are not asking for an exclusive franchise. We will give to the Town of Riverhead the right of first refusal if we ever get an offer to buy from the Suffolk County Water Authority, or anybody else, I guess. Mr. Reid would like to speak to you briefly on the question of the period of the franchise.

MR. REID: Mr. Supervisor, the mains that we would install would be six inch in size, or larger. The Public Service Commission of the State of New York determines what it believes to be the useful life of those mains. That is a century. For us to have a franchise for less than a century would be to require essentially for us to have a separate rate schedule for this area in order to recover the cost of the plant that we would install here. Our system is built to last a century. I have been in this business 30 years. Last year we removed some mains that were put in 29 years ago, and they were just as good as the day we put them in. I expect all of this to be here a century from now. I can't be around to prove it, but that's what I expect.

Mr. Supervisor, with me this evening is Mr. Joseph

Holt who is retired from the Public Service Commission of the State of New York as Chief of the Water Bureau. He is familiar with private water companies throughout the State of New York. He knows of none in the State of New York that has a franchise less than perpetuity. Thank you.

SUPERVISOR SMITH: Thank you, sir.

MR. ^{Mustha}~~MERTLER~~: You will be given the opportunity to buy a pipe system, from what I gather. Will there really be no wells or any other facility then?

SUPERVISOR SMITH: What I said before was not truly understood. The Riverhead Water District owns a well site at the intersection of Fresh Pond and Sound Avenue. In planning for the future of this area, if there were, in fact, a large municipal water supplier in our future, you might anticipate that that would be the location of a deep well. If we bought, we would be buying - - not we necessarily - - that mythical Board six months or ten years from now - - would be buying a pipe system as far as this particular community goes.

MR. ^{Mustha}~~MERTLER~~: With no hookups to anything?

COUNCILMAN MENENDEZ: We would have to have a well.

MR. REID: We could sell the water to you on a wholesale basis as an alternative.

CHRISTINE KNIGHTS: That is one of the issues that

you have not discussed this evening, whether or not there is any interest in a public supply system. I have heard nothing said about it this evening, other than by inference to what Mr. Danby said.

ROBERT DONNELLY (Wading River): In spite of the fact that the County of Suffolk is engaged in a 208 Water Study, I don't believe that anyone can really deny that there's a direct correlation between the institution of a water supplier and sewerage system and population density. Right now, as Mr. Danby said, Riverhead Town is really at the critical point in determining its future. More particularly, the hamlet of Wading River is even at a more critical point. Population has grown in this area, I would assume, because of the construction of the Shoreham nuclear facility. Because of that, I would recommend to the Town Board that at the very least they take a long hard look at what a public water system would do to the hamlet of Wading River as far as increasing the population density and the effect that it would have on us all.

UNIDENTIFIED SPEAKER: I would just like to say that I did, in fact, say what was in fact the plan for the Town of Riverhead for the construction of municipal water districts throughout the Town, which is not to construct

outside of the hamlet area. That is, in fact, part of the Master Plan, which I think is exactly the kind of thing the people have to look out over the long view.

UNIDENTIFIED SPEAKER: I want to make it clear that I'm not in principle against people buying water. We are well aware it's a practical matter. It's not a theoretical matter. It's a practical matter because people react to short term problems. I'm not opposed to drawing water from deep wells. Obviously, a lot of people benefit. What I'm concerned about is, whether I win or lose, what is going to be here in the future. Right or wrong, that was my point.

MR. HAUGAARD: Mr. Supervisor, the last few questions have all had as a central theme the question of population density. Of course, that's the basic question. I thought we would start out and finish up quite well by saying that the minimum lot sizes will be established by the Town Board regardless of whether or not there's water. That's completely under the control of the Board. However, I want to mention one point. I'm aware of the objections that could be made, but it's something that should be said. The particular area for which this application is made is along North Country Road, down Wading River-Manor Road and the intervening area. Now, that intervening area, I believe practically all of that

area is on filed maps and is pretty well sold out. There's no possibility that within that particular area there is, in the foreseeable future, any increase in allowable density of population. Secondly, if the company wanted to expand into some other area, such as the farms or some place that's not developed, it would have to go back to the Town Board for another hearing just like this. I think it's fair to say that Mr. Danby's objection, as I understood it, was to population density.

Is that right, or did I miss something?

MR. DANBY: That's correct. But it's not only the Town Board, it's the Court. If you don't have a comprehensive plan - - in fact the Courts have overthrown zoning - -

MR. HAUGAARD: Of course, there are reasons for the Courts' rulings, too. The point I'm getting at is this area that is to be served is to all intents and purposes an already existing built up area. There are very few available lots left.

SUPERVISOR SMITH: Is there somebody else who would like to say something new?

MR. REID: I'm sure you have said it all.

COUNCILMAN YOUNG: We have been approaching this as though everyone in here was going to have water available, you won't. According to the franchise, he will only service

75 feet on each side of his main. There's no way that we, the Town Board and you, the people, can make him service any more than that. There's only a limited supply of water underneath and some day, probably in the foreseeable future, you people are going to need some sort of City water because your wells are going to go bad. The Board of Health is going to come in and start testing your water and find too much iron or this or that. They are going to say that you have got to have either a deeper well or better water. Or your well just naturally will wear out. At that time you will want City water. Now, if you go to Mr. Reid and ask for City water, he's going to give it to you if he can make a profit on it. He's not going to give it to you unless he can make money on it. Then you come to the Town Board and you want to create a water district. Now, Mr. Reid has taken some of the prime assessed property in Wading River and made it so that they won't need a water district. They have a water district. They have Mr. Reid. The shopping district and the industrial business area within the Town now have water. The only people who don't have water are you, the residents. You can't get water unless Mr. Reid gives it to you. If you come to the Town Board with a petition to create a district, you have to have 51 per cent of the assessed valuation as well

as 51 per cent of the citizens, property owners, to get a district. Probably this new shopping district will have such a high assessed valuation that they will be able to kill your district.

The question I want to ask Mr. Reid, I think I laid out the groundwork, is this: If at any time the Riverhead Town Board, by their own motion or the citizens by a petition to the Town Board, wants to create a district which would encompass your area, would you put in your franchise that at that time you would sell to us all your pipes that are under the ground so that that property can be assessed to create the district?

MR. REID: The answer is yes, we will.

I would like to comment on a couple of other things which were said, too. Under the laws of the State of New York and the Public Service Commission if a customer seeks water from us and that customer happens - - his property happens to be beyond 75 feet from the end of our existing main, we must serve that person. We cannot deny service to that customer. But he would have to pay some portion of the cost of extending the main beyond that first 75 feet. I said "cost." That is what I meant. Cost. We don't make a profit on selling water pipes. Our profit comes from the delivery of water.

We don't even sell water. We deliver it. Water is made by God and we just deliver it. That's all. We don't make a profit on installing water mains. To state that we could deny a customer service would be a violation of the laws of the State of New York. We have never in the 30 years that I have been in business denied a customer a connection. We seek new customers. That's the reason we are in business.

SUPERVISOR SMITH: Thank you.

COUNCILMAN MENENDEZ: I have two questions. Mr. Reid stated - - I think I have it right - - 20 pounds to square inch is the average pressure.

MR. REID: Twenty pounds to square inch is the minimum.

COUNCILMAN MENENDEZ: Throughout the whole system?

MR. REID: As a practical matter, the low we have measured is 27 pounds.

COUNCILMAN MENENDEZ: How does that compare with Riverhead? Is that an average pressure?

MR. WILLIAMSON: In Riverhead District we have a different type of terrain than we have here, flatter. Our pressure is more constant throughout the entire system.

COUNCILMAN MENENDEZ: That would be enough for fire fighting purposes?

MR. WILLIAMSON: It depends on how much they could supply at that pressure. For fire fighting pressure they want it 20 pounds. How much they can use and still maintain that static pressure is what they base their rating on.

COUNCILMAN MENENDEZ: Mr. Reid, there's a lady here who spoke about living on top of a hill and she was afraid when the pressure got to her house it would be nil. You said that they could put a pressure booster in to pump it up. Who pays for the booster, the customer or you?

MR. REID: The customer would pay for that, Doctor. The way the question was just raised, that has never happened. The water pressure, at the lowest, has been a minimum of 27 pounds, which is more than adequate. So that as far as we are concerned, no one needs such a booster. Of the nearly 3,000 customers we now serve, no one has one, and we have a number of customers on top of hills in Shoreham and here in Wading River.

Going back to your other question about fire pressure, sir, we were recently tested - - all of our hydrants and mains in the Brookhaven section of Wading River were tested by the insurance service organization which tests such hydrants and services throughout the United States. They have approved all of our existing hydrants for fire

protection purposes and have so certified to the Board of Fire Commissioners of Wading River.

SUPERVISOR SMITH: Mrs. Tomlinson.

COUNCILWOMAN TOMLINSON: You didn't want a ten or twenty year period because you say your pipes last a hundred years, or whatever.

What about the LILCO right-of-way? Are they going to allow you to keep the pipes there for a hundred years?

MR. REID: Yes, as far as I know, they are.

COUNCILWOMAN TOMLINSON: In the application it said you only had an oral agreement from LILCO?

MR. REID: That's right. They have offered to put that in writing whenever I want it.

COUNCILWOMAN TOMLINSON: For 100 years or more you will never have to move the pipes from the LILCO right-of-way?

MR. REID: Right.

COUNCILWOMAN TOMLINSON: Do you use the same kind of pipe that the Riverhead District uses?

MR. REID: I'm not sure that we do. We have used Johns Mansville transit cement, asbestos pipe for over 20 years now.

COUNCILWOMAN TOMLINSON: Is that what you use?

UNIDENTIFIED SPEAKER: We use all cast iron.

COUNCILWOMAN TOMLINSON: What's the difference then? Why do you use the kind that you do and he uses another kind?

UNIDENTIFIED SPEAKER: We feel that cast iron is better and will last longer and cause less problems.

COUNCILWOMAN TOMLINSON: I was reading about some wells in Grumman and Bethpage that were closed down because of an organic problem. Have you had your wells tested for that?

MR. REID: Our wells have all been tested and have been approved by the State. That's a long and involved technical problem. Joe Bar (phonetic), who was here from the Suffolk County D.E.C., is I'm sure available. I'm not a technician. I can't answer this. But we have had no problems. Those apparently developed from neighborhood industrial facilities around Grumman. Of course, we have none here.

CHRISTINE KNIGHTS: Mr. Reid, if you did choose to go down the LILCO right-of-way, as the alternative route, would that require a lot of bulldozing of the beautiful trees that border my back yard?

SUPERVISOR SMITH: That's like saying when did he stop beating his wife.

MR. REID: In order to install water mains, we need a

width of about ten to twelve feet clear. We have done this the full length of the Long Island Lighting Company's right-of-way, down to Randel Road. Of course, little of that was treed where we came through. But to that extent, we would have to clear about ten or twelve feet, yes.

Diebold
ANTON ~~DE BOLT~~ (Oak Street, Wading River): Mr. Smith, you mentioned before that you made a test drill and you have established a well which could possibly be used to establish a water district here. Right?

SUPERVISOR SMITH: Yes, sir.

Diebold
ANTON ~~DE BOLT~~: Has that water been tested?

SUPERVISOR SMITH: Yes.

Diebold
ANTON ~~DE BOLT~~: How does it compare with the water you get in Shoreham?

SUPERVISOR SMITH: I don't know.

Diebold
ANTON ~~DE BOLT~~: Because that gentleman here and several people have mentioned that they get an exceptional amount of iron.

Diebold
SUPERVISOR SMITH: Mr. ~~De Bolt~~, I believe that the water has been tested in the sense of being compared with Mr. Reid's water. I would, however, tell you that it has been tested as to whether or not that location would be suitable as a well source for a large municipal system. It has been

proven that the depth and quality of water there is sufficient for those purposes.

Siebell
ANTON ~~DE BOLT~~: Mr. Smith, that's exactly what I had in mind. You apparently already have in mind establishing a water district, apparently here in Wading River where that well was drilled.

SUPERVISOR SMITH: No, sir. As I understand it, the land was available to us.

How many years ago, John?

UNIDENTIFIED SPEAKER: Five or six, I guess.

SUPERVISOR SMITH: It was part of a County test well program. At that time the County was trying to determine certain things about the sub-surface water in the region, drilled the well, tested, worked with the well and asked the Riverhead Water District whether or not they had any interest in acquiring it. The County at that point had an interest in having it for themselves. The Town Board, which would have been Mr. Young at that time - - he probably would be the only member - - said: Yes, we'll take it. I guess the price was right.

COUNCILMAN YOUNG: The price was right.

SUPERVISOR SMITH: The price was right and they acquired it.

UNIDENTIFIED SPEAKER: Has anyone established the prospective cost of such a water district, the tower and maintenance and the cost of the water? Usually, as I have experienced, a private organization can furnish and supply water a darn sight better than the City does or a politician, I might say. I'm sorry. I shall be dead set against the water district. I live here since 1924. We have been very happy. We got all the water and everything. We don't want to have this Town grow up like New York City where I lived, too. I have enough of New York City. That is the reason I come down to Wading River, see. I think we should be proud of keeping our Town the way it is, without these modern developments. You are bringing in millions of people, hundred thousand people here. Now, that's in my opinion. You get my idea, I hope.

SUPERVISOR SMITH: Mr. Young, would you address the cost of the establishment of the district?

COUNCILMAN YOUNG: We went into this about three years ago. There were several small water companies in Wading River that were on the rocks, and were having trouble. People came to the Town Board and asked us would we consider creating a district. We had the well and so we got all the engineers together and we got all the figures together. Off

the top of my head, I can't give them to you, but I know it was - - we had to take in all of Wading River and it would have cost a couple of million dollars to establish the district. Now, I don't know how that breaks down tax-wise, but we had that figured out at the time. We had a meeting up in the recreation - - what used to be the recreation hall up there in Wildwood Hills. Everyone got up and spoke just the way Mr. ^{Diebold}~~DeBoit~~ did: We don't want the water district. They were a little bit upset that we even thought about it. So, we dropped it.

SUPERVISOR SMITH: What is our rate per thousand?

COUNCILMAN YOUNG: Our minimum rate is \$5. now for 7,000 gallons. The next 10,000 is 50¢ a gallon. Above that, 45¢ a gallon approximately.

SUPERVISOR SMITH: So that maybe we do compete rather well with Mr. Reid.

The figure of a million and a half to two million dollars cost of construction is a fair figure. Before we came up this evening I knew that question would be asked. We have recently had a rather extensive expansion of the Riverhead Water District. If you were to consider that route you would be talking about the amortization of approximately two million dollars over 25 years.

Any other questions?

SARA WOOD: This isn't a question. It's a statement. Would you describe why you had the hearing in Wading River, because many people were concerned. This is really very small.

Who supplied the water to hook up the block in Wildwood?

You said all the companies in Wading River went down the drain. There have been water companies run just by businessmen. Anyone who is a businessman can run a company. These ones that went down the drain went down the drain because they didn't have the money to keep them going, because they weren't businessmen.

I don't remember the people at that meeting saying: We don't want the water here. Anton certainly did not use that type of grammar, either.

UNIDENTIFIED SPEAKER: I was at that meeting. The consensus was that they did not want it.

COUNCILMAN YOUNG: That was the consensus.

UNIDENTIFIED SPEAKER: We all remember.

JIM RYAN: I would like to reply first of all to Mr. ~~DeBolt~~ ^{Diebold}. I'm one of the million people who have come to Wading River in the last three years, and to have suburbanized what was rural Suffolk County. I might point out, Mr. ~~DeBolt~~ ^{Diebold},

that I'm a lifelong resident of Eastern Suffolk. I came 12 miles north from Center Moriches to move here. So I appreciate the problems that we are facing in the East End. I have always considered the Moriches Bay area to be part of the East End, up until two or three years ago. It should have been included in the Peconic County plan. We would have had the County by now. However, all that aside.

Would someone answer tonight the main reason for Mr. Reid's water company - - a company to come into Riverhead? It was alleged to me that the main reason - - the main reason was so that a man could build a shopping center at less cost. In other words, if he had to put in a well, it would cost him one hundred thousand dollars - - I don't know what the figures are - - I'm using examples - - for a sprinkler system. If he had City water he could put his shopping center in for fifty thousand dollars. All right. That's the main thrust. If there's no water main, then there's no shopping center.

"I'm not going to build my shopping center." My answer to that is: So what. Do we really need it? Nothing personal against Mr. Reid or his company. He's a very fine gentleman. He's come here tonight and given us all the facts and everything. But the point is - - the main reason for this petition is so that that shopping center can be built. All else is

secondary.

SUPERVISOR SMITH: We will address that particular issue in our decision, I'm sure.

We have been at it for two hours. Unless someone has a great and compelling thing to say on this particular issue - -

It better be good.

UNIDENTIFIED SPEAKER: The statement he just made -- I thought I heard something different. I thought I heard Mr. Reid say it did not matter whether or not they were going to build on his water - - just which way they were going to build it.

SUPERVISOR SMITH: Mr. Kalf~~er~~^{or}.

MR. KALF~~ER~~^{OR}: I just heard Benjamin Street say that if they don't have this water they will not build. I thought they were going to build either way, but that one way it might cost more. But, either way, they are going to build. One way is more convenient.

SUPERVISOR SMITH: Let me phrase this question, if I may.

Mr. Reid, the \$64,000 question: Will you put in the pipes if you do not have the shopping center as an account?

MR. REID: No, sir. The question is not \$64,000. That's the cost, the estimated cost of the main to extend to

that shopping center. As the gentleman just said, the owner is going to build a shopping center, no matter which way. The only question is if he puts in the well or we bring the water main there. If he puts in the well, he will not have a sprinklered building and, therefore, his insurance costs will be substantially higher, so much higher that he's willing to contribute \$40,000 as a part of the cost of extending the main. We will put in the other \$30,000. That money is available today for this purpose, to bring water to this building.

By the way, and the record should reflect, Mr. Supervisor, The Shoreham Heights and Wading River School District would like to have public water supplied at their buildings, or in front of it at least.

SUPERVISOR SMITH: We will let the school district speak for itself.

MR. REID: They did, I think, did they not?

SUPERVISOR SMITH: No, not that I note so far.

You haven't spoken, the green shirt.

Pierzchawski
EDWARD ~~PIERZCHAWSKI~~: I have lived here all my life and my personal experience with Mr. Reid and the Shorewood Water Corporation has been most favorable. He has run the mains right where we plant our crops without any disruption of our activities. He was very compromising. Whatever you

want, no problem, and we are not even hooked up.

UNIDENTIFIED SPEAKER: I still don't feel that Mr. Reid answered the question. If the Wading River Shopping Center does not get his water, will you still be coming into the district with your water?

MR. REID: No.

UNIDENTIFIED SPEAKER: Thank you.

BOB REID, JR.: This is my father. I've lived here 31 years. A lot of people have said: I didn't like a lot of the developers who have come out here. I remember a lot of things in this area. We don't come in and change the zoning.

As far as our materials, Mrs. Tomlinson, it's used across the country. It's been used in almost every foreign country. It's of the highest quality, highest standard. It costs 50 per cent of what your pipes do to put in, and it's of good quality. Your engineers have approved it. So, if that's a question, I would like to clear that up. You can ask them, or you can ask the Water Authority.

Our wells are tested every week. We have no pressure problems. We are expanding our system.

There was a question - - the lady back there addressed a question to you whether we would come into the shopping center. The reason we have approached you is the shopping center is

putting up the cost - - a substantial amount of it. We wouldn't be here if they weren't.

There's another question. We pay taxes. The Water District charges taxes and the people should be aware of that.

I have a son born two weeks ago and he is going to be going to school. I hope that by that time there is some fire protection. Trucks break down. I know that. We run our own. There's nothing to protect the kids now. Maybe some day there will be.

You talk about two million dollars. That's the cost. To run pipe down around your pond in Wading River it's going to cost you \$50,000 according to your engineers. You start talking about house lines and materials, you are talking \$25 and \$30 a foot for your pipe. We guarantee our stuff because we pay for it to be repaired. The Town, any Water District, has to pay for its own pipe and you people would pay for that. There's quite a difference.

SUPERVISOR SMITH: Mr. Reid, there are many sides to what you said. Not to get into a debate with you, but municipalities can, of course, borrow at a lot cheaper rate than you can. We have already stated that we charge less than you do today. There are some other things that you have said to that issue that are not germane to what we are discussing this evening.

Is there anyone else who chooses to address the Town Board on this particular issue? If not, we --

Diebold
ANTON ~~DE BOLT~~: You mentioned that you can sell water cheaper. Naturally you can, because you're charging taxes. We have to pay for all installations. Indirectly, we are paying a darn sight more for water.

SUPERVISOR SMITH: Mr. *Diebold* ~~DeBolt~~, I don't believe the issue this evening is whether you will get a public water supply.

Diebold
ANTON ~~DE BOLT~~: Let me say this: We are at the borderline of Wading River, near Riverhead and here Brookhaven. Now, why should that water district be right here at that boundary? We cannot sell any water to the Brookhaven.

Now, why did you want the water district planned there? They should have planned it towards Riverhead somewhere, and not here at the boundary of Wading River.

It doesn't make any sense to me.

SUPERVISOR SMITH: That's not what we are here to consider, sir.

I would deem the hearing closed.

(No one else wishing to be heard and no further communications having been received thereto, Supervisor Smith declared the hearing closed at 10:15 P.M.)

Marilyn Hirsch

for

Helene M. Block
Helene M. Block, Town Clerk