

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, February 20, 2001, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Supervisor
James Lull,	Councilman
Edward Densieski,	Councilman
Philip Cardinale,	Councilman

Also Present:

Barbara Grattan,	Town Clerk
Scott DeSimone, Esq.,	Town Attorney

Absent:

Christopher Kent,	Councilman
-------------------	------------

Supervisor Kozakiewicz called the meeting to order at 7:05 p.m.

Supervisor Kozakiewicz: "Let the record reflect that the time of 7:05 has arrived. I'd like to call this meeting to order. Gus, would you lead us?"

Gus LaPorto: "Stand, please."

(The Pledge of Allegiance was recited, led by Gus LaPorto.)

Supervisor Kozakiewicz: "Is there a motion to approve the minutes of the February 6, 2001 meeting?"

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Moved by Councilman Lull; seconded from Councilman Densieski."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. 3 yes, 1 absent."

Supervisor Kozakiewicz: "Reports, please."

REPORTS:

Tax Receiver	Total collections to date \$35,787,208.68
Riverhead Industrial Development Agency	Adopted budget of 2001
Animal Control	Statistics from January 1 st to January 31 st
Recreation Department	Monthly report for January, total collected \$6,935
Juvenile Aid Bureau	Monthly report for January
Open Bid Reports	Suffolk Theater renovations which were opened on 2/16/01 General construction - 3 bids were received Mechanical - 4 bids were received Plumbing - 2 bids were received Electrical - 3 bids were received Audio/Visual - 2 bids were received Decorative painting - 1 bid Shade Tree acres opened on February 15 - 7 bids were received
Open Bid Reports	

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Thank you, Barbara."

APPLICATIONS:

Parade Permit	Charlie to Australia 2001 on 301 Rabbit Run on 4/21 and 22 nd from 8 a.m. to 5 p.m.
Parade Permit	Jamesport Fire Department for July 11 th at 6:30 p.m.

Shows & Exhibition Permit	Ray Kelly - 1 st Annual Riverhead River Festival and Boat Show June 9 th , 8 a.m. to 6 p.m.
---------------------------	--

Site Plan	Traditional Links to construct a golf course
-----------	---

Special Permit	Fox Hill Golf resort and country inn - construction of 50 suite country inn with parking, tennis courts, swimming pool, gazebo and putting green
----------------	---

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Correspondence."

CORRESPONDENCE:

Petition	96 residents of Reeves Park objecting to the group home at 7 Eight Bells Road
----------	---

Carla D'Esposito	Regarding the need for a House of Hospitality in the town
------------------	--

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Thank you, Barbara. Any Committee Reports?"

Councilman Densieski: "Yes, under the Solid Waste Committee. We are adding some STOP dates. We've had two previously. We're going to have a minimum of three and probably four. There's going to be one in the next few weeks so watch your newspaper and that's where you get rid of all your hazardous materials, batteries, chemicals and things like that. You can take them up to the landfill. So keep an eye on the newspaper and you will be able to get rid of all those things in the next few weeks."

Supervisor Kozakiewicz: "Any other Committee reports. If there's none, the time of 7:08 having arrived, Barbara, would you please call the first public hearing?"

Public Hearing opened: 7:08 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on February 20, 2001, at 7:05 p.m. regarding the consideration of the special permit of Jonathan Perkins (Cooperage Inn) to allow the construction of an addition to an existing non-conforming restaurant upon property located at Sound Avenue, Baiting Hollow, New York."

Supervisor Kozakiewicz: "While Marty Sendlewski and Mr. Perkins are getting ready, this property is probably well known to people out in Calverton. It's on the north side of Sound Avenue, right across from Twomey Avenue. For those of us who were around for a long while or more recent times, we used to know it as Bernie's. But it's a very nice establishment. It's a pre-existing restaurant on approximately 1.8 acres of Agricultural A zone property."

The proposition or the proposal before us is to expand the existing 2,712 square foot one-story restaurant by adding an additional 1,931 square feet of extensions onto the kitchen and dining areas and to establish handicap bathrooms, patio and additional parking.

With that said, Marty, are you going to go first?"

Marty Sendlewski: "Yes."

Supervisor Kozakiewicz: "Okay. And we need you to be sworn. I'll have you both sworn in, I guess, if you would. Do you want to swear them in?"

Martin Sendlewski: "Thank you, Mr. Supervisor, members of the Town Board. My name is Martin Sendlewski. I'm the architect. I'm in attendance with Jonathan Perkins, the proprietor of the Cooperidge Inn."

I have given to you two site plans. If you notice the difference between the two of them, one of them has a driveway located at the east side of the property which is at the top of the site plan. And the other one shows an angular driveway on the west side of the property which would be on the bottom portion of the site plan. And I'll explain to you why you have two site plans in front of you.

Originally, as you are aware, the- this application was submitted

in April of 2000. We did have to receive a Zoning Board of Appeals variance for the front yard setback because the existing building which pre-dates zoning does not maintain the necessary setback. We did receive that in April of 2000. We received a recommendation of the Planning Board in October of 2000. They had recommended one change to the site plan which admitted the parking in front of the building that presently exists there for safety reasons.

We presently have our approval to construct from the Suffolk County Health Department for the sanitary system.

On November 8th we were originally scheduled for this hearing. However, the application was sent back as a result of the lawsuit pertaining to the Riverhead Center. All special permit applications had to be resubmitted and we have done that and as a result of all of those steps we're here this evening.

Probably the one thing- the delay was a little bit of an inconvenience, but probably the one thing that was a benefit to it was that the original submission has the driveway to the top of the site which is on the east edge of Mr. Perkins' property. That was as far as we could get the driveway away from Twomey Avenue. It's not the most ideal situation but unfortunately with the frontage of his property along Twomey, that was really the only location we could fit the driveway.

During the period of time between November when we were originally scheduled to appear and now with the revised application, Mr. Perkins has been able to negotiate an easement from his neighbor to the west to allow for the driveway on the west side of the property which is actually slightly further away from Twomey Avenue, and also it places the directional flow of traffic- if somebody is trying to make a left turn onto his property, any backup would not interfere with the intersection of Twomey Avenue. The backup would then be away from Twomey Avenue and we were allowed to widen Sound Avenue slightly in front of his property to create somewhat of a turning lane off of Sound Avenue if you're heading westbound into his driveway.

So it's a better overall layout. It's the only change in the site plan and that was a benefit for Mr. Perkins to get that particular easement agreement which is now being finalized between him and his neighbor.

Other than that, the addition is for an additional room added to the east side of the facility. There will be a new entrance in the

back of the facility with new bathroom facilities and a new lobby as well as some much needed expansion to the kitchen area.

And with that, I'll answer any questions unless Mr. Perkins has anything that he would like to add at this time."

Supervisor Kozakiewicz: "The parking is the same as far as the number of stalls in both proposals?"

Martin Sendlewski: "Correct. The only change was to move the driveway and that was just the result of the neighbor allowing him to gain that easement for the location of the driveway."

Barbara Grattan: "Marty, do you have the affidavits of public-of posting?"

Marty Sendlewski: "Yes, I do."

Supervisor Kozakiewicz: "You've been before the Architectural Review Board, Marty?"

Marty Sendlewski: "Yes. We're complete with the Architectural Review Board. We basically have everything set. We're really now ready for a special permit and then the completion of site plan approval. As I said, we already have Board of Health approval. Once we get the site plan and the special permit and the subsequent site plan approval, we can drop the building plans off to the Building Department for our building permit plans."

Supervisor Kozakiewicz: "Okay. Do you have any extra copies of these site plans that the public can see if they need to ask any questions?"

Marty Sendlewski: "Sure, absolutely."

Supervisor Kozakiewicz: "Okay. Anybody else who would like to address the Board with regard to this special permit of Jonathan Perkins? Mr. Kasperovich."

William Kasperovich: "William Kasperovich. I live in Wading--"

Supervisor Kozakiewicz: "Scott, would you have him sworn?"

Scott DiSimone: "Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?"

William Kasperovich: "So help me God."

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "Where are the documents exposed to the public?"

Supervisor Kozakiewicz: "Which documents?"

William Kasperovich: "This description that Mr. Sendlewski gave, I found it hard to follow."

Supervisor Kozakiewicz: "That's why I asked Marty if he had some extra copies of the site plan that you could- I mean the special permit layout."

William Kasperovich: "We don't see; we don't know. We've been in Bernie's drinking beer many years, many times. But still I don't remember these things and I don't see why time after time, year after year, the Town Board is so obstreperous about putting up the documents that the public is to see. It's a public hearing- "

Supervisor Kozakiewicz: "On a special permit which is the question of the use, not the actual layout of the building."

William Kasperovich: "If it's a public hearing, the description that has to be graphic that cannot be all words, has to be on some kind of a drawing, some kind of a something, and made available to the public prior to the meeting. I don't know why, but you realize that's I've been saying- asking this for almost 20 years now."

Supervisor Kozakiewicz: "No, I didn't realize it was 20 years. I realize in the last couple years, you've been asking for it and we've been trying to have the items available on the board as well as in the Clerk's Office."

William Kasperovich: "Well, if you, Mr. Chairman- "

Barbara Grattan: "They are in the Clerk's Office."

Supervisor Kozakiewicz: "They are in the Clerk's Office."

William Kasperovich: "-- (inaudible) man that intends to get up here and present it that unless he exposes it to the public he is not welcome before the microphone, you would get some action. But you let

them come in and present documents that probably you people never saw either. And I say this procedure has got to change. Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board with regard to the special permit of Mr. Perkins to expand the restaurant? Yes, the drawings are on the outside wall. Okay. Seeing no further hands, the time of--"

Councilman Lull: "Bob, I would like to say something. Jonathan, when you first brought in your tentative site plan, I was unhappy because of the loss of the green space on the west side. Now you switched- on the east side, sorry. Now that you've switched the driveway to the west side, it will maintain that green space on the east side. Very good job. Thank you."

Supervisor Kozakiewicz: "Anybody else? If not, the time of 7:18 having arrived. I declare the public hearing closed."

Public Hearing closed: 7:18 p.m.

Supervisor Kozakiewicz: "Barbara, if you would- the time of 7:18 still being here, I'd like to open the second public hearing."

Public Hearing opened: 7:18 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on February 20, 2001, at 7:10 p.m. regarding the final budget for the renovation of the Riverhead Water District's office/control center located at 1035 Pulaski Street."

Gary Pendzick: "Good evening. My name is Gary Pendzick, I'm Superintendent of the Riverhead Water District. Tonight's hearing is a 202B proceeding to establish our budget for repairs and renovations at 1035 Pulaski Street which is our main office.

The budget, which is not to exceed \$44,606, is going to be drawn out of our current and existing maintenance and repair fund. I'd like to list off the items that the budget covers. It's going to use used to purchase office furniture; to replace an existing phone system; repave an existing asphalt parking area; upgrade an existing mobile radio base station with remote microphones and remote speakers; install additional fence around a client parking area; replace plant

windows, old plant windows; install exhaust fans; replace carpet in existing plant operator's office; upgrade the fire alarm system including pull boxes; and install blinds and shades on office windows."

Supervisor Kozakiewicz: "Gary, maybe as some background you could explain to the public what's occurring presently at the plant, your main plant at Pulaski Street. You're undergoing some construction, and this is part and parcel of that reconstruction effort. You are redoing the office space and why don't you explain that a little bit, just to get a little better- so the public has a better understanding of what's going on."

Gary Pendzick: "This facility has been undergoing a renovation of a new control center and office. Part of the process in the past was to purchase certain services and/or materials through other bids, like state, county or town bids at a much reduced price. Our Accounting Department wanted me to include those additional items, even though they're under separate bids, as part of this project. That's why we had this public hearing tonight."

Supervisor Kozakiewicz: "Now, you made mention that you are upgrading- or the replacement of the telephone system. That would be similar to what we have at Town Hall, is that correct?"

Gary Pendzick: "Right. We have an old Merlin system right now. It has, for instance, no call down capacity. One of our biggest complaints at the District is that nobody can get through to us because our lines are busy. So in other words, now you can call down- "

Supervisor Kozakiewicz: "There will be voice mail."

Gary Pendzick: "-- voice mail, there will be answer back. It will be on par with what the Town Hall has."

Supervisor Kozakiewicz: "Okay. And you're repaving an asphalt area. Where would that be exactly?"

Gary Pendzick: "Right outside to the west side of the plant. It's been broken up for some time and it's going to be an area where we expect our clients to park. It's approximately 47 by 47 square feet."

Supervisor Kozakiewicz: "Okay."

Gary Pendzick: "And the fencing- the additional fencing is going to go around that so as to secure the rest of the site from the general public at large."

Supervisor Kozakiewicz: "Okay. Any other questions? Is there anybody else who would like to address the Board with this hearing? Mr. Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I would like Mr. Pendzick to elaborate on what is written here- "

Supervisor Kozakiewicz: "Can you hear him? Is that why the hands are going up? Bill, they can't hear you."

William Kasperovich: "I would like Mr. Pendzick to explain in detail what is meant on what I'm reading here control center. What his- what is the concept of this control center and where is it. And is this control center water supply or administration of the water district's office activity?"

Gary Pendzick: "Gary Pendzick, Superintendent Riverhead Water District. The office control center is- in the past, the District had a combination- it's one office and control center. We're in the same room, same office. For security reasons, for a myriad of reasons, the renovation that's going on there right now separates the administrative office from the control center, thus the old office now becomes a control center separate from and unavailable to the general public and an old shop that exists within the old building has been renovated to become the new administrative office."

Supervisor Kozakiewicz: "Okay, so let me just understand. If I parked in the front and I would have come in the front door where you had the control panel and the dials and all the meters, that's now going to be just a control center which will not be accessible? How will the public access your plant?"

Gary Pendzick: "On the west side of the plant."

Supervisor Kozakiewicz: "Okay."

Gary Pendzick: "They will now pull in on the west side of the plant. That's where this parking area, the paving, the fencing is going to be. And the primary door is going to be on the west wall of the plant, no longer at the front."

Supervisor Kozakiewicz: "I would assume that's also going to be a lot safer because presently if you try to pull in and park in front of your location you have to back out into Pulaski if you're coming there as a customer."

Gary Pendzick: "Anybody has got one of the long club cabs or even one of the older larger cars know that the tail end pretty much sticks out into the street on Pulaski. It's been like that since the late teens, but this will keep the cars and the public completely off the road."

Supervisor Kozakiewicz: "Okay. Anybody else who would like to discuss this with the Board- "

Councilman Densieski: "I believe you, Gary."

Supervisor Kozakiewicz: "--or make comment with regard to this proposed hearing- or this hearing, I mean? Anybody? No? Seeing no hands, I declare the public hearing closed at the time of 7:24."

Public Hearing closed: 7:24 p.m.

Councilman Densieski: "Keep it going, Mr. Supervisor."

Supervisor Kozakiewicz: "The time of 7:24 still being here. I declare the third public hearing opened."

Public Hearing opened: 7:24 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on February 21, 2001, at 7:15 p.m. regarding the extension to the Riverhead Water District to be known as Extension 63 at Saddle Lake Condominium."

Supervisor Kozakiewicz: "Okay. I thought you disappeared on us, Gary. Are you going to set up a map?"

Robert Lucas: "Good evening."

Supervisor Kozakiewicz: "Mr. Lucas?"

Robert Lucas: "Good evening. My name is Robert Lucas. I'm

from H2M Group. We are the consulting engineers for the Riverhead Water District. The developer of the Saddle Lake Condominiums has petitioned the Town Board to allow the Riverhead Water District to be extended to service the proposed development.

The property and the proposed extension area is shown on the Exhibit B that Gary just set up. The proposed development is shown in the yellow highlight with the existing Water District boundaries shown in the red.

The Saddle Lake condos which is also known as Pond View Retirement Community is located just outside the existing Water District boundary. The project located on the north side of Middle Road east of Roanoke Avenue is proposed to be developed as a 196 unit retirement community.

Water can be brought to the site by connecting to the existing 12 inch located on the north side of Middle Road and that's shown with the blue mark on the exhibit. The developer proposes to only request a single eight inch service connection. On site water mains will remain privately owned.

Accordingly, the Riverhead Water District will request a master meter and the appropriate backflow prevention device on the eight inch service line.

We estimate the water use for this development to be approximately 150 gallons per day per unit or 29,400 gallons per day for the entire site. Noting that the developer proposes to have the on site water mains remain as private mains, the Riverhead Water District will not be installing any of the water mains.

The only cost of the extension is the cost of the engineering report and public hearing which is estimated at \$2,500. The cost will be paid- the cost of the project will be paid by the developer. The cost of all on site water mains, meters, backflow prevention devices as I mentioned will also be paid directly by the developer. Also noting, the developer will be required to pay key money fees of \$245,000 for the 196 units. This cost is calculated on a two retirement condo units equal to one single family home.

That's all I have."

Supervisor Kozakiewicz: "Anybody who would like to address the Board regarding the proposed Extension No. 63 for Saddle Lake

condominiums at Middle Road? Seeing nobody's hands being raised, I declare the public hearing closed at the time of 7:27 p.m."

Public Hearing closed: 7:27 p.m.

Supervisor Kozakiewicz: "The time of 7:27 still being here, I declare the fourth public hearing. Barbara, would you please read the publishing and posting?"

Public Hearing opened: 7:27 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on February 21, 2001, at 7:20 p.m. regarding the petition of Darren Development Corp. to construct a lateral water main comprised of 2,500 linear feet of six inch diameter water main and appurtenances at the sole cost of the developer and at no cost to the District and the payment of key money pursuant to Chapter 105 of the Town Code."

Supervisor Kozakiewicz: "Mr. Lucas, it's yours again."

Robert Lucas: "My name is Robert Lucas. I'm from H2M Group. We're the consulting engineers for the Riverhead Water District.

The developer of the proposed project has petitioned the Town Board to allow the Riverhead Water District to provide water to the site. The proposed subdivision is already located within the Riverhead Water District boundaries. All right. The proposed project is displayed again on the exhibit, Exhibit A listed here, the boundaries of the site shown in yellow, the blue indicates the existing water mains, and the red indicting the internal mains at the site.

The subdivision shall include the construction of 21 single family homes located off North Wading River Road in Wading River. The subdivision estimates to utilize approximately 6300 gallons of water per day. The nearest existing main indicated in blue is located along the frontage of the property along North Wading River Road.

In order to service the entire project, approximately 2500 linear feet of six inch water main may be installed within the subdivision. It is recommended that a loop system be installed throughout the

subdivision. This will require a 15 foot wide water main easement to be granted to the Riverhead Water District along the easterly property line of lot 17. That's also shown indicated on the exhibit.

The total cost of providing water to the site has been estimated at \$104,000 including construction costs, engineering, inspection, and contingencies. The total cost is to be borne by the developer.

In addition, the developer will also need to pay key money fees in the amount of \$2100 per unit at a total cost of \$52,500 for the 21 units."

Supervisor Kozakiewicz: "Okay, did you say \$2100 per lot? It's \$2500."

Robert Lucas: "It's \$2500."

Supervisor Kozakiewicz: "Right. Okay. Very good. Anybody who would like- yes, Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. I can't see that on a public hearing. I see- this is after- "

Councilman Lull: "It's supposed to be in there at 7:20, Rolph. It was left off."

Barbara Grattan: "I- "

Rolph Kestling: "That's what I'm saying."

Councilman Lull: "It's between 7:15 and 7:25."

Barbara Grattan: "I made a mistake, Rolph. Please excuse me."

Supervisor Kozakiewicz: "Thank you, Barbara."

Councilman Densieski: "Rolph, we'll have Barbara in the office tomorrow morning, 8:00."

Rolph Kestling: "Okay. I'm looking here and I can't see the damn thing."

Barbara Grattan: "No. It's here."

Rolph Kestling: "Okay."

Supervisor Kozakiewicz: "It was on the list of public hearings. It just didn't make it on the Agenda backing. Anybody else who would like to address us regarding the- yes, Mr. Kasperovich. Bill, you've got to go to the podium because it's not going to get caught on the record."

William Kasperovich: "William Kasperovich from Wading River. I was just indicating on the plan being displayed to clarify whether a section of pipe is installed- has been installed or not."

Supervisor Kozakiewicz: "Are you referring to the pink area shown within the subdivision?"

William Kasperovich: "Yes."

Supervisor Kozakiewicz: "Okay."

Robert Lucas: "Yeah, I'd like to address that question. There is currently no water main within the boundaries of the subdivision. The only existing main is out on the roadway."

Supervisor Kozakiewicz: "Which would be indicated by the blue marker."

Robert Lucas: "Correct."

William Kasperovich: "All right. Now, Mr. Supervisor and Mr. Councilmen, these water pipes that are in the ground that we put in as we progressed in the township, after everything is said and done, these water lines are the responsibility of the town via the Water District. Whatever is there, we have to live with and it's for the town to see that what is not good practice or not- what might be troublesome in the future should not be approved. Laying pipe on that curvature as shown on the drawing is not good practice. To my mind there is no question because the first time I laid out a line in that radius I was practically shown the door with my paycheck but this is not done in good practice and I say we cannot concede to the developer that which will be troublesome to us in the future. Thank you."

Supervisor Kozakiewicz: "In the back. Can't see that far. Why don't you address your concerns and then we'll have Mr. Lucas address the comments. Maybe there might be something that you may raise that he will need to address together with the other comment."

Anna Zurawinski: "Anna Zurawinski, Wading River. I live off

North Wading River Road and what I'm concerned about is water pressure because I know that on weekends our water pressure is not the best because so many people use it. And what I'm concerned about is that is there any- and I don't know the technical term for it, but is there any way to alleviate the pressure, the water pressure put on all of us through increased use. For instance, this is an additional 21 units."

Supervisor Kozakiewicz: "Twenty-one lots, yes."

Anna Zurawinski: "Twenty-one lots, right. And has there been any consideration put towards making sure that the water pressure is at a constant level instead of fluctuating based on the increased number of residents coming in? And I do speak from experience."

Supervisor Kozakiewicz: "Mr. Lucas, if you could- "

Councilman Lull: "Maybe Gary, maybe you'd like to answer that question because- "

Supervisor Kozakiewicz: "Are you going to address the one on pressure first?"

Gary Pendzick: "Yes."

Supervisor Kozakiewicz: "Okay."

Councilman Lull: "As of a year ago August, you remember what the situation was and we've been working since then."

Gary Pendzick: "Yes. Where Anna lives is in a separate pressure zone from where this subdivision exists. These homes will not exert any strain on her neighborhood. The only time that we have some years ago we installed a variable speed booster station to supply higher elevations in Wading River of which Anna lives in. The only time they may notice some fluctuation is on hot summer weekends. Two summers ago we had those triple digit days where the overall supply gets down to half or so in our storage facilities and that's where she probably noticed a lot less pressure although it should have been still a lot better than what it used to be before that.

However, this subdivision is not in your pressure zone, okay. So it won't affect what you've got already, okay."

Councilman Densieski: "Gary, I know we're putting some wells in up to the Grumman property. Is that going to affect Wading River? Is

that- are they going to get improved service because of the wells we're putting in?"

Gary Pendzick: "The wells that we're installing are for the Wading River area and they are to supply not only those folks who are there but to- the additional folks that are coming in like this subdivision, but most of all to allow us to meet high demands like those triple digit days we had two summers ago."

Councilman Densieski: "When is that going to be on line, Gary? Do you have an estimate?"

Gary Pendzick: "I'm hoping- we have a public hearing concerning a few of them tonight, that we'll have the first of them on by this July or into June, the first of them. There are three altogether."

Councilman Densieski: "Thanks, Gary."

Supervisor Kozakiewicz: "I know there was also a question regarding the curvature of the mains and whether that was good practice or not. I don't know if you want to address that."

Robert Lucas: "Sure, I'll address it. The water main installation is inspected by our firm. The installation procedures and methods are standard, American Waterworks Association standards and standards within the Riverhead Water District that have been improved and in use for quite some time. Any necessary bends or other types of fittings needed on the job fit into that, you know, category of qualified materials on the job. So, we don't see any problems handling those turns within the subdivision."

Supervisor Kozakiewicz: "Thank you, Mr. Lucas. There's not going to be a give and take, Mr. Kasperovich."

William Kasperovich: "Since piping is not your specialty but has been mine for many years in the past, let's clarify that we are talking about bends, we're not talking about bending the pipe. The bends, the deflection of the direction is in the joints. Now we have a situation here where the designer and the control and the field inspector are all one and the same organization and one is not going to reflect on the other as to what should or shouldn't be. The joints can take a certain- a deflection, but every increase in this deflection is a reduction of the surety of the joint. I hope that sheds some light of it. It's the criticism I made about putting in a curved line like this."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board regarding the hearing concerning Darren Development Corp.? Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. What I don't understand here is the line reads petition of the Meadows at Aquebogue. Lady gets up here and talks about North Wading River Road- "

Supervisor Kozakiewicz: "No, no. What happened was we had six public hearings on the agenda. One of them was excluded from the agenda and we're actually on a proposal regarding pipes and Darren. That was what Rolph Kestling had mentioned earlier. We had that one public hearing which didn't make it on the agenda."

Steve Haizlip: "Rescinded."

Supervisor Kozakiewicz: "Okay. Anybody else? Seeing no other hands moving, I declare the public hearing closed at the time of 7:41."

Public Hearing closed: 7:41 p.m.

Supervisor Kozakiewicz: "Barbara, the time still being 7:41, would you please read the publishing and posting for the next public hearing?"

Public Hearing opened: 7:41 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on February 20, 2001, at 7:25 p.m. regarding the petition of the Meadows at Aquebogue to construct a lateral water main comprised of 3,700 linear feet of eight and six inch diameter water main and appurtenances at the sole cost of the developer and at no cost to the District and the payment of key moeny pursuant to Chapter 105 of the Town Code."

Supervisor Kozakiewicz: "Mr. Lucas."

Robert Lucas: "Thank you. Robert Lucas from H2M Group, consulting engineers for the Riverhead Water District. The developer of the proposed project has petitioned the Town Board to allow the

Riverhead Water District to provide water to the site. The proposed subdivision is already located within the Riverhead Water District boundaries.

Also the project is displayed similar to the others. The boundaries show in yellow, the blue indicates existing water main, the green and red and proposed mains within the site. There's also a blue existing main shown on the north side; north being to the left, south being to the right.

The subdivision shall include the construction of 38 single family homes located off of Church Lane in Aquebogue. The subdivision is estimated to utilize approximately 11,400 gallons of water per day. The nearest existing water mains as shown in blue is the 12 inch main on the east side of Church Lane.

In order to service the entire project, approximately 2500 linear feet of eight inch and approximately 1200 linear feet of six inch will be needed within the subdivision. It's recommended for a looped piping system be installed throughout the subdivision. This will require that a 15 foot wide easement be granted to the Riverhead Water District through lot 38 which is shown- that red portion is the lot 38 section of main through a proposed water main easement. This will allow for a connection to Sound Avenue to the north which, again, is on the left.

The total cost of the project of providing water to the site has been estimated at \$143,000 including construction costs, engineering, inspection, legal fees and contingencies. The total cost shall be borne by the developer.

Additionally, the developer will also be required to pay the key money fees in the amount of \$2500 per unit at a total cost of \$95,000 for the 38 units."

Supervisor Kozakiewicz: "Thank you. Anybody who would like to address the Board regarding the proposal, the hearing before us for extension of a lateral water main into a 38 lot subdivision known as the Meadows at Aquebogue? Seeing nobody, I declare the public hearing closed at the time of 7:45."

Public Hearing closed: 7:45 p.m.

Supervisor Kozakiewicz: "Okay, the time of 7:45 still being here, Barbara, would you please read the publishing and posting for the next public hearing?"

Public Hearing opened: 7:45 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on February 20, 2001, at 7:30 p.m. regarding the proposed Local Law to amend Chapter 101 of the Town Code entitled Vehicles and Traffic, Section 101-10 Parking Prohibited. The name of the street is Mill Road, the side is both, location from a point at its intersection with Route 25 in a northerly direction to the intersection of Industrial Boulevard."

Supervisor Kozakiewicz: "As indicated by Barbara, this public hearing is to consider amendment of Chapter 101. The amendment would provide for a no parking zone which would extend from Route 25 to the intersection of Industrial Boulevard which is from south to north on Mill Road. The prohibition would be on both sides of the street."

Part of the reasons why this is being proposed is due to some safety concerns regarding Mill Road and the use of vehicles on Mill Road in that particular location.

If there is anybody who would like to address the Board regarding this change to the Vehicle and Traffic Law, please do so if you would. Anybody who would like to address us or make comments regarding this proposed change? Seeing no hands, I declare the public hearing closed at the time of 7:46."

Public Hearing closed: 7:46 p.m.

Supervisor Kozakiewicz: "And, Barbara, the time of 7:46 still being here, we can- if you would do me the pleasure of reading the final publishing and posting affidavit for the last public hearing."

Public Hearing opened: 7:46 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on February 20, 2001, at 7:35 p.m. regarding the cost of the increase and improvements of the facilities"

of the Riverhead Water District."

Supervisor Kozakiewicz: "Mr. Scheiner."

Robert Scheiner: "My name is Robert Scheiner, a partner in the firm of H2M Group, 575 Broad Hollow Road, Melville. Back in 1998, the Town held a public hearing to approve the financing of several Riverhead Water District improvements that included transmission mains on Route 25 in Calverton, that's A; B, plant 11 new supply wells; C, transmission main at Enterprise Park in Calverton; and D, the demolition of on site water system at the Enterprise Park at Calverton.

The total approved project budget was \$3.7 million dollars with \$1.8 million dollars to be funded by the US EDA grant and a \$1.9 million dollars by the Riverhead Water District.

As you know, the transmission main on Route 25 has been installed and the transmission main through the Enterprise Park at Calverton has just been completed. That's item A and item C on the items listed above.

As we previously discussed, the original test well installed on Plant No. 11 had high levels of iron in the well water and we recommended that the town relocate the proposed well site to another location. A test well is currently under construction. However, a new well will not be available for at least 12 to 18 months.

Noting that the Riverhead Water District needs additional pumpage capacity sooner than 12 to 18 months, we have evaluated the possibility of rehabilitating and upgrading the two existing wells on the Grumman property to meet the Riverhead Water District's standards and utilize the water from these wells.

The work required to make these wells available can be completed much quicker than constructing new wells. We anticipate having these wells available for the 2001 pumping season if all goes smoothly.

The Riverhead Water District conducted an extensive pump test on both wells and we have determined that high quality water is available. However, several modifications to the plant, the existing plant, will have to be made to meet Suffolk County Department of Health Services requirements including corrosion control and disinfection. Additional electrical service upgrades and controls will also be needed to improve the reliability of these wells.

We estimate the cost of rehabilitating these wells, Nos. 2 and 3 at \$510,000. As presented on the chart shown, the total project costs for all phases of this work remains unchanged at \$3.7 million dollars. The cost savings on several of the completed projects as well as eliminating the second well at plant 11 at this time allows sufficient funding to upgrade plant No. 12 under the existing budget. So all we're talking about is reallocating money within the existing \$3.7 million dollars and still having \$1.9 that will be contributed by the Riverhead Water District and \$1.8 million dollars by the US EDA, a grant. That's the purpose of the public hearing."

Supervisor Kozakiewicz: "Thank you. Is there anybody else out there who would like to address us with regard to the public hearing? Mr. Kasperovich."

William Kasperovich: "Am I the only one interested in the Water District in Riverhead? William Kasperovich from Wading River. The two existing wells that are to be refurbished for use, has a study been made for- by the new use there will be a change in the draw down profile of the groundwater and I'm sure the public is fully concerned of the different spots and areas there where we have contaminated water on the Grumman site and being assured- to be assured that one is free and clear from the other. But if- I can't lean on my memory right now but I think a small test well positioned with relation to the two reuse wells- or to be reused- would be in order as a safety measure for this kind of a high dollar- this big money."

These two wells have been standing there for quite a while and the groundwater level has drifted somewhat since the last tests were made and I just am uneasy not remembering exactly how this thing could go, but that area of concern should be addressed, I think, at this point. Thank you."

Supervisor Kozakiewicz: "Well, with regard to the water quality, I understand that originally when these proceedings were brought on which was June of '98, we were not in a position to test the wells. Subsequently, 100 hour tests, is that correct, were done on these wells and their potability was determined to be good enough so that the Water District determined it would be feasible to include them within the plans and that's the reason why they're talking about doing the upgrade to those wells 2 and 3 on the Grumman property."

Gary Pendzick: "That's right. Bill's correct with respect to trying to find out how the flows are and what they're radius' of influence are for each individual well. And you're correct with

respect to the fact that when these initial plans were drawn up we were- we did not have access to either of these wells because they were still owned by the Navy. Once Riverhead town gained control of the wells, we were able to do 100 hour tests to determine whether or not the quality of these wells was- met the drinking water standards. They just didn't meet it- the quality coming out of them was excellent.

In addition, the tests were run at the same time. Both wells were run for 100 hours at the same time, again to see if one or the other's radius of influence would affect the other. Again, we found no evidence of that. So H2M having this information- armed with this information came to the conclusion that this was a good site for us to pick up for the people of Riverhead."

Supervisor Kozakiewicz: "So, when both were run for the 100 hours, you didn't see any indication of a draw down is I think what Mr. Kasperovich- "

Gary Pendzick: "Well, there is draw down."

Supervisor Kozakiewicz: "Okay."

Gary Pendzick: "There is no question that you effect any well, whether it be a farm well or even a small six gallon a minute well in someone's basement."

Supervisor Kozakiewicz: "Right, but, but- okay."

Gary Pendzick: "-- has a radius of influence. The larger the well, the larger the radius."

Supervisor Kozakiewicz: "All right."

Gary Pendzick: "And it will pull water this way and that. That was the reason for our 100 hour test, straight through, continuous, for both wells at the same time. That's a pretty strenuous test."

Supervisor Kozakiewicz: "Okay. Anybody else who would like to address the Board regarding the hearing which is to change where some of the monies will be used for those particular projects which were discussed by Mr. Scheiner from H2M? Gary?"

Gary Pendzick: "May I make one other comment? I- Councilman Densieski, you asked about getting a well or two on line by this

summer for this pumping season. This- these wells happen to be the wells that I hope to have on line for this summer in the even that it happens to be another triple digit heater like we had a couple seasons ago."

Councilman Densieski: "Thanks, Gary."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? Not seeing any hands, I declare the public hearing closed at the time of 7:56."

Public Hearing closed: 7:56 p.m.

Supervisor Kozakiewicz: "Okay. Now we can go to the public comment period. You can discuss- or come before us- I have some cards in front of me which I'll try to go through in the order that they were handed up to me which is not necessarily the order that you signed them in. Thanks to Mr. Tria, we do have a sign up on the wall again which I would ask you to observe, the five minute during the public comment period. The public comment period is where you can bring anything to our attention that you think is important for us to know and also comment upon the resolutions. Once again, thank you, Mr. Tria. The first individual, Joan Griffin, Baiting Hollow."

Joan Griffin: "Good evening, Joan Griffin from Baiting Hollow. I have a couple of questions for you gentlemen. A few months ago I asked you about the STOP program and you mentioned that recycling of small household batteries, you thought might be a good idea with the recycling bin at the library or wherever."

Supervisor Kozakiewicz: "Gentlemen, gentlemen. Thank you."

Joan Griffin: "And you wrote some notes down; I assumed you were- "

Supervisor Kozakiewicz: "I did speak to the sanitation- you have, sure, go ahead."

Councilman Densieski: "We did receive a packet from the DEC, Phil's favorite organization and mine. We have to be careful just saying the library or some other businesses because you are now considered a generator. But we are working on some ways to collect batteries so that they don't end up in regular garbage but it's not

ready to be unveiled yet. But we are in the process of working with the DEC with locations to drop small batteries off."

Joan Griffin: "Okay."

Supervisor Kozakiewicz: "That's the same thing I was told as well, that if we do establish a little drop off site we could be considered a generator and therefore under the DEC regulations. So we have to check that."

Joan Griffin: "Okay. Thank you. Last week I also asked about graffiti and if there was such a thing as graffiti proof paint and people kind of giggled and laughed and said no. There is. I checked on a website- "

Supervisor Kozakiewicz: "Well, I know that the MTA, I believe, had fallen upon graffiti proof paint or materials."

Joan Griffin: "You were missing at that point. You stepped out for a few moments."

Supervisor Kozakiewicz: "Okay."

Joan Griffin: "But I got some information for you, three different websites with their phone numbers and addresses contacting them about it."

We did that informal survey and one of the groups, Thurms Park and Timber- no, Thurms Estate and Timber Park kept mentioning in the survey about traffic lights at each end of Fresh Pond Road, it would help them immensely trying to make left hand turns onto Sound Avenue or Route 25 because traffic is getting so heavy. So how would they go about trying to get a traffic light in those- "

Supervisor Kozakiewicz: "Well, I know with respect to 25, it's got to be done with DOT."

Joan Griffin: "Okay."

Supervisor Kozakiewicz: "And I have been privy to a number of items of correspondence, I think it's Mr. Leis (phonetic) from Thurms who's been communicating with the State DOT with regard to this issue and has received correspondence back indicating that they felt the- that warrant as they referred to it did not rise to the need where there would be the need for establishing a light at 25 at this point

in time.

I know there's been ongoing correspondence. There's been communications with Assemblywoman Acampora and with Ken LaValle to see if there's some assistance in getting those lights established.

With regard to Sound Avenue, that would be with us to do. We'd have to go and have a study done to see if there's a need for those- which we did at Edwards as well, as you know, and also at Roanoke Avenue and Sound Avenue."

Joan Griffin: "Okay. In regards to Resolution 218, you know our informal survey that we did, we asked if the people were in favor of sand mining in our community and should it stop. Eighty-five percent of the returns that are coming in, we mailed out to 2,200 registered voters, said it should stop and I have some of the comments that they made about sand mining.

Sand mining, motorized racetracks and airports will not enhance our town, is not compatible with the quality of life we expect in Riverhead. Monitor and regulate new existing business in the area to keep Calverton rural and picturesque. No sand mining, no concrete. Sand mines - is the DEC monitoring this? What is being dumped in there? My biggest fear is a catastrophe and a disaster. These are all comments coming back in to us.

Stop Calverton from becoming a big sand mine. Get rid of sand mining. Stop the sand mining. Preserve our rural beauty and dignity of our town. Only if it's illegal, stop it. Stop sand mining. Be a strong voice for land preservation, both farm and woodlands. Calverton is too quickly changing from a beautiful farming community to an ugly sand mining area poorly planned on the outskirts of Riverhead. Is it too late to be saved? Stop the sand mining on Route 25.

Those are some of the comments that came back concerning the sand mining with TS Haulers and Calverton Industries.

And then in Resolution 218 under be it resolved, towards the second half of the second page, it says fifth- actually, it's on the third page. Fifth. That the applicant has met the requirements of the Town Law 274B for the issuance of the special permit in that the proposed special permit use is in harmony with the existing zoning and that it will be- and it will not adversely affect the neighborhood. Can you explain that one? How this won't affect our neighborhoods?"

Supervisor Kozakiewicz: "It's a recital in the resolution and I think we'll have to take that up and decide that, whether we agree with that and to vote. So I think that's something that will be discussed later, so, it's, I think pretty much self-explanatory as far as the wording. Again, it's an opinion as to whether, in fact, and I'm sure the Board members are going to have some discussion whether we agree with that particular language or not."

Joan Griffin: "Okay, thank you very much."

Supervisor Kozakiewicz: "Kathy Lindstrom."

Kathy Lindstrom: "Kathy Lindstrom, the Greater Calverton Civic Association. I'm sorry. The last town meeting, at the end of the night, the Board voted on a rather important item that was not on the agenda at all. It was not discussed. By a vote of three to two, you agreed to sell over 50 acres to AES for an amount just over \$5 million dollars. There was no public discussion at all. I feel this was disrespectful to the people of Riverhead and in particular to the people that live in Calverton. How much do any of you know about this project?"

Supervisor Kozakiewicz: "We have been reviewing it for over or approximately one year."

Kathy Lindstrom: "Um, where- the information that you have, is it all from AES?"

Supervisor Kozakiewicz: "We have been also relying upon our consultants which include the firm of Willke, Farr and Gallagher in Manhattan."

Kathy Lindstrom: "Did anybody find any negative reports written about AES at all?"

Supervisor Kozakiewicz: "I'm going to maybe move this along. I think what I'm going to ask the Board to do and we will take this up next work session, since this project is one where obviously there's some concerns from the public. What I'm going to suggest and I think probably the Board will join me because we had these discussions early on when we were talking about moving forward with this agreement, is to hold a public hearing pursuant to the Urban Renewal Law to determine whether they're a qualified and eligible sponsor."

All these issues, the size of the plant, the height of the

stacks, what they will do as far as wastewater, what they will do as far as water needs will come out during that hearing and I think that's what we should do and I'm going to ask the Board to consider that next work session so that we can get it before you so that the people in the town can have a better idea of what this project is about."

Kathy Lindstrom: "I'd like to leave with you if you don't mind, because I'm really upset about this project, a little research. I have a compiled history here and I have one for everybody."

Supervisor Kozakiewicz: "Okay, thank you. Steve Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. Shade Tree Acres and you say bids are open. What is Shade Tree Acres and why is it that these three particulars here have to be involved with that project? I never heard of it. This is the first time I have knowledge of this."

Supervisor Kozakiewicz: "I believe Shade Tree is a water extension."

Steve Haizlip: "Oh."

Supervisor Kozakiewicz: "And that's in Aquebogue if my memory serves me right. I think we had a resolution on one or two meetings ago authorizing these bids to be open in Barbara Grattan's office."

Steve Haizlip: "Well, I still got my list here from the last meeting which was- I was afraid I wouldn't be able to get here before 11:00 so I held it over."

Now, you- I want to take up about the stop light, Sound and Edwards, and you said that you are going to do some studying of the stop light up there at- "

Supervisor Kozakiewicz: "It's been done."

Councilman Lull: "It's been completed."

Steve Haizlip: "-- Pond and you are going to include this in there."

Supervisor Kozakiewicz: "I believe the one at Edwards and Sound has been compiled and I think we were talking with the Town Engineer

about the question of whether we design it under its current configuration or look at the concept of whether we want to provide for possible expansion and turn lanes at that location and that's what we've been discussing with Mr. Testa as far as the establishment of a light at that location."

Steve Haizlip: "Well, you know, that's very strange, you know. Mr. Testa and you gentlemen plan to have discussions about this but every time that I try to inquire or call or talk to his secretary to get back to me, I become an outcast. Nobody gets back to me. So, you know, I think we're intended to be a family in this township, including the Town Board. And when you work diligently and try and get some safety or something done, you ought to get a little respect for it and be told what's going on and not have to come up here and say well, we've been talking about it. Now- "

Supervisor Kozakiewicz: "What I'll do, if Joey is still in here, if not, then I'll make a note. I'll ask Ken who is on vacation this week because it's a school week, to communicate with you where we are with regard to this particular project. Okay. I'll see if I can leave him that voice message or contact him to call you."

Steve Haizlip: "Very good. At this time, I want to bring in that Riley Avenue radius turn off of Edwards. I put that in writing a long time ago, I think it would be around May. And I don't really- nothing is materialized; nobody got back and said anything about it, and so I'd like to know what they've got planned there. Oh, beg your pardon. There was one gentleman that did say something about it and that was Mr. Lull. And Mr. Lull asked me a question. Do you think that that tree there would be in the way to make that turn radius? And I got back to him; left a message with him and said I don't see where it would be any problem. Looked like there is plenty of distance. So that's the extent of any conversation or looking into it.

And, on Harrison Avenue, the County said that they was going to be in progress to work on that light if weather permitted in February. The end of February is almost here but I have to agree the weather hasn't been permitted; it's been a rough winter. So maybe March we might see some action."

Supervisor Kozakiewicz: "They told me weather permitting. They didn't indicate the month. So you got more from them as far as a commitment if you did get them saying that February would be the time that they put it in because Mr. Bartha just said weather permitting

we're going to get to it."

Steve Haizlip: "My letter said February."

Supervisor Kozakiewicz: "Okay."

Steve Haizlip: "If weather is permitting on it. I- you know another thing that sort of got me a little disturbed is I come before the Recreation Committee asking to get a little bit of money to finish up the park, the (inaudible) park in Calverton, and I was told that they don't do that sort of thing. But then I put in a request or appeal request and the appeal request, it just goes off and probably hit class 13 which is the wastebasket. And it don't have respect to get back and say we got your appeal letter, but it still stands and give you a little respect on it. Nope, didn't happen."

All right. Now, one- my last comment is and I think I stayed within the five minutes, you know, it was very disturbing to hear that Mr. Turner was forced out of his job and if you've ever heard of Wick vs the USDA and the Supreme Court ruled what the government subsidized, the government controls. I think you read in the paper where Long Island Jewish said oh, we didn't merge with Central Suffolk Hospital. We just only affiliated. Well, if they only affiliated in there, then how did they become the dominant force to kick people out? And I think they did him an injustice. That man is a very good gentleman and regardless of wherever he sees you or wherever you're at, he'll take time out to talk with you, explain things.

And I remember I had a problem once and he was the only fellow in that hospital that could solve it. And I was raising a little hell about it, too, and he solved it. So I guess the J boys decided they don't want him and right now what is happening in that hospital- my wife was in there to get her heart adjusted, the insurance paid everything and Mr. (inaudible) was in there and the insurance paid everything. Now we're getting bills, \$149. He's getting one. So you call them up and they'll- and they say, oh, the insurance didn't cover that part. So you call the HMO, we don't owe them nothing. So you go to the hospital, oh yeah, just forget about that. So something is funny there. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Dennis Finn. Dennis Finn? Yes. You can- you had put in a card to discuss- no, you can come up and use your time. I'm not going to defer time to someone else. Looks like a- I can't make out the first name. Angel is the last name, 6 Cedarwood Drive, Shirley."

Ronit Angel: "Good evening, ladies and gentlemen. I'd like to talk about the issue with the Calverton (inaudible). I'm so excited to be here. I think it's a big issue for everybody."

Supervisor Kozakiewicz: "Your comments are addressed to the Board."

Ronit Angel: "Yes, sir. Okay. Ladies and gentlemen, it doesn't take a politician to make a difference in people's lives on a national scale. It takes a politician to steal a dream that could have an impact on communities on a national scale. The freedom of speech and expression on this community and the United States by virtue of the constitution of the United States allows me to express injustice done by the local government of the Town of Riverhead."

Theft of (inaudible) property is a crime by law; theft of someone's dream shows lack of respect, morality and insincerity. Because of the emotional effect of the loss and the spiritual, intellectual, educational passion, years of research and planning, inspiration and creativity, Thomas Longi presents a Thomas Longi productions, he sits right there, and myself, one man's dream would have changed the face of the economy of Long Island and who knows, maybe New York in general.

We can put 30,000 people to work with the plan he put together for the former Naval Weapon facility which was Grumman at Calverton. His brilliant plan was handed to the Town of Riverhead, was stolen by the Town, later suppressed by the Town. Simply put, they have stole the ideas, the facility concept, with the usage, the knowledge, the power generating facility that would have supplied free power to Long Island for years to come.

The real issue here is the future of the kids, is the future of, you know, the youth. The future of you people controlled by the Town, voiceless, remains silent for years, uncorrupt government. If this Town government and the US Navy is allowed to get away with pollution water and destroying the economy here, then what could be more easy than to steal one man's dream?

The only thing that remains clear is that the Town of Riverhead never intended to sell the Grumman property to anyone but those people that worked before with the Navy and the town. Wondered why the former Naval Weapon Resource Facility, the NWIRP in Calverton has not yet been sold after almost five years.

The answer is clear the theft of Thomas Longi's dream and previous agreement by the US Navy and the Town of Riverhead has effectively delayed the release of the property for the last five years.

In closing, I would like to know what the Town of Riverhead and the US Navy had to hide about the former Grumman property. What would justify the theft of one man's dream and more than that, I would like to know if this Town has anything better than to find jobs for 30,000 people because we want to live better. Don't you guys? Thank you very much. Thank you."

Supervisor Kozakiewicz: "Thomas Longi."

Ronit Angel: "It's about the Calverton property."

Supervisor Kozakiewicz: "I'll- you're- Mr. Longi. You said you were concluded. I'll address it. There is- Mr. Longi who is coming up will probably indicate that his ideas were stolen and he's filed a mechanic's lien against the Grumman property. So that's what this discussion is about. Mr. Longi."

Thomas Longi: "Yes. Sir, I was asked to come up four years ago and come up with a plan for Grumman Calverton. I did the best I could and I was- "

Supervisor Kozakiewicz: "I don't think you were asked to come up with a plan as far as the reuse. I think you were asked and there were people that were solicited or the news was put out as far as proposals for people who were interested in acquiring the property and could establish their financial abilities to develop the property in accordance with the plan. You were not asked to develop a plan for Calverton property for the Community Development Agency."

Thomas Longi: "Not directly by the CDA."

Supervisor Kozakiewicz: "You were never contracted for, there was never a contract signed between you and the CDA, was there?"

Thomas Longi: "There isn't a contract."

Supervisor Kozakiewicz: "You have a written contract with the CDA?"

Thomas Longi: "No, we don't."

Supervisor Kozakiewicz: "That's correct."

Thomas Longi: "Okay. Well, let's put it this way. The town and, I guess the US Navy wanted to come up with a reason for our use for the Grumman property. When Grumman went down, everybody lost their jobs. The Grumman people took whatever jobs were left. That left very few jobs for everybody else. The last five years, there have been contracts on and off about that property and no one is using it yet. I'd like to know why for one reason.

Secondly, if I came up with a plan- "

Supervisor Kozakiewicz: "First and foremost, your comment that nobody is using the property is wholly inaccurate. There is a number of people who are on the property. There's Global Marine which builds Hulster (phonetic) speedboats. There's Michael Reilly Design who builds custom windows and doors. There's (inaudible) Steel Company. There's Allied, Stony Brook Manufacturing just to name a few. I'm sure there's many more that are out there that are already on the site employing people, conducting manufacturing and contributing work force to the town. So I don't know where you have your information that no one's on the site and there's nobody using it."

Thomas Longi: "Let's put it this way, no one has purchased the property yet. Am I correct?"

Supervisor Kozakiewicz: "We are in contract with Calverton Camelot LLC as everyone is fully aware."

Thomas Longi: "Okay. I have something to say about that as well. Before I do, I'd like to make, you know, a comment. My assistant tried to help me out the best she could. She looked around at people, you know, principally youth that walk around the streets and they've got no future here. I can't picture any one of them being able to afford a \$100,000 home. I sat here a couple of times and watched people complain about youth with graffiti, standing around the streets, and everybody, you know, principally wanted them to go away.

I came up with a plan to put 30,000 people in high paying jobs out here with training. I came up with a power facility that didn't require any fossil fuel or gas consumption, nothing. And could have provided power for the east end of Long Island for years. I came up with a plan on how to make tenants inside the Grumman facility who have production support companies hire these youths and train them. And I gave the plan over to the town. A year later- and the esteemed

group of Willke, Farr and Gallagher pretty much wrote me a letter telling me to back off, back away from the property.

A year later, I'm asked to come back to the drawing board and this time make a bid to buy it. I'd do that. At that meeting to hand the letter of intent over to the town, I'm told I have to hand my plans over to First Industrial Real Estate of Chicago. I do that. At that time, the President CEO of First Industrial Real Estate of Chicago was Lazarus Burman. He leaves First Industrial Real Estate of Chicago and roughly a year later rebids on the property with a very similar plan in his hands.

Now, I'd like to know what is going on with this property and specifically if I've got a plan to put people to work out here and a power generating facility that was my own idea that won't require any fossil fuels, you know, the 50 acres this lady's talking about has a gas turbine. Now if I could generate power free for Long Island, why do we have to charge Long Island? Why do these people have to pay the price?

And, secondly, if I have a way to put these kids to work, why wasn't my plan seriously considered? Why hasn't anybody heard about this?"

Councilman Densieski: "Sir, would you mind sharing with us what the type of fuel would be if it's not fossil fuel?"

Thomas Longi: "It's actually something I came up with. Before I got into the production business, I read and edited Theoretical Physics for a living. Came up with a plan to use solar power and windmill power, offset gears, what I call a capillary system to preheat water and generate electricity back into the Grumman facility and any excess would be resold back to LILCO now LIPA. And the power generating facility, the windmill arrays and the solar panel arrays could be hidden in the pine barrens. They wouldn't interfere with anything. The plan I came up with to utilize the entire piece of property required no new construction, could put people to work immediately, could generate revenue for the town immediately.

I had companies willing to come in and rent portions of that Grumman- that hanger space. And over the years I'm reading in the paper this one is coming up with this; this one is coming up with the other thing. Nothing is being sold and pieces of my project are winding up on somebody else's drawing board. And one year later, the town is claiming we lost your project; we lost your projections.

We don't know anything about you. I'm starting to wonder now does the town really want some change here? When the Grumman property went down, a bunch of people got together from all the different townships and said we knew what was going to happen when Grumman went down. Everybody was going to lose their jobs; the economy was going to go down the tubes. So various members of various townships wanted to get together and vote on a plan and approve a plan. To date the only thing that's being considered about this property is the effect on the Town of Riverhead. What about the other townships?

You have people walking around with no jobs and no opportunity. I came up with a plan. Why wasn't it seriously considered? Why was it later suppressed? Why didn't it make it to the press? You see Trump making a bid. It winds up all over Newsday. I spoke with Grubb & Ellis, Jack O'Connell. He told me that he had control of Newsday and the media out here and told me that my plan would never make it to the paper. You know what? He's right.

Now before my company goes down, and my company was attacked just making the plan, I just wanted to come up here and tell you people. I came up with a realistic plan to use this property and I could put a lot of people to work. And right now Lazarus Burman in my opinion from what I've heard and from what I've seen in my documents, is coming forth with my plan. And this AES is coming through with a version of my plan to generate power for the east end that requires fossil fuel. And that's the reason why I placed my lien.

I figured that my plans and projections were worth at least that much. What I'd like to know is that if my plan is going to be taken so, at least do it the right way so at least I know I made a difference out here. And I'll walk away. That's all I have to say, sir.

And as much as I heard- seen people grin out here about my associate, at least she came up and tried. Thank you."

Supervisor Kozakiewicz: "Thank you. Ann Miloski."

Ann Miloski: "My name is Ann Miloski, Calverton. At this time, I think it's really appropriate for me to read what I wanted to read and it's about the Grumman site. And it was an editorial that was put in the Calverton Review and I think it practically states everything that most of us in the Calverton and Baiting Hollow area feel. And some people in Riverhead also.

This says a smooth takeoff. Despite the fact that the numbers don't add up, despite the fact that there's no way it could be a good neighbor to all the new homes springing up nearby, the idea that somehow opening a public airport at the old Grumman plant would be good for the town just won't die. The debate has been largely theoretical. An airport could do this, would do that, its supporters haven't provided one bit of concrete evidence to bolster their claims.

But as this week's story on the Michael Reilly Design Company proves, the town can reclaim the jobs and other economic benefits lost when the Grumman workers left for good without having to suffer with an airport's headaches and heartaches.

The Reilly Design Company makes doors and windows for rich folks. It hires 90 people, most of whom must combine knowledge of woodworking with computer skills. Just down the street, there's a company that makes high end boats. Nearby is yet another small manufacturing plant that turns out the post and supports for highway signs.

Yes, none of that is aviation related but the businesses do offer many jobs and good ones at that. An active industrial park with a variety of type of companies is the prescription for prosperity. Why sit and wait probably in vain for Boeing or similar company to decide to open a repair or retrofit facility here? Why create a huge controversy and waste years and hundreds of thousands of dollars on lawsuits by pursuing an unwanted, unnecessary airport?

The irony here is the one aircraft related business currently leasing space from the town, a parachute jump school, offers virtually no economic benefits beyond its small lease payment. Neither the Reilly nor the people who make Hulster (phonetic) boats need the runway just beyond their door. It might be a nice amenity someday and the companies may eventually see some benefits in flying potential customers or materials in and out. Here's an example of the town displaying unusual wisdom and foresight and a decision to limit aviation to an accessory use, not the facility's main function.

When the town adopted its Grumman Redevelopment Plan some years ago, it envisioned just the type of industrial park that is now beginning to develop. Keep the forward momentum going by closing the Burman deal quickly and stick to the current plan. Get the property back on the taxrolls and let the private sector create jobs and opportunity.

I'd like to turn this in because I thought it was an excellent

editorial written by the News Review and there's only one other thing I wanted to say about the motorcross parkway- motorcross speedway, I mean.

I checked the petitions that were sent in. There are 5,000 petitions. Out of the 5,000, there was only 21 from the Riverhead area and six of those people weren't eligible voters for the Town of Riverhead. Thank you."

Supervisor Kozakiewicz: "I thought I counted a few more than 21, but, you know. Okay. Okay. Barbara Blass, please. Barbara Blass. Oh, there's Barbara, okay."

Barbara Blass: "Thank you, Mr. Supervisor, Members of the Board. My name is Barbara Blass and although I Chair the Planning Board, I'm speaking as an individual member of the Board this evening. And I have a couple of questions on Resolution 218 pertaining to TS Haulers. I was wondering if this resolution addresses TS Haulers' activities as a DEC registered solid waste management facility or does it only address the mining operation?"

Supervisor Kozakiewicz: "If you're asking whether there's- because you and I talked about the implications of Chapter 103 and whether 103 required a further special permit inasmuch as the registration process could or may be part and parcel of Chapter 23 which requires a special permit, to that extent I'm going to defer to our counsel and ask them to get back to us on that particular issue.

To this point, I believe that the Board has considered the special permit under the provisions which are spelled out in that resolution, namely 108-3, 108-45(b)(6), and (b)(5) which talk about the particular uses spelled out in the Industrial A zoning test, that's 108-45(b)(6) and (b)(5).

I do not believe prior to this time other than some reference, and I don't mean to belittle it or make it sound minimal concerning that particular DEC issue with regard to the registration, the Board was pointed in that direction. I think we are looking at this as an overall operation. The question of whether it's wholesale business or not, whether it's a non-nuisance industry or not and to that extent I think an argument could be made that that general description could be inclusive of that 103 issue.

But, again, I'm going to third down, punt, and pass it on to the Town Attorney on that respective issue."

Barbara Blass: "I would hope that you would do that because I would- if I could just take a moment to highlight just a couple of paragraphs of that particular chapter, I think you would see that clearly it's not a zoning issue that would have been covered under the non-nuisance wholesale business issues that you have raised in connection with the mining operation. But the registration as a solid waste management facility with the DEC clearly covers the acceptance of concrete, brick and asphalt from Queens, Nassau, Suffolk and Brooklyn.

If you refer to Section 103(8) paragraph b of the code, it clearly says that in order to accept that kind of waste from outside of the town, it has to be by special permit of the Town Board. There was nothing in the application that I saw that was currently before the Town that describes that activity.

If you go on to the next paragraph, it says if that solid waste management is collected or generated within the town, then it has to be disposed of only at a designated solid waste management facility which I don't believe the Town Board has designated the TS Haulers site as a solid waste management facility.

If you go on to Section 103-9, it says you even need a Town Board special permit in order to transport material such as this generated outside of the town over town roads. If you don't have a special permit by the Town Board to do that, you are basically in violation of our own local law covering solid waste management facilities. The DEC has their rules, the town has its rules and not surprisingly it's in the Chapter entitled Solid Waste Management.

I won't go through the Chapter anymore other than to say that there are licenses that are required, Type 1, Type 3 class licenses that are supposed to be obtained as of my checking with the Town Clerk this morning. There were no such licenses issued to this applicant in order to transport, accept, carry this material within the town. There are vehicle decal permits that must be exhibited on their trucks which I don't believe they have.

I would respectfully urge you to ask the Town Attorney to review this Chapter, especially in light of the fact that there are penalties associated with violations of each and every one of these provisions. And I think it's something that needs to be addressed and clearly was not addressed in the special permit application that the town has before it for the mining activity.

And I assume that you have a copy of the DEC registration as a solid waste management facility. But if you don't, I'd be happy to provide you with another copy. Thank you."

Supervisor Kozakiewicz: "Thank you. That concludes the cards that were handed up. Is there anybody else that would like to address the Board this evening? Rita?"

Rita Hoden: "Rita Hoden, Calverton. On the skydiving, is that going to be renewed as a six month lease? I know they're applying for a five year lease, but- "

Supervisor Kozakiewicz: "That's correct."

Rita Hoden: "-- you don't have anything in place for the Grumman property, how can you give them a five year lease? You don't know what's going to happen in six months or a year."

Supervisor Kozakiewicz: "I think we will and we intended to have a hearing on- actually or a resolution calling for a public hearing to, in fact, hear from the public regarding the five year. We have asked the Town Attorney also to render an opinion with regard to this issue. We are waiting for that opinion which will discuss the use of the runway and how that interplays with present existing industrial zoning on the property.

So, I know I didn't answer your question directly, but these issues are being looked at. We intend to have a public hearing where people such as yourself will have a chance to address what Skydive is proposing to do as far as an extension for an additional five years."

Rita Hoden: "As I understand he intends to spend a lot of money. But if you favor one business, what are you going to do for the rest of the businesses in the town if they run into problems? Because he wants to spend a lot of money, we give him special services or we extend his lease? Why?"

Supervisor Kozakiewicz: "I'm not sure if I see it that way. We have businesses that go to IDA; we have businesses that take advantage of EDC credits. We try to- and I think what we've heard from the public during a number of our meetings not necessarily this particular topic but others, is that they're hoping the Board will be a little more pro-business minded, that we'll try to not throw up unnecessary obstacles to businesses, and try to work with businesses to make them more welcome.

I think in the past, and this is a very classic example of what not to do, we had a particular piece of property on West Main Street. At certain points in time it had been a house of ill repute, we had a guy come in, he makes and fixes it up, puts it into a beautiful pizza parlor and guess what's the first thing he gets from the Town of Riverhead? A notice of violation that his sign is in violation of the code. He took a rundown business, turned it around, runs a reputable restaurant, and the first thing he gets is a notice saying that his sign is in violation.

I think what we need to do is try to work with businesses. With regard to the Skydive, we intend to have a public hearing and you'll be able to address your comments and concerns about whether we're heading in the wrong direction, not going on the right flight path as the case might be, and, you know, we'll have to hear all the comments with regard to that particular application."

Rita Hoden: "Yeah, and with the lease, how much each year it will be increasing? I mean what benefit is that going to be to the town? I mean how much is the town going to increase each year and what benefits are we going to bring into this? I mean- "

Supervisor Kozakiewicz: "Well, I think we are using at a CPI, an automatic index which would follow what the consumer price index is so that we would be getting a similar increase as to what the consumer price index for the metropolitan area would be. That's one analysis.

Another analysis would be to try to tie it into touchdowns or, you know, some other mechanism but we were proposing increases that would be tied into a formula."

Rita Hoden: "And when will- are you having the closing on the Burman deal? When will that be in place?"

Supervisor Kozakiewicz: "I hoped it was yesterday. I know it's been mentioned a number of times. We are meeting with them regarding a revised plan which is based upon their meeting with FAA. We're meeting with them as a matter of fact this week and hopefully we can be at a closing shortly. I can't say anything more than that, Rita."

Rita Hoden: "Okay. On the incubator, how is that deed coming and the- "

Supervisor Kozakiewicz: "We're still working on the deed with the- "

Rita Hoden: "And that's going to cost- there's going to be no more expense to the taxpayers?"

Supervisor Kozakiewicz: "No. As a matter of fact, they have already consulted with H2M and are planning the engineering for the sewer and water at no cost to the taxpayer."

Rita Hoden: "And at your work sessions, everything is going into executive session. I did make a- "

Supervisor Kozakiewicz: "No. That's not true."

Rita Hoden: "The open meeting law, well, when I first started everything was pretty much out on the floor. Now everything-- you have one thing and everything goes in executive sessions, I think that has to be reviewed. I think- a lot has gone- "

Supervisor Kozakiewicz: "I don't think we need to discuss a litigation matter in front of the general public and that's why we went into executive session. And sometimes those discussions take a long time."

Rita Hoden: "I can see some of that to be- to have to go into executive session."

Supervisor Kozakiewicz: "Litigation I believe the proper place and I don't think anyone is going to argue with me that if we're trying to settle a case or we have a case that we need to talk about--"

Rita Hoden: "You went into executive session for the utility plant now, that wasn't litigation- "

Supervisor Kozakiewicz: "That was contractual negotiations. It's going to be a public hearing. As I said, I'm going to ask the Board to consider a qualified and eligible sponsorship hearing on that particular project so you'll be able to hear what the proposal is from AES."

Rita Hoden: "Okay, thank you."

Supervisor Kozakiewicz: "Okay. I saw a hand in the middle. Yes?"

Jackie Divan: "Hello. My name is Jackie Divan, I live in Calverton. And I was just wondering if I could address the proposed

racetrack. Do we have any idea where we're at with it at this point?"

Supervisor Kozakiewicz: "They have asked us to consider whether- well, how do I put this? Because I don't think I have three Board votes to go forward. They would like to acquire approximately 400 acres of property at the Calverton site to do a multi-venue race complex which would be motorcross, BMX bike, an oval similar to a NASCAR oval, super bike track which is the racing the (inaudible) type of motorcycle racing, and they have suggested as a sign of good faith that they deposit a certain amount of money in escrow and within a given period of time if they fail to come up with the requisite financing that that money be forfeited to the town.

That proposal has not been addressed fully by the Town Board or by the RDC."

Jackie Divan: "Okay. Are we considering- and I'm sure we are- the amount of traffic from the racetracks? I pulled up something from Goodyear that they give an annual attendance rating and they can range from 64,000 to 190,000 cars. I don't know if you have the same information. I can give it to you. I don't know how we could possible handle it."

Supervisor Kozakiewicz: "Well, we're not at that point yet."

Jackie Divan: "Okay."

Supervisor Kozakiewicz: "In order to get at that point, we would need to have a formal proposal before us that would be subject to state environmental quality review. And at that point, undoubtedly, and I think there's no question about it, it would be placed into a situation where it would need to be positive dec'd, there would be a need to do a full environmental impact statement, and these issues such as traffic- "

Jackie Divan: "And noise."

Supervisor Kozakiewicz: "-- noise generation, possible contamination of the ground, lighting. I mean there's a number of issues which would have to be explored in that EIS. But we're not at that point."

Jackie Divan: "Would that- right, would that be a public hearing at that point as well or- "

Supervisor Kozakiewicz: "We have public hearings on EIS'.
Yes."

Jackie Divan: "Okay. Okay, thank you very much."

Supervisor Kozakiewicz: "Okay. Anybody else? Eve?"

Eve Kaplin: "I would like to address the TS Haulers resolution as well. I'd like to say I represent the North Fork Environmental Council. I'm the Riverhead Coordinator."

Barbara Grattan: "State your name."

Eve Kaplin: "Eve Kaplin. Thanks. And I'd like to say that we certainly welcome, we applaud the Town Board's efforts in the past over the last couple of years to continue litigation against this project to straighten out this matter, and we certainly would like to remind especially Supervisor Kozakiewicz, Mr. Lull- Councilman Lull, of your past record of voting against this project."

We also welcome Barbara Blass' comments tonight and the Planning Board's decision not to recommend approval of the special permit and as a further matter we also feel that the Board really should have full disclosure of the Suffolk County Ethics Board decision on whether Councilman Densieski can vote, will vote. When a public official- whether or not a public official is allowed to vote on a public matter really should be available for the public to know. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Charlie Cetas."

Charles Cetas: "Charles Cetas, Vice-President of the North Fork Environmental Council. I just have one question, I notice we have a missing Councilman tonight, Chris Kent. I notice- I know that TS Haulers is an issue of concern to him and I just wonder is he- got a- if the resolution is going to be voted on tonight, did Chris send in a proxy on how he wants to vote?"

Supervisor Kozakiewicz: "I'm- there's no thing as a proxy, no.
No."

Charles Cetas: "It's not allowed? That's not allowed in Riverhead? I've seen it happen. I just didn't know if it was part of your rules, if they can do that or not."

Supervisor Kozakiewicz: "I have never seen it occur here."

Charles Cetas: "Okay."

Supervisor Kozakiewicz: "Charlie, I know you've been coming longer than I so- "

Charles Cetas: "Well, you know- it's an interesting question."

Supervisor Kozakiewicz: "I can't think of any time in recent history where we've ever had a voted by proxy. Okay?"

Charles Cetas: "Does- can anybody know, is it allowed? Is it something that could be allowed or- "

Supervisor Kozakiewicz: "I don't believe so."

Charles Cetas: "All right."

Supervisor Kozakiewicz: "Bill Kasperovich."

Councilman Densieski: "Charlie, if you can vote by proxy, I'm not coming anymore."

Councilman Lull: "Charlie, just to point out to you, although we cannot vote by proxy and Mr. Kent knew that last time, Councilman Densieski did volunteer to read any statement that he wanted to make before we took such a vote."

Charles Cetas: "Okay."

Councilman Lull: "Okay. There is a time issue on this vote, so- "

William Kasperovich: "William Kasperovich from Wading River. Am I to understand that a vote will be taken tonight for Resolution 218?"

Supervisor Kozakiewicz: "You are correct."

William Kasperovich: "Well, on the thought that it would be approved-- that if it is approved I would expect the town to take immediate action and by that I mean tomorrow morning. The trucks have been going on the state highways designated at a 55 mile an hour speed limit. It has interrupted the traffic sometimes to a standstill in

order to get on to the highway. And there have been also numerous occasions in recent months of mud being spread on the driving surface and occasionally it's cleared off, most of the time and since I don't-I'm not out there daily to monitor this, but wet mud on a concrete road is a danger and I think it's a police action. So I would expect it being a state road, the DOT would be involved, the State Troopers and the Riverhead Police.

I would like to refer to Resolution 200 which authorizes the Supervisor to negotiate and execute contract for the sale of the Congregational Church- Congregation of the Jehovah Witnesses Church. As I look at the resolution, I don't see any dollars numbers. Reference to, execute a capital letters contract of sale in connection with real property, I assume this is standard legal form that's being referred to but there's no way to know. And a copy of the contract is neither referred to nor attached to the resolution which I find this very difficult to fathom how this kind of resolution can come to the floor for a vote and not expect difficulties in the future.

My last item, on the agenda that's given to the public, there is a Community Development Agency Meeting #4 which says authorize publication of notice. No period, no comma, no nothing. No nothing. I find that very disturbing.

I think I will- "

Councilman Lull: "Bill, from a strictly English teacher point of view. Authorizes publication of notice is the title of that resolution. In such cases, there is no place in a title for any kind of punctuations. So a period would be incorrect in that situation."

William Kasperovich: "Authorizes publication of notice."

Councilman Lull: "That's the title."

William Kasperovich: "With no indication whatsoever, it's just incomplete, inadequate and doesn't make any sense. Whether it's what the matter is involved to give notice on, just could be most anything. And I don't know how else to say that such a thing being put forth to be acted on, I just find it hard to believe that you five gentlemen would allow this sort of thing. Certainly it isn't a question of mentality or intelligence, so you must have something else that you're trying to promote that you're not presenting which opens the door for unwarranted criticism. And certainly opens the door for a lot of gossip. And- "

Supervisor Kozakiewicz: "Why don't I just indicate what the item of #4 is so that we don't have everybody out in suspense there and people on TV. What it is, it's authorizing the publication of a notice as indicated. As you know, there's an existing state pollutant discharge system permit for the existing sewage plant on the Calverton property. And what this resolution is authorizing is for us as the Town Board or the Community Development Agency Board to see that there's published and post an attached public notice in the next issue of the News Review and to also see that the same is posted in Town Hall which is a notice of complete application regarding a modification to that SPDES permit which was based upon determining the present flows at the sewage treatment plant and what type of organic compounds are being produced as a result.

So this is a notice which is in accordance with that SPDES permit and that is the nature of what we're going to be asked upon to vote."

Councilman Lull: "That's a notification which indicates when and where specific comments may be addressed on that issue."

William Kasperovich: "Where?"

Councilman Lull: "In other words, where you send them to."

William Kasperovich: "All right. There seems to be just so many irregularities here that I don't know which is more important than the other, but I read the English language the same as you do and when you're talking about modification in comparison to an existing fiscal installation, you are then comparing apples with oranges. And so- "

Councilman Lull: "The SPDES permit there allows for testing of certain compounds that were produced when Grumman was there. We are no longer producing those compounds and we're seeking to change the- modify the SPDES permit to not include the testing for those compounds since they're no longer produced at that site."

William Kasperovich: "Well, I think Mr. Lull you're being swayed by the fact that you're quite knowledgeable about this area and you're putting words together to describe something that is familiar to you but to nobody else."

Councilman Lull: "We haven't made the resolution yet."

Supervisor Kozakiewicz: "Anybody else would like to address the

Board during the public comment period? Seeing no hands, what I'd like to do is adjourn the Town Board and- the Town Board portion of the meeting at this time being 8:59 and convene the CDA meeting."

Town Board meeting adjourned: 8:59 p.m.

Town Board meeting reconvened: 9:01 p.m.

Supervisor Kozakiewicz: "And at this point, 9:01 still being here, reconvene the Town Board portion. Take up resolutions."

Resolution #177

Councilman Densieski: "Declare lead agency and determines significance of lease to Altitude Express. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #178 through 181

Councilman Lull: "If the Board pleases, I'd like to do 178 through 181. We made appointments to the Recreation Department. These are changes, these are amending resolutions that we passed last time on the appointments. It has to do with the amount per hour each one is paid. Just changing the fee schedule. So I will move 178 through 181- "

Councilman Densieski: "Second- "

Councilman Lull: "-- which amends those resolutions, sorry."

Councilman Densieski: "Second that motion."

Supervisor Kozakiewicz: "Moved and seconded. And just for the record, it's amending the rate of pay to \$11.46 per hour. Vote?"

Barbara Grattan: "Okay, we're ready."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolutions are adopted."

Resolution #182

Councilman Densieski: "Appoints recreation aide to the Riverhead Recreation Department. That person is Cori Koroleski. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #183

Councilman Cardinale: "This appoints a recreation aide to the Riverhead Recreation Department, Fun-A-Rama Program, Jennifer Cook. So moved."

Councilman Densieski: "Second the motion."

The Vote: "Densieski, yes."

Supervisor Kozakiewicz: "Moved and seconded."

Barbara Grattan: "I'm sorry. Densieski, he's done."

The Vote (Cont'd.): "Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #184

Councilman Densieski: "Appoints recreation aide to the Riverhead Recreation Department and that person is David Joel. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #185

Councilman Lull: "Appoints Dave Lessard as administrator of the Seed Clam Program. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #186

Councilman Cardinale: "This appoints provisionally a Grants Coordinator. So moved."

Supervisor Kozakiewicz: "Second?"

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Discussion."

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "I really believe that we need a Grants Coordinator because it would be nice to use some of the state and federal governments' money rather than our own taxpayers but I believe this position belongs either in the Supervisor's office or in to the office of Economic Development which is forthcoming and I would like to be able to revisit that if that office does come. But I'm willing to vote on it today as is."

Supervisor Kozakiewicz: "Yeah, I think the position is something that we need to fill. We lost the individual who was administering our grants in the past. Over the years we've been successful in gaining a number of (inaudible) grants which are in need of being overseen and to make sure that not only do we receive the grants but they are properly administrated to, properly vouchered for to make sure we don't risk those grants down the road. So- "

Councilman Cardinale: "Can I ask a question on this?"

Councilman Lull: "Yes."

Councilman Cardinale: "What is this salary that this individual will come in at?"

Councilman Lull: "Forty-two."

Councilman Cardinale: "And she'll be replacing the function that Charlene Kagel fulfilled?"

Councilman Lull: "Yes."

Councilman Cardinale: "Have we made a decision on the- whether or not we're going to get another accountant?"

Councilman Lull: "At this point- "

Supervisor Kozakiewicz: "With regard to that, I'd like to bring it up at work session."

Councilman Cardinale: "Okay. So this is simply the \$42,000 for grant administration?"

Councilman Lull: "Which replaces a \$55,000 salary from the previous person. Phil, we interviewed several people here. This person seems very qualified, extremely qualified for the position and I think she will do a good job. We have over a million dollars in these grants through this program that are out there sitting there waiting to be administrated. And if we don't administer them, we lose them so that's the need for moving forward at this time."

Supervisor Kozakiewicz: "Any other discussion?"

Councilman Cardinale: "No, thank you."

Supervisor Kozakiewicz: "Vote, please."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yeah, I'm pleased to vote yes for this position. I'm hopeful also that we don't also hire an accountant at another \$40,000 because then it's \$82,000 versus \$55,000. So I vote yes on this."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #187

Councilman Lull: "Appoints public safety dispatcher, Robert Miller. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Cardinale, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #188

Councilman Densieski: "Appoints part time animal control officer. So moved."

Councilman Lull: "I'll second it. The person we're appointing is Wendy Buttafuoco and please notice, Barbara, that in the- Barbara, please notice that in the third Whereas clause her name is spelled incorrectly. It's spelled correctly in the Agenda but just make sure that the one that goes out to her, her name is spelled right."

Barbara Grattan: "Okay."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Densieski: "Brief comment. I've done inspections of the dog pound that we have now and although it is small and although it is in a really bad location, it is really well run and it is clean and well organized and the guys down there have done a real good job and I hope this person maintains the order they have there. So I vote yes."

The Vote (Cont'd.): "Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #189

Councilman Lull: "Appoints Arthur Fogal Automotive Equipment

Operator to the Town of Riverhead Highway Department. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Before voting can I ask you is this a new appointment?"

Supervisor Kozakiewicz: "There's two of them, one is to replace a vacancy, oh boy, I can't think of this name- retirement- "

Councilman Densieski: (Inaudible)

Supervisor Kozakiewicz: "No, Downs."

Councilman Densieski: "Downs- Gene Downs."

Supervisor Kozakiewicz: "And the other was to fill a position that was budgeted."

Councilman Cardinale: "So they're both budgeted position- one vacancy, one budget."

Supervisor Kozakiewicz: "Yes. Right."

Councilman Cardinale: "Um, yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #190

Councilman Cardinale: "190 appoints an Automotive Equipment Operator to the Town of Riverhead Highway Department, Chester- "

Barbara Grattan: "Grzegorzczuk."

Councilman Cardinale: "Grzegorzczuk. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Densieski: "Can't even say his name yet."

Councilman Cardinale: "Oh, yes. I did good on Grzegorzczuk."

The Vote: "Cardinale, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I was impressed, Grzegorzczuk. Yes."

Councilman Cardinale: "My mother was Polish incidentally."

Councilman Lull: "Probably still- "

Councilman Cardinale: "Well, she's dead but she's still Polish, yes."

Supervisor Kozakiewicz: "Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #191

Councilman Densieski: "Appoints interpretation consultant for Police Department and Justice Court. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #192

Councilman Densieski: "Authorizes the release of performance bond for A. Lawrence Galasso. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #193

Councilman Cardinale: "193 authorizes the release of the performance bond for Tanger Properties, LTD Partnership, Polo. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #194

Councilman Densieski: "Accepts Suffolk County National Bank Irrevocable letter of credit of Country Vue Estates at Wading River for road and drainage improvements. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #195

Councilman Lull: "Authorizes the release of the performance bond of Peconic Bay Golf. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #196

Councilman Cardinale: "This authorizes the release of the performance bond for Nextel. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #197

Councilman Lull: "Authorizes the release of performance bond of Baiting Hollow Commons, Fred Terry. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakeiwicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #198

Councilman Cardinale: "198 authorization to publish a bid for snack vendor services. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #199

Councilman Lull: "Authorizes the Supervisor to execute Department of Navy permit for Iron Pier Beach improvement project with the word of the Town Engineer that, hopefully, within a month construction will begin. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakeiwicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #200

Councilman Densieski: "Authorizes the Supervisor to negotiate and execute a contract of sale in connection with the Congregation of the Jehovah Witness Church in Aquebogue, New York. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Cardinale: "Discussion on this, please."

Councilman Densieski: "Yes."

Councilman Cardinale: "I just want to make a comment in regard to the form of the resolution. I heard and with interest and I had noted myself before, whatever way the motion goes substantively, I would urge the Board to amend it to authorize the Supervisor to negotiate a contract of sale in connection with the Congregation of Jehovah Witness rather than negotiate and execute."

It has always been my policy and I repeatedly indicated that I would not for anything regardless of substance that was not attached at least in substantial- substantially completed form.

Here we're not only authorizing the Supervisor to negotiate but also to execute a contract which is not yet even in draft form. So apart from the substance I would think that we would want to do this in two phases. To negotiate it and then to show us the contract and upon being shown it to vote on the substance.

I think there are probably three votes here tonight to negotiate and probably- but I don't think we should negotiate and authorize execution blindly of a contract we don't have. So I would ask that the motion be amended so that the caption reads negotiate and that the second paragraph be also amended so as to strike the words and execute.

Of course, I'm not sure I have a second here because Chris is skiing but I think I might be able to convince one of the two other individuals that just as a matter of good policy not in regard to this in particular but in any situation, we should not authorize- "

Supervisor Kozakiewicz: "I think you may have a second."

Councilman Cardinale: "-- execution of a contract."

Supervisor Kozakiewicz: "Without saying more."

Councilman Cardinale: "Okay. I'll shut up then."

Councilman Densieski: "I have a question. How much time is this going to add to the process. We have a very anxious person. I don't want to jeopardize."

Supervisor Kozakiewicz: "Clearly I think what- we need to move forward. I think this at least opens it up for the negotiation process so that our attorney and I can contact the seller and see if we can reach a price. I expect it's going to be a typical real estate contract that Phil and I are accustomed to seeing as far as a real estate transaction is concerned, so I don't think it's going to take an undue amount of time to reach an agreement that's agreeable to both sides."

We do meet again March 1. We could- I mean March 6th I think it is. We could vote to authorize and execute at that point in time. I don't think it will unduly delay it. I think we've already pretty much agreed upon a number with the seller and general terms so I expect it to move fairly quickly. But if there's a desire to see an agreement before you allow me to execute or put my signature to it, what can I say?"

Councilman Densieski: "Well, I hate to delay something but I think Councilman Cardinale makes a good point and it sounds like good advice so I think we should heed."

Supervisor Kozakiewicz: "So is there a second to amend it? Take it up that way. Okay."

Councilman Lull: "Just take that up as amended."

Supervisor Kozakiewicz: "Take it up as amended. So with the deletion of the words "and execute" it's moved and seconded."

Councilman Cardinale: "Yeah, seconded."

Supervisor Kozakiewicz: "And moved for a vote."

The Vote: "Densieski."

Councilman Densieski: "Comment. We understand that this might not be the greatest spot- I don't think there's any spot in the town that will be the best spot for everybody. Obviously Riverhead is a big town with a lot of land mass and a lot of people spread all over so I think eventually we are probably going to have to have a satellite on the western portion of town and I'm committed to working with this Board to try and make that happen.

I've done personally a lot of work on the senior center. I happen to go to the existing one quite a bit and I think this is really needed and for the entire project it's about \$2.75 million. It's not a lot in today's world; it really isn't. I'll give you a couple numbers. I don't know if you've ever heard of Marianna Rivera but he's going to get \$39 or call it \$40 million dollars to play baseball. Derek Jeter is going to get \$189 million dollars to play baseball and Alex Rodriguez is going to get \$252 million dollars to play baseball.

So I'm going to vote yes for \$2.75 million for the seniors of Riverhead."

The Vote (Cont'd.): "Cardinale."

Councilman Cardinale: "The need for a senior center in Riverhead is not in question and I'd like to begin by applauding this Supervisor who I think has an honest commitment to providing a well-much needed facility for the seniors and remind the rest of us out there that the previous Supervisor also was looking diligently for a site and found a few which did not- were not acceptable to the balance of the Board.

The- what I think after listening to all of what I've heard about this center is that great need too often begets great impatience which too often begets bad choice. A bad choice is not any the less bad for being well intended. In short, it is not that I do not believe that there is a crushing need for a new center. Anyone who went across the street and looked at that center knows we need a new center, but that there are better alternatives available to his one.

We can do better for our senior citizens; we should do better. We can do better as to location of greater centrality within the town. We can do better as to greater value for the public's money spent in this project. This is not very significant, this vote. We're only

authorizing the town Supervisor to spend somewhere between three and 350 as it will turn out to be to buy a piece of property which probably is worth that. But we are then going to pay \$2.4 million by all estimates for 10,750 square feet of additional space. That comes out to \$225 a square foot. I don't know if you've built a house recently but- or any other structure of this type, but \$225 is extraordinarily high.

I also believe that we can do better not only as to value but as to the structure of this transaction. We know for a fact that we're going to get 10,750 square feet for about \$2.4 million. We know for a fact that that will be 30% by our own engineer's estimate because the town is building it as opposed to structuring a transaction wherein the town would lease an already built property with an option to purchase.

We can do better for our senior citizens. We can do better as to a better planned and more universally utilizable facility. It seemed to me in the hearing that it was unclear what this facility was going to be used for. Is it simply to be a dining hall for 60 or 80 elderly people? For this kind of money we need to have a universally utilizable facility of significantly greater size where the youth of this community and the senior can together enjoy recreation.

The senior citizens need and deserve a more fully and- center that more fully and appropriately addresses their needs and better preserves their dignity and allows them to be held in the esteem to which they're entitled.

The rest of the public, however, needs and deserves a better price, a better location and a better thought out plan for proceeding. So I feel that the proper vote here is no to this particular proposal but a resounding yes to the need and a continued search for a better choice. So I vote no."

The Vote (Cont'd.): "Lull."

Councilman Lull: "The time for discussion of this does not seem to be at this point when we are simply passing the resolution asking the Supervisor to negotiate. I disagree almost every single point that Phil made tonight and there are some solid facts to dispute them. We will talk about those when we talk about the contract when it comes up or a potential contract when it comes up. There is more time to do that.

But at this particular point, I think this is the best place to go to move along with the project and I'll vote yes."

The Vote (Cont'd.): "Kozakiewicz."

Supervisor Kozakiewicz: "Yes. I'd just like to make a few comments. While this resolution is only authorizing the negotiation with the Kingdom Hall folks, we have, in fact, been looking at a number of alternatives and this is not something that's being rushed into as implied.

The Town Engineer and Martin Sendlewski have been working with us with regard to this proposal for sometime. They analyzed various alternatives. They met with Judy Doll to determine what her needs would be. They came to understand that east of Roanoke Avenue, in order to service the number of people that we expect and we are looking down the road to handle at the site of approximately 250 people. We needed two acres of property.

This parcel as indicated is expected to be acquired at someplace between the cost of \$300,000 to \$350,000. It's been a very well maintained site. It has existing parking, existing landscaping. The new addition of 10,760 square feet calculated at a cost of about \$175 per square foot was an additional cost of \$1,883,000. The total cost with a 15% contingency and fees is estimated at about \$2.6 as pointed out.

We looked at an alternative which would be a new 14,560 square foot facility to match the Kingdom Hall project. The- once again, using the 175,000 as the square foot basis, that came out to a cost of \$2,548,000. There would have needed to be site improvements of \$150,000 and a 15% fee and expense of another \$400,000. That project was in excess of \$3.3 million dollars. That's to build from scratch.

We also looked at the Calverton School location and I stand corrected on this because I know I was quoted as making certain estimates as to what it would cost for an elevator. I'm told that it's more like \$100,000. Site work improvement would be about \$100,000. To renovate the 4,000 square foot basement area at about \$75 a square foot was \$300,000. In order to get the square footage that we're looking to achieve at Kingdom Hall, that would require a 6,500 square foot addition at \$175 again per square foot. That's \$1,137,500.

The current property at Calverton was in excess of a million is

what the property owner is looking for. Using all those figures, the estimate once again was \$3.3.

Looking at these alternatives, I believe that this site based upon its suitability, the fact that it's east of Roanoke and therefore allowed a 600 gallon per day flow under the Suffolk County Health standards is a good buy. I believe it's time for our seniors to have a site that is in much better condition, on one level, handicap accessible throughout and, therefore, I would like to move forward with the negotiation and, hopefully, quickly, get a contract before the Board so that we can sign it. So I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #201

Councilman Lull: "Authorizes the attendance of a police officer at a DWI training conference. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #202

Councilman Cardinale: "This authorizes the attendance of an Assessor at a seminar. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Densieski: "I'd just like to point out, too, that this seminar, the state will reimburse the town so there's not going to be any cost at all to the taxpayers. Yes."

The Vote (Cont'd.): "Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #203

Councilman Densieski: "203 is a budget adjustment- budget adjustment resolution. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Okay. I feel that this is incomplete because there's no complete explanation of what it is, as usual, but I will vote yes because the government still has to operate."

The Vote (Cont'd.): "Cardinale, yes; Lull, yes."

Councilman Lull: "The vast majority of this is the bulletproof vest. I can't vote against that. Yes."

The Vote (Cont'd.): "Kozakiewicz, yes."

Supervisor Kozakiewicz: "As pointed out, this is being done in order to increase the line which would provide for bulletproof vests for the police. Again, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #204

Councilman Cardinale: "This is a Community Development Agency - Calverton budget adjustment, \$50,000 from the appropriated fund balance to real estate commission expense for the commissions associated I assume with the leases up there. So moved."

Councilman Densieski: "Yes."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I'm sorry, Barbara. Yes."

The Vote (Cont'd.): "Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #205

Councilman Lull: "It's a Highway Department budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #206

Councilman Densieski: "Business Improvement District budget adjustment. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull."

Councilman Lull: "Is this the regular- this is for the- "

Councilman Densieski: "Yeah, there's no information."

Councilman Lull: "Yes."

The Vote (Cont'd.): "Kozakiewicz, yes. The resolution is adopted."

Resolution #207

Councilman Densieski: "Accepts resignation of detention attendant in the Police Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #208

Councilman Lull: "Same as the last one. Accepts resignation of the detention attendant in the Police Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #209

Councilman Cardinale: "Resolution 209 authorizes the town to remove rubbish, debris and cutting of grass and weeds from property pursuant to Chapter 96 entitled Trash, Rubbish and Refuse Removal of the Riverhead Town code relating to 73 Sigal Avenue. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #210

Councilman Densieski: "Authorizes the Town of Riverhead to remove rubbish, debris, unregistered or junked vehicles and the cutting of grass and weeds from property pursuant to Chapter 96 entitled Trash, Rubbish and Refuse Disposal of the Riverhead Town code, 54 Millbrook Lane. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "I just would like to make one amendment to this. In the Now, Therefore, Be It Resolved we had the prior resolution which was 209 and we identified a certain notice for service upon a Peter Pekish or Pekich and we have a different notice which I assume is Mr. Gordon's property but I would think it would make sense to also send it to that post office box for Mr. Pekich so if there's no objection to adding the post office box 2148, West Hempstead, New York 11552 in the first Now, Therefore, Be It Resolved behind Mr. Pekich's name as well as in the final Resolved."

Barbara Gratten: "You've got it."

Supervisor Kozakiewicz: "Okay."

Barbara Grattan: "We're ready to vote here?"

Supervisor Kozakiewicz: "Yes."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #211

Councilman Lull: "Authorizes the Town Clerk to publish and post a public hearing notice to consider the demolition of buildings owned by Ralph Naso pursuant to Chapter 54 of the code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. Am I to understand that this is fire property?"

Supervisor Kozakiewicz: "I believe it is."

Councilman Lull: "Damaged by fire. Okay. Yes. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #212

Councilman Densieski: "Authorizes the Town Clerk to publish and post notice of public hearing for a special permit for Sound Housing LLC Willow Ponds on the Sound. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull."

Councilman Lull: "That public hearing is going to be held the 20th day of March and it's 2:00 in the afternoon and that is our second meeting in March. It's going to be our afternoon meeting for

this time of the year. Yes."

The Vote (Cont'd.): "Kozakiewicz, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #213

Councilman Cardinale: "213 adopts a local law to amend Chapter 101 entitled Vehicle and Traffic of the Riverhead town code. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #214

Councilman Densieski: "214 adopts a local law adding a new Chapter 94 entitled Tobacco Advertising to the Riverhead Town code. So moved."

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #215

Councilman Cardinale: "215 ratifies the appointment of a part time recreation aide to the Riverhead Recreation Department, Shirley Darling. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #216

Councilman Lull: "Authorizes the Town of Riverhead to transfer surplus ambulance to the Mattituck Fire District. Just by way of describing, said vehicle is aging and no longer cost effective to maintain or repair. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, Jim makes a good point about this vehicle. This vehicle is probably going to be junked anyway. And our neighbor to the east, Southold, is in dire need of one."

Councilman Lull: "Want a backup."

Councilman Densieski: "Yes."

Supervisor Kozakiewicz: "Moved and seconded. Good."

The Vote (Cont'd.): "Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #217

Councilman Densieski: "217 amending Resolution 1145-2000 request for Suffolk County to purchase land in South Jamesport. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes. I think Councilman Cardinale pick up on the last resolution for Miamogue Point that we try to do something positive and the neighborhood wasn't too receptive so we've changed gears and we're going to try and do something a little better for the neighborhood."

So I want to thank Councilman Cardinale for pointing that out.

So moved."

Barbara Grattan: "Yes?"

Councilman Densieski: "Yes."

The Vote (Cont'd.): "Cardinale."

Councilman Cardinale: "Thank you, Ed. I spoke incidentally to Terri Fenton and this is much more consisting with what they would like because I understand that this would be used for a beach with shower facilities- "

Supervisor Kozakiewicz: "That's correct."

Councilman Cardinale: "-- and that is the kind of activity that they would invite and desire there so I will vote yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #218

Councilman Lull: "218 approves the special Partridge application of- special permit application of Edward Partridge, TS Haulers, Inc. So moved."

Councilman Cardinale: "Seconded- "

Supervisor Kozakiewicz: "Moved and seconded. Discussion?"

Councilman Cardinale: "Yes, please. The- I was, as you know, due to a death of my sister-in-law, I was out of-- not at the work session on Thursday. I know that Chris is not present this evening. Had there been any discussion of- since this is a- of tabling this. Was there a request on his part to table this? No?"

Supervisor Kozakiewicz: "No, he didn't express that."

Councilman Cardinale: "Okay. Because I had understood that that was the case and I wanted to just clarify that. I think that's- that's really the only question I had."

Supervisor Kozakiewicz: "No further discussion? If not, let's take a vote."

The Vote: "Densieski."

Councilman Densieski: "Eve, grab onto something, all right? A chair or something. Abstain."

The Vote (Cont'd.): "Cardinale."

Councilman Cardinale: "The- I'd like to make a comment before I vote. The- this matter has a long and complicated history including highlights or low lights as you wish of four years of litigation, a declaration by way of a negative declaration of the Department of Environmental Conservation, one of my favorites, that this sand mine 2.8 million cubic yards of sand from approximately a 50 acre site over 15 years will have no significant impact on the environment so as to require a draft environmental impact statement. And a determination by a Zoning Board of Appeals that a sand mine is a wholesale business, non-nuisance which does not include any open storage yard or outdoor processing of materials.

The task before us this afternoon or this evening is relatively straightforward. However, as in this and every- in this as in every other special permit application we must simply apply a standard that is in our code and do so with deliberation, honesty and evenhandedness.

There is one unusual aspect of this however. It is my understanding based upon my review of the file, that as of the- that we are to consider this application in view of all the litigation and in view of a decision within that litigation by the Supreme Court of New York as of the time of the original application which would be fall of '97 and before certain code changes were made which outlaw sand mining in this district absolutely. And I'm there to do that.

I met with the applicant personally; I've met with the opponents personally. I've read the extended record. I've looked at the Planning Board's recommendation which was to deny- is to deny here on the basis that they set forth in that two or three page document. I've looked at the Zoning Board of Appeals contribution to this. Sat through a public hearing.

But it really all comes down to the publicly stated standard which I've also looked at and incidentally in the process, Ed Partridge was described by some of his neighbors as a person who to the best of my knowledge has been and continues to be a good employer, a good businessman and a caring and a contributing member of the

Calverton/Riverhead community. I have no reason to doubt that. However, that's not in the standard.

The standard that we have to judge this by is the following. We must determine as a Board whether the use proposed here, the sand mine, will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.

We must also determine that the hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the town. We must determine that the health, safety, welfare, comfort and convenience, and order of the town will not be adversely affected by the authorized use. And we must conclude that such use will be in harmony with and promote the general purposes and intent of this chapter which are the health and safety of the community.

By that standard, sand mining does not pass. Therefore, this resolution does not warrant a yes vote in my opinion and I will vote no in regard to it."

The Vote (Cont'd.): "Lull."

Councilman Lull: "Natural law tells us that for every action there is an equal and opposite reaction. No matter what move we make tonight, there will be an opposite reaction very soon following. And we know that to be the case because certainly we see many examples of that up to this point.

Like Phil, I have read the case file and lived a little bit more of it than he has. This has absolutely as he pointed out, nothing to do with the developer as an employer, a good employer which I know that he is, as a contributing member to his community which he is, but it's an issue of code interpretation.

The ZBA simply said the current mining and processing operation is considered to be a wholesale business non-nuisance land use. The Planning Board said this does not meet the operative definition of wholesale business non-nuisance industry. My reading of the code leads me to believe that the Planning Board's interpretation is correct. And so for this case I will make my third vote in the last six years on this issue to be a no."

The Vote (Cont'd.): "Kozakiewicz."

Supervisor Kozakiewicz: "First, I think I need to clarify something that was said earlier. There was some comment that I should remain consistent with my prior vote with regard to the TS Haulers project and I'm a little bit at a loss because I don't think I've had the opportunity or the chance to actually take a vote on the TS Haulers project.

I was here when the project came before the Board earlier in the capacity as Town Attorney so I didn't have a chance to act on it or decide it. I know that this one has been an extremely difficult process, an extremely difficult application, and I, too, have reviewed the minutes, the records. I went back to the November 21st public hearing. Without counting the people who got up more than once, I think it was something like 20 people spoke. I think generally speaking the flavor of the people who spoke at that November 21st meeting were in favor of the project. I think they were asking us as I said earlier on a totally unrelated topic to take a pro business approach. Many of the speakers were on the mind set that the particular operation did not cause a nuisance and they cited specific examples such as the fact that the road, the bed that leads out to 25 is watered on a regular basis such as to minimize dust and particles flying in the air.

They also pointed out that this particular business is one which employs a number of people in the community, that the individual who operates the business has, in fact, been a good employer. That the individual has been fair with the people he deals with as far as obtaining equipment and generally speaking in business.

I know that there was a Zoning Board of Appeals determination which dealt with the provisions under 108-45B6 wholesale non-nuisance. In that case, the Zoning Board of Appeals had come to the conclusion I think based upon the fact that there was very little opposition, if any, at the Zoning Board of Appeals hearing that the definition of wholesale non-nuisance business had been met.

As I've indicated, my vote is not based upon the fact that I believe this to be a bad business, that I believe this employer to be a bad businessman. I, however, have struggled and have indicated to counsel that I have had struggled in discussions with him and others about the definition, trying to understand the significance of why the Industrial A zoning text does not or had not mentioned the word zoning sand mining processing of soil in it whereas Industrial B did, in fact, specifically identify that use as one of the uses set forth in the ordinance.

I have never been able really come away with a good complete, comfortable understanding of why that was the case. However, I have to assume that when the zoning was put into place by our forebearers, they looked at all of these things and determined that Industrial B the mining operation was an appropriate use and, therefore, there was no need to specifically mention it in the Industrial A.

That still doesn't get me over the hurdle, however, because the question is whether, in fact, it's a non-nuisance industry under 108-45B5, whether it's a wholesale non-nuisance business under 108-45b6. As pointed out by Councilman Cardinale, the court had indicated that we should consider this application as the codifications were applied to the '98 amendment and, therefore, I think we need to do that.

This has been a tough, tough decision. However, I do when looking at the literal language in the wording of 108-45b6 have problems with the fact that the wholesale non-nuisance business does not allow outside storage. And I can't reconcile that.

Based upon my inability to reconcile these issues and based upon my inability to get a comfort with the zoning text, I am constrained to vote no and not go forward with the project at this time or to vote no for the special permits."

Barbara Grattan: "This resolution is not adopted."

Resolution #219

Councilman Densieski: "Approves amended site plan of Traditional Links LLC, Friar's Head Farm. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #220

Barbara Grattan: "Resolution #220 to pay bills."

Councilman Lull: "So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Supervisor Kozakiewicz: "Excuse me. We've got one more to still take up from the table, folks."

Barbara Grattan: "Resolution #172."

Supervisor Kozakiewicz: "172, is there a motion to take that off the table?"

Councilman Cardinale: "So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes, comment."

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "This is 13 single family homes on a three acre parcel and I have to say that normally I would never ever vote yes on this. But this is in the Millbrook Gables. The community has reached and said that they really want it. They think it's going to help revitalize the community. So with that said, I will vote yes."

Barbara Grattan: "We're taking it off the table."

Councilman Cardinale: "Yes, to untable it."

Supervisor Kozakiewicz: "Yes, just to vote on taking it off the table."

Barbara Grattan: "Cardinale, to take off the table."

Councilman Cardinale: "Yes, to untable."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Yes, to take off the table."

Barbara Grattan: "Resolution is off the table. Resolution #172."

Supervisor Kozakiewicz: "Vote on the resolution."

Councilman Cardinale: "I move the resolution now."

Councilman Lull: "And I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "For comments already stated, yes."

The Vote (Cont'd.): "Cardinale."

Councilman Cardinale: "There was a question probably discussed in Thursday's work session about whether the- it needed a public hearing or anything. Was that determined- "

Supervisor Kozakiewicz: "That was discussed and determined that based upon the fact that the town law does not require it plus the fact that this had been the subject of prior hearings regarding the redevelopment of that particular area and part of an urban renewal area that it did not need further public hearing. And the partnership, that's right."

Councilman Cardinale: "With that clarification I'd like to just echo Ed's comments about it's a small piece of land and a large number of homes but I think it would be a positive thing and more importantly the community thinks it's a positive thing. I will vote yes."

The Vote (Cont'd.): "Lull."

Councilman Lull: "The project began about five years ago and it's not moving forward as perhaps the speed we should. Yes."

The Vote (Cont'd.): "Kozakiewicz."

Supervisor Kozakiewicz: "Yes, absolutely this resolution, just to clarify. The issue with the 13 single family homes on the three acre parcel is something that was taken up by the Zoning Board of

Appeals as far as some lot issues and coverages. What this resolution is actually doing is authorizing the transfer of four additional separate parcels within the Millbrook Gables community because part of the plan that was put forth by the Long Island Partnership Housing Development Fund Company was to not only redevelop those 13 parcels- 13 single family homes, but these four as well. So this is authorizing that transfer. I vote yes."

Councilman Densieski: "Motion to adjourn."

Barbara Grattan: "Resolution is adopted."

Councilman Lull: "Before you adopt that resolution, I'd like to recognize Mark Kwasna for his project, his work over the last couple of years and working on exactly this project."

Supervisor Kozakiewicz: "Motion to adjourn? Second?"

Councilman Cardinale: "Seconded."

Meeting adjourned: 9:46 p.m.

Barbara Grattan
Town Clerk