

Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, April 17, 2001, at 7:00 p.m.

**Present:**

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

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Supervisor Kozakiewicz called the meeting to order at 7:10.

Supervisor Kozakiewicz: "Let the time reflect that it's 7:10 on April 17, 2000. I'd like to convene this meeting. Rick, since you're up there, would you lead us in the Pledge of Allegiance?"

(The Pledge of Allegiance was recited led by Richard Hanley.)

Supervisor Kozakiewicz: "All right. Now we're starting. Is there a motion to approve the minutes of the April 3, 2001 meeting?"

Councilman Densieski: "Motion to approve the minutes."

Supervisor Kozakiewicz: "Is there a second? Motion by Councilman Densieski, second by Councilman Lull. Vote, please?"

The Vote: "Densieski, yes; Cardinale, yes; Kent, yes; Lull, yes; Kozakiewicz, yes. The minutes are approved."

Supervisor Kozakiewicz: "Reports, please."

**REPORTS:**

Tax Receiver

Total collections to date:  
\$36,793,679.04

Animal Control

Statistics for first 3 months

	of 2001
Building Department	Monthly report for March; total collected \$68,253.00
Juvenile Aid Bureau	Monthly report for March
Jamesport Fire District	Annual financial report
Town Historian	Annual report for 2000
Open Bid Reports	Janitorial supplies opened on 4/6/01, three bids were received from Center Moriches Paper, United Supply Systems and Emerald Island Supply Co.
Open Bid Reports	Chemicals were opened on 4/6/01, 10 bids were received, they may be seen in the Town Clerk's office

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Thank you, Barbara. Applications?"

**APPLICATIONS:**

Parade permits	Wading River Shoreham Chamber of Commerce, May 6 - 4K Walkathon from 9 a.m. to 10:30 a.m.
Jamesport Fire Department	Sound to Bay 10K Run, August 26, 9 a.m. to 11:30 a.m.
Wading River Civic Assoc.	Duck Pond Day, May 6 - 11 a.m. to 4 a.m. Parade is at 2 p.m.
Combined Veterans Memorial Day Parade	May 28, 2001 - 9 a.m. to 12 p.m.
Site Plans	American Legion Hall addition 1 <sup>st</sup> story addition to existing structure and redevelopment of

- Site Plans parking area
- Site Plans North Fork Ventures d/b/a Fauna - erect a decorative awning over side ramp entrance on east side of building
- Site Plans Calverton Links - clubhouse addition
- Site Plans Hancock - renovations of existing retail spaces and construction of new two story building south side of East Main Street
- Special Permit Robert Wendt, north side of Route 25, east of Kroemer Ave. construct a 7,500 square foot pre-engineered steel building
- Fireworks Permit Riverhead Raceway - July 7 at approximately 9 p.m. and also on August 25 at approximately 9 p.m.

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Thank you, Barbara. Correspondence?"

**CORRESPONDENCE:**

- 49 letters Received in support of Skydive
- Mr. and Mrs. Garret Moore Requesting the Town Board to deny the application for convenience store on the corner of Main Road and South Jamesport Avenue
- Warren McKnight Regarding Henry Perkins Adult Home and the Riverhead town and taxpayer funding of the Suffolk Theater

Steve Haizlip

Regarding Suffolk Theater  
public hearing

Calverton Civic Assoc.

Petition with 136 signatures  
in opposition to any motorized  
racing on the former Grumman  
property

Ray Matthews

In support of the Suffolk  
Theater renovations

Barbara Grattan: "That concludes Correspondence."

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

Councilman Densieski: "Yes. I'd like to read a press release. For the 2001 annual beach clean up, the East End Fishing Club in cooperation with the Town of Riverhead will be holding their annual beach clean up along the north shore beaches on Saturday, April 28<sup>th</sup> from 7 a.m. to 12 noon. Volunteers are welcome. Free refreshments at our Reeves Beach headquarters. And the rain date will be Sunday, April 29<sup>th</sup>. So if you can get a chance to go out there and help the guys out, that would be great.

Also, we're looking for a used freezer for the senior's center. If anybody's got one that they want to get rid of and it kind of works, we'd appreciate it.

That would be it."

Supervisor Kozakiewicz: "Talking about picking up garbage or dealing with garbage, the Town has established two more STOP hazardous waste days. That's when you can go to the former landfill, Youngs Avenue, Calverton, to drop off various STOP pollutants such as adhesives, alcohols, antifreeze, aerosols, paint cans, batteries. Those two dates will be June 30, 2001 and August 25, 2001 between the hours of 8 a.m. to 3 p.m. We should have this up on the website and we'll be providing more notification in the paper, so that, hopefully, people who wish to bring their pollutants and remove them from the house can do so.

Also, anybody who wishes to lend a hand to the Polish Town revitalization effort and Polish Town Civic Association, they've joined forces this year and they're going to have Polish Town clean up

this Saturday, the 21<sup>st</sup> of April. People wishing to show up can show up at 8:00, I think it is, at the Polish Town Civic Association headquarters.

If there's no other Committee reports, proceed to the first public hearing."

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Public Hearing opened: 7:15 p.m.

Supervisor Kozakiewicz: "The time being 7:15, Barbara, could you read the publishing and posting affidavit?"

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 April 17, 2001, at 7:05 p.m. regarding the consideration of a local law to amend Chapter 108 of the Riverhead Town Code, Section 108-60 Off Street Parking E. size of parking spaces and various angles of parking."

Supervisor Kozakiewicz: "I know that this has been properly noticed and posted. This did not go to our Code Revision Committee and I understand they want a crack at it. They want to make some change in the language.

The proposal here is to amend 108-60 of the Town Code, the zoning ordinance chapter as it deals with off street parking. The idea is to add additional language in there to provide for emergency access vehicles, turn around radius of 50 feet, height clearances, and that is the idea.

There's some- as I said, there's some wording that needs to be worked with- word (inaudible) that needs to be done so this will be going back to the Code Revision Committee.

However, if there is anybody who would like to address the Board today with respect to this particular change, the proposed change to 108-60 to add these additional prerequisites in the code, please feel free to approach the podium.

I am going to ask that everyone give the speakers their full attention. I'm going to also ask if you can withhold for the purpose of some later hearings, I know there's going to probably be some more- probably more wordy debate maybe, please, we're here to hear your

comments, why you are in favor or a proposal, why you're against a proposal and that's the purpose for what these public hearings are on for today.

I'm going to ask you to try and give respect to each and every public speaker so that we can move the process along. There's quite a few of them on today.

Anybody who would wish to address us on 108-60, the addition of additional language in order to provide for off street parking for fire apparatus? Okay. That being the case and since it's going to go to Code Revision Committee, nobody? No hands? Okay, I declare the public hearing closed, the time of 7:18 and this will be referred back, I'm sure, for a later public hearing."

Public Hearing closed: 7:18 p.m.

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Public Hearing opened: 7:18 p.m.

Supervisor Kozakiewicz: "Barbara, would you- the time still being 7:18, would you read the second public notice- affidavit of publishing and posting?"

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 April 17, 2001, at 7:10 p.m. regarding the special permit petition of the Long Island Partnership Housing Development Fund Co., Inc. to allow the construction of single family residences upon lands situated within the Business C Zoning Use District located at East Main Street."

Supervisor Kozakiewicz: "All right. On this particular hearing, it's my understanding that the applicant failed to post the proper notice, the plaquard timely. As a result, the public hearing cannot proceed today. We will be republishing and reposting in order to provide for this public hearing. This is an old application that's been pending around for a while and apparently due to some confusion the plaquard wasn't properly posted. So this one will be "

Dawn Thomas: "It's going to be- it's Resolution 420."

Supervisor Kozakiewicz: "There's a resolution on to set a new hearing date? Thank you. Okay."

Public Hearing opened: 7:19 p.m.

Supervisor Kozakiewicz: "The time being 7:19, Barbara, would you please read the affidavit of publishing and posting? I declare this public hearing open."

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 April 17, 2001, at 7:15 p.m. regarding the consideration of a local law to repeal and replace Chapter 64 entitled Fire Prevention of the Riverhead Town Code."

Dawn Thomas: "The proposed revision to Chapter 64 of the Riverhead Town Code involves our fire prevention code. The proposed revisions are comprehensive and involve the repeal of the entire previous Chapter 64 and were- are being proposed for a number of reasons mainly that the current code has duplications of the New York State Uniform Fire Prevention and Building Code which the state has asked us to repeal.

We are in turn or instead proposing to incorporate that Uniform Fire Prevention Building Code by reference into the new Chapter 64.

We also removed a provision which established the fees from Chapter 64 and provide that the fees will now be set by resolution of the Town Board.

The maximum fines have also been changed. The previous fines have been in place for a number of years. I'm not sure how many, but as it turns out, the fines are not sufficient enough to encourage people to comply with the code. So that rather than comply, they prefer to pay the fine. So we're proposing to change that to correct that situation.

We are including double fees for permits, people who come for permits whose work has already commenced prior to the issuance of the permit. This is similar to what is currently done in the Building Department. We are adding a requirement for the installation of a key box that the Fire Department will have access to in the event of a commercial structure fire where there was not anybody available to open the doors.

We also require- as a propose- we also are proposing to require permits for hot tar roof repairs prior to them being commenced. We are also proposing to require commercial property to display their

street address prominently as we now do with residential properties.

This code revision- proposed code revision would require maintenance and certification of heating equipment and also require that installation contractors for heating and fire extinguisher inspection or maintenance have Suffolk County licenses.

Our Fire Marshal was to be here tonight to discuss the proposed revisions, however, unfortunately he was delayed and is responding to a working structure fire as I understand. So we do have a code enforcement officer here to just discuss briefly the problems that the code enforcement division has had enforcing the current Chapter 64 and Matt White is here to talk about that."

Matthew White: "Good afternoon, ladies and gentlemen of the Board."

Supervisor Kozakiewicz: "Your name for the record, please?"

Matthew White: "Matthew C. White, Code Enforcement Officer of the Town of Riverhead. Basically myself and Fire Marshal Johnson have been going over the code lately in depth and the re-submission of it. Some of the areas that we do need to bring up that Town Attorney Thomas has mentioned - the street numbers being visible. Fire department response as well as ambulance response has been hindered many times from street numbers not being located properly in front of commercial complexes.

The second matter off the top of my head is the hot tar roofing. There was an incidence, I believe about six months ago, a commercial premise was being re-roofed. There was a small fire on the roof; the fire department was never notified of it. This way we're aware of it. They are working with excessively hot flame and hot tar. There is a life and safety hazard.

The main issue I wish to speak on is the increase in fees in regards to fire safety issues. Many times-- I'm in charge with doing fire safety inspections of all retail establishments within the townships. Many times we've come across stores that have blocked fire exits or obstructed fire hallways to the point where I have trouble getting through much less somebody with a walker, wheelchair or a stroller for that matter.

We have written summonses for them. The most- right now the code allows us to charge is \$100. When you have a company that has a two

or three million dollar advertising budget alone, \$100 is nothing to them. I have had store managers tell me that their home offices have told them, fill up the hallway, we'll pay the fine. Fire Marshal Johnson informed me a short time ago on the phone that Jeanine Nebons from Tanger Management has sent a letter, Tanger is in support of a fee raise. It's basically the only way we can do this. If we hit these stores in the pocketbook, maybe that will send a message across. We don't need to have any tragedies. We don't need to have another quote unquote Happy Land social club.

By blocking fire exits, it's creating a hazard not only just for a fire but if a vehicle goes through a front window of a store now everyone is trapped inside the store until the situation can be rectified. Fees have to be increased, therefore, these stores understand and realize they cannot continue to block the exits.

Thank you very much."

Supervisor Kozakiewicz: "Anybody else? Mr. Yousik?"

Tim Yousik: "Tim Yousik, business owner downtown. I just have one comment on the idea of raising the fees for these fines. It's something that our Town Attorney and I have spoken about a couple of times. In the past when we had Fire Marshal Ed Kukla, one of the ways that he went out and did the inspections, he went out and did the inspection. If he found a violation, he gave you 30 days to correct it. If the violation was not corrected in 30 days, then you were summoned.

Now I'm in favor of anybody that does not correct a problem to be summoned and to have to pay the fine- and pay a strict fine to send a message. But I also think it's fair to give all businesses an opportunity to correct the problem. I mean the object here is compliance. If there is- if there are extension cords being used and the Town wants it hard wired to outlets, fine. Give the business an opportunity to do it first before fining them.

Because what happens, in my opinion, is and it's happened to me several times in different businesses that I've owned-- you can have certainly with the Board of Health, good example. At Diggers, the rules are you have to have a hand wash sink in your kitchen facility every 15 feet. Well, for seven years, I've had two hand wash sinks. All of a sudden now with a new inspector, I have an area that is 15' 4" away, I had to put in a third sink. Fine. I complied. I should not have been fined. I should have been given the opportunity to put

in the third sink, which I did.

And I think the same thing should happen with the fire inspection. Give the businesses an opportunity to first comply. If they don't do it, then by all means do what's necessary to send a message. It's real simple. Thank you."

Supervisor Kozakiewicz: "I saw a couple other people get up on this side. Sure. Jonathan, do you want to go next? Are you guys waiting?"

Doug Schmader: "Do you want to flip a coin?"

Supervisor Kozakiewicz: "No, you can go ahead."

Doug Schmader: "That's okay. I'll have a few minutes here. My name is Doug Schamder. I've been in Riverhead all my life. A lot of you people know (inaudible) and also you know the company that we have and it's Triple S Roofing Company. We've been in business ourselves since 1971, on roofing itself since 1962 with (inaudible) in Flanders. So we've been in the business a long time and we think we're pretty knowledgeable about, especially hot tar roofing.

Now, in all the years that we have- let me go back. I'll tell you the procedure on doing a hot tar roof. You start out with a cold kettle. You put in behind the truck and go to a job. You set the job up. A kettle man is on the job, a mop man is on the job and also a (inaudible) man, that's a basic crew. The kettle man is responsible for taking care of the job, heats the kettle up to about 400 to 450 degrees tops. Flash point on it is over 600 degrees. What happens with that then is they go through and they mop, the put the (inaudible) on and they do the work all day long.

On the roof itself, the hot tar never gets about flash point, it never goes above 450 degrees. The reason is number one, if it's too hot, it goes on too thin and the roof disintegrates and falls apart in a short time."

Supervisor Kozakiewicz: "Excuse me, excuse me. Okay, just so we can hear the speaker. Thank you."

Doug Schmader: "I think everyone is listening to me."

Supervisor Kozakiewicz: "All right."

Doug Schmader: "And if it's too cold, it goes on too hard. Again, if it's too hot, it makes the mops disintegrate. So the kettle never gets over 450 degrees. Tops. Flash point, again, is over 600 degrees. So there's no way that a fire is caused by hot tarring the roof.

What we have mixed up in this whole hot tar roofing, as you're picking us out as hot tar roofing, you see this kettle burning, you think it's going to burn the whole place down. It's not hot tar that's the problem in the roofing industry. It's a torch down roofing system which is a system with a torch on a roof that heats up and that torch is probably 2,000 degrees. They heat it up, they torch it down, it's a very cheap system. They torch it down. You're talking from 400 degrees to 2,000.

Nowhere in there, in this chapter, is it addressed on torching on roofing. That is dangerous. Every insurance company- if you pay liability- we pay tremendous liability. Tremendous compensation on roofing. Torch down is the problem. You get a carpenter, you get a roofer that never did it before. In five minutes they say (inaudible) material and go up there, you can put this roof on. That 2,000 degree- hit a little piece of insulation, burn it. A wood shingle. The plywood underneath and it will smoulder for hours later and burn.

Hot tar never hits that flash point. So when we're talking, when the inspector was saying it was burned up- it was hot tar, it wasn't a hot tar roof that was burning, it was a torch down. It was not a hot tar. So if you're going to penalize us and say because you have a smelly kettle, because it stinks, because you two it behind and it looks ugly, it's a devil, that doesn't mean it's a hazard. The hazard is in the other industry.

I think in this whole thing, the inspectors and the Fire Marshal should come to a reputable roofing company, a reputable building insurance company and say what causes this? Why- or what should we do to address the problem?

The first thing is incompetence in torch down roofing. If you want to put us in this, okay, put them all in it, especially torch down roofing. Put them all in it. We all should pay it. We pay it now. We have all the licenses. The only thing we don't have is Riverhead because Riverhead doesn't have one. We have Southampton, the County, East Hampton and we don't mind paying the permit. But I do mind being the only roofing company in Riverhead, the only old dinosaur roofing company in Riverhead that has to pay a permit and

we're not the ones who are causing the problem.

So- and also with the fire- we carry fire extinguishers. We have them updated all the time. You're talking about going to the Town Hall every time-- or the fire department-- to get a permit to do a job? And then we have to stay on the job an hour after the hot job is done? Do you realize that for every job I do for you guys out there, \$250 to \$300 a day more, that's what it would cost you, just for me to keep a crew there for that amount of time every day I'm on a job, you figure \$250. Or you can get a torch down and burn your house down. That's the bottom line.

The kettles are not dangerous. Once in a while one will go up. They're easy to put out. You can't even put them out with a fire extinguisher. You put them out with a little cup of water.

Of all the years that I've ever been on it, we've never had a house fire. You know of very few, if you check the insurance companies, of hot tar roofing. I'm talking about the kettles, what they're statistically saying in this article are dangerous. It's a fallacy. They're not. It's the new torch downs that are doing it. So I ask the Board if they're going to do anything, change it. We'll pay it, you'll pay the price for it, but torch down roofing should be included. And I would be glad to meet with anyone on the Town Board, anyone in the fire department, anyone in any department and we will go over it with them. And I want to go over it with them."

Supervisor Kozakiewicz: "Thank you. Thank you, Mr. Schmader."

Doug Schmader: "Okay."

Supervisor Kozakiewicz: "All right? Thank you. Jonathan."

Jonathan Sinright (phonetic): "Mr. Supervisor, Members of the Town Board, good evening. My name is Jonathan Sinright. I am an attorney and I'm here representing a client, the AdChem Corporation which as I'm sure you gentlemen all know is a major industrial company with a major facility in the Town of Riverhead.

AdChem has been here for over 15 years; it employs about 160 people and I think the town knows that they've been an excellent corporate citizen, has an excellent record in terms of fire safety and general safety. I might add that among those 160 individuals who work for AdChem are 25 professionals with advanced degrees in chemistry and engineering and other disciplines and they know their business and

they know how to run and control a factory.

I think a lot of what Mr. Schmader just said applies equally to the industrial sector, my client included. And I think the real point that he made is something that I want to reiterate and maybe give a little more detail about and that is that however laudable some of the goals of this revision may be, and I don't think anyone quarrels with that, it has not been really fully considered and fully thought through.

And one reason that I want to highlight is that in addition to the sort of major issues that were cited by Mr. White and by the town attorney in her summary, there are many, many other changes in this code from the old code which have not been brought to your attention, all of which collectively have the impact of dramatically increasing the level of intrusion of inspection, of permits, of fees, and also therefore the dramatically increases the administrative burden and the cost of administering this code if it is to be taken seriously by the town.

It vests greater authority in the Fire Marshal than he used to have. It vests that authority despite the fact that in many instances it provides less not greater guidance to how that authority is to be exercised, therefore, you always have the greater risk of arbitrary exercise, and it is much more expensive for people to comply with.

I might add that there has been no consultation I'm told certainly with my client and I believe with other industrial users such as my client which might have avoided some of the kinds of problems that my client is concerned with.

Let me just give you some examples. I mean I have read the entirety of the new code and compared it with the old code and I'm sure- I'm probably already over my five minutes so I can't give it all to you but let me give you some examples of the kinds of things that haven't been mentioned that are in here that concern us.

The intent of the old code clearly stated, for example, that compliance with the recommended practices of the National Board of Fire Commissioners would be prima facie evidence of compliance with this code. For some reason, that is taken out. Obviously that is a great protection to companies like mine who know that code and work with it all the time and why that is taken out I don't know.

Section 64-5 deals with the authority of the Fire Marshal or his

inspectors to enter a property to make an inspection. It used to provide that these inspections- we're not now talking about response to fires and emergencies; we're talking about inspections had to be done at reasonable hours. Gone. Why is it gone? I don't know, but it shouldn't be gone and that's the kind of change that's been subtly made here that certainly concerns my client.

There is a new- a limit on the storing of wood pallets in the vicinity of buildings which is probably really not feasible for most existing companies. And, again, I'm not going to give you every single one of them, I'm trying to give you some highlights. There is a new requirement that the disposal company for all sorts of vaguely and broadly described kinds of materials, flammable, hazardous, whatever, be displayed on every container greater than one gallon. So if you've got a five gallon gasoline container there for your lawnmower for doing your landscaping you have to have a disposal company. I don't know if there is a disposal company for that kind of thing.

There's a reference to the good old Interstate Commerce Commission in there; it doesn't exist anymore, and so forth and so on. There are many, many other changes that have been made here which have not been mentioned. Again, taken together what they will do is they will increase the intrusiveness of the code, they will increase the possibility of arbitrary enforcement of the code. If it's to be taken seriously by you gentlemen, it will increase the cost of administering the code.

Finally there is this matter that was mentioned of the fee schedule, not the penalty schedule, that's a different issue. The fines I understand. But the old code told you what the fees were. This code leaves it to the Town Board, sort of on an ad hoc basis to adopt fees as it goes. With all due respect, I know this Board, I represent this Board and I have the highest respect for all of you but I do believe that if you are going to adopt a code like this, those fees should be here before the public, before you adopt the code and not after you adopt the code.

So unless there are any questions, those are my comments. I thank you."

Supervisor Kozakiewicz: "Thank you. I saw a person moving from the right. Mr. Goodale. Joe, did you have your hand up as well? Okay."

Edgar Goodale: "Good evening. My name is Edgar Goodale. Bob, you invited us here tonight to- or get up to speak for or against a certain proposal and I'm not here to do that. I'm certainly- I'm not going to get up here and say I'm against fire prevention."

Supervisor Kozakiewicz: "Well, I'm not asking you to speak out against fire protection. I guess I'm talking about the specific code revisions being proposed."

Edgar Goodale: "The previous speaker did a much more eloquent job than I certainly could in some of the objections that I certainly found in this code and I certainly won't repeat them. But as he pointed out, this code, if it is to be seriously undertaken by the town, I believe that this code as it's currently written is a very anti business code to the Town of Riverhead."

There's going to be costs- tremendous costs which will be passed on, not to the taxpayer which is shouldn't be, but all of these costs for this code enforcement will be put upon the legitimate existing businesses in town today. And I don't think that that is the idea or what you would like to see going forward about these costs being borne upon every legitimate business in this town.

The fee structure, as he brought up, I had done some work on that, but he did a pretty good job with that. Also, the idea that there are very more permits that are needed. It seems from every business almost in town may need multiple permits depending on their business, what they have there or the different types of products that they may sell. So I'm not sure how many permits a certain business would have. It doesn't say how long these permits are good for. Are they renewable, are they annual and, again, how much are these things going to be on an ongoing basis?

I kind of ask you to look at this code. This code, it's a good thing that the town is addressing this code. It does need modernization. It needs to be updated and I applaud the town for trying to do that. However, I believe you do have to take a little more time in this and a little more care about how this is written. There needs to be a spirit of cooperation written into this code which clearly now that cooperation is not spelled out in this code. It seems to me that the enforcement of this code is by writing of summonses and that's how the department that will be created by the creation of this code will sustain itself and it will live upon itself by the summonses and stuff that it writes out.

So, don't rush, take your time. The code needs to be rewritten and as Mr. Schmader said, I do agree with him, it's the torch 'down roofing."

Supervisor Kozakiewicz: "Two votes. Joe Gergela."

Joe Gergela: "Evening members of the Board, ladies and gentlemen. My name is Joe Gergela, I'm Executive Director of Long Island Farm Bureau. I think Edgar summed it up pretty well. We have some specific concerns with part of the revisions as it relates to the storage of pesticides and fertilizers. It would appear to me that this is redundant with our state law and also county regulation under Article 12.

Farming is a very regulated industry. Our people already have to comply with state and county law as it relates to the storage of those materials and we don't think that this is necessary.

If, however, that the Fire Commissioner and the Board and the Council feel that there are some issues regarding this, then I would recommend that you utilize our Ag Advisory Committee and discuss it further. I agree with what Edgar said that certainly we are not against public safety issues but this appears to be kingdom building and goes a little bit too far. So we are concerned about that particular provision of the amendment. Thank you very much."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Thank you. Peter Danowski. I didn't see you Jonathan- how about you- you want to get lined up behind him? Would you mind?"

Peter Danowski: "Let's do it by age. Let the younger person go first."

Supervisor Kozakiewicz: "Better looking too."

Peter Danowski: "I know John will take that well. My biggest concern is retroactive application. I'm not sure this code addresses the issue. I'm not sure also whether we're doing this by local law and when the effective date of adoption would take place.

I certainly recognize we have existing businesses that already have constructed buildings. Will this entire code revision apply to them? We also have applications pending before the town at various

stages of the permit process. Some might be site plan, some might be special permit but some are already involved in very detailed site plan following recommendations under the existing system. Probably a lot of engineering has taken place with regard to these site plans based upon the existing law and existing comment by town personnel.

So my only point to follow up the others is to say make sure when you adopt this, it covers in all pending applications and doesn't try to catch people in the middle of an application. Thank you."

Supervisor Kozakiewicz: "Thank you. Jonathan."

Jonathan Brown: "Jonathan Brown, 737 Roanoke Avenue. I'm a local attorney. I'm representing a number of commercial clients that share many of the concerns that were addressed earlier here by other speakers.

On the face, this appears to be a motherhood and apple pie issue and few people would argue with the town's need to provide an increased level of fire safety in the community. I'm not sure that this is the methodology that's going to get you there. Certainly the concerns that are raised are heightened by the fact that there are no fees called out in the permit section. With all due respect to Mr. Schmader, the clients will pass that along to somebody but they need to know what it is that they're passing along and I think it's unfair to ask the commercial sector of the town to agree in advance to a blank check to be filled in later.

Now the aspect of that robust regimen that's called out in your inspections, sort of any time, any place, anywhere, kind of an inspection, we would like to know how much will it cost, not just for our enterprises but for the town. How many inspectors will be required to fulfill this robust regimen that's being called out by this and how many commercial entities are going to be subject to this additional regimen? Again, what consultation, if any, was had with the affected enterprises? The way that this code change came about, it certainly has heightened suspicions that somebody alluded to it earlier, I think Mr. Gergela, that there's some empire building going on here and the-- unnecessarily you've raised the suspicions of the affected enterprises by leaving certain blanks in the code to be concluded later.

Now, the history of the town is pretty clear that as far as fire prevention goes and fire issues go, the number of fatalities which have occurred in this town in recent years have almost exclusively

been in the residential sector. I'm unaware of any that's occurred in the commercial area.

The- certainly there's plenty of regulation that's already available. There's certainly any amount of fire prevention that can be applied already under existing ordinances that is not enforced. Until such time as that is enforced, the more robust regimen should not be considered.

A- the entry provisions that you have certainly are constitutional problematic. The- there is a concern with regard to the arbitrariness, the increased powers of the Fire Marshal with decreased supervision. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board. Hand in the back. Mr. Willmott and then Bill."

Dave Willmott: "Good evening, gentlemen. Dave Willmott, 1461 Old Country Road. I read over the proposal on the creation of the Fire Commissioner and I was struck very much by the redundancy that was called out in this, of the federal law, the state law and the county law.

The ultimate regulator is OSHA and believe me they are (inaudible). And there isn't one of us that are not in business- in the manufacturing business anyway, that does not comply with the rules and regulations and you probably could fill up this whole damn room with rules and regulations. Many of them cover not only safety of the workplace but the conditions within the workplace including the potential for fire or for chemical spills.

On top of that, you have the EPA which gets involved with the chemicals and the transportation, the DOT- the transportation of chemicals. You then have your State Insurance Fund which comes in and does an annual inspection of your facility with its eye for any safety violations or potential safety violations, going right down to the county Department of Health and other regulatory agencies.

You have a Fire Marshal here in town who is very effective in his inspections and pointing out any possible liabilities you may have.

I do not see where the creation of a department of fire safety is going to enhance the safety of the workers or the commercial workplaces within the town. I do see a bureaucracy building. I do

see enlarging the town government.

In conversations I've had with most of you, you've all talked about the need for condensing government and consolidating it and to save the taxpayers a buck. I see the opposite happening here. And I think it's an affront to the taxpayers and I ask you to give careful consideration to building another bureaucracy that probably is not needed, that is already covered by federal, state and county law as well as county law. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I have to add to the long list of comments made of empire building and bureau building. This seems to be the indication. Now, since I didn't come in at the very start of this public hearing for this specific reason, I don't know if everybody is aware that we don't go very far back that we functioned without a Fire Marshal. Most of the history of my memory is without a Fire Marshal. Many people in the town were happy to see a Fire Marshal appointed but at the same time when he was appointed, there were a lot of people that were very unhappy because they weren't paying attention to things and here comes a man in a uniform to tell them that you have to pay attention. Okay? This was the growth of the Fire Marshal's office.

I believe that the violations of existing law and the disregard for fire hazards and fire safety and fire prevention have been callously ignored in this township particularly by the businesses. The people like the man who spoke very pointedly on roofing, very true, but he is one man that functions in a legitimate concern and honest business and this is not directed at him but the people, the fly by nights that undertake work that they shouldn't be doing or the man that works by himself because of a slack period or because of a layoff period. Safety from such people have not been searched out and summoned.

I don't think we need so much of a revision in the printed code as to the manner of inspection and punishment for serious disregard of fire safety. I do believe the Fire Marshal should be entitled to inspect anywhere, any time, any place. Otherwise doors are closed, working hours are over, and there is no time period or calendar for fire. Fire is a continual 24 hour concern and I'll conclude by saying that this revision is not what it should be. This should be gone over again with a little more seasoned professional fire people not insurance, not volunteer workers, not commissioners, but people who

treat the job of the Fire Marshal as a profession. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Randi?"

Randi Hintze: "Good evening, Mr. Supervisor, members of the Town Board. My name is Randi Hintze. I'm currently the Chairman of the Board of Fire Commissioners of the Wading River Fire District.

Prior to commenting on the hearing and I don't want to get into a large debate, Mr. Kasperovich stated about professionalism. I take exception to that. I'd just like the record to reflect that- that we have amongst the administration in the various fire departments in Riverhead town, we have dedicated professionals that are concerned about fire and life safety issues.

Specifically about the code, I'm not going to discuss the fee merits. The permitting process does allow us- does allow the fire districts and the fire departments and the officers and men of the fire departments to know what's going on within a particular building. Whether it be hazardous materials storage, any kind of violations or what have you that may be present in any kind of building, we are made aware of that and we can plan accordingly.

We do not want to put our people out at 2:00 in the morning to a fire to an unknown area where we have unknown hazards. We want to at least know our hazards so we can weigh our risk.

A lot of this, a lot of comment that I've heard tonight has been about the Fire Marshal empire building. Not in defense of Fire Marshal Johnson or the Office of Fire Prevention or Code Enforcement people, a lot of what he does as far as his inspections, as far as a lot of information he shares is done at the request of the fire departments. We can go into a commercial building, we can see something wrong, we cannot do anything about it except when we did not have a Fire Marshal. Once we- you know, once we got a Fire Marshal, we now can contact him or a Code Enforcement official and corrective action can be taken.

This is a fire issue, life safety issue. We need plaquarding on buildings. There was- the Farm Bureau mentioned about the pesticide storage and what have you. Plaquarding is virtually nonexistent. Hazardous material storage is virtually nonexistent for the quantities that we have. Material safety data sheets, we're just starting to get the commercial establishments for the hazardous materials they have to have material safety data sheets on hand ready and available in case

we need them in a centralized location, not locked away in somebody's file cabinet.

These are all issues that can be addressed, are addressed in the permit system. Permit system does nothing more for us than provide us information that we can use in preplanning an attack or preplanning an attack in case there's a fire or life safety issue. We just have to look to Friday afternoon in Middle Island when K-Mart burned. The storage area in K-Mart burned. Everybody says it's a commercial building, we don't have fires. Not more than 10, 15 miles away, K-Mart burned and to this it's still closed and going through restoration for a fire that started in a storage area.

Look at our big box buildings along Route 58. We have the potential. There is always the potential. Nobody wants to see any fire, nobody wants fire, but if it does happen we have to be prepared and the only way we can be prepared is with information. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Not seeing anybody's hand move, I declare the public hearing closed at the time of 8:00."

Public Hearing closed: 8:00 p.m.

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Public Hearing opened: 8:00 p.m.

Supervisor Kozakiewicz: "The time still being 8:00, Barbara, would you please read the affidavit of publishing and posting for the next public hearing?"

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 April 17, 2001 at 7:20 a.m. regarding the special permit petition of John and Sandra Reeve to establish a bed and breakfast facility located at Whites Road, Aquebogue."

Supervisor Kozakiewicz: "Anybody here representing the applicant? This is a special permit for a bed and breakfast as indicated in Aquebogue, New York. And since it's a special permit, I guess we have to have the speaker sworn."

Dawn Thomas: "Would you state your name for the record,

please?"

Sandra Reeve: "Sandra Reeve."

Dawn Thomas: "Ms. Reeve, do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Sandra Reeve: "Yes, I do."

Supervisor Kozakiewicz: "Tell us what it is you are proposing. We know it's a bed and breakfast. Where specifically it's located, how many rooms and what your plans are as far as will there be any need for conversions to the structure, et cetera."

Sandra Reeve: "It's a 23 Whites Road in Aquebogue. And four bedrooms, we'd occupy one. And the other three we would have people stay in the rooms and there would be no need for any conversions or anything. Parking area, that will be the existing parking area and that's it to my knowledge."

Supervisor Kozakiewicz: "Okay, just to make sure everybody- if you come down- you can't hear? Okay. Got to- unfortunately the individuals in the back- do you want to try that one more time, see if you can- it's 23 Whites Lane."

Sandra Reeve: "Right. That's off of Peconic Bay Blvd., Whites Lane is."

Supervisor Kozakiewicz: "South of Peconic Bay Blvd.?"

Sandra Reeve: "Can everybody hear me? Okay. So, yes, it's off the Boulevard and down Whites Road and it's about a half acre of property. And we have over a 2,000 foot square house and four bedrooms, four baths, and we'd occupy one and the other three we'd be renting out to anybody that would be able to stay at the bed and breakfast."

Supervisor Kozakiewicz: "So it's an existing structure."

Sandra Reeve: "Existing structure. Parking area would be existing also."

Supervisor Kozakiewicz: "Okay. Now, did everybody hear this time through? Okay. And this has been reviewed I understand by the

Building Department and I think there's been some comments from the Building Department with respect to this.

Just to try maybe pin down where the property is located. If we were to go to Meeting House Creek or Meeting House Restaurant, it's east of that location- "

Sandra Reeve: "That's right."

Supervisor Kozakiewicz: "Okay."

Sandra Reeve: "You would turn onto Peconic Bay Blvd., make a left and then about an eighth of a mile you'll make a right onto Whites Road and there's a field on the right hand side on Whites Road and then a ranch house and then 23 Whites Road is the next house on the right."

Supervisor Kozakiewicz: "Okay. Any questions from the Board? Okay. Anybody else who would like to address us with respect to the- yes, you can come forward, sir. Oh, Rita, come on up."

Rita Hoden: "Rita Hoden, Calverton. I support them with their bed and breakfast. I think it's a good idea. I'm 100% for it. Thank you."

Supervisor Kozakiewicz: "We need you sworn in unfortunately, Rita."

Rita Hoden: "Okay."

Supervisor Kozakiewicz: "Because of this stupid thing that we have this decision on special permits. Maybe we should consider changing it."

Dawn Thomas: "Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, Mrs. Hoden?"

Rita Hoden: "Yes, I support them 100% with the bed and breakfast. I think it's very good."

Supervisor Kozakiewicz: "Thank you. I saw a hand in the back. Come on up. While you're stepping up, sir, we're going to have you sworn in which we need to do for special permits so if you would raise your right hand?"

Dawn Thomas: "State your name for the record, please."

James Longo: "James Longo."

Dawn Thomas: "Mr. Longo, do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

James Longo: "Yes. I reside at 93 Peconic Bay Blvd. and we're in full support of the bed and breakfast."

Supervisor Kozakiewicz: "Where is 93 Peconic Bay Blvd.?"

James Longo: "That's the ranch house on the corner. Aquebogue."

Supervisor Kozakiewicz: "Okay."

Councilman Kent: "That says Aquebogue, right?"

Supervisor Kozakiewicz: "Anybody else who would like to address the Board regarding this special permit bed and breakfast application? Nobody? Okay, the time being 8:05, I declare the public hearing closed."

Public Hearing closed: 8:05 p.m.

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Public Hearing opened: 8:05 p.m.

Supervisor Kozakiewicz: "Barbara, if you would, the time still being 8:05, open the next public hearing by reading the affidavit of publishing and posting."

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 April 17, 2001 at 7:20 p.m. regarding the consideration of the capital improvements to Suffolk theater at an anticipated cost of \$4,000,000.

I also just received 15 letters in support of Suffolk theater."

Councilman Kent: "We also got one letter opposing it, by the way."

Barbara Grattan: "Excuse me?"

Councilman Kent: "We got 15 letters in support; one letter opposing."

Supervisor Kozakiewicz: "Yeah, that one's noted in the- "

Councilman Kent: "Okay."

Supervisor Kozakiewicz: "That one was already noted. All right. I know I have a number of cards so I will go through those first. Again, as I mentioned earlier, this is to hear those in favor and why you're in favor; those opposed and why you're opposed. Don Rieb."

Don Rieb: "My name is Don Rieb and I'm the President of the Riverhead Chamber of Commerce and I'm here on behalf of the majority of the merchants in support of the renovation restoration and opening of the Suffolk theater.

The Suffolk theater as you know, built in 1933, is a architectural gem. It's a town treasure. It's part of Riverhead's heritage. And it's been sitting on Main Street for God knows for how many years, nothing happening and deteriorating. It's probably one of the few art deco theaters of its kind in New York State.

Now there are some who say we cannot afford to have this theater. I propose to you we cannot afford not to have the theater. The theater will not only revitalize downtown attracting new businesses and, therefore, creating a new tax base, but it's going to also make Riverhead a destination point. It will make- give Riverhead a new identity. An identity similar to what Westhampton Beach- when you think of Westhampton Beach, you think of the Performing Arts Center. The same thing will happen to Riverhead. When we open up the Suffolk theater as a performing arts center, that's what they will picture Riverhead as.

Now some people say that town government should not be in the real estate business and operating a movie theater or being a rental agent. I say the town has an obligation to the community to intercede when necessary. The opening of the Suffolk theater, the restoration of Suffolk theater is necessary and I would hope that the town officials who we elect have the vision to step up to the plate and to vote for this bond issue.

We really are at a crossroads here. We can either do something and move forward or do nothing which has been done for the past seven or eight years. This is a deciding moment in the Town of Riverhead. If something is going to happen with Main Street, if we're going to create new businesses and fill the many empty stores and, hopefully, that hole in the ground we have that's going to be Riverhead, the Suffolk theater is going to go a long way to promote that.

The Town Board, I think, has an obligation to the people and I'm willing to say that the vast majority of the public want this theater open. It's really, really time to step up to the plate and let's get the theater open.

And as far as the cost of this project, it's- it's going to be replenished by the new businesses and the tax base- again the expansion of the tax base. So I implore you. This is a beautiful old theater. It's an art deco treasure, it's part of the town's heritage, it's going to give us an identity, it's going to revitalize this town, please vote yes for the bond issue. Thank you."

Councilman Densieski: "Don- Don, I just want to ask you a question, Don. Are you speaking for yourself as the head of Chamber or did you take a vote for the Chamber or how- "

Don Rieb: "I polled many of the Chamber members and, of course, I'm speaking for myself but I'm also speaking as the President of the Riverhead Chamber. Over the past two days, I have called a lot of people in the Chamber and- to get a sense and also walking around the community and the sense of it is that- and particularly on Main Street, businesses want this theater open. We know what this theater can do to Main Street."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Thank you. August Groeber. You don't have to yield because we're going to have other people come up but if you don't want to speak at this time, I'll continue through the cards. Okay? Karl Kirwin."

Karl Kirwin: "Thank you for letting me speak tonight. I'm new to the community, I have just moved in, and I'd like you to support the Suffolk theater. My wife and I currently travel out of town to see live theater and we'd honestly prefer to spend our money here locally and we'd like you to give us that opportunity. Please support the Suffolk theater. Thank you."

Supervisor Kozakiewicz: "Thank you. Rob Pike."

Robert Pike: "Wow. My name is Robert Pike. I live at 138 Ostrander Avenue in Riverhead. The idea that I would be here talking about this subject, five years ago that just never occurred to me that this would be the thing I would talk about. I've lived all of my life as it was (inaudible) with memories of the Suffolk theater. I don't remember the first time I was there. I do remember the time I was there that's most inspirational to me. And I remember the last time I was there when you had to pay a ticket- buy a ticket to go.

I thought I would be talking about how difficult it is to bike over the Rockies. Well, it's easier than getting the Suffolk theater open. I thought perhaps I would be talking about my career on the Board of Directors of the South Oaks Psychiatric Hospital but we don't want to hear about that. I would say though to you guys up on the Board that being on that Board is excellent training for running a psychiatric institution.

And along the way though in all of the things that I have done since I was on this Board, I have had the job of learning a couple of things, one of which is a sustained pace will get you through a lot of things. Sustained pacing will get you to the point where you're ready to get something done, whether it's training, or bicycling or talking or learning or anything.

We are at a historic point in the Town of Riverhead with the three things that we needed to open the Suffolk theater are finally and for the first time in place. They are a professional set of business plans. They're up there on the wall. They were well researched, they work, they're frugal according to Dennis Sankevich (phonetic) the consultant from the League of American Historic Theaters who reviewed them. They're economical. They get the job done.

We have secondly in place, a clear way to finance this facility. Now all of the numbers that you've been hearing and all the numbers you'll hear tonight are based on one idea- that we're going to build it ourselves, that we're going to take a risk and do this and do it right. And if you take the money needed to get from today to opening night, it works out for the average residential homeowner in the Town of Riverhead \$46 a year. That's less than a dollar a week. If you own a mobile home in the Town of Riverhead, it's roughly one-quarter of that, \$12.00 a year. That's the worst it gets. Every year for the next 20 years it goes down and down and down.

Why is that? Because towns for all of their disadvantages in construction they have great advantages in financing. They borrow their money at five percent. Five percent to me is a really great way to borrow money. It's a very economical thing to do and it's very frugal. I wish I could borrow all the money I've ever borrowed at five percent. I could think of some credit cards I wish were at five percent.

We know how to pay for it and we can get it done. And I can talk for a long time about how we could make that less but that's the worse case, \$46.00 for the average residential house per year, less than \$1.00 a week.

Now one of the missing pieces that is finally in place is a business plan. This business plan has been released, we made over 100 copies of this thing and have distributed it to people who both support and I must admit to people who oppose and will tonight oppose what we are doing here and what we are planning here. Why? Because I think it is a good thing that people really see the details of how the crew of the Riverhead Theater Corporation on whose Board I sit would actually choose to run this facility.

We didn't just pull this business plan out of thin air. We pulled it from people who know how to run theaters. The League of American Historic Theaters has a model plan. It (inaudible) from all of the 200 facilities across the nation that run and build and operate theaters like this one. This is not rocket science. This is something that communities like ours, poorer than ours, do successfully all across North America.

Those three things are in place. A solid workable building plan, a way to finance it so you can do it now, and a business plan that would make this thing run from now for the rest of our lives.

For those of you who would like to see the details, we've pretty much run out of copies. We have a few more but they are available for your full scrutiny. At the News Review site you go to their article last year at the bottom you can click through all 60 pages of it are there and all of the credentials of the people who worked on it on our Board and the credentials and contact information for people who we consulted with is there. We believe since we will be providing a public service and providing public disclosure. I think that may be the first time a planning document has been put on the web in full in the Town of Riverhead.

We believe we can learn constantly better and better how to run this thing. What we've got for you so far is a good start but we are going to be a learning organization getting better and better at what we do.

Now we took the national model and localized it, made it relevant to our specific demographic right here in Riverhead. In order to do that well, we interviewed everybody who has to operate in this area. So we interviewed the operators of Theater 3 in Port Jefferson, the operators- the Gateway operators of Patchogue, the operators of Westhampton Beach, the folks who run Guild Hall. We talked to producers of acts throughout the east end. We will continue to do that. Remember even if we succeed, the fastest time line to opening this theater would be 13 months. It would be a good time because we would be opening for the season coming. But we have much to learn, we have time to learn it in if we've gotten anything wrong.

So I will take all of the criticism that we hear tonight and run it through the same learning process that we used to get here. We should be aware that some of the people who helped write this are in the room so if you have a critique, your critique may get commented on by somebody who actually runs one of these things successfully within our drive times 30 minutes from here.

On this subject, I have just- I've got to say that we're not basing what we're doing on the Westhampton model. The Westhampton model is an extremely different one than we envision for the theater. Westhampton has half the seating capacity, 425 seats, to our 800 so even if the tickets are the same they only get roughly half the amount of income. But they're twice as rich, at least twice as rich, and they can afford to do things we can't afford to do. We're not going to try to do it that way.

What we've modeled this business plan on is the thing that works and has worked for over a decade in Theater 3 in Port Jefferson. Ron, who runs it, is here and will talk about this later. But basically we took their numbers. He was really kind to give us the last two years of operating numbers and to comment as we formed it into something relevant for Riverhead. It may surprise you to know that Theater 3 doesn't perceive itself as having a summer season. Well, I'm pretty sure we're going to have one here. And so we can take advantage of both our larger capacity and our summer season to run something that is a little bit larger than what they run. But it's not substantially larger.

There are a lot of things in this business plan that we have done to make sure that we don't try to do everything at once, that we walk before we run. One of those things is to make sure that we have sufficient operating capital to start with. The second thing that is really important to this plan is that we have decided to make sure that we share the risk of ticket sales. So while there are over \$1.3 million dollars of tickets sold in that first year, we take the risk of loss or success on only roughly half of that.

In other words, we would invite other people in and the good example of this would be comedy. We don't know much about the comedy business. We do know it's growing, it's strong, and that the comedy business, an 800 seat facility is a very large facility. Governor's Comedy Club is very interested in bringing their expertise, their marketing and their money directly into this theater operation to provide a steady, reliable, non-risk source of income to theater operations.

I could go on as you know for all the time about how we're planning on making this work. But we've got time. If you have comments and they're constructive, I'd love to hear them."

Supervisor Kozakiewicz: "So would we."

Councilman Cardinale: "Bob, I have a question."

Robert Pike: "I'd like to get through stuff and then- "

Councilman Cardinale: "I have a question when you're finished."

Robert Pike: "Sure. I'd be more than happy to answer but I'd like to hear from a lot of other people, too."

One other thing about the business plan and I realize I have to move on, we have worked into this a way so that the people of the Town of Riverhead who contribute to this theater get a direct financial benefit from it. It's called the Citizen Sponsorship Program. Everybody who owns property and pays a tax bill in the Town of Riverhead and anybody who leases from them will have the right to buy tickets to our productions for \$1.00 off. That's not a huge amount of money but if you come with your family of four once every month, of the \$46.00 it costs you, you save \$48.00. You break even. This is basically enjoy it.

Now this, all of this put together, the building plan, the

financial plan, and the way of operating it make a complete package. For the first time, we have the ability to make this thing open and run. All of those pieces are place- are in place. And you will hear people say it won't fly. Well, it flies all over the country. These things work. You will hear say, well, we're waiting for the white knight to show up, come prancing into town, throw his largesse upon us. Well it's been sitting there unused for 15 years and nobody with any real money, with a real pocketbook, with a real contract, with a real offer has sat down and said I will do it. There's been a lot of talk.

You will hear from one of our Board members later how one of the people who thought they might do it are no longer interested. They will not. The only way that we're going to get this done is if we do it ourselves. There are three options before this Board. Now remember we own this. There are just three options before the Board. Two of them are really unattractive.

Number One. We let it sit there and rot. Number Two. We sell it to the private market. Now since we know the private market doesn't want to run this theater or renovate this theater, we're going to be sitting there watching the bulldozer take it down so we can get another pizzeria. That's option number two. And I'm sorry that option number three isn't perfect but it's real. We have the option to spend this money, to get together and open the Suffolk theater for all of these people.

From a business perspective it makes tremendous sense. Over 80,000 new visitors to the Town of Riverhead, over \$1.3 million dollars in ticket sales and you know going to the theater that ticket sales aren't the only thing. You're going to be buying a heck of a lot more things from support services, transportation services, restaurants, gift shops when you're in Riverhead.

You get to restore an architectural treasure in the art deco theater. You get 210 regional or nationally produced high talent, high name recognition shows per year. And in addition to that, you get all of the shows that all of the community groups of all of our area want to put on. Think of how many great shows will be there.

More importantly or let's say as importantly, when you bring this number of people to downtown Riverhead at night to enjoy themselves, you're increasing the number of responsible eyes on Main Street. You are building up our own personal patrol system if you will. Those streets will get safer and people will be proud to walk the safer

streets of Riverhead.

But forget all the business aspects. Just think about what this will do for people. Let's say it's 30- no 40 years from now and we're all sitting up on the balcony of the Suffolk theater. And we'll be looking back at the Town of Riverhead, but with the perspective of all of that time, you'll get a sense of, you know, how this wasn't all that big of a decision. If we look back now to the decision to build a sewer plant in 1932, it seemed like a heck of a lot of money at the time. They actually unelected the supervisor who did it but this town would not exist in its vibrant state such as it is without that sewer plant. It was a good thing. And it was a real bargain.

We have over \$80 million dollars in Water District improvements in this town. If we had to do all that at once, you'd fall over dead. But we didn't. We did it incrementally. And it was a good investment and it has paid off in time because we now have fresh water to all of the citizens who want it.

Stotsky Park. Fifty-seven acres, town owned property surrounding Route 58. Now was that a good investment when we bought it? What do you think it's worth now? What would it cost if we came before you and we didn't have Stotsky Park and we said, all right, we want to build something like this? It would be in the tens of millions of dollars. That we did it years ago made it a good investment.

When we look back at this day from the perspective of 20 and 30 and 40 years all sitting up in the balcony, not only will we know that the bond is all paid off and that we've gotten to enjoy it, but we'll be watching our kids and our kids' kids dancing across the stage. We will be laughing about this year's production of Christmas Carol. A Christmas Carol works every year. It's a chestnut. You put it on, they come, you have a good time, the snow falls. The only thing uncertain about the production of a Christmas Carol is who gets to play Scrooge. Remember these will be local actors. I have some candidates. I'm not going to give you their full name, but Allen, Tim, Augie, me, Jim, and everybody's favorite, I won't tell you this person's full name but it's Ruth Jernick.

There will be up on the balcony looking back at scores of years of great concerts, all of the finest music that we can from all rock n roll, jazz, country western and every March we'll drag the Irish out and let them play. We'll have cooperative deals with the Aquarium and you're going to hear more about that as the evening goes on.

One of my great fantasies is that we'd play Free Willy and then send them all down to the Aquarium and see what happened.

But finally we would have our last memories of who we were and what we did as a town. My first memory of the Suffolk theater that inspired me was to see the movie A Hard Day's Night. I'm not a great guitar player, but I can rock and I know that for a week after seeing that movie in that theater, I was running around my backyard with the guys in the band, the drummer of whom is here tonight- I won't embarrass by telling you- but we took pictures, we had a great time. I became a better guitar player because of an event I saw in the Suffolk theater.

The best movie- that was the best movie I ever saw. The last movie I ever saw in the Suffolk theater, the last time I paid for it was my best friend at the time and I took another friend out because he had suffered a major loss. And we didn't know quite what to do with him but we decided to take him down, let him escape from that loss, and to enjoy and to feel just for a brief time, a respite, from what he was suffering. I would hate to think that the last time I bought a ticket to the Suffolk theater was when a friend was suffering in the mid '80's. I would like to think that the last time I'd buy a ticket is when we're 30 years from now, sitting up on the balcony, laughing about all of these shows. All of these kids who will then be parents and grandparents and their kids and the kids beyond them having come to downtown Riverhead and enjoy something truly wonderful.

For the first time in our history we're at an historic moment. All of the pieces are in place. I would like to believe that our last memory- my last memory of the Suffolk theater was that in the year 2001 we all got together and finally said let's do it."

Supervisor Kozakiewicz: "Sherri Patterson. I didn't know who to put up behind him."

Sherri Patterson: "I may be in the minority tonight but that won't stop me from saying my piece because I don't think I'm in the minority in the community. Just one question first. Was the Suffolk theater ever actively put on the market? Was it ever listed for sale since the town's owned it?"

Supervisor Kozakiewicz: "Not that I'm aware of."

Sherri Patterson: "The prior owners, I know- "

Supervisor Kozakiewicz: "The question was when the town had it, that's- I can only speak for when I've been here. I don't know whether it was put on the market prior to that."

Sherri Patterson: "Okay. I just received this proposal on Monday so I haven't gone through all of it. I kind of perused it. And there's so many things I could say against the bonding proposal and this business plan and I'm afraid we'd be here all night although it seems that you're not really enforcing the five minute rule. So- "

Supervisor Kozakiewicz: "I was going to make that comment earlier. We don't do the five minute rule on public hearings. During the open comment period we do five minute."

Sherri Patterson: "I've narrowed it down to a few items. In the business plan it says that the RTC is to raise \$500,000. I cannot think of any not for profit organization in this community, not even the hospital, has ever been able to raise that amount of money. I don't think to date the present group has raised a penny. The money that they are spending on their extensive and expensive ad campaign was raised by former members of the RTC who have since resigned and quite frankly I don't think the people who made those donations, myself included, intended that money to be used for advertising.

Was any study done by this group to see if the community would come to see these proposed productions at the proposed prices stated in the plan? On page 27, the RTC says that acting as producer promoter is a very risky business yet this is the backbone of their financial plan. The show aspect of their budget shows \$135,000 profit from this type of production, with some productions needing a 50% attendance just to break even. That's 400 people in the theater just to break even. And many of them need two-thirds just to break even. All of these projections are based on 800 seats and all of these projections are projecting an 85% attendance. I know I've gone to the movie theater many times and I've gone to Broadway shows and sometimes they don't have 85%.

We all know that there are other local theaters that are running in the red. So the bottom line- my main question is this. Should the Riverhead Theater Corporation not turn a profit which sees highly likely to me based on their business proposal and incur debt, who is responsible to pay this debt? Gentlemen?"

Councilman Cardinale: "The town."

Sherri Patterson: "Okay."

Supervisor Kozakiewicz: "I think that they are a separate corporation. That's not true."

Sherri Patterson: "They are a not for profit corporation."

Supervisor Kozakiewicz: "I mean if they incurred debt, their debt, you're talking about the RTC debt- they incurred that- "

Councilman Kent: "Operational debt- "

Councilman Cardinale: "Who's going to lend to them? They don't have anything. We're talking about the bond."

Supervisor Kozakiewicz: "The question is whose debt are we talking about? The RTC debt is the RTC debt."

Sherri Patterson: "There's debt incurred in the movie theater, be it operational or be it- say they book a band- "

Supervisor Kozakiewicz: "If they fail to raise- "

Sherri Patterson: "-- for \$20,000 and they only make \$5,000- "

Councilman Kent: "It's not the town."

Supervisor Kozakiewicz: "It's the RTC."

Sherri Patterson: "The RTC is responsible?"

Supervisor Kozakiewicz: "Correct."

Sherri Patterson: "And the RTC has no money."

Councilman Kent: "Right."

Supervisor Kozakiewicz: "The- part of- "

Councilman Kent: "We are not guaranteeing RTC's liability."

Supervisor Kozakiewicz: "Part of this agreement requires them to raise the sum as you've pointed out, \$500,000."

Sherri Patterson: "Okay. Now, that \$500,000 doesn't have to be

raised until after the bond issue has been passed."

Supervisor Kozakiewicz: "Correct."

Sherri Patterson: "Isn't that kind of putting the cart before the horse? Shouldn't they have to raise the \$500,000 before you give them \$4,000,000?"

Supervisor Kozakiewicz: "That's a question. I think we're here to hear your points in favor and against rather than get into a dialogue. But I think you're making a question; you're proposing an alternative way to approach this and we'll have to consider it but I would prefer if we can, as I mentioned earlier so that we're not here all evening, to hear why you're- why the people are in favor or why they're against rather than get into a long colloquy."

Sherri Patterson: "Well, I think if to know if you're in favor or against, you have to know the answers to some of these questions."

Supervisor Kozakiewicz: "Well, as I said, the RTC- that is RTC debt."

Sherri Patterson: "Okay. And one of my closing statements is as a business person, I don't know who would put up \$4,000,000 to go into business with someone with no money and no experience. And one of the reasons I can see you doing this is because it's not your money. It's all- all the taxpayers in the town are going to be paying for this and I think that all of the taxpayers in the town should have a right to say how they feel about it. Thank you."

Supervisor Kozakiewicz: "Thank you. Vic, I had your card next but I understand there are a number- you can see, there are a number of youngsters here who want to address us. Do you mind following them? Okay. Okay. You would like to have Vic speak before you? Okay. Corrected."

Councilman Kent: "While Vic is getting ready, I just- when I was listening to Rob Pike speak, there's a fourth piece of the puzzle that's in place now that he didn't mention which I think needs to be mentioned. But it's only for a limited time. We know exactly how much it's going to cost to do what's proposed because we have already put out to bid and received the bids for the proposed improvements to the project, to the theater. But those bids have a limited life and if we don't do this now, I can tell you that if we decide to do it in the future, the bids will come in higher. So that's a fourth thing."

We know how much it's going to cost to renovate and rehab the theater for all the uses- for all the operational uses that we'd like to put the theater to. So we know how much it's going to cost now. Again, that's for a limited time only though. I'd hate to sound like a car salesman or something."

Unidentified: "Limited warrantee."

Councilman Kent: "Right. We've got to do it today because tomorrow it will cost more."

Victor Prusinowski: "Mr. Supervisor, Members of the Town Board. My name is Vic Prusinowski. I live on Elton Street, Riverhead. I'm here to speak in favor of this proposal tonight for a lot of reasons.

And one of the reasons- I'm going to go back to around 1983 when the County of Suffolk was trying to take a lot of the government offices out of Riverhead and move them to Hauppauge, Newday did a very unflattering Section 2 piece called The Tale of Two Towns. And it depicted Riverhead as the most unflattering, welfare dumping community on the east end and really it was a tragedy, where Hauppauge was an upscale, you know, middle class, white community, which I thought was very racist at the time.

But I'll never forget that time when John Lombardi and the Town Board members that I served with at that time, we were horrified at this. And this was at a time when Allen had just been elected- the previous administration under Allen Smith started a rebound, we started the country fair. And unfortunately we never wanted to get into the real estate business. But the fact of the matter is, Riverhead was being run down by a group of people in this town who really didn't give a damn about the taxpayers at that time, only their own self interest.

So it evolved over the years everything that you see today and I'm proud to say that although we stumbled along the way sometimes, the aquarium eventually worked out, I'm sure Calverton is going to work out. It's not easy to negotiate international contracts with businessmen and it's easy to throw stones at the people that are trying to get something done in the community. And I don't just mean the elected officials. I mean the thousands of volunteers who have put a lot of effort into this. As Jim knows, he's worked on the country fair.

And even to the Riverhead Theater corporation which was founded

four years ago to keep the dream alive. And I think we're at a point in this community that, yes, it will cost \$46.00 a year, these things don't make money. And in 1991 when we opted to buy the property, Barry Barth and the business community, we all sat in this room, went out and negotiated a deal, that time I was sitting on the Town Board.

Once we cross the line into this project, it's going to take a community effort.

Before I read these letters, I do want to tell you that most of the support for a lot of these community theaters, performing arts centers, are not just from the Riverhead community. So we will be reaching out to corporate America to raise money. Ticket sales will be through the internet today. Westhampton relies heavily on the daily newspapers, the internet, to the theater groups, mailing lists and theater goers.

When we opened up the Suffolk theater to the country fair five or six years ago, I'll never forget the thousands of Riverhead people who walked in and just were thrilled to see the building again. They had so many memories of their childhood and the town that they grew up in and I believe there is support up there, but I also agree with Sherri in the sense that they want a responsible financial plan.

I must commend former Councilman Pike, he did an excellent job in spearheading the business plan. I think it's a workable format, a business plan that will be changed in the future to reflect the economic realities. It's a work in progress as we say. And, of course, the theater will be operated by professional management. The Board of Directors are there to only-- to oversee and make general policy and to control the fiscal finances of the Board. But the actual thing will be operated by theater professionals.

Four years ago when we were doing the plans for the theater, we didn't know- I didn't know anything about building a theater. We went into New York City and we hired a theater consultant which- I hired a theater- we, we meaning the Town Board and the business community. Barry can speak to that, he's here tonight. And it was a consensus to build this.

So I think that what we should do is unite- if- be constructive in our criticism, offer alternatives if there are any. I don't see that there are any. Right now the best thing I heard the other night was- actually somebody who's thinking of running for public office said at least if we fix up the building, we have something to sell or

lease to somebody else if the theater corporation fails. Right now we don't really have anything, as you gentlemen know. With public financing we have a million dollars or approximately a million dollars of bond left on there and that would have to be addressed by a potential purchaser.

I just want to read these two letters. Part of a successful plan here is to build business alliances. There's a Hamptons Television TV 85 WVVT-TV would be interested in forming an association and being designated as the official TV station of the Riverhead theater-Suffolk theater. We can publicize events, promote ticket sales, and establish a TV connection to link the theater to the Long Island community through television.

As a local TV station, we are able to- we're available to all subscribers on Channel 85 and free on Channel 59 UHV. They're on Channel 85 Cablevision.

The other letter I want to read is the- was written to our president. I think will clear up a few rumors that were going around town.

I am here- I am writing to express my full support for the current plans for the renovation of the Suffolk theater and the performing arts center in downtown Riverhead. I, too, believe that a cooperative approach to marketing a program, both the Atlantis Marine World Aquarium and Suffolk Theater will be mutually beneficial to both operations.

With our enterprises working together, both the number of visitors and the amount of business activity in the downtown area will surely rise both day and night. To achieve this goal, I am interested in forming a business alliance with the RTC. Among the items I would like to discuss with you are the cross promotion of the two facilities, films and other events at the theater with a nautical, aquatic and marine theme, joint admission sales, discounts, and promoting educational programs.

Presently at Atlantis- is undertaking a major expansion featuring some exciting new exhibits. I am fully committed to completing the expansion of the facility well beyond even the current expansion plans. My plans require a large continuing capital investment and accordingly I have no interest in purchasing existing theater.

I look forward to helping support your efforts in opening the

Performing Arts Center of Riverhead. Sincerely, James Bissett,  
Atlantis Marine World Managing Partner.

This thing has been around since 1987 when Joe Janoski sent Rob and I walking through the building with Building Inspector James DeLuca. The three of us walked out of the building and we said, a million dollars. Now I thought Jimmy was like- because knowing Jimmy, he did everything by the book and triple- and, you know, I hear some minor criticism about our fire marshal around town and so I figure, well, Jimmy thought it was a million dollars, so when we bought the building, the first thing we had to do was fix the roof so we authorized \$1.2 million. Then we found out the roof cost some two hundred something thousand dollars but unbeknownst to us the front of the building was falling off and the total to save the exterior of the building ended us costing \$285,000- \$385,000 approximately. We built- I want to say in the new vernacular in the auto industry, we've built a car, not an SUV. We don't have the stage tower- that's a million dollars that Westhampton has. We've made do with other arrangements.

I think it's a theater that has- the design of the building has a chance to break even, to be successful. I think it's a great bargain for the taxpayers. I'm confident that the Calverton situation will be resolved which will ease the tax burden on the community. I'm in favor of this project. I always have been. I've kept a little low key on it lately because I didn't to skewer it but I think that if we all work together, the East End Arts community, the business community, I think we can make this a shining success and really I'm proud of the community in a sense, because since that Tale of Two Towns was written back in 1983, if you look back at Riverhead today, we've come such a long way.

What I mean we, I mean everybody as a community. That I think this is a final piece to the puzzle and it's not just for downtown Riverhead. I think the Suffolk theater is really the heart and soul of the community, Wading River, Jamesport, Calverton, Aquebogue, to the Northampton community to Flanders, whether you're a senior, young people, all the community groups in the town will be able to- this will be their building and I would urge you gentlemen to vote yes on the bond. Thank you very much."

Supervisor Kozakiewicz: "Jan McKenna."

Jan McKenna: "Thank you. I'm Jan McKenna. I'm a homeowner in Calverton. I am the President of the Riverhead Theater Corporation. We have the agreement with the town to run, operate and manage the

theater once it's built.

My first point is that we have committed to raise \$500,000 a week after opening night. Our goal is to raise three quarter of a million and we will do it. My board had a fund raising committee. They spearheaded two fund raisers. The first one raised \$45,000; the second one lost \$9,000. The committee is no longer on the board.

We are entertaining new board members. We have a list of people that are interested in helping us with these efforts. We're getting through the business plan first, this hearing, and then we go into the fund raising mode. However, nobody wants to donate money to something that's just sitting there and rotting. So that's what we have to do first, is get the facility to move. We have to get the bond; we have to get the money to go forward with this so people will contribute.

I love theater. I also love movies and concerts. But most of all, I love theater. I basically live and breath it every day of my life. I have choreographed, directed and produced over 40 shows. I came to this town 16 years ago and I looked for a theater to work in. I found the North Fork Community Theater in Mattituck, 25 minutes away. Then I found and I worked for six years in Port Jefferson at Theater 3, 30 minutes away. By then I had two babies and I couldn't commute anymore so I found the Riverhead Faculty and Community Theater right here in Riverhead, 10 minutes away. However, they do one show a year and they have to use the high school.

The high school is fine, nice stage, but you can't store your props, you can't store your costumes, you can't store your sets. You have to hire an outside sound system; it's very expensive and it usually doesn't work very well.

One of the worst things after the show is over, you have to break apart your beautiful sets that you made and throw them in the dumpster because you can't store a thing. If we have our own performing arts center here in Riverhead, it will enable many local groups to do what they love and to do it often. And I hope we can hear from some of those community members this evening.

My last point is I love working with children, especially those who love theater. I wanted to do a youth production but we couldn't even use the high school because it was so overly booked. The only facility we could find was the elementary school on Roanoke Avenue. There's no backstage, there's no wings, there's no sound system, no lights, but we had a stage. Over 100 kids auditioned for my first

show there, Godspell. I was only able to use 30. Two years later, I did the Magic of Broadway and 120 kids auditioned. I was able to use 60. Two years later, I did an adult production of Oliver. Fifty-six kids auditioned; I used them all. We packed them in there and it was very, very successful.

The kids are out there. They want to act, they want to sing, they want to dance, they want to learn. I have given acting lessons all over this town, in a classroom, in a barn, in a dance studio, and now in the very, very cold Mini-Cine of the Vail Leavit Theater.

Kids will go anywhere to learn but imagine what we can give them with a professional performing arts center? I say it's time to do it big, do it right, and do it now."

Supervisor Kozakiewicz: "Last- Rolph, did you want to speak on this? Okay. Jan, did you want the kids to come up? Rolph, just a moment. I have a couple of the children who would like to address us. Go ahead, come on up. You have to bring the mike down for them. Your name, please."

David Ashby: "As a young actor, I love- I would love to have a theater where other kids and I can act and perform in a real theater. And I know that there are lots of people that love to act and perform. If the old Suffolk theater would be turned into a performing arts theater, I think that I would be- oh, it would be a great experience for lots of people like me and it also would be a great part of history to keep in Riverhead- downtown Riverhead. Thank you."

Supervisor Kozakiewicz: "Thank you. Your name"

Corey Imperial: "Corey Imperial."

Supervisor Kozakiewicz: "Do you need that spelled?"

Barbara Grattan: "Yeah."

Supervisor Kozakiewicz: "Could you spell that for us?"

Corey Imperial: "C-O-R-E-Y I-M-P-E-R-I-A-L."

Supervisor Kozakiewicz: "Thank you. Go ahead."

Corey Imperial: "I have a Nintendo but I don't have a playhouse. I have Sega, I don't have a playhouse. I have a computer,

but I don't have a playhouse. And out of all these things, what us kids need is a playhouse. Thank you."

Supervisor Kozakiewicz: "Thank you."

Jessie Imperial: "Hello. My name is Jessie Imperial. And I- hello, my name is Jessie Imperial and I think there should be a new theater in Riverhead so us kids can have a place to show what's inside of our hearts. Thank you."

Supervisor Kozakiewicz: "Thank you."

Zack Baum: "Hello, my name is Zack Baum and I come from the Pulaski Street School. And I come from Mr. Schaefer's (phonetic) class and we just recently did a play called Cinderella and everybody who was in the audience started laughing because they thought it was such a cute play. And I wish now that they can make the Suffolk theater back so people can come and laugh at all the play again. Thank you."

Supervisor Kozakiewicz: "Thank you."

Justin Kwasna: "My name is Justin Kwasna. I go to Pulaski Street School. I go to acting classes with Jan McKenna. I would like to support the Suffolk Theater. Thank you."

Supervisor Kozakiewicz: "Thank you."

Jefferson Harris: "My name is Jefferson Harris and I think the town should make a movie theater so kids can show their talent on a stage. I did plays with Jan McKenna and she is a great teacher for acting classes. Thank you."

Supervisor Kozakiewicz: "Thank you."

Tim Dayton: "Hi. My name is- hi, my name is Tim Dayton. And I think the Suffolk Theater should open because I believe it will be a great experience for all ages. As some of you may now, Mr. Schaefer does two plays during the course of the year. If the theater opens, he will be able to do them at the theater. Then the public will be able to see them. Our stage and auditorium as well as the cafeteria, it's nothing much, but we make do. I really hope it will open so I can act with my dad. And if it opened, people will be prouder than ever to say that they're from Riverhead. Thank you."

Supervisor Kozakiewicz: "Thank you."

Erin McKenna: "Hi. My name is Erin McKenna. And I would just like to say that I love theater so much. That's what all these kids here, we all have in common, we all love theater. And I know right now in my- in Riverhead Middle School, Mr. O'Hara, our chorus teacher, is doing the play Guys and Dolls, Jr. and, you know, we have to rehearse in the Music Room, it's a small space, and most of the kids have never been on a real stage before, in a real theater. And if we could do that, you know, we have to use Pulaski Street stage. It's not as big as it could be, you know."

We really would like to make this play really worthwhile because we've never really done a play in the Middle School before and if we rebuild this Suffolk Theater and we could do it there and we could do so many other plays there and we could just really make it good. Thank you."

Danielle Hahn: "Hi. My name is Danielle Hahn (phonetic) and I'm also in Guys and Dolls with Mr. O'Hara. And I think she kind of covered that about how we have to go to Pulaski. We tried to get the high school but we couldn't get it and if we had the theater, we would probably be able to do it there. And I haven't been in a play which is what I love to do, I love to be in plays. And I haven't been in one for about four years because there's nothing available around here to do and I don't want to have to travel all the way to Theater 3."

And I think that if we had the theater that I'd be able to do what I love to do more often than I was ever able to do now."

Supervisor Kozakiewicz: "Thank you."

Jessica Hauch: "Hello. My name is Jessica Hauch. I am also in the Riverhead Middle School Guys and Dolls play. I have done two plays with Jan McKenna and I have loved every one and it has been a wonderful experience for me."

Throughout all of history, there has always been a love for theater. And we could make that here in Riverhead. If everyone throughout history has loved theater and there has always been an interest to everyone, what makes Riverhead any different? We need this theater. It will help kids. It will give them culture. But we really need to have this. It will help everyone."

Tara McKenna: "My name is Tara McKenna. I'm 11 years old and

I'm really into plays and theater and I love doing shows. I think it would be great to have a theater right here in Riverhead where I can see shows and movies and concerts. So I support the renovation of the Suffolk theater."

Supervisor Kozakiewicz: "Thank you. Yes, where's Rolph?"

Rolph Kestling: "Rolph Kestling, Wading River. The first thing I want to say if Mr. Pike is still here or (inaudible), I won't be here in 40 years to look at it. No way. That would be very (inaudible).

As far as- well, I'm going to say I'm opposed to it. Where is the money coming from? You're going to put a bond in. You're also going to put in a bond for capping the town dump, another couple million dollars. I guess- in your term in office either you have or are proposing at least ten million dollars worth of bonds. Where's the money coming from? I don't go to social events, anything, I don't go to the theater anymore. The last time I went to the Suffolk Theater, I seen Star Wars for \$.99 and the only thing I can remember, we were up in the balcony, they'd interrupt the show and say anybody parked in the parking lot down by the river, move your car, the river is coming up. So that's my memory of it.

Vic Prusinowski was one of the big pushers when they bought the Suffolk Theater. And I don't know if it was either on the Suffolk Theater or whether it was Okeanos, he used these famous words, maybe he could repeat it. This won't cost a dime- the town a dime. It won't cost them a dime, I'm sure he said it on both of them."

Vic Prusinowski: "No, I didn't say it on the Suffolk Theater."

Rolph Kestling: "It was Okeanos."

Councilman Kent: "Victor, Victor, don't respond, please."

Supervisor Kozakiewicz: "We- listen, this- "

Rolph Kestling: "Okay, all right."

Supervisor Kozakiewicz: "This is- as I said from the very outset of the- because I know that there's going to be a possibility or as we see it's occurring, there's going to be some character denigration- or assassination. That's not- we're here to hear why we should go forward or why we shouldn't go forward."

Rolph Kestling: "I say you shouldn't go forward."

Supervisor Kozakiewicz: "Okay."

Rolph Kestling: "Because you don't have the money. And who knows if it's like the Burman deal, the way it looks, I wouldn't be surprised if died. It's gone too long."

Now I want to ask you, this bonding issue. Is this general obligation bonds or revenue bonds?"

Supervisor Kozakiewicz: "I think they're general obligation bonds."

Rolph Kestling: "You think?"

Supervisor Kozakiewicz: "Yes."

Rolph Kestling: "Because revenue bonds, you wouldn't be able to get, I know that."

Supervisor Kozakiewicz: "General obligation- "

Rolph Kestling: "And, Mr. Kent, you once mentioned that Riverhead has a town rating of A-1. Who gave it to you?"

Supervisor Kozakiewicz: "It's an A-1 rating presently. Moody's (phonetic)."

Rolph Kestling: "From Moody's?"

Supervisor Kozakiewicz: "Yes."

Rolph Kestling: "That I figured it had to be. Okay. That's all I have to say."

Supervisor Kozakiewicz: "Thank you."

Rolph Kestling: "And I will say that a lot of people that I talk to in my neighborhood when I walk around, they're all retirees, they are all against it. And we have the time in a few months, we may be able to vent our wrath. Thank you."

Supervisor Kozakiewicz: "Okay. I have one more card. Zabby, and then I can open it up- there's one more card, all right, and then

I'm through with the cards on this particular public hearing."

Zabby: "Hi. I'm Zabby and I want to speak on two sections, Section- page 46 of this agreement, section 11.2.3 and it is called Television. And then I would like to also speak- and I'm so glad the five minute rule does not pertain. Page 32, section 7.10 Television-- and that is labeled in this agreement Television Production.

And the reason that I'm going to speak on this is because I am this town's adviser for public access television and I was appointed on September 5<sup>th</sup> of the year 2000 with resolution #820 and I'm going to read that for you. Because as you will see, section 11 in this agreement pertains to local origin television and that, of course, is public television.

So we have here- this was the resolution passed unanimously by this town board which, in fact, empowered me, a woman- you'll notice they are 100% men, but they did empower me to- and it says- the whole title of it is Appoints Adviser and I want to make a point of this- "

Supervisor Kozakiewicz: "Zabby? I don't mean to interrupt but- "

Zabby: "But you are."

Supervisor Kozakiewicz: "Is this with respect to the question of whether we should bond four million to- "

Zabby: "Yes, it certainly is. It certainly is. Hear me out, Bob, please. Thank you.

It- this Resolution appoints- and I'm reading this- quote- appoints adviser for public access television. And it was offered by Councilman Philip Cardinale, and seconded by Councilman Kent. It says: Whereas, Zabby is executive director of the Public Access Television Association and is knowledgeable of public access rules and regulations- there's a- that refers to the kit, 38 page kit of rules and regulations in order to produce public access programs. I am knowledgeable to public access rules and regulations and the east end town franchise agreements. And that is true. I advise the committee in Southampton on their franchise agreement and I'm up on the different franchise agreements actually throughout Long Island.

And WHEREAS, it is beneficial that the east end towns disseminate information and coordinate efforts in regard to public access and in

regard to negotiating new franchise agreements with Cablevision and the reason- of course, you have to always remember this does say- this whole- in context, this is about me as adviser for public access television and since we share a channel, you know, the whole east end- "

Supervisor Kozakiewicz: "Zabby, Zabby."

Zabby: "Excuse me, please hear me out."

Supervisor Kozakiewicz: "Listen- no, because I would like to keep this to the question of the Suffolk theater."

Zabby: "Yes, I'm getting there."

Supervisor Kozakiewicz: "The question of the resolution appointing you- 820- "

Zabby: "Yes, yes- "

Supervisor Kozakiewicz: "-- from last year is not in dispute."

Zabby: "No. But I want the- "

Supervisor Kozakiewicz: "It was passed unanimously as you've pointed out."

Zabby: "Yes. I want the public to know why."

Supervisor Kozakiewicz: "What is the relevance to the Suffolk theater? Please get to the point."

Zabby: "I'm going- I will be. Please, if you don't interrupt me, I can get to it faster. Thank you."

Supervisor Kozakiewicz: "Well, the resolution is in the record."

Zabby: "Okay."

Supervisor Kozakiewicz: "We understand you were appointed an adviser. You advise Southampton. Now you mention of a section in the agreement."

Zabby: "Now, in this agreement we are trying to coordinate in

regard to public access television because, as you know, the whole east end shares one channel, that's channel 70, all the towns. So, therefore, we have to coordinate. We all share the channel so everything that's done needs to be done in unison. And so, therefore, when it says that it's in regard to negotiating new franchise agreements with Cablevision, that's as far as the public access section.

So it says- goes on to say WHEREAS, Zabby has offered to act without financial compensation on behalf of the Town of Riverhead.

NOW, THEREFORE, BE IT RESOLVED, that Zabby be and is hereby appointed the liaison of the Town of Riverhead in regard to matters of public access, which this is a matter, this theater, and that she serve at the pleasure of the Town Board of the Town of Riverhead without compensation as an adviser negotiating a new franchise agreement, and establishing public access for the Town of Riverhead.

Okay. Section 11 does talk about marketing and marketing all of the different things. This- section 11 says specifically, this will tend to vary based on the event, television has the enormous potential for (inaudible) marketing these days. For example, a comedy event could be advertised on the comedy channel. It has also a relatively high expense and a completely transitory nature. We will take advantage of local origination television for events that allow us to do so. An example would be the replay of opening night ceremonies.

Now, in section 7, the Television Production, it says while it is expected that this will be an option to be developed in the future, and this is the point where I want to make a point for the town here. While it is expected that this will be an option to be developed in the future, the Suffolk theater under the town's proposed agreement with Cablevision is currently slated to have free cable into the Suffolk theater as well as a televised- television head, i.e., the ability to hook up television cameras in Suffolk theater and directly connect them to Cablevision facility on Route 58. This would enable live cable transmission of events at the Suffolk theater and recording and production of events at the site. The site is suitable for production of television events.

Now this could be a very lucrative, lucrative deal and guess who the deal is for? The deal is for Mr. Dolan (phonetic) of Cablevision. He will pocket all the money while, in fact, the taxpayers will be paying five million dollars for this theater.

Now in the contract, and I will go to the contract that Bob Kozakiewicz signed, I believe that is a sucker contract. I believe that the taxpayers are going to be suckers here whereas in the future, the option for Mr. Dolan is very lucrative. Why is that he doesn't buy the theater outright for five million dollars? Because it would be millions- multi million dollars for him to set up. Because he could have all kinds of events and sell them for \$40 apiece to all of you and you couldn't get in the theater to see them but- because, you know, there's 800 seats, but you could see it at home and he'll charge you \$40 so you'll be paying then, too.

And I want to tell you about- I also am an accountant and I will tell you about this \$46.00 figure that was set out. That \$46.00 is very misleading. If you look at the future value of money, that \$46.00 is really \$186.00 for the first year and that is only if you have \$50,000 of assessed property value. If you have \$100,000 and then so forth, triple it and quadrupled, you will pay an additional \$186.00. So if you have \$100,000 worth of assessed property, you'll pay \$372.00 for the first year- that's only in the first year. And then the second year, it's still \$300.00."

Supervisor Kozakiewicz: "Zabby, where have you gotten your figures from?"

Zabby: "Now for 20 years- "

Supervisor Kozakiewicz: "Zabby?"

Zabby: "I did them with Calculus."

Supervisor Kozakiewicz: "This is for the Town Board to hear- not to address the audience- "

Zabby: "Yeah, but I want the people not to be deceived."

Supervisor Kozakiewicz: "Zabby."

Zabby: "I'm speaking, I'm sorry. But I have a right to finish this out."

Supervisor Kozakeiwicz: "You do, but you can address your comments to the Board."

Zabby: "Okay, well the Board- "

Supervisor Kozakiewicz: "Why- why we- and the public hearing is to hear why we shouldn't go- why we should or should not go forward."

Zabby: "All right. Okay. If you take- "

Supervisor Kozakiewicz: "Not to attack people. Not to address the agreement."

Zabby: "I'm not attacking anybody."

Supervisor Kozakiewicz: "Yes, you are. Should we go forward with the deal or shouldn't we?"

Zabby: "Now, the 92- you asked me where the figures came from. You take the \$46.00- "

Supervisor Kozakiewicz: "Please address the Board."

Zabby: "Okay. You, Bob, you take the \$46.00 and you do Calculus on it and you figure out the value that it would be- have attained in the-20 years from now. For the first year, when somebody lays down \$46.00 for just the 50, that- if you take- if they instead put it in the bank in a CD for 7% it would yield in 20 years \$186.00. That's the future value of money that we're talking about here. That's very important. All financial people, financial accountants talk about it. They talk about it on the stock market every day. And so that's only for the first year. The second year- "

Supervisor Kozakiewicz: "So you're not in favor of us finishing this project?"

Zabby: "-- so it's way over. It's way over this amount. I think we should have truth in bonding, Bob. Truth in bonding for the public."

Supervisor Kozakiewicz: "These figures have been worked up by the accounting department to show what the payment schedule would be over a 20 year useful life period. You're not- "

Zabby: "The four million comes to six million one, 6.1 million when it's actually actualized out to the future- amortized- "

Supervisor Kozakiewicz: "Amortized."

Zabby: "-- out to the future. So that's the same with yours."

You should have your \$46.00 amortized and when you do it turns out to be as I said \$186.00 for the first year, that's only on \$50,000 of- "

Councilman Densieski: "Point of order, Mr. Supervisor."

Supervisor Kozakiewicz: "Yes."

Zabby: "-- of assessment. And double that if it's 100."

Supervisor Kozakiewicz: "Zabby, please address the Board."

Zabby: "Oh, okay, yes."

Supervisor Kozakiewicz: "Are you- "

Councilman Densieski: "And stick to the topic."

Supervisor Kozakiewicz: "You are preaching, you're not commenting on whether you're in favor of this proposal or against it."

Zabby: "Well- "

Supervisor Kozakiewicz: "I understand- I guess what you're trying to argue is we shouldn't bond. Yes or no?"

Zabby: "Well, I am saying that if you said that perhaps we should have- we have the cart before the horse and they should get the \$500,000 first and you're saying- are you saying that there's a way to change your contract, amend your contract that you wrote here? Because- "

Supervisor Kozakiewicz: "The contract is not an issue today. The question is whether we should go forward- "

Zabby: "Can you amend it? Well, I'll give you that answer."

Supervisor Kozakiewicz: "-- the question is whether we should go forward with additional bonding to complete this project, whether it's something that's needed for the town, part of a revitalization effort. If that's the thought, and whether we should go forward with an additional approximately \$4 million dollars in bonding. If you're in favor of it, say yes, and furthermore, maybe you should state where you reside. What's your residence?"

Zabby: "I live in Selden."

Supervisor Kozakiewicz: "Okay."

Zabby: "And- "

Supervisor Kozakiewicz: "I'm glad we clarified that."

Zabby: "Yes, but, however, I know that this here agreement, you're looking to get people within a half hour's drive and I am a half hour's ride of this and that's, of course, diverting the issue. I think that's an attack in a way, diverting the issue. It doesn't matter where I reside. The President, he resides in Texas but, you know, he is our President, isn't he? President Bush. So what difference does that make?"

Supervisor Kozakiewicz: "Zabby, Zabby, we're going way afield."

Zabby: "Okay."

Supervisor Kozakiewicz: "The question- the reason I asked your residence is because I think there's a lot of other people who I'd like to hear from who are town residents who want to tell us why they're in favor of this or why they're opposed to it. All right? And that's the issue. You are going around and around on issues that I think are inappropriate for this point in time and I'm going to ask you sum up."

Zabby: "Okay, okay. There are people from Southampton here though. Are you going- "

Supervisor Kozakiewicz: "That's fine."

Zabby: "-- to- there are people from Southampton who want also to use this theater. So why don't they pay some of the taxes? Why aren't the people in Southampton who will be coming up here soon and are you going to ask them what town they're from?"

Supervisor Kozakiewicz: "I try to ask everybody's name and residence. Yes."

Zabby: "Why is Riverhead- why- if this is called the Suffolk theater, why doesn't the county take it and then the \$46 or- "

Supervisor Kozakiewicz: "That's it, Zabby. That's it. Please, please relinquish the podium."

Zabby: "Why should the people of Riverhead bear the whole cost of it when Southampton, East Hampton- "

Supervisor Kozakiewicz: "Zabby."

Zabby: "-- everyone else is profiting and my- Selden, too."

Supervisor Kozakiewicz: "It's a Riverhead matter. This involves a piece of property that's owned by the Town of Riverhead. The crux of the issue is whether we should go forward with bonding or not."

Zabby: "Then let me sum up."

Councilman Densieski: "Don't let her sum up, Bob. No, don't."

Supervisor Kozakiewicz: "Enough is enough."

Zabby: "If you can, in fact, amend your franchise agreement."

Supervisor Kozakiewicz: "We can't. That's not- the agreement has been entered into. We're talking about going forward with whether we're going to bond this project or not. We have bids out which have been pointed out previously. We have a business plan that's been submitted."

Zabby: "Okay. I think everybody understands what I'm saying. I think it's a beautiful project. But I would think that someone like Walt Disney- Disneyland, Channel 7 could come and buy that theater and make it happen for all of us."

Supervisor Kozakiewicz: "All right- that's- thank you, okay."

Zabby: "Yes."

Supervisor Kozakiewicz: "Yes. Young lady in the front with the maroon, burgandy."

Councilman Densieski: "Bob, this guy- "

Supervisor Kozakiewicz: "Oh, Randy, I'm sorry."

Councilman Kent: "He wanted to respond to the accounting."

Supervisor Kozakiewicz: "Randy, did you want to respond to the

methodology? Okay. As I said, I don't want this to be an attack. I want to hear from you why we should go forward, state your reasons; why we shouldn't, state your reasons. Because we could be here until 2:00 in the morning debating this question."

Liz Steffins: "Okay. I'm Liz Steffins. I'm a Southold resident. I'm here because I'm a teacher at the elementary school. I'm a music teacher. I've also been studying as an opera singer since I was about four years old. A lot of things to say. I wrote down a few of my thoughts.

First I want to start off with saying it's good that everybody is voicing their opinion and it's okay to disagree but we have to think about what's best for the community as a whole."

Supervisor Kozakiewicz: "I'm going to do the same thing and stop you. Your comments should be addressed to the Board. Okay?"

Liz Steffins: "Oh, I'm sorry."

Supervisor Kozakiewicz: "All right. Thank you."

Liz Steffins: "I'm sorry. Okay. First I wanted to talk about the education issue. I think children respond well to theater and all different kinds of outlets. Personally I felt as a child when I was growing up that music was my outlet. It was a place where I could really find who I was and I think that a lot of children who may not be so great in math or science or English, I think that they find their outlet in theater and that's why it's very important for children to feel that way.

Because I don't know if you know the latest comments lately, but I'm told as a teacher that now drugs and alcohol level, we have to watch out for that in our fifth grade classrooms. I mean we have to watch out for that kind of activity because children have taken to this because they have no other outlet. Because they're sitting at home with their Nintendo games and their Sega and that's where they're priorities are right now.

And I think if we had another place besides for a bar to go to. We don't even have a movie theater. I mean what do people my age do at night? They go to bars, they go out drinking, you know. I think it would be nice for some- young people to come go to the theater. I mean to go out and go see a performance. I mean we're going to breed ignorance if we continually not have a way for children to express

themselves or to see things that are different and new.

I have to set up buses to go to Patchogue every time I want to take my children to see a symphony, to see something that is so terribly important. You know, every time I play an excerpt by Mozart or Hayden or Handel in my classroom, I see some children's faces light up and they say to me, Ms. Steffin, what was that? Was that a flute, was that a harp, was that a violin? And I tell them what it is. But it would be nice if they could see that in person.

And you know, some of these kids, I play different music in my classroom. Some of them say to me, Ms. Steffin, do you know anybody who teaches saxophone out here? Do you know anybody who teaches violin? I think I'd be interested in doing something like that. That's a wonderful, wonderful way to learn. To have some kind of hobby that's healthy and constructive and creative and I think having a theater here right in our town it would just be terrific because then they could go to a concert and maybe say, hey, you know what? I really like the way that lady sang, maybe I want to be a jazz singer. Maybe I want to be an opera singer. You know? Maybe I want to do that.

But, you know, if we don't expose our children to these things, how will they ever know? It's like saying you like vanilla ice cream, that's your favorite. But all you've ever tried is vanilla. You've never had rocky road, or chocolate chip. You know what I mean? It's like- it's not giving them an opportunity to be well rounded people.

I know as myself I find it so interesting and fascinating to go to a theater and I get so excited to see my kids, we're like, you know, eight years old, who get excited from going just to see the orchestra tune. They say to me, what's going on, everybody's tuning to A. And I say oh, that's how an orchestra tunes. Do you know what I mean? Because they've never seen those kind of things. And that's really important.

Another issue I'd like to address is the fact that it is- it will be a community theater. Right now I'm currently working in the North Fork Theater. We're doing the project She Loves Me. It's a musical. We don't have any kind of real curtain. We're trying to get money to have a nice curtain. I mean this is ridiculous. It's- and it's kind of sad that there isn't a place for the community itself to perform and, you know, to have a nice facility would be a really, really, really good thing.

In fact, I also find it a problem that there's censorship of shows there. That if, you know, if they don't like what kind of show you're doing, they're going to cancel it. And that's why we need a community theater because sometimes we need different and alternative ways of looking at art and we can't have playhouses that have requirements on what's appropriate and what's not. That's censorship. So we have to think about those things, too.

Also, the benefit of traveling shows. We're talking about expenses. Cost is very important. We realize this. We say cost all the time but what is it really costing us? Is it costing us the fact that 40 years from now- we're talking about 40 years from now. Forty years from now, I'm still going to be around and my kids are still going to be around but are they going to be well rounded people? Are they going to want to go to the theater or are they going to be, you know, ignorant and not go to the theater, not go to anything that's different and scared of difference? I mean that's a reality we have to face, too.

I know we have only a few minutes, but I just wanted to say just a few things. I think the biggest risk involved is yes, will this make money for the town? Will this be a benefit for the town? And I know a lot of people are thinking about this. But you also have to think of your alternative. What will happen to the town if we don't have these kinds of things. It's- I think it will be very, very sad.

All right. I guess really that's- "

Supervisor Kozakiewicz: "I see you had a hand up but he had his hand up quite a while ago so I'm going to ask him up first and then you can be second. All right."

Liz Steffins: "Okay. And the other last comment I have to say is- "

Supervisor Kozakiewicz: "You spoke to- go ahead."

Liz Steffins: "Okay. Well, I just think it's so important to realize that children are our future and they're the ones who are going to be taking care of us when we are drooling out of the side of our mouths, you know, because, you know, I mean and that's the reality of it. And do you want somebody who actually cares and we need to make- we need to expose our children to so many things, so many things. And this is one of the most important things we can do for them."

Supervisor Kozakiewicz: "Thank you. Randy Dayton."

Randy Dayton: "I'm really glad I waited. I thought that was absolutely terrific. My name is Randy Dayton. I'm an RTC Board member. I'm a CPA by profession, the latter half of my career. The first half of my career I was in professional theater management in the non profit and for profit sector. The- I'm tremendously excited and here before the Board to talk about getting the theater open. I am for the board voting to bond the opening of the theater.

One of the big things I want to address and I wasn't even going to address this until I got here tonight. I had- have another thing written right here but I'm not going to use it because I've listened for the last hour and a half and as a CPA, I want to address, to the Board, I want to address the understanding of the bottom line. Because the bottom line to me as far as I can see it, is a lot different than the bottom line to you.

I don't think- I know I didn't as a taxpayer in this town, elect anyone of you, right, to be president of the corporation of the Town of Riverhead. I elected you to marshal the assets of the Town of Riverhead to my benefit so that I could grow and my children could grow and they could be using correctly. And I see so many people tonight write with different inflections on the bottom line and that last speaker put it very, very eloquently.

There is so much more to this project and this opening and this whole event than a bottom line in terms of finances. Now, have I read the whole business plan? Yes, of course, I'm a board member. Do I think it's feasible? I think it's cautious. I think it's realistic. I think it's prudent. I think the half million dollars that has to be raised once this gets bonded, speaks volumes about the foundations of this plan and its success.

Now I have to take- I didn't understand one of the earlier speakers in saying that shouldn't we as the Board have to raise the half million dollars beforehand because I've worked in professional theater and you never went to an angel to ask for money prior to knowing who the show was going to be and who the star was. All right?

The building needs to be built before we can go to anybody to do that. All right? But then we get to the bottom line and the bottom line is I think a potpourris, a collection of many, many things that have been said tonight, and that's the- especially in terms of what it's going to do for downtown, in terms of what it's going to do for

our children, what it's going do for our community. And to me, you know, that truly is, you know, the bottom line of this question. Thank you."

Mona Schwartz: "Mona Schwartz. I live in Saddle Lakes, a new senior community. I moved into Saddle Lakes, I was one of the pioneers. I bought my home through a floor plan and we have 196 units. The projection was if at three years there- 170 units had been sold in the first year. People are clamoring to come into Riverhead. People like myself, retired people with disposable incomes. People who want to go to the theater. Right down the road is Sunken Ponds. I understand their first Sunday they closed on the whole first section and there are many, many more developments opening up in Riverhead.

I feel that there- Riverhead is turning a corner and turning that corner involves raising the cultural level from what it has been. And I was so happy to hear an accountant before me didn't speak in numbers but spoke in the essence of what the- of the value, the quality of life.

Right now I am active in my community. I am here with several members of my community. We have to arrange bus trips to go outside Riverhead to go to the theater and so we will be regularly going outside Riverhead to go to the theater. Hopefully in 13 months, we don't have to do that anymore. We will spend our money here.

And I think the population is here and the changes are here, they're evident, and I just plead with the Board to rise to the occasion and to make the quality of life higher and certainly I know that theaters don't- we're not building a theater to make a huge profit. There might be some- but if the issue is well beyond that. Certainly it's your job to be fiscally responsible. There are people who spoke who asked wonderful questions who have reservations. But the vision is there, and the population such as- because I will be here in 40 years and I will be in that balcony and I will- and I will be- and I will watch our grandchildren enjoy the theater. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Marilyn Binder."

Marilyn Binder: "Marilyn Binder, Calverton. I love theater. But I do not want to pay for it. I don't want to be in the business of owning a theater. I think I should be given the choice of if I want to own the theater. I think it's a great idea but I think it should be privately owned. I think I should be given a choice on my

tax statement if I want to pay. It's not \$46.00 for me because my house's assessed valuation is 350 times 46 and that will go up over every single year for 10 years to pay the bond. There aren't that many houses that are \$50,000 and I don't think people understand about the money part. And I think the residents should be given the choice of voting for it.

I think it's great, I think we need something like that, but I don't want to own a theater. And I think I should be given a choice as a resident and a taxpayer. Thank you."

Supervisor Kozakiewicz: "Thank you. Tim Yousik, and then Bill. I didn't see the hand over there to the-- I caught it out of the corner of my eye."

Tim Yousik: "Tim Yousik, business owner in town and also the President of the Riverhead Improvement District. The \$46.00 a year, I'll start with that because I keep finding that quite interesting. My cablevision bill at home is over \$100 a month. So \$46.00 a year I don't find to be too expensive.

The real issue for me, first I'll start as the BID president. I'll wear that hat for just a moment. I never thought that I would be up at this podium supporting this project because I thought it was an awful lot of money. In fact, we sat with the BID board and we had several hours of discussion about it and then we called a meeting again last night to discuss it again and finally come to a final answer.

Reality is Rob Pike asked me to please keep an open mind. He would present me with a business plan and before I made any decision to please do my homework. That was a fair request. I met with him on several occasions, in fact, we even went out to lunch one day and sat and went over it. I think I did a pretty good job of picking it to death.

I'm not overly thrilled by the attendance numbers. I think it's possible but the bottom line to it is he convinced me that this project is worthwhile. And I brought that back to the BID board and we ended up voting almost unanimously to come up here tonight and support this project. That's- as a business- thank you.

On a personal level and as a business owner. As a business owner that owns a restaurant, obviously the theater could only be a benefit to me. There's no question about that. But I think it goes a lot

deeper than that and it was said here earlier tonight and I want to reiterate it. Whenever there is something good, bad leaves. You can prove that over and over and over again.

Grangibel Park sometimes has numerous undesirables in there. During the Country Fair, when that is being utilized for a good function, that problem leaves. You put good people on the street in the evening after a show, the bad goes away. It's definitely, definitely has a lot of positives.

I, like everybody else, I'm very concerned about the fact that we're going to spend a lot of money. I'm also very concerned, does the RTC have what it takes to make it work? I believe that there are some members of the board that have some expertise and stand a good shot of pulling it off. I also believe that if the town gets together and we spend the money to do this and, you know, God forbid, the RTC fails, we have something that now can be leased. It's never going to be sold. It would be way too much money. But we could lease it to interested parties and keep trying to make this work.

I think it's a positive step. I'm 100% in support of it. I will close real quick just by saying that I know there are members of the RTC that- there are people that are no longer on that Board of the RTC and it was mentioned here tonight that they raised \$46,000 the first year; they raised nine-- they lost nine the second year and they're gone. Well, I'll tell you something. I want to give a lot of credit to the people who were on that board and raised that money and worked like dogs for this theater. But still in all this project has got to go forward. Please make a decision to do it."

Supervisor Kozakiewicz: "Thank you. Bill Talmage."

Bill Talmage: "Bill Talmage from Baiting Hollow. I'm also on the RTC Board. I grew up in Riverhead going to this theater as well. Somebody just asked me why I'm involved in this, out in the hallway, I got involved in this because I got tired of hearing people say when are they going to fix up the Suffolk theater. They are never going to fix up the theater. There is no they that will come in and privately invest the millions of dollars to restore it as a theater.

The RTC is made up of dedicated volunteers. The business plan is well researched and carefully reasoned and it shows the theater will work. But it will not ever produce the millions in profits that a private investor would require. But despite all the RTC is, they cannot restore the theater alone.

Municipalities have to start downtown renovations. Private money follows. We've seen that- even the aquarium was started by the town and they've done a marvelous job- the private investment has done a marvelous job picking it up. I don't believe anybody thinks that would have happened had the town not started the process.

Look at what's happening in Greenport. They've decided they're going to fix that town up. They're doing it. Private investment is pouring in there now but they started that. They primed the pump.

The payoff of all this theater is to the people in the town, it will increase the quality of life through additional culture; it will energize the downtown after dark; it will increase the tax revenue from our downtown businesses. But there's no they, folks; there's only us. The people of our town. The payoff is to us and speaking for myself, my wife, and my three kids, we're willing to pay our \$46.00 a year. Thanks."

Supervisor Kozakiewicz: "Thank you."

Jim Golden: "My name's Jim Golden. I live on 31 Fanning Blvd. I've lived there all my life. I have some very fond memories of the old Suffolk theater. One of the first movies I saw was I think Gone With The Wind. And I think it was Gone With The Wind. But after watching all these young faces down here, these children, and listening to them, I think this is a great thing for Riverhead to do for the youngsters. Because they're our future citizens and taxpayers. And I think it's a wonderful thing. Thank you."

Supervisor Kozakiewicz: "Thank you, Jim. Ann, come on up. Right here."

Craig Boyd: "Craig Boyd."

Supervisor Kozakiewicz: "Craig. I'm sorry. The view was blocked."

Craig Boyd: "Good evening, Town Board, townspeople, my name is Craig Boyd. I live (inaudible) Court, Riverhead. Suffolk theater. Riverhead. I think the most important place you have to start is with the children. I know you heard this theme before it's true. If you do not cultivate the seed, the plant will not grow. Period. I have been blessed and had the opportunity to teach in this town, of the fellow who has come up to pay my dues, and become an educator. I don't need a pat on the back. I was afforded these opportunities by

certain events that happened and the Town of Riverhead played a major role in one of them that many of you probably never ever knew about or know about to this day.

The Town of Riverhead, Suffolk theater, Halloween. Halloween nights going down and getting your hand put over the top of your head as a little kid, coming dressed up in your costume to play. Suffolk theater. Great movies they had there. Suffolk theater. Playing on the stage with Ruby and the Romantics and the Platters. Some of you probably never knew they were in town. I had the opportunity to do so.

I'll go back. I'm an artist, a musician, been a musician since I was six years old. Ever- Riverhead's Day at the World's Fair, this is the band here, Bud Golden, (inaudible), the late George Palmer, Charlie Parker and myself, that was the original starting of the Big Men which became as Little Curtis and the Big Men. There's a paper that says 1965 and that's me on the World's Fair stage in Flushing, Flushing. I was there. I represented Riverhead. I was 14 years old and I played my heart out for this town. I worked hard and Riverhead was proud of me and the band.

What I'm saying is that if you do not cultivate and give- afford children the opportunity to grow, they're not going to give you anything back. And the arts culture, you are cultivating the mind. When you have a show in this town and you have people on stage who are acting, you have people on stage who are performing, you impress an image hope, desire, dreams in children's lives in that audience that you have no idea how much of an impact that's having. It is fantastic- it is great. But if you don't present that opportunity to them, they'll never have the dream, the visions. They see it on TV; it's not real.

So I plead with you. I have the confidence of the Town Board, have the confidence of the people who are willing to coordinate the success and work for this project and I have the confidence in the people in the town of Riverhead to not let this opportunity slide by. It is worth the venture. It is worth to afford the opportunity for this to even to start, to see where it would go. Let it happen and you'll see in turn you'll have better citizens in this town because of that.

A lot of activities happen in this town- we had a pop rock orchestra here in this town which I headed. I had all young children in this orchestra. I took these kids to the recording studio. We put

on a record. We took- the first time, we took second place in the Southampton town parade. Well, we didn't have a place really to work out. We had the building on Main Street there was very small, it couldn't house us. We had 34 people in this. But these kids today, they see me and I have been so blessed for the opportunity to have this. They come to me, hey, Mr. Boyd, how are you doing? It's so nice. Because they remember me, the good times.

Also, a lot of them have gone ahead and have now become people in the arts because of the exposure to me. I don't want to take all the credit for, like I was just saying for me, but I got this from other opportunities that I had presented to me from people who believed in me. I believe in this project.

When I was in sixth grade, a fellow by the name of Paul McGlynn, the first male teacher I had, I gave this man some lip, he grabbed me behind the neck, the back of my pants, put me in a closet of clothes like that. That straightened that all out."

Supervisor Kozakiewicz: "Can't do that today."

Craig Boyd: "But, he guided me straight. He- the next year in seventh grade, he put me in Track One. That changed my whole life. I was now with students who I liked to compete and I buckled down. So things like this, when you come to a fork in the road, some people say take it, but you've got to take the right one. If you take the right one, if you make the right move and go the right way, this is the right way, success can happen. And I'm a walking, talking success story of the process that happened in this town for me. Thank you."

Supervisor Kozakiewicz: "I just- "

Jackie Nieven: "Jackie Nieven, Calverton."

Supervisor Kozakiewicz: "Okay, I saw a couple over there, too."

Jackie Nieven: "I keep hearing throughout the night, I wasn't actually planning to come up and speak about this, but I keep hearing everybody saying, all it is is \$46.00 a year. I'd like to know if it's guaranteed to us. Is it \$46.00 a year?"

Supervisor Kozakiewicz: "That's a guarantee based upon an average assessed home."

Jackie Nieven: "Of how much?"

Supervisor Kozakiewicz: "It's \$50,000 assessment."

Jackie Nieven: "\$50,000, okay. So it's not \$46.00 a year."

Supervisor Kozakiewicz: "Assessment."

Jackie Nieven: "Assessment."

Supervisor Kozakiewicz: "Right."

Jackie Nieven: "Okay. Per \$50,000. Is that right?"

Supervisor Kozakiewicz: "Right."

Jackie Nieven: "Okay. So- "

Supervisor Kozakiewicz: "No?"

Jackie Nieven: "No. If I have a house- "

Supervisor Kozakiewicz: "When you are saying \$50,000- when you are asking- "

Jackie Nieven: "Well, let's just take my house, for example. If my house is assessed at \$200,000, what am I paying? I'm not paying \$46.00 a year. Correct?"

Councilman Kent: "No, wait a second. Assessment- do you understand there's a difference between assessment and the market value?"

Jackie Nieven: "No. Well, tell me the difference."

Councilman Kent: "Okay. The assessment- the assessed value is roughly 30% of market value."

Supervisor Kozakiewicz: "Right."

Jackie Nieven: "Thirty percent of market value."

Councilman Kent: "Yes."

Jackie Nieven: "Okay. And- "

Councilman Kent: "And we're using assessed value, \$50,000 of

assessed value. So your- with \$50,000 of assessed value, your market value is roughly \$170,000- \$175,000."

Supervisor Kozakiewicz: "Right."

Jackie Nieven: "Okay. So I keep hearing \$46,000. How realistic is that figure?"

Councilman Kent: "\$46.00."

Jackie Nieven: "I mean \$46.00, I'm sorry."

Councilman Kent: "That's based on the average assessment."

Supervisor Kozakiewicz: "That's an average. That's an average assessment."

Jackie Nieven: "It's an average."

Supervisor Kozakiewicz: "Right."

Councilman Kent: "Some will pay less; some will pay more."

Jackie Nieven: "Okay. So, I mean I think it should be accurately, you know, painted."

Supervisor Kozakiewicz: "It's an average."

Jackie Nieven: "Okay."

Supervisor Kozakiewicz: "Is the way it's been described."

Jackie Nieven: "Okay. But people- some people will be paying more. I don't know how many."

Supervisor Kozakiewicz: "And some people will be paying less."

Councilman Kent: "Some people will be paying less."

Jackie Nieven: "Do we- okay. That's all I really wanted to say, you know. It's just- everybody is saying \$46.00 a year and- "

Councilman Kent: "That's probably the worst case and that's only in the first year because it will go down as years pass because the principal goes down every year and the payment will be less

because you will be paying less interest. Okay?"

Jackie Nieven: "Okay."

Councilman Kent: "And secondly if we attract any grant money, that number will also go down. But we can't even apply for grant money until we decide to go forward with authorizing the expenditure. And then we can try and attract the grant money."

Jackie Nieven: "Thank you."

Supervisor Kozakiewicz: "You're welcome. Yes, I know there was someone else who had his hand up before you but, you know, no, come on up. And then the gentleman in the back who is sitting, who had his hand up a couple times and I know, Clete, you are also interested in coming up. Okay."

Ronald (inaudible): "My name is Ronald (inaudible). I'm actually a Port Jefferson resident and I'm here because I am the managing director of Theater 3 in Port Jefferson and I just wanted to very briefly comment on the proposal based on our experience in Port Jefferson. I supposed in a certain sense- "

Councilman Densieski: "Sir, could you speak into the microphone a little bit closer, please?"

Ronald: "Yes."

Councilman Densieski: "Thank you."

Ronald: "I'm the managing director of Theater 3 in Port Jefferson and I wanted to give some comments on what I see of the plan and of the design and of what our experience has been. In a certain sense maybe I shouldn't because in a certain sense you would be competitors of ours if it happens but nonetheless I urge you to go ahead.

The first thing I want to say is I've looked very carefully at the proposed business plan and in terms of having operated a theater in many sense is similar, smaller, but it's also a restored wonderful old building. It's something of the same character. The numbers are exceedingly reasonable. I have great confidence, it's a very conservative estimate and the things which we found are required to make something like this work is you have to have a very solid business plan, and you have to have people in there who are dedicated.

It's not going to work as a business proposition for someone to do commercially. You have to have dedicated people. And I have rarely in my life seen a more dedicated and well managed effort that I have seen in this plan.

I mean, in the entertainment industry, in the world of theater, it is highly unusual to get anything as well organized as this. So I think you can take seriously the numbers which are in that plan as being reasonable.

You have some advantages over us. We are closer to New York so there's more competition for places for people to go. We do not have a large summer population; you do.

The second thing I'd like to comment on, there was some discussion about the \$500,000 which was going to be raised before the project started. I think that is an important point; I think it was a very wise decision to write that into the contract because the other thing which causes projects like this to fail, is that their overall budget over five years is fine but they don't have the cash at the beginning to market and to make it work. And, so I think it should be pointed out that that \$500,000 is not going to be spent during the year. It is a cushion for them to work with.

Thirdly, a lot of people have talked about the benefit to the community, the children, the schools and so on. And the other thing which is certainly true, is that the plan as written does include enough leeway and space for the theater to be used for non strictly profit making activities. So those considerations are well taken.

And, finally, there is no question, talk to people in Port Jefferson, that the existence of the theater there is an enormously positive thing for property values in the area. Every real estate agent, the new Jefferson (inaudible) Life Care Facility all make a big point of pointing out the existence of a theater. So I strongly encourage you to go ahead even though it's not my position and it's not my tax dollars. I think you should do it."

Supervisor Kozakiewicz: "Thank you. Barry Barth. I have a lot of people who want to speak."

Barry Barth: "Barry Barth. I reside in Mattituck. But I own property on 32 East Main Street in Riverhead. Yeah, it's a hot topic. It was a hot topic seven years ago. We sat at the desk and we negotiated with the Town Board to purchase this building which was

certainly as big an undertaking as it was today and it met with favorable and unfavorable responses. I thought it was a good then; I think it's a good idea for the Town Board to proceed.

I can't imagine that we would let this jewel slip through our fingers. I can't imagine that we would let a bulldozer attack that building. And we waited, the Arts Council looked at a feasibility study, I sat on that board. We found that with our volunteers and the paid staff that we had, we didn't have the expertise, we didn't have the drive. Rob Pike and his group have come forward. They have a business plan. I don't believe that Rob Pike and his group is going to let this thing flounder in the least bit.

I personally as a taxpayer, I'll put my money on the table and I think it's the right thing to do. Thank you."

Supervisor Kozakiewicz: "Thank you. Clete Galasso. You want to address us as well, after Clete? Is that all right?"

Clete Galasso: "My name is Clete Galasso and I live in Jamesport. I'm here to address the Board on the topic of the Riverhead Theater Corporation's business plan for the Riverhead Theater. The RTC's business plan is much too risky, with no substantial rewards for the citizens of Riverhead.

The management agreement between the Town of Riverhead and the RTC does not address two important scenarios. One would be if the RTC fails their obligation to raise \$500,000 in operating expenses by one week after the grand opening of the theater and the second would be if the RTC raises a sum less than \$500,000. There are no provisions or protections for the town in either of these scenarios.

The town would end up in the position of fulfilling their part of the agreement and be responsible for a \$4 million dollar bond and have a tenant in default.

The RTC plan states because of Riverhead's location and closeness to the Long Island Expressway helps explain the viability of Tanger Outlet stores, which I agree. However, the stores at Tanger are name brands at reduced prices. The RTC acknowledges that they will not be able to bring top acts at reasonable ticket prices. At best, they would be able to attract acts that are either on their way up or on their way down. Tanger would not be a success if the stores consisted of products that fit this profile.

The total exposure for the Riverhead taxpayer with interest is \$6 million dollars. This assumes that the town will make \$200,000 a year in principal reductions and \$200,000 a year in interest payments. The RTC's proposal would be to reimburse the town approximately \$44,000 a year. This is art on welfare.

In closing, the arts and theater are traditionally funded by grants, endowments, donations, and sponsorships. The arts should not be supported on the backs of the Riverhead taxpayer. If the members of the RTC are confident in their ability to be able to succeed, then they should find investors from the private sector, purchase the building, complete the renovations, and make the theater a success. Thank you."

Supervisor Kozakiewicz: "You want- Mr. Golden."

Herb Golden: "I'm Herb Golden, a resident of Laurel. I just wanted- I'm a member of the board of the RTC. I'm hearing all this tonight. I'm sure you have gotten the message of the cultural importance to the town of having this theater. Beyond the cultural side, I think you've got to understand, you've got to look at what it will do economically for the town. I'm a former banker, 40 or more years, and I've loaned hundreds of millions of dollars to theaters, not this kind but theater chains and large theaters. And so I came into this thing sort of skeptically as some of you know. But that was on the basis of we were going to have a movie theater there and a movie theater just wouldn't work there so we got over that and got into this thing.

And I think you will find that the business plan is very realistic and doable. It's a- it has been carefully researched with a lot of similar theaters in the area, in the region, and it's a perfectly logical kind of thing. As I say, I went into it skeptically. It was only after some of this research and some of this calling on other theaters in the area and seeing how they were doing that I came to the conclusion that this is really a workable kind of thing. I'm not saying commercially it's going to be any bonanza because it surely isn't. And it maybe we won't be able to meet all our obligations every year and there has to be then, like there is in every other theater out here- not only out here but in the whole country, then you've got to look for grants and contributions and other subsidies of some kind.

But in viewing it that way, I think you've got to look at the economics to the town and the economics are good because what it will

do to Main Street as you all know, and what it will do to property values is clear. So I just wanted to urge you to take that into consideration in looking at the plan."

Supervisor Kozakiewicz: "Thank you, Mr. Golden. Wally."

Walter Baier: "Hello, my name is Walter Baier (phonetic). I live on Main Road, Aquebogue. I just want to, number one, thank the lady from the senior citizen home place- I mean Saddle Brook, I believe, is the name of it. Excuse me for that. Most seniors- "

Supervisor Kozakiewicz: "Saddle Lakes."

Walter Baier: "Saddle Lakes. Most senior citizens don't wish to give back to the community. They want to take a little more. I wish to give back. My children were raised here; possibly my grandchildren will be raised here. I'd like to see something go back into the community for them, for his grandchildren, your grandchildren, not just for my own. This is what a community is.

I want to see this thought of more as a recreational facility than a theater. I don't want to hear how much money are we going to make. We don't ask how much the baseball fields make; we don't ask how much the soccer fields make; we don't ask how much the parks make; we don't ask how much the new boardwalk makes the town. They are for the betterment of the community as a whole.

I think we have to think of the theater along these lines, away from the fact of how much is the \$46.00 going to take away from my pretzels and beer on a Saturday afternoon. I pay \$250.00 a year for garbage collection; I don't want my garbage. I'll pay \$46.00 a year for a theater. I'll pay \$92.00 a year for a theater for my children and grandchildren and I wish you people would vote for the bond, get the building done. It is a beautiful building. I have toured it. It has wonderful craftsmanship, plaster work, paintings, murals, terrazzo floors that should be saved for the community as a whole.

And I want to say that the money will come back if it is renovated. I don't think anybody who has put a new window in their house or a new floor in the bathroom that it hasn't come back and sold at a higher amount. So I don't think we're throwing money away here and if we are using money that is for the community, I am all for it. Thank you."

Supervisor Kozakiewicz: "Thank you. Donna, did you want to

speaking? All right, Ted."

Donna Goodale: "Yes, but we're going to have Ted go up first."

Supervisor Kozakiewicz: "All right. Ted."

Ted Lutski: "Hello, I'm Ted Lutski. I own a small business on Route 58 in the automotive area. We've been in town for four years and I was a member of the theater board and I had a wonderful time on it and the committee worked well before and is working well now.

It's very difficult to be- I don't know how you can be against the theater. Really. It's a wonderful project and my primary purpose here is to change your perspective a little bit on the theater and I think perhaps you may need some more data.

The written business plan is extremely well done. I would say it's a little optimistic and, of course, we all tend to be that way because we want the theater to be open. I'm speaking for myself, by the way, not the committee. However, I think there are two important aspects that really were mentioned in the business plan but really haven't been studied.

The most successful performing arts center, because that's what we're talking about-- theater is only one aspect of it- in Suffolk County is Staller Center. Staller Center has not been reviewed. Now, what I would think is that if you could get the numbers from Staller Center, put them through this analysis, deduct the state funding aspect, then you can see whether it's a realistic business plan. That would be the most positive thing to look at.

On the negative side, I think most of us have heard of the problems, or some of the rumors about the Patchogue Theater. The Patchogue Theater, we don't want to be in that position in four or five years. We are close- if you look at the demographics, what they wanted to do, I mean, they wanted to have a successful theater in Patchogue and so do we. Have we really looked at the Patchogue Theater and studied what went wrong there, why are people taking about the board members in Patchogue suing the Town of Patchogue? Things of that sort alarm me.

So, I would say- I'm asking the Board that, not to make a hasty decision. I think the majority of people in town want a theater but there are more areas that you need to investigate and study before you can make a quick decision on it. Thank you."

Supervisor Kozakiewicz: "Thank you. Donna?"

Donna Goodale: "My name is Donna Goodale. Nobody more- I was the former chairperson on the fund raising committee of the RTC. Nobody more than my husband and I would like a theater here in Riverhead. And in so proving it, over a two year period, we have put in over \$40,000 of our own cash to see that the fund raisers were a success. Our first fund raiser, in order to throw it and show a profit, we had to raise over \$50,000 and my husband and I personally guaranteed- we raised 30 something and we need another 20- personally guaranteed that if we didn't do it. So I believe in the theater.

But I do believe in doing it responsibly. You have a responsibility and doing it correctly. And in so doing it correctly, that means reviewing this- I wouldn't call it a business plan. As colorful as it is and as well written as it is, it's very well written, it doesn't address any of the major issues as to you are opening a theater, why are the other theaters except for Staller as Ted has so eloquently before me, why are they failing? How- why are they failing? How can we counter that. What do we know, what should we do so that we don't make the same mistakes?

The reason why we left the theater board is because when I put in my money and my time and I have people tell me that they don't give a damn what I think, they're going to do what they want to do, then I have to leave the board so that- to let this project go forth, that is why we left. Not because we lost \$9,000.

We left the board- first of all, we raised \$50,000 to have a New Year's Eve party and the profits from that was over \$50,000. So that's \$100,000 when you look at it. Then for the next year of fund raising, we raised at least- 40- I wouldn't say that we did much more, but we at least broke even. After what was happening on our board, I didn't feel comfortable going to the people- when I go and ask for money, people gave- this board, the RTC, got its reputation on the hard work of my committee.

That's the Ted Lutskys, that's the Diane Groebers, the Augie Groebers, the Tracy Starks, the June Barths (all phonetic). They got that reputation because of us so I feel I owe a responsibility to the people and I have to apologize because I left- because when I signed on to this theater committee, I signed on to have something that was fair and honest and there's a lot of camouflaging going on in here. And it needs to be addressed.

I mean I have a whole- I'm not going to go over it. But the most important things are (a) is that, first of all the board has a responsibility to the taxpayers. And if this RTC does fail, I hope that they do succeed, but I think you need to get an objective conscientious business plan. We raised that money to hire an outside consultant. This theater plan was done by the board itself. There is no objectivity in here. Nowhere in here does it list that these other theaters that they're talking to are losing money. And they are. Some of them haven't even paid their mortgages. It doesn't list any of that in here.

So my point being is that I would like a theater. I would like it done correctly. People got on the bandwagon again because our faces were out there. They gave money to Donna Goodale, to Diane Groeber. They believed in the Donna Goodale, the Diane Groeber. I feel I have a responsibility to you to tell you yes, let's do a theater but in responsibility might I add, the Riverhead Theater Corp. should have hired an outside consultant beforehand, not be told to do this. And in so doing that, we would now be here saying let's go forth. Because you have an objective conscientious view from different people that have no personal vested in this whatsoever. That you see all sides and that's what important, you are seeing all sides.

And that- this is not a business plan. This is a draft. This is something that you draft up and you would hand a proposal to someone to draw up a business plan. And for the most part, most people read it, it's great, it's wonderful, it's beautiful, it's everything. But you don't understand that. Most people wouldn't understand-- I had to have-- I hired someone to break it down to me, to explain it to me. I didn't understand it. And I think these are really important things. The Town Board has a responsibility to its taxpayers and understand taxpayers.

Now if you're going to vote for this, that's all good and fine. Vote for this knowing that if it fails you, the taxpayers, are going to pick up this. You are going to pay this unless they- unless you say forget the theater, drop it and you sell it. If you are going to keep in functioning as a theater, we, the taxpayers, are going to pick up this deficit. Are you willing to do that? And that's good and fine. If you are then that's good and fine. Then you vote for it and that's good. I want it to go ahead but I think it needs to be researched more before you move ahead on this, based on this business plan.

And as a-- the theater corp had a responsibility to us. You are asking us, the taxpayers, to- I'm not talking for myself, for people that have families that can't afford to do this. You are asking them to step on the line. And another issue to the Riverhead Theater Corp., a couple of the members, anybody who knows me knows I put my money where my mouth is. If I believe in something, I'm going to give you money. My husband has to take the checkbook sometimes. I'm going to give you the money. No one that's on that Theater Corp. Board now put one doggone cent into it. And it seems to me, I feel comfortable when people do things. When you put your money where your mouth is, see I believe you. Ask who on that Board has put money into it. Ask who has put money into it. Ask them. Because, see, when you put money into it, some of those Board members are very wealthy.

See a Board is set up in many different ways. A Board is set up. You have the work-a-bees who may not have the money but will work hard and do what you want. You have people that have money, don't want to work, but they want the glory. Then you have people who have money and work hard and will do everything. Ask them whether they fit into that category because I believe people when they put their money where their mouth is. Ask-- if they're wealthy, I think they should make a proposal to put up some money. Not raise it.

They talk in this supposed business plan, this alleged business plan might I say, that like they have the money already. I don't know too many more people around here who is donating to this. And understand, I want a theater. I want a theater very badly. I was on Broadway. I worked in Europe for 10 years. I am a professional. I know about running theaters. Can I do a better job? That I don't know. But when you ask me to go in my pocket and to take a chance, you need to come up with a comprehensive business plan and not hand me pretty colorful paper with a lot of writing, a lot of very good writing on it. You need to hand me something very substantial when you're asking me to take a chance.

And that's the responsibility that I feel as though- not that you don't know that but sometimes in life we all need to be reminded of things. You have a responsibility to the taxpayers of this town. And also to be honest, let them know exactly what's in for. You know, I don't have a problem-- in paying. If you're going to take a chance on that, then I'll have to go with that. But people need to know that, you know, even though you say and we've been dancing around the issue here. We've been dancing around it very nicely. The bottom line is if this fails, the taxpayers have to pick up the deficit. And that I want understood. And if you understand that, and you vote yes, then

we're clear on it because I don't want anybody coming back and saying, well, Donna, we did this because of you. Because we were the ones out there in front telling you yes, do this. But, yes, do this. If you are going to do this, yes do this. But do it correctly and understand the downs, the pitfalls as well as lots of wonderful highs and I want everything for the children. But do it responsibly. Don't do it because well, that's the politically correct thing to do. There's a responsibility there. Thank you."

Supervisor Kozakiewicz: "Thank you."

Maureen Gale: "My name is Maureen Gale. I'm also a new resident and new taxpayer of Riverhead. I live in Saddle Lakes along with Mrs. Schwartz that spoke before. And I am also on the recreation and entertainment committee there. We have now about 75 families out of a prospective 196. It is a 55 and over community and as Mrs. Schwartz said a lot of people are retired and they have a lot of disposable income. This Sunday, we are taking a group of 35 people to Oakdale to the Creative Ministries Theater to see Fiddler on the Roof.

I am a theater lover. There are a lot of theater lovers there. And as you've heard all the positive aspects of having a theater and the benefits to the community, I just would like to add my support to restoring and putting in to operation the Suffolk theater. Thank you."

Supervisor Kozakiewicz: "Thank you. Mr. Shunk."

James Shunk: "My name is James Shunk. I live at 25 Kings Drive. I'd like to speak for the musicians in this area. We've heard about children, the need for a theater and arts and entertainment. It's true. But as far as the musicians go in this area, you have some wonderful, wonderful musicians here. To name a few, Bob (inaudible). Anybody ever heard him play the trombone? He's amazing. The Lamendolas (phonetic). Randy Reeve. The last time I played with Randy Reeve, we were stuck in some small room in back of the library and that's a crime, that's a shame. He's a wonderful, wonderful musician. He's taught just about everybody on eastern Long Island. And it's really a disservice to him and to the community to have to be stuck in the small room. Crowded outside the door like these people are here tonight, can't even hear him, flourescent lights, static coming through the amplifiers. It's- I would like to see the theater go through.

I have heard about the undesirables in Grangibel Park, some of

those people could have been excellent musicians. There's one in particular that could have been another John (inaudible) but there was nowhere to play, there was no avenue to go.

Now, if we present that, that could be, you know, sad to say, that could be one of our children ending up like that. Have the talent and nowhere to go. But if we have a chance to do this, I think we should- I don't care what it costs. Thank you."

Supervisor Kozakiewicz: "Thank you. Bob."

Bob Tressler: "My name is Bob Tressler. I was born and raised in Riverhead and still live on Roanoke Avenue. Like Rob Pike I have many fond memories of that theater. I remember seeing the Beatles movie Help there and screaming from the start to the finish of that movie, wouldn't sit down and shut up. It's a great piece of architecture that really rarely exists anywhere else in this country to this day. And I also remember when it closed and didn't give it a lot of thought. Figured, well, you know, it will reopen soon enough. And after a few years it became apparent that it wasn't going to reopen. In retrospect, it's probably the best thing that ever happened to it because it survived what happened to the rest of these theaters in the late '80's and '90's, it didn't get chopped up into two or three smaller sectionalized theaters. It's still the way it was the last time I was in there and it presents a real unique opportunity that you're not going to get again to make that the jewel of the revitalization of downtown Riverhead. And I urge you not to pass on it. Thank you."

Supervisor Kozakiewicz: "Thank you."

August Groeber: "My name is August Groeber. I live at Union Avenue in Aquebogue. I first got interested in the theater when they had dropped the ball- well, not dropped the ball, but nothing was getting done. There was no committee; there was nothing. And I went in to the previous administration and I said what are we doing? Fix it, sell it or do something. And then the more we looked at the theater and we found-- we went to Chicago to meet with the League of Historic American Theaters. They had the same exact scenario. Dennis Stankovich (phonetic) came from Tippin (phonetic), Ohio. All the stores were boarded up. The town was moving to the mall. And he came and he spoke and now every store is rented, the whole downtown is revitalized. On Friday and Saturday night, they bring 1,000 people with suits and ties and money. They come into the- the riffraff left, the drugs left and what I'm basically trying to say is if you're

looking for a bottom line or you are looking to say should we be in the carousel business, I don't know. That's your decision to make. But basically you do need the facts. And the facts are- because I met with the League of Historic American Theaters twice, once in Philadelphia and once in Chicago. And there are 200 theaters and they are revitalizing downtown and they do have a family spirit with the town because of it and it has a lot of positive aspects.

Now the downside, which Miss Patterson had mentioned and a few other people had mentioned. Is it going to make money? Probably not going to make money. Are they going to raise \$500,000? I'm going to come back to you next year and you are going to say how did you know? Okay. This is not- you don't have to be a fortuneteller to say they're not going to raise \$500,000. Nothing in this town has raised \$500,000. We've raised \$40,000 and \$50,000 out of that \$40,000 came out of the people that are no longer on the Board's pockets. Okay.

But basically I'm urging you to vote in favor of this because I feel the positives will outweigh the negatives. Will they make money? No. Will the library make money? No. Will the high school make money? No. Okay. But what it will do- I'd like the people to say instead of oh, you live in Riverhead? I'd like them to say, oh, you live in Riverhead! Okay. And I think we can do it and I think it's going to take a little initiative and a little foresight to take this bull by the horn. Thank you."

Supervisor Kozakiewicz: "Thank you. Gentleman in the back."

Richard Ludlow: "Hi. My name is Richard Ludlow. I'm a resident of Jamesport. I'm coming out in favor of the theater basically because I'm a musician and an actor. I know many young playwrights and actors that would love to have a forum and also aspiring film makers which would love to have a venue to actually have their work seen and recognized, something that I haven't seen yet in this town. And that's about it."

Supervisor Kozakiewicz: "Thank you. Anybody else raising-- yes, on the-- it's Tracy- okay, I didn't see who was. Okay."

Tracy Stark: "Tracy Stark. Riverhead. I'm also a member of the board of the East End Arts Council and we didn't have time to come forth with a public statement. I'm just not going to take up any more of your time. I have a number of questions I would like to ask that you keep this open for public written comment."

Supervisor Kozakiewicz: "Thank you. Bob."

Bob Gammon: "Good evening. My name is Bob Gammon and I reside in Laurel and I own two businesses in the Town of Riverhead. For a change, I've been doing a lot of listening instead of a lot of talking. And it's very evident to me that we have two factions here, as it is to you, I'm sure.

And one of them I have to sympathize with both factions to be quite honest. Being a private businessman I understand expense. And it seems lately all we've seen is an escalation of costs in the Town of Riverhead. And unless that is brought under control, I think you're going to have a very hard time getting a general consensus of opinion.

I'm here tonight to ask the Board one simple question and that is if we ever do get the Grumman project off the ground and we become the recipient of all these tax dollars, do I have a commitment from the Board that this money will be used to help offset the expense for the theater proposition? Do you have that power to do that? That's the first question that I have. And, if so, would you be willing to do it? Because I think it's very deceptive on everybody's part to assume that it's only going to cost \$64 because I being a businessman, I'm very realistic. And I know what my properties are assessed at and I can tell you it's going to cost me a hell of a lot more than \$64 a year. And I think all business people are very concerned about that because it's not only the \$64 plus that we're concerned about but it's the continual escalation of prices, everything.

I mean now they're talking \$2.00 a gallon for gasoline, insurance costs are getting higher, everything is getting higher. I hear all these rosy scenarios put forth with respect to how everything is going to bloom in downtown Riverhead. Well, right now we have a swimming pool to for the geese and for the ducks on Main Street. Nothing has been absolutely finalized with that proposition. I understand we have a cutoff date and if they don't exercise that, what are we going to do?

And then even if on the positive side we have Swezeys do everything that they have promised to do, what is going to happen to all the vacancies of those buildings on Main Street, Riverhead? So I think all of these factors have to be taken into consideration with respect to your deliberations.

I am possibly for the theater. I'd like to go on record saying

that with great reservation. And I'd like you to really duly consider what is going to happen. I mean, all of us have just recently gone through what I classify as more than a stock market correction. This has impacted a lot of people in the Town of Riverhead. Now if we have the same scenario happen when Swezeys either vacates or goes ahead with their project, God help us when all of those stores on Main Street in Riverhead fall vacant at once.

We've got to think of these things long range. Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Helen Jones: "Hi. Helen Jones, Riverhead. I've been here about four years and I've stated before to the Board that I came here because Riverhead was going to become an arts district. And I'd love to see that happen and I think the theater will also help that. I've seen the change in Riverhead in the few years I've been here and it's a wonderful change already. There are people walking around the street. You actually see people just walking around town, enjoying themselves. This town is looking better. And I can fully appreciate the concern for the increase in taxes, the burden, you know, of the economy, and I also probably feel more strongly towards the voices that have been saying how important it is for the culture for the community. And I'd like to ask for the balance of (CD ended). I am in favor of this theater. If things do get tight, budgetarily, over the years as things always do, you know, it goes up and down, wouldn't it also be nice if when things get a little pinched you also have a wonderful Main Street in Riverhead where you can just go and do things. And it's there and it's yours. So that's all. And thank you."

Supervisor Kozakiewicz: "Thank you. Unless there's anybody else, what I'd like to do is- Rob, you have some comments? Yes. Rob. Are you going to ask that we keep it open for a week?"

Councilman Kent: "Phil had some questions. Until a week from Friday. Keep it open until April 27<sup>th</sup>. I know that the East End Arts Council Board has a meeting next Tuesday and they'd like to submit comments- so Friday, the 27<sup>th</sup>."

Councilman Densieski: "No objection."

Rob Pike: "First of all, I want to thank everybody who cares about the theater and the future of the Town of Riverhead for coming.

There's one thing you can be completely confident about. The Suffolk Theater will always be controversial and I think that is a measure not of a problem but the meaning of what we're facing. This thing really does, if successful, mean a great deal.

I probably spent too little time describing some of the experience so if people think that we are under-experienced, I just want to remind you of Herb Golden's credentials. This is the man who helped finance the film industry in LA for an extraordinary amount of time, help finance movies like High Noon, all of the Hitchcock movies. 80 Days Around the World. He built an (inaudible) portfolio on expertise of theater and entertainment industry finance that resulted in a quarter of a billion dollar portfolio, a profitable one. He understands how these businesses run.

He's also the guy that walked the mud flats of Anaheim, California when they were undeveloped with two brothers named Walt and Roy Disney. He saw their vision; he believed in their vision; he financed their vision and Walt Disney and Disneyland sprouted from the mud flats.

We are not unexperienced on the Board of the Riverhead Theater Corporation. The man here toured Yul Brynner around. That must have been a challenge, getting in and out of production facilities around North America. He's been on the road. He helped run Guild Hall. We are not without experience on the Board.

We had outside consultants do this work, too. And, believe me, the guy who took (inaudible) Black around North America, the guy who took Paul Simon into China, into the Soviet Union and into South America- South Africa during apartheid has an objective look at what (inaudible) economics, production, load in, load out, all of the logistics of making it work. His name is Brian (inaudible). He now runs Radio City Music Hall. He now runs Madison Square Garden. He's run all of the tiny little clubs that got him there. And that man's content, his belief, his objective opinion, is in this plan.

We will continue to take as we have promised constructive concern and the constructive criticism that we get and learn from it. But the simple message that our research says is that theaters like this work all the way across North America. Patchogue is an example of two people trying to fight- fighting to run the same theater. It's not failing because they're failing, it's failing because people both want to run it. Sounds similar. But it's not a sign of failure. Patchogue.

The Staller Center is so out of scale with what we do that basing what we do on a facility that is four times larger and has guaranteed state funding in what they do would be disastrous. It would be silly. I would be imprudent as a businessman to model an 800 seat theater after one that's over 2,500 seats. Eight hundred seat theaters exist all the way across North America, and they work.

Camden, Maine; Keene, New Hampshire; Rutland, Vermont; Metuchen, New Jersey is a little bit bigger. They're everywhere. And we will go and learn from them as we get farther and farther down the road.

Attendance. Look, we're only taking the risk on about 20 shows a year. That allows us instead of trying to cram every act into this facility, to choose the ones that we know from our research from a guy named Steve Martin who controls 11% of the touring business in the United States that all of the (inaudible) involved would go through, Steve Martin was born and raised in Riverhead; was here last Saturday going this thing is going to smoke. It's really going to work. It works everywhere. This is not rocket science. All it takes is dedication, focus, a vision that works across the country localized to ours.

But enough details. We've talked about this. We will answer any questions. The \$46.00 a year number is real. If you have a very expensive million dollar house you are going to pay more. If you've got a tiny little house, you're going to pay less. And I guarantee that the Riverhead Theater Corporation will do everything we can to assist the town to defray that cost.

We've talked about that number because it's an honest average cost to the honest average taxpayer in this town. It's the real number. I don't want to try to explain Zabby now. I won't. When you spend the \$46.00 you don't get to keep it in the bank and count the interest. You've spent it.

In the final analysis- everybody- I expected there would be more car metaphors about what this is, (inaudible) but everybody knows that I am a great lover in boats- of boats. And I want to end with a boat metaphor. The Suffolk Theater is an old boat. She's been beat up. She's been through some storms. She actually landed and got beached once. She's sitting there. But with this business plan and with those architectural drawings, we can convert that old boat into something really beautiful. Her lines will be fair; she'll sail smoothly. We're going to put an engine in it, a new economic engine in it and the engine isn't some Mercedes Benz, you know 12 cylinder

gadget from down South, it's the Chevy 351. It works everywhere. This is not rocket scientists. She's sturdy enough to handle the rough seas. She's sleek enough to work in calm water and I basically hope that we will do something very simple. That we will fix her up, that we will launch her. We'll have a very, very big party when we christen her and then all of us, 800 of us at a time, will be able to go together on the great adventure of her life from here, right downtown Riverhead, to the ends of the human imagination.

The opportunity is here. The plan and the fixed cost and the way to pay it and a business plan to run it. It's time to set sail."

Supervisor Kozakiewicz: "We will keep the- we can close up the public comment for now and East End Arts Council wishes to provide us with written response. We will allow written comment until close- what was it, April 27<sup>th</sup>? Close of business April 27<sup>th</sup>. Thank you."

Public Hearing left open to April 27, 2001

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Public Hearing opened: 10:30 p.m.

Supervisor Kozakiewicz: "And now, this should be a quick one. Well, Mr. Wells is here. I'd like to finish up our last Public Hearing and then we can take a break. All right. Barbara, the time being 10:30, if you would, please, call the last affidavit of publishing and posting."

Barbara Grattan: "I have affidavits of publishing and posting of a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue-- "

Supervisor Kozakiewicz: "People, people. Hello-- please, we've got one more public hearing to finish up. Please."

Councilman Kent: "Please, would you go outside in the hall?"

Barbara Grattan: "Riverhead, New York on April 17, 2001, at 7:25 p.m. regarding the consideration of the purchase of development rights of 20.1 acres of Vernon F. Wells, Jr. located on Sound Avenue, Riverhead."

Supervisor Kozakiewicz: "This one was one of the parcels that we should have addressed at our last public hearing- or our last Town

Board meeting. We had a series of properties on for discussion regarding the acquisition of development rights. And this particular property which was described by Barbara as 12.1 acres of land which is located on the southeast corner of Sound Avenue and Phillips Lane was for reasons not apparent left out.

This property, like the other Wells' properties, is being purchased at the price of \$13,500 per acre. The county is paying \$13,00 per acre; the town is paying \$500 per acre. The appraised values have come back to show that this is a fair number.

Mr. Wells, I don't know if you want to comment at this particular time."

Mr. Wells: "I think enough has been said."

Supervisor Kozakiewicz: "With that said, is there anybody else who would like to address the Board with regards to this public hearing which is to consider the acquisition of the development rights on that parcel, 20.1 acres of land? Nobody commenting, I declare the public hearing closed, the time of 10:32."

Public Hearing closed: 10:32 p.m.

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Supervisor Kozakiewicz: "At this point we will honor your request to take a brief break."

Recess: 10:32 p.m.

Meeting reopened: 10:42 p.m.

Supervisor Kozakiewicz: "All right, ready? You've got it running, Barbara? Okay. Let the time reflect that the time of 10:42 has arrived. I will reopen or reconvene the Town Board meeting. We are in open session. Anything to deal with resolutions, five minute rule, please. Yes, Mr. Prusinowski. Two minute rule for you, I'm told."

Victor Prusinowski: "We have a very important meeting to attend immediately following my remarks, former Councilman Pike and I, in the good tradition of Riverhead politics. Vic Prusinowski, Elton Street, Riverhead. I notice there's a resolution, 384, or there might be a substitute presented, I don't know, the rumor I hear."

Anyhow, I'm in favor of this resolution. I think it's time for professional representation on the Cablevision negotiations and I don't think anybody who's obviously not qualified to represent the town should be negotiating with I call the Evil Empire who, by the way, has their own performing arts center, it's called Radio City Music Hall. In the last four years has brought hockey teams, basketball teams, arenas, expanding empires into the Internet business and is growing by leaps and bounds. So I think it's a wise move to hire professional legal counsel to sue them on the senior citizen discount whatever.

On a personal note, I think it's time for you fellows to possibly assert a moratorium on residential development in the town until the master plan is in place. I think it's something that is on the minds of most Riverhead residents. I know it's something that would have to be very carefully put together. But I think it's something that we've been talking about for 15 years. I know you're not paying attention, but it's a very serious issue."

Supervisor Kozakiewicz: "Thank you. No, we were paying attention. Rolph. Mr. Kestling is coming up."

Rolph Kestling: "Rolph Kestling, Wading River. What do you want to hear first?"

Supervisor Kozakiewicz: "Tire's removed."

Rolph Kestling: "Huh?"

Supervisor Kozakiewicz: "Tire's removed."

Rolph Kestling: "That's exactly what I was going to say. The tire was removed on Thursday but I don't think the town did it."

Supervisor Kozakiewicz: "Yes, they did."

Councilman Kent: "Yes, they did."

Supervisor Kozakiewicz: "Oh, yes, they did. I spoke to my town engineer."

Rolph Kestling: "It was removed, but not by town employees."

Supervisor Kozakiewicz: "I beg to differ, but that's all right. Go ahead."

Rolph Kestling: "All right. I've got a couple of questions that I want to ask. First of all, this one is- there's five public hearings which are important and Board members just wander off and come back a couple minutes later. I think when you have a public meeting, you know, something like here, they've got to sit and listen to everybody's comments. When they disappear, people come up to comment, they're not there to listen to them. I don't think that's right.

The second one."

Councilman Kent: "We do the best we can, Rolph."

Supervisor Kozakiewicz: "I understand- I understand your complaint. Go ahead."

Rolph Kestling: "Okay, now, this one is Riverhead. I think it would be more just for you. When people are up here and they start talking to the audience, you keep saying, address the Board, address the Board. And I notice you only say that when the people maybe don't agree with you but it's something- "

Supervisor Kozakiewicz: "Not true."

Rolph Kestling: "You had here- were talking about and were talking-"

Supervisor Kozakiewicz: "Not true, but go ahead."

Rolph Kestling: "Well, can I make- "

Supervisor Kozakiewicz: "You're entitled to an opinion."

Rolph Kestling: "-- can I blow a whistle every time you do it?"

Supervisor Kozakiewicz: "You want to run the meeting, go ahead. Go ahead."

Councilman Kent: "You can't blow a whistle and you can't yell fire. Okay?"

Rolph Kestling: "Okay. On 416, approves amended site plan of 400 West Main Street, Peconic Office Building. If I'm not mistaken on the last meeting, I noticed that under Applications and that very night as we were leaving the meeting and going home, I happened to

pass the building and the lights outside were all ablaze and everything is there, the parking lines are in. I thought you were not going to do that anymore. But you keep doing it."

Councilman Lull: "They did it before they came to us."

Supervisor Kozakiewicz: "You're right. They made the improvements before we acted on the site plan. Now the question is when they come to us and apply for a building permit, they're going to pay twice the fee."

Rolph Kestling: "He's making me smile a little. Of course, I don't believe it."

Supervisor Kozakiewicz: "They must by the code change."

Councilman Kent: "They will pay double."

Supervisor Kozakiewicz: "Bill Kasperovich."

William Kasperovich: "William Kasperovich. I'd like to as a question on Resolution 385 where you take an irrevocable letter of credit drawn on Suffolk County National Bank, letter of credit number so and so in the amount of \$90,000. At the last meeting we approved a resolution taking this fellow, Zoumas Contracting Corp., his passbook in the low six figures. Now if we've got his passbook tied up are we drawing this letter of credit on the same money, which is (inaudible)."

Councilman Kent: "It's up to the bank. If the bank wants to give us a letter of credit, they have to keep track of what money- whether that money is encumbered or unencumbered. So if the money is encumbered and the bank is giving us a letter of credit- basically the letter of credit is not his letter it's the bank's letter saying that he's got the funds."

Supervisor Kozakiewicz: "If he fails to do the work- "

William Kasperovich: "All right. But I asked at the last meeting that we get something from the bank on the passbook and- "

Councilman Kent: "We have the physical passbook, I believe."

William Kasperovich: "That doesn't mean the bank can't use the same money to give him credit over and over again on the same money."

This is an old, old gypsy trick and that's why I asked at the last meeting and I think we ought to make sure that we don't get nailed by that again. If a man gives out a passbook that's below six figures, he doesn't have much money of his own left. If he's working on credit and he doesn't have money to back it up- "

Councilman Kent: "Isn't that the bank's problem?"

William Kasperovich: "If we get stuck with it- "

Councilman Kent: "I think the bank would get stuck with it."

William Kasperovich: "No, banks have a way of getting out.  
We- "

Councilman Kent: "We get the gist of it."

William Kasperovich: "Let me not use my five minutes. On Resolution 383, you authorize the law firm to commence litigation to enforce the town code of the Town of Riverhead and other than that, resolved for what basis the entire code or what part of the code- there's no indication of what this situation is in the resolution. I don't think this would spell out what the case would be but there should be some indication, not the entire town code."

My last comment is on Resolution 419. In the last meeting when I brought it to your attention and I spelled out to- I spelled out to your Deputy Supervisor Assistant in detail an example of why I was commenting on the situation as it was in that I went through something very similar in the Town of Brookhaven. Now I question a resolution that has a declaration and covenants and it refers to an individual, refers to an individual. It shouldn't be. Whereas referring to prospective owners with limitations of what are owners, prospective owners, what limitations, it doesn't say. And the declaration of- that the following covenants which shall run with the land and shall be binding upon all purchasers and holders of premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit- if we don't have the initial point clear and explicit, we cannot go in any of these directions. One of the points is no place in this resolution does it say properly and legally who the owner is and it can be torn apart in court. It would not hold any water in court. You cannot make a deal with an individual which is what you're doing here.

Now, you talk about Article 19 of the last Resolve, that the

residents- no use permit shall be issued prior to the Town Board's receipt of a letter from the Greek Orthodox Archdiocese of America that the nuns proposed to reside at the premises have been tonsured, sanctioning them as nuns or as novices blessed by the Bishop to prepare to be tonsured. You cannot use the title of Bishop without a name. You cannot use the title of an Archdiocese without an address or a location of offices."

Supervisor Kozakiewicz: "Okay. So you are asking us to provide more detail. The bottom line is the covenants and restrictions will not be accepted for filing unless they're filed by the appropriate party on behalf of the property owner. If they're a corporate entity and the individual is signing in that capacity then-- otherwise the covenants and restrictions will not be accepted for filing.

I mean if I were to file a covenant and restriction on your property, it's not going to be accepted. If you were to file it on someone else's it's not going to be accepted. The property owner who is the one in title who has got to be verified by Real Property Tax Service when these covenants and restrictions are taken (inaudible) away, is the only party that the Real Property Tax Service will allow a covenant and restriction to be filed and brought back to us. The covenant and restriction is a prerequisite for they can receive a building permit and also they will be required to pay site plan fees, which I think they paid already in this case."

William Kasperovich: "How can you write a resolution without the explicit designation of the owner?"

Supervisor Kozakiewicz: "Heard you, okay. We- I've heard- "

William Kasperovich: "I don't understand this."

Supervisor Kozakiewicz: "All right."

William Kasperovich: "A man- "

Supervisor Kozakiewicz: "Bill-"

William Kasperovich: "-- might be a- "

Supervisor Kozakiewicz: "It's five minutes. If I may ask you to sum up."

William Kasperovich: "-- ordained a priest but if he's not

attached to a church, he is a roaming, freelance priest. Consequently the man and his priest or the man and his church with the lacking of a church is a big distinction. You don't do that here.

Now, the Greek Orthodox Archdiocese of America doesn't necessarily cover the entire United States. There are sections like the Catholic Diocese of Rockville Center- "

Supervisor Kozakiewicz: "All right, Bill, are there other resolutions you wish to address?"

William Kasperovich: "No, no. And I brought this up at the last meeting. I made explicit statements of what it was that I thought was a shortcoming in the resolution and not proper and you put it off to this meeting and you didn't do anything to make this a more legal binding resolution."

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "That I find with four lawyers sitting in front of me almost insulting."

Supervisor Kozakiewicz: "Thank you, Bill. Anybody else who would like to address the Board? All right, five minutes."

Zabby: "There is a resolution without a number and I don't know if it is going to be offered. It was written by Jim Lull and it amends Resolution #820 of 2000, the one that I read at my last time up here. I read that by the way because really no one really read that and it did not imply what people seem to be reading it as. So that's why I wanted to read that."

And also you know it's very interesting now, the whole crowd has left, and it's, you know, this testimony is done with only a few people here as opposed to the rest of the group. It seems unfair in a way that (inaudible) opportunity.

I have written letters to some of the committee people and one that I wrote to Bob Kozakiewicz. Now, briefly, Bob, he's trying to- usually I would appeal to Bob because I would think that he would vote, you know, with Ed Densieski--

Supervisor Kozakiewicz: "That hasn't been true."

Councilman Densieski: "It's not the norm."

Supervisor Kozakiewicz: "That hasn't been true, so-- "

Councilman Densieski: "He may tonight though."

Zabby: "Well, I'm- no, I'm going to appeal to him and I wrote him a letter and I wrote him two letters actually. This one I'm going to read:

Dear Bob: I'm counting on you to vote to table this resolution which Jim wrote at Joey's behest to eliminate Phil Cardinale as Committee Chairperson. It is wrong and also against the state law on procedures for negotiation."

Supervisor Kozakiewicz: "There you go advising us on the law again and I think this is on film. Is this an unlawful practice of law? Do you have a law license?"

Zabby: "I am appealing to your sensibility, Bob, if I may go on. I am appealing to your sensibility and you know what? I am addressing the Board here. I'm addressing you, Bob. We should all discuss this and work as a team. What about your concept, Bob, of the internal law firm of the town and extending the olive branch as we spoke on Saturday for open government so that- "

Supervisor Kozakiewicz: "We don't need two- we don't need two cameras to have open government."

Zabby: "I think this resolution- and let me hand out to you why I think this is against the law. This franchising procedures and- "

Councilman Kent: "You shouldn't talk without the mike."

Zabby: "My voice is big, let me tell you I'm a singer and I have a big voice and I'm sure all of this- Bob, these are franchising procedures and I think Phil has a copy here and- Ed, do you want one?"

Supervisor Kozakiewicz: "Zabby, Zabby, please, go back to the podium so we can get this on the microphone, please. And you're wasting valuable time."

Zabby: "Okay. It says no cable television franchise shall be confirmed by the New York State Commission unless it is awarded in compliance with the procedures set forth in this part which includes a committee as per 594.1 there. So in other words, the Town of Riverhead will break state law tonight if they dismantle the

committee. See Section 594 above.

This committee is, in fact, was representative of the public because I took the public's wishes here. Now I would agree with Jim's writing of this. The intent is fine; I think the purpose is fine but I would think that the words are not exactly specific enough here so that my role as advisor to this town, and it's always been, I've been the advisor- I've never been the negotiator, and this- I can't imagine how anybody could read this resolution they want to amend and see that I'm the negotiator. It says specifically that I'm the advisor in negotiations. Someone else does that. Namely Phil Cardinale was doing a great job until November 15<sup>th</sup> when he was cut out of the process. And I feel like parties and politics.

And I don't think it was right. I think that there's no stagnation that Mr. Densieski had promulgated. Rather there was maybe a lack of communication but Phil wrote 21 letters on the public's behalf and I think it's a bad thing for the public and it's at the public's expense. And this law firm that you hired- it's down there in Florida. Are they fighting for our second channel? No. Who's going to do that if we don't have the Cablevision Committee and we don't have Phil fighting in the home town local issues at the home front here."

Councilman Densieski: "I don't think Phil was removed as the Cablevision liaison, not to my knowledge anyway."

Zabby: "Of course it says that, Whereas the previously existing Cablevision Committee- "

Supervisor Kozakiewicz: "That's the Resolution that's on tonight. He has not been removed."

Zabby: "-- hereby terminating- that's the Resolution that I propose that you table- "

Supervisor Kozakiewicz: "Zabby, please sum up."

Zabby: "-- and reword."

Supervisor Kozakiewicz: "Zabby, please sum up."

Zabby: "Because if- at the end of this night, two in the morning or whatever, Mr. Cardinale will be fired from the Town of Riverhead and I think it's a travesty."

Councilman Lull: "Okay, Zabby, let's (inaudible) right now. First of all, I'm not going to take the crack that you just came up with about who gave me the idea for this resolution. Joey McClellan never saw this until I presented it to him. Because it became a necessity, because we hired a professional negotiator. That's what became necessary. We hired a professional negotiator. You take a look at that thing that you just read. It said that any previously existing Cablevision Committee, that includes the Cablevision Committee that was headed by Vic Prusinowski and prior which still is on the books in this town, any previously existing Cablevision Committee chosen to further negotiate with Cablevision is hereby terminated and the role of the advisor for Public Access Television is you and that needs to be amended to remove franchise agreement negotiations.

In other words, to professionals we go for negotiations. That Cablevision Committee that you're so- that you're referring to has absolutely nothing to do with any committee that you've ever been involved with. That was a different committee and that was called the Cablevision Committee, not the one that you've been involved with."

Zabby: "The one that Phil is the liaison."

Councilman Lull: "No."

Zabby: "He's-- he's the Chairperson of the Cablevision Committee."

Councilman Lull: "No, not the same."

Zabby: "Phil, can I ask you what committee are you Chairperson of then if not this cable committee? Could I ask Phil?"

Supervisor Kozakiewicz: "Zabby, Zabby, you- Phil has a chance to comment. You've been up there for at least seven or eight minutes now. You've made your point. You are asking us to table."

Zabby: "Just so we could talk about it."

Supervisor Kozakiewicz: "I don't want to be chastised because I'm once again shutting somebody down who's espousing a contrary theory. But- "

Zabby: "I have a letter here that Phil wrote on March 30<sup>th</sup> and it says I am Chair of the Riverhead Town Board Cable Committee and

liaison to the Board. So that's where I get this and- "

Supervisor Kozakiewicz: "The whole idea here is to amend the prior resolution so that- that is all. And it's being blown out of proportion."

Zabby: "But- "

Supervisor Kozakiewicz: "All right?"

Councilman Densieski: "Zabby, do you believe in- "

Zabby: "I could give Phil his time to speak- "

Councilman Cardinale: "I believe that Jim is drawing a distinction between my capacity as having done this for three years now, the liaison of the Town Board to Cablevision and a committee of senior citizens- "

Councilman Lull: "Yes."

Councilman Cardinale: "--that has existed- active for a year or so and not active in the last year, which advised us. So I think there's an important distinction because what you are suggesting is that the Town Board was not going to apprise itself of any expertise I may have achieved over the last three years. I think they'll be glad to ask me a question if they- or a clarification if the lawyers are not clear on something or on something else that they haven't discussed with the lawyers. So I think that's what he's saying, that it's a different committee than the one you interpret it to be."

Zabby: "Is that right, Bob and Jim?"

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "That's the idea."

Zabby: "Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? If not, let's take up the resolutions."

Resolution #382

Councilman Kent: "382?"

Supervisor Kozakiewicz: "382."

Councilman Kent: "Resolution 382 authorizes the attendance at the New York State 2001 annual Aging Concerns Us Conference to be held in Albany on June 3 through the 6<sup>th</sup>. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "Continue to say and everybody else has said the same thing, there's no attached second page to this."

Supervisor Kozakiewicz: "There was in the work session."

Councilman Lull: "There was in the work session, so I'm perfectly happy to go along with it (inaudible) but it should be there for the public. Yes."

Supervisor Kozakiewicz: "I think we were looking at it just ourselves in the work session. Yes."

Barbara Grattan: "Resolution is adopted."

Resolution #383

Councilman Densieski: "Resolution 383 authorizes the law firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP as special counsel to commence litigation to enforce the Town Code of the Town of Riverhead. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Was this in regard to a particular matter?"

Supervisor Kozakiewicz: "Yes, yes. It was brought up during the work session- executive session discussions yesterday."

Councilman Cardinale: "On- was- what areas of the code are involved, if you would refresh my recollection. I remember the discussion but- "

Supervisor Kozakiewicz: "Land clearing- "

Councilman Cardinale: "Oh, yes, right. Okay. Yes. I vote yes."

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

Resolution #384

Councilman Lull: "Amends Resolution 820 of 2000. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Kent: "Can we have a discussion."

Supervisor Kozakeiwicz: "Discussion."

Councilman Kent: "I just have a question because I'm trying to clearly understand what's trying to be accomplished with this. I hear what Jim is saying and I'm a little concerned in one of the- in the third Whereas clause that it says that is hereby terminated and the role of the Advisor for Public Access Television needs to be amended to remove franchise agreement negotiations.

So I understand that we are trying not to let the advisor negotiate the franchise agreement."

Supervisor Kozakiewicz: "(inaudible) copy of that one."

Councilman Kent: "Oh, is there a new one?"

Supervisor Kozakiewicz: "No, that's the prior resolution."

Councilman Kent: "I understand, I got that part. But then in the Therefore Resolve clause, it's naming or designating the law firm of Liebowitz & Associates as the advisor for Public Access Television.

That's not correct."

Supervisor Kozakiewicz: "No. It should be- "

Councilman Kent: "That's what it says though."

Supervisor Kozakiewicz: "Right."

Councilman Kent: "I understand why there was- okay, all right. So there's a little inconsistency there."

Councilman Lull: "I'm sorry. Yeah, you're right. Absolutely."

Councilman Kent: "Okay. I think that will resolve maybe Zabby's beef here. So she doesn't-- "

Councilman Cardinale: "What word are we substituting for advisor? Negotiator?"

Supervisor Kozakiewicz: "No, no, no."

Councilman Kent: "No. It should be that Zabby is the advisor--"

Councilman Lull: "Liebowitz- it's supposed to be Liebowitz in that Resolve clause."

Councilman Kent: "Is Zabby the advisor or is Liebowitz the advisor."

Zabby: "Which paragraph is this?"

Supervisor Kozakiewicz: "Excuse me. Zabby, this is discussion by the Town Board."

Councilman Kent: "Is it Now Therefore Be It Resolved- it says that it should be amended to designate the law firm as the advisor for Public Access TV. Do you see that, in the first Resolve?"

Supervisor Kozakiewicz: "Yeah, in the first Resolve."

Councilman Cardinale: "I think- "

Councilman Kent: "Do I have a different resolution?"

Supervisor Kozakiewicz: "Yeah, so do I."

Councilman Lull: "That's the problem. It says- "

Councilman Kent: "Wait a second. Is there another resolution that doesn't have names on it because Jim's doesn't have names on it. It doesn't have the who's moving and seconding it."

Councilman Densieski: "Mine does."

Supervisor Kozakiewicz: "Mine has moving and seconding."

Councilman Kent: "So does yours say what I'm saying? Mine says that the law firm of Liebowitz & Associates are the advisors for Public Access Television."

Councilman Lull: "Now, Therefore, Be It Resolved- "

Councilman Kent: "That's the one- "

Councilman Lull: "This is the one that Laura did for me. Now, Therefore, Be It Resolved that the amendment shown on the attached copy of Resolution #820 of 2000 define the new role of the Advisor for Public Access Television for the Town of Riverhead."

Barbara Grattan: "How do you have that resolution and nobody else has it?"

Councilman Lull: "This was on my desk but it was not (inaudible)."

Supervisor Kozakiewicz: "Just read that Resolve again. So what you are referring to is you're going to make amendments on 820 and that will- which is 820 of 2000 which is a prior resolution- "

Councilman Cardinale: "Since there's no particular time constraint and since this was not discussed at the Monday meeting, maybe, you know, unless there's something- why don't we just table it."

Councilman Kent: "I really didn't know that there was another resolution. Maybe we could table it just to get it finalized so that we all have the same copy of the resolution."

Councilman Cardinale: "Fine. I think- "

Councilman Kent: "And so Barbara- so that the Clerk also has

it."

Barbara Grattan: "Has the right resolution."

Councilman Cardinale: "I would motion to table for that purpose. I think with the clarification Jim has offered, this is not a particularly controversial one."

Councilman Lull: "It never was."

Councilman Kent: "If we're not going to table it, why don't we fix it?"

Supervisor Kozakiewicz: "It should be- "

Councilman Kent: "We have a motion to table. I'll second the motion to table. We may as well take the vote for that."

Supervisor Kozakiewicz: "Vote please."

The Vote: "Densieski."

Councilman Densieski: "I'm going to vote no to table."

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

Councilman Cardinale: "I think I'd like to table it because as I said I have not- well, I haven't seen it since-- until this evening and I'd like to clean up the language a little."

Barbara Grattan: "So you're voting yes?"

Councilman Cardinale: "I'm voting yes to table."

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

Councilman Kent: "I'm going to vote yes to table. I- this was not planned in advance. I did not speak- this over with anybody else but I was shocked- when I was hearing what Jim was saying and I understood what he was saying but the resolution doesn't say what he was saying. So I'm going to vote to table."

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

Councilman Lull: "And I have the copy that was supposed to have

been in the packet and will be perfectly happy to share it with you and to amend it as you wish. So I don't see the reason to- "

Barbara Grattan: "But I'd like to know how come the Town Clerk did not get that."

Councilman Lull: "But I would like to know that, too."

Barbara Grattan: "A copy of that resolution."

Supervisor Kozakiewicz: "Rather than belabor a point, vote to table is no?"

Councilman Lull: "No."

Supervisor Kozakiewicz: "No."

The Vote (Cont'd.): "Kozakiewicz, no."

Councilman Kent: "Okay, then, so let's amend the one that we have so that we can make it- you're taking out this- the first Therefore Be It Resolved clause is basically coming out."

Councilman Lull: "Is replaced with something else."

Councilman Kent: "Okay. What does that say?"

Councilman Lull: "That the amendments shown on the attached copy of Resolution 820 of 2000 define the new role of the Advisor for Public Access Television for the Town of Riverhead, and Be It Further Resolved."

Councilman Kent: "Just for the public's knowledge, we're not changing- "

Supervisor Kozakiewicz: "What's going to happen is that- "

Councilman Kent: "We're not changing the Advisor, we're just taking away your rights to negotiate."

Zabby: "I have no problem- "

Councilman Cardinale: "Can I see- "

Councilman Kent: "How did you get that?"

Zabby: "I got it from- that's the one that Cardinale--"

Supervisor Kozakiewicz: "All right. The bottom line is the Resolve is going to read-- rather than-- this is ridiculous-- that the amendment shown on the attached copy of Resolution 820 of 2000 defines the new role of the Advisor for Public Access Television. And the rest of it, all the other Whereas, the final Resolve remain the same."

Councilman Cardinale: "I would like to offer one other thing, Bob, so we are on the same page."

Councilman Kent: "The third Whereas- "

Councilman Cardinale: "On the first- the first Whereas clause where we say the Town of Riverhead has employed the law firm of Liebowitz & Associates for the purposes of negotiating a new franchise agreement, I think we're awaiting- we're waiting their termination- or for considering the litigation against Cablevision in regard to the old one because we haven't made that choice yet, because we haven't heard from them. The purpose of negotiating a new franchise agreement with Cablevision or litigating breaches of the existing."

Councilman Lull: "Negotiating a new franchise agreement or litigating the previous franchise agreement with Cablevision."

Councilman Cardinale: "That's correct, yet."

Supervisor Kozakiewicz: "(inaudible). Okay, fine. That's fine."

Councilman Cardinale: "And with that and then is there any- I think there was one on the third paragraph that we're- that you- Whereas all negotiations for this new franchise agreement will be handled by the law firm of Liebowitz & Associates- then they'll report to the Board directly through the Town Attorney. Whereas previously existing Cablevision Committee chosen to further negotiate with Cablevision is hereby terminated, of which I understand that to mean the Advisory Committee that hasn't been functional in the last year or so and the role of Advisor needs to be amended to remove the franchise agreement negotiations from the responsibility of that position."

Now, Therefore, Be It Resolved, that the amendments shown shall be made to that Resolution.

With that, I don't think it's particularly controversial."

Councilman Kent: "Right. If you look at the amendments, it only takes away the rights to negotiate- "

Councilman Cardinale: "Right."

Zabby: (Inaudible)

Supervisor Kozakiewicz: "With that amendment, any other discussion? Yes, we have- Zabby, please."

Councilman Cardinale: "Zabby is referring to the first paragraph of 820. Whereas, Zabby is the Executive Director of Public Access Television Association and is knowledgeable of public access rules and regulations. Period."

Councilman Lull: "Rules and regulations is not supposed to be struck."

Councilman Cardinale: "And I think- I think I know what it all says."

Councilman Lull: "Yes."

Councilman Cardinale: "And I'm prepared to vote for it."

Councilman Lull: "Okay."

Supervisor Kozakiewicz: "Vote, please."

Barbara Grattan: "Okay, is somebody going to introduce this resolution?"

Councilman Densieski: "It's already been done."

Councilman Kent: "Jim already did."

Councilman Lull: "I introduced it and- "

Councilman Densieski: "I seconded it."

Councilman Kent: "And Eddie already seconded it."

Supervisor Kozakiewicz: "We've gone around."

Barbara Grattan: "Okay, now we're ready for the vote."

Supervisor Kozakiewicz: "Yes, please."

The Vote: "Densieski."

Councilman Densieski: "Okay. I'm very happy that my fellow Board members got the language straight. I'm going to vote yes and I'm also going to be offering an alternative resolution at the end of the meeting."

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

Barbara Grattan: "I'm sorry, I mean Cardinale."

Councilman Cardinale: "Yes, as amended."

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

Resolution #385

Barbara Grattan: "Does everyone have this? Councilman Kent."

Councilman Kent: "Yes, I have this. I think this is right. This accepts the Suffolk County National Bank irrevocable letter of credit of Zoumas Contracting Corp., water key monies for the Meadows at Aquebogue. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #386

Councilman Cardinale: "386 accepts security bond of East Riverhead Equities. So moved."

Councilman Lull: "Second."

(CD was changed and dialogue is missing - the following resolutions were voted on)

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #387

Councilman Densieski: "Accepts cash security bond of Traditional Links LLC. So moved."

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #388

Councilman Kent: "Accepts performance bond of Meadowcrest Corporation for road and drainage improvements, park and recreation fees and water district key money at the Meadowcrest IV at Settlers Landing subdivision. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

(The CD resumed at the following place)

Dawn Thomas: "I think it intended originally to eliminate performance bonds- "

Councilman Cardinale: "Right."

Dawn Thomas: "And I think that that was the (inaudible) under state law so we were required- "

Supervisor Kozakiewicz: "174- is it in the Town code?"

Councilman Kent: "Did somebody bring an action?"

Dawn Thomas: "No. But when you read the state law, it is pretty clear that you're entitled to provide performance bonds to secure performance- "

Councilman Kent: "Just so long as we have a system- "

Dawn Thomas: "We couldn't superseded that without home rule, municipal home rule authority."

Councilman Cardinale: "But we still have it on the books, don't we?"

Dawn Thomas: "We do. We should correct that."

Councilman Cardinale: "If you're correct, this is the first I've heard of it, but if you are correct, then we should amend our statute and if you're not correct, then we should be consistent because everyone else is being compelled to put up a deposit of CD or letter of credit which are more expensive than bonds. So that, since I'm just learning this and I guess because I neglected to pick it up yesterday, I'm going to abstain."

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

Councilman Kent: "If we're going to have a system in place, who's going to be responsible? This was the thing that was occurring, nobody was responsible to keep track whether these performance bonds expired or not- have a system in place so we can keep track and don't let them expire? And are there 49 homes? Is that's what's being developed here? Because I see \$147,000 in rec fees."

Supervisor Kozakiewicz: "That's correct."

Councilman Kent: "That's pretty good. I'll vote yes."

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

Resolution #389

Councilman Densieski: "Yes, it's my pleasure to introduce this. Authorize the Town Clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead Town Code. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Brief comment. What this is is going to give- when a developer comes in with a site plan, he has to have "x" amount of copies for all different departments and now one copy is going to go to the Handicapped Advisory Committee and we'll get their response so I'm going to vote yes."

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

Resolution #390

Councilman Densieski: "Authorize the Town Clerk to publish and post public notice to consider a local law to add Chapter 91 entitled Shopping Carts to the Riverhead Town Code."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #391

Councilman Kent: "391 is a resolution calling for a public hearing Tsunis property lateral water main Riverhead Water District. So moved."

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #392

Councilman Lull: "Authorizes the Town Clerk to publish and post public hearing notice to consider the demolition of buildings owned by Lloyd Dalmida pursuant to Chapter 54 of the code of the Town of Riverhead entitled Unsafe Buildings and Collapsed Structures. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "Only one question which nobody mentioned the tax map, we looked at that earlier."

Councilman Kent: "Twenty-four is correct."

Supervisor Kozakiewicz: "The address, on one it says 132 Shade Tree and on the other it says 1332 Shade Tree."

Councilman Kent: "That's where the notice will be sent."

Supervisor Kozakiewicz: "I think it's 132."

Councilman Kent: "132."

Supervisor Kozakiewicz: "132. Okay. SO the second Resolve (inaudible). Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #393

Councilman Cardinale: "393 authorizes the Town Clerk to publish and post notice of public hearing, special permit, Sunken Ponds. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #394

Councilman Kent: "Approves the temporary sign permit of Parkway Car Stereo. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: Moved and seconded."

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

Resolution #395

Councilman Lull: "Approves the temporary sign permit of Sunken Ponds. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #396

Councilman Kent: "This authorizes the Town of Riverhead to secure, fumigate and exterminate an unsafe building or structure pursuant to Chapter 54 of the Riverhead Town Code which is a mobile home located at the mobile home park- Peconic River Mobile Home Park, 61 Forge Road, on lot 13. And we've heard enough about the cockroaches at that premise so I think it's time to act and I move the resolution."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, I agree with Councilman Kent, yes."

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

Councilman Cardinale: "Yes. I think there was some discussion- certain people were (inaudible) do this. I have certain faith in the Town Attorney at least to believe that that will happen. So yes the sooner we get them out (inaudible)."

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

Resolution #397

Councilman Lull: "Awards bid for water service materials. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #398

Councilman Densieski: "Awards bid for grass seed and lawn chemicals. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "I kind of miss Sal. He hasn't been here so long- tell us we're paying too much. I vote yes."

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

Resolution #399

Councilman Cardinale: "This is an authorization for the Town Clerk to post and publish the notice to bidders for Grangebél Park bulkhead replacement project. So moved."

Councilman Kent: "No, that's 400."

Supervisor Kozakiewicz: "I know you want to get through this."

Councilman Cardinale: "I'll do the next one; I'm half asleep as well."

Supervisor Kozakiewicz: "399."

Councilman Kent: "399 is the landfill reclamation."

Councilman Cardinale: "399 I don't have. Okay, 399 is authorizing the Town Clerk to post and publish the notice to bidders for the Town of Riverhead landfill reclamation pilot project. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #400

Councilman Densieski: "Authorizes the Town Clerk to post and publish a notice to bidders for Grangebél Park bulkhead replacement project. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #401

Councilman Cardinale: "401 authorizes the Clerk to publish and post notice to bidders for Stotzky Park skatepark project. So moved."

Councilman Kent: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "Yes. I'm proud to see this finally go out to bid and I want to make mention that this is park and rec fees, no taxpayer funds. Yes."

Councilman Kent: "I saw the packet today."

Barbara Grattan: "The resolution is adopted."

Resolution #402

Councilman Densieski: "Authorization to publish a bid for beach snack vendors. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #403

Councilman Lull: "Authorization to publish a bid for well and pump service. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #404

Councilman Densieski: "Authorization to publish a bid for diesel maintenance for the Town of Riverhead water department. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #405

Councilman Kent: "This is an authorization to publish a bid for the purchase of a backhoe loader for use by the Town of Riverhead Water Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #406

Councilman Kent: "This is an authorization to publish a bid for two year 2002 2 wheel drive utility trucks- no specifics- for use-- water Water Department. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #407

Councilman Lull: "It's a \$500 budget adjustment, general fund. So moved."

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #408

Councilman Densieski: "Water Ext. #64 capital project budget adoption. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Barbara Grattan: "Densieski."

Supervisor Kozakiewicz: "Are you going to vote?"

Councilman Densieski: "Sorry?"

Supervisor Kozakiewicz: "Vote?"

Councilman Densieski: "Yes."

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

Resolution #409

Councilman Cardinale: "411- "

Councilman Kent: "409 - Meadowcrest IV- "

Supervisor Kozakiewicz: "Meadowcrest IV budget adoption."

Councilman Cardinale: "Meadowcrest IV at Settlers Landing Water Extension Capital project budget adoption. So moved."

Supervisor Kozakiewicz: "Jim?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #410

Councilman Kent: "Resolution 424- 410 the Woods at Cherry Creek Extension #65 capital project budget adoption, \$3,000 from developer fees to engineering expense. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #411, 412, 413, 414

Councilman Lull: "I'd like to do 411, 412, 413, 414- 411 appoints a park attendant to the Riverhead Recreation Department, Sean McTavey; 412 also a park attendant, David Joel; 413 also a park

attendant II, Kevin Burgess; 414, park attendant Robert Rossi, Jr. So moved all four."

Councilman Cardinale: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #415

Councilman Cardinale: "Yes, approves the request for leave of absence- "

Councilman Kent: "No, that's 416- "

Councilman Lull: "415."

Councilman Kent: "I've got 415. This approves- "

Supervisor Kozakiewicz: "It's been a long night."

Councilman Kent: "This approves Victoria Cain's request for a leave of absence from her high paying job as a kennel attendant and it's a non-paid leave of absence. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #416

Councilman Cardinale: "This approves the amended site plan of 400 West Main Street, Peconic Office building adjacent to the library. So moved."

Councilman Densieski: "Second the motion."

Councilman Kent: "Just a question on this, okay, I'm sorry. I noticed on the Parkway Car Stereo approval that we hit them for a \$500 fine right in the resolution."

Supervisor Kozakiewicz: "Because we have that in the law."

Councilman Kent: "When we- these guys, excuse me, this applicant, I should be more formal- "

Councilman Densieski: "These guys."

Councilman Kent: "--even though it's 11:30- these wise guys who came in and did the work without getting a building permit. We can't put that in the resolution that we don't know how much it's going to be? It's just double-- "

Councilman Densieski: "It's in the code. I think it's automatic."

Supervisor Kozakiewicz: "As far as the building permit it would be required if they performed the work without a building permit being issued."

Councilman Kent: "So can we just say somewhere in here that the fees shall be double the amount provided by law."

Councilman Lull: "That's in the code."

Supervisor Kozakiewicz: "Well, what he's asking I think is (inaudible) and you want to say somewhere where it's hereby approved subject to the following."

Councilman Kent: "Well, I noticed it in the Parkway Stereo that we put it right in the resolution."

(Some inaudible discussion among the Board members)

Councilman Kent: "Okay, but they've already finished the work."

Supervisor Kozakiewicz: "Yes, they've done the work. You're right."

Councilman Kent: "They still get a building permit."

Supervisor Kozakiewicz: "They need a building permit to get a CO."

Councilman Kent: "Okay. So we're going to just stay on top of these people. Okay."

Barbara Grattan: "Okay, we're going to Densieski for the vote."

Supervisor Kozakiewicz: "The vote."

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

Resolution #417

Councilman Densieski: "SEQR classification of special permit petition of Donald W. Palahnuk and refers petition to the Planning Board. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Abstain, he's a former client."

The Vote: "Kent."

Councilman Kent: "Are we going- this is one of those two family dwellings again on agricultural property."

Councilman Densieski: "It's just referring it to the Planning Board now."

Councilman Kent: "This is not a mother/daughter right?"

Councilman Densieski: "No."

Councilman Kent: "I'll vote yes to do the referral."

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

Resolution #418

Councilman Kent: "418 accepts the supplemental environmental impact statement supporting the special permit petition of Alvin Benjamin. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "Are we having a special meeting on this on a separate day?"

Supervisor Kozakiewicz: "Yes- "

Councilman Kent: "Okay, we should announce it, I'm sorry, I should have done that when I read the resolution. It's going to be a public hearing on the draft- on the draft environmental impact statement on a special day- May 16th."

Supervisor Kozakiewicz: "The 16<sup>th</sup> of May, 3:00 p.m."

Councilman Kent: "Here at Town Hall."

Supervisor Kozakiewicz: "Correct."

Resolution #419

Councilman Cardinale: "419."

Councilman Kent: "There's an amended one."

Councilman Cardinale: "I'm moving the 421. 419 approves phased site plan of the All Saints Greek Orthodox Mission, Inc. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I'm going to say yes just because they sat here all night patiently."

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

Councilman Kent: "I'm going to vote yes also even though Bill didn't like the covenants and restrictions. I'll vote yes."

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

resolution is adopted."

Resolution #420

Councilman Lull: "Authorizes the Town Clerk to publish and post notice of public hearing special permit Long Island Partnership Housing- excuse me, Long Island Partnership- Long Island Housing Partnership Development Fund Company, Inc. and this has to be corrected, right. Long Island Housing- "

(Some inaudible discussion among the Board members)

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "The only problem on the notice, isn't our May 15<sup>th</sup> meeting going to be in Jamesport? That's grievance day and they have this room. Did we do any other ones? I think we fixed one other public hearing on May 15<sup>th</sup> a while back."

Barbara Grattan: "All right so we fix this for Jamesport."

Councilman Kent: "I think we're in Jamesport that night because I think the grievances are heard in this room."

Supervisor Kozakiewicz: "I think the second meeting in May- is in Jamesport, yes."

Councilman Kent: "It came to me."

Supervisor Kozakiewicz: "Can you double check that?"

Barbara Grattan: "Yes."

Supervisor Kozakiewicz: "420 should be amended to reflect Jamesport."

Councilman Kent: "Yes, I think we had one earlier tonight, too, that we set."

Barbara Grattan: "Okay. Lull."

Councilman Lull: "To do what?"

Supervisor Kozakiewicz: "To vote."

Barbara Grattan: "Vote."

Councilman Lull: "Yes."

Councilman Kent: "Oh, I vote yes."

The Vote (Cont'd.): "Kozakiewicz, yes. The resolution is adopted after we find out what the date is."

Resolution #421

Councilman Kent: "This authorizes the Town Clerk to republish and report the notice of public hearing regarding the zoning amendment of Tanger Manufacturers Outlet Center to allow a movie theater- indoor movie theater as an accessory use in the manufacturer's outlet overlay district. So moved."

Councilman Lull: "Permitted use."

Councilman Kent: "No accessory."

Supervisor Kozakiewicz: "Accessory. You've got to read down to the- "

Councilman Lull: "It has both."

Supervisor Kozakiewicz: "No."

Councilman Lull: "Oh, I see, I'm sorry."

Supervisor Kozakiewicz: "It describes- "

Councilman Lull: "Okay, I'm sorry."

Councilman Kent: "Sometimes the mind still works."

Supervisor Kozakiewicz: "All right. Is there a second on- "

Councilman Densieski: "Yes, second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #422

Councilman Kent: "Are we going to pay bills next or are we going to go to these other resolutions?"

Supervisor Kozakiewicz: "No, we have to pay bills. Is there a motion to move that?"

Councilman Kent: "I'll move it."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #423

Councilman Kent: "What are we up to 425?"

Barbara Grattan: "423."

Councilman Kent: "423. I'll move Resolution 423 which accepts the offer of sale of development rights from TYCO Electronics Corp."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "It was added on. These are the farm purchases."

Councilman Kent: "Development rights."

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

Resolution #424

Councilman Kent: "I'll move it again, nobody's jumping. Accepts the offer of sale of development rights from Zilnicki, purchase of development rights on a farm on Roanoke Avenue. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #425

Councilman Densieski: "Accepts offer of sale of development rights from Vernon Wells, Jr. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #426

Councilman Cardinale: "Pay bills?"

Barbara Grattan: "No. Vernon Wells?"

Councilman Densieski: "We just did Vernon Wells."

Supervisor Kozakiewicz: "We just did that one. 425."

Councilman Cardinale: "We did that, that's 425."

Supervisor Kozakiewicz: "That was 425."

Councilman Kent: (Inaudible)

Councilman Cardinale: "Yeah, we did Vernon Wells. That's the last one."

Councilman Densieski: "We have a couple more. I have two more resolutions. One is going to be- I've got one off the table and one off the floor."

Councilman Kent: "What do you have?"

Councilman Densieski: "The one off the table rescinds Resolution 820 of 2000 that appointed Zabby as the liaison for Cablevision. I think it's clear by Zabby's conduct tonight that she's disruptive and antagonistic. I don't see why we would keep someone like that as an advisor. So moved."

Supervisor Kozakiewicz: "Is there a second? If not, I'll second to move it."

Councilman Kent: "You can't second it."

Supervisor Kozakiewicz: "Just to get this issue resolved (inaudible)."

Councilman Cardinale: "I would add, well, whenever, if you believe you can second it- "

Supervisor Kozakiewicz: "Well, I'm a (inaudible). I believe I can or I should be able to- "

Councilman Cardinale: "It would certainly be extraordinary."

Supervisor Kozakiewicz: "Is there anybody else to second it just to put this thing to rest."

Councilman Densieski: "Keep up the good work, Zabby."

Zabby: "Thank you very much."

Councilman Densieski: "I've got another resolution which I'll hand out now. Mr. Supervisor, the normal course of business you bring a resolution to work session when you discuss it and the Supervisor sets the agenda of the work session. But I have a right to bring a resolution off the floor. I think this is something that if it was talked about at work session it would have probably fallen through the cracks and put on the back burner and I believe this is a major issue and I'd like to bring it up from the floor."

This resolution directs the Town Attorney to prepare a draft

local law for a moratorium upon residential development in the Town of Riverhead. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Cardinale."

Councilman Densieski: "I didn't vote yet."

Barbara Grattan: "I'm sorry."

The Vote: "Densieski."

Councilman Densieski: "I would just like to say that it does not have the language in it, this directs the Town Attorney, so this is something that we can make sure that the language is right and really do our homework with other towns. I think the master plan is going to be done probably within about six months so I think a six month moratorium will give us time to make some really intelligent decisions. I think everybody in this community knows that we're being bombarded with residential housing so I'm going to vote yes."

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

Councilman Cardinale: "I'm still in the process of reading it and since it's off the floor, nobody has seen it. I think members of the public will probably want to know what we're voting on. This directs the Town Attorney to prepare a local law for a moratorium upon residential development."

Whereas the Town Board of the Town of Riverhead has retained the planning firm of APPS to revise the comprehensive master plan of the Town of Riverhead;

Whereas a Draft Agricultural Lands Chapter of the master plan has been transmitted to the Town Board which recommends significant changes in the land subdivision review procedures within a proposed Agricultural Overlay District of approximately 13,000 acres of agricultural lands; and

Whereas, the final draft of the Agricultural Lands Chapter is imminent, and

Whereas, the Riverhead Planning Board is faced with a significant number of land development petitions involving significant acreage which could seriously undermine the effectiveness of the proposed Agricultural Overlay District regulations in the preservation of important agricultural lands, now

THEREFORE, BE IT,

RESOLVED, that in order to ensure the maximum protection of prime soils within the proposed Agricultural Overlay District, the Town Board of the Town of Riverhead hereby directs the Office of the Town Attorney to prepare a draft Local Law to ultimately effect a residential development Moratorium upon lands with the Agricultural Overlay District as proposed by the Riverhead Planning Board. The draft Local Law shall limit the duration of the Moratorium to no longer than six months from date of adoption.

That's it. I am going to abstain because I believe it needs further discussion. And since I've just seen it it's consistent with my practice not to vote on things that I've just looked at until I've had a chance to talk about them."

Councilman Kent: "Well, I've had the opportunity to look at this and think about this and I think we should be directing the Town Attorney to draft such a Local Law and I'm hoping that we can have a public hearing on this as soon as possible. So people hopefully will be in here tomorrow morning bright and early drafting this Local Law, 8:30, and we can get it over to Barbara so she can post it at the next meeting. So have it ready in two weeks. And I vote yes."

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

Councilman Lull: "(inaudible) moratoriums for the same reason as I have always done and that is there is a time period between the direction which we are giving at this point and the idea behind this is fine, the direction we are giving the Town Attorney at this time and the maybe two months down the road when we can get to a public hearing and accepted. What it will do to our Planning Department in terms of the number of applications for residential housing which will hit us probably by the dozens within the next week. But it's a Catch-22 situation, you do it or you don't do it. And at this point, I'm perfectly happy to listen to something which the Town Attorney can come up with and hope that she can work with the Planning Director and come up with some idea that we can talk about at a work session sometime in the near future. Yes."

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

Supervisor Kozakiewicz: "It's funny how these resolutions off the floor cause an alliance or an agreement on a position because on this one I agree with Councilman Cardinale. Not having seen it, not having discussed it at work session, for it to come off the floor although it's really a non-committal resolution type of resolution at this point in time, it's just asking the Town Attorney to draft a proposed local law, I believe the proper way it should have been brought forward would have been at a work session. I respectfully disagree with Mr. Densieski as far as the protocol. I understand why he's done it. But I like Phil since it came off the floor, I didn't have a chance to fully consider it, I must abstain at this time."

Councilman Densieski: "I just want to remind everybody that the (inaudible) thing for the (inaudible) generator came off the floor with no public comment. It zipped right through."

Supervisor Kozakiewicz: "Ed, Ed. It was supposed to be on and it was left off so that's not a proper response. I don't want to get into it here. I feel I'm making my position and I understand yours. And this is passed, it received approval for the Town Attorney to draw it up. Obviously we still have to act upon the local law so be it. We got from here. Unless there's any further issues, motion to adjourn."

Councilman Densieski: "Motion to adjourn."

Supervisor Kozakiewicz: "Thanks."

Meeting adjourned: 11:47 p.m.

*Barbara Hutton*