Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at, Jamesport, New York on Tuesday, May 15, 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 7:05 p.m.

Supervisor Kozakiewicz: "Good evening. Let the record reflect the time of 7:05 has arrived. I'd like to call to order tonight's Town Board meeting and if-- Madeline, since you're up, would you be kind enough to lead us in the Pledge of Allegiance? Madeline, come on up."

Madeline Sendlewski: "Sorry, I didn't hear you."

Supervisor Kozakiewicz: "Okay."

(The Pledge of Allegiance was recited led by Madeline Sendlewski.)

Supervisor Kozakiewicz: "We have a couple proclamations- Madeline and I are taking a bet that between Madeline and myself, there will be no need for a microphone. So, if for some reason we're incorrect, just let us know that you can't hear us. Madeline?"

Madeline Sendlewski: "Thank you, Bob. I serve as Co-Chairperson for the Labor/Management Committee for the Town of Riverhead. I have along with me here members of that committee which include Maureen Fagan, Barbara Grattan, Diane Stuke, my friend here, Sharon Kloss, and Mr. Jim Lull.

We have the distinct pleasure of receiving nominations for and voting on the Employee of the Quarter of each quarter of the year, and

Employee of the Year awards. Tonight we're happy to have the recipient with us of our Employee of the Quarter award. And I just want to say I'm allowing Mr. Kozakiewicz to give the presentation and invite her into the room with her family because they're cohorts, and I just want to say that our recipient though she seems petite and very quiet, has gotten a little bit of a reputation of being a bulldog and saving you folks a lot of money. So without any further adieu, I will allow Bob to introduce her."

Supervisor Kozakiewicz: "I guess I'm a cohort in that we're both attorneys, that gives you a little (inaudible). This award tonight is recognizing our Town Attorney, Dawn Christine Thomas. Dawn, as pointed out, may appear tiny, but she does have a large bark and sometimes an even bigger bite. I know that I had a chance to do a little bit of background information just to see how Dawn was faring over at the Justice Court, for example, and getting fines from some of our individuals who happen to run astray of the town code.

I was happy to find out that she was putting the bite on them over there and making sure that they would do the right thing and, in fact, getting the right fines so that somebody doing the wrong thing will think twice about it.

I know also that we're, for the first time, engaged or embarked in a community service program. It was something that took a little bit of a while to get underway but once again, Dawn's office has been kind enough to take it under her belt and from December to approximately- to today, they've somewhere in the vicinity, that is the community service people we're sending through the Town Justice Court, have served somewhere in the vicinity of 600 hours of community service. That's a community service that would otherwise go to the American Red Cross and not to the town. So what's happening is people who are involved in our job, the support system, are being brought back into the town in doing their community service for the residents. Generally they're doing it at the town Highway Department but, once again, Dawn was kind enough to take it under her belt and they do monitor it.

I think at this point in time, do you want to ask your hubby, and your three sons, to come up and join you because I'm sure that without their support (inaudible) would not be able to be in (inaudible). So without any further adieu, I'm not going to read the proclamation. What I will do is just ask that everyone join me in recognizing and proclaiming this day to be Dawn Christine Thomas Day.

Her husband said every day is her day. Dawn?"

Dawn Thomas: "I'd like to say thank you very much to the Labor/Management Committee, this is really an honor for me. I had no idea it was coming and I am very pleased that it did and I would like to thank the Town Board members for giving me the opportunity to serve my community and my family, most especially, for standing behind me. So thank you very much again."

Madeline Sendlewski: "Dawn will also be receiving a Series E bond and she gets a day off with pay and I always emphasize that includes your choice of Friday or Monday."

Dawn Thomas: "Thank you, again."

Supervisor Kozakiewicz: "Thank you."

Madeline Sendlewski: "Congratulations."

Supervisor Kozakiewicz: "I also have a second proclamation. Once again, if you can't hear, I'll go to the microphone but I'm hoping we don't need to go to the microphone.

As you see coming up are a number of our young men and young women who are displaying Drug Free Body T-shirts. For those of you who may not have heard, we have young men and women from Pulaski Street School, St. Isidore's and St. John's Elementary School. And what the proclamation is recognizing is the date that's coming up, Friday, June 1, 2001, when these very same fourth and fifth grade students will participate in a march against substance abuse. This is something that the Community Awareness Program has been doing for how many years now?"

(Unidentified): "I think this is our 16th march."

Supervisor Kozakiewicz: "Wow. And what I would like to do is just proclaim Friday, June 1, 2001, to be Say No To Drugs Day."

(Unidentified): "I just want to thank all our volunteers and students who participate in the program. This year, CAP served 875 students, fourth and fifth graders, just in this program alone from Pulaski Street, St. John's and St. Isidore's. Over all this year, they served 1800 students in the school district and we don't do it alone. It's a total collaborative effort between the community, the town, the school district. We have volunteers, we have computers and

we have a staff that works very hard and a very committed Board of Directors. I hope you can all join us at the Say No To Drugs march. Wesley Walker (phonetic), the former wide receiver from the New York Jets will be leading the march this year. So please come out and join us on June 1st at 10:00 in front of the Pulaski Street school. Thank you."

Supervisor Kozakiewicz: "Thank you. All right, now jumping back to the meeting, is there a motion to approve the minutes of the Town Board meeting of April 17, 2001, the Special Board Meeting of April 26, 2001 and the Special Board Meeting of May 10, 2001?"

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "There's a motion. Is there a second?"

Councilman Cardinale: "Second."

Barbara Grattan: "Who made the motion?"

Councilman Cardinale: "Second."

Supervisor Kozakiewicz: "Jim Lull. Second by Cardinale. Moved and seconded."

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

Supervisor Kozakiewicz: "Reports, please?"

REPORTS:

Tax Receiver	Total collections to date: $38,949,899.13
Building Department	Monthly report for April,2001 total collected, $39,811.00
Recreation Department	Monthly report for March, total collected, $109,065.00
Juvenile Aid Bureau	Monthly report for April, also we have received an amended report for April

Open Bid Reports	Snack Vendor opened 5/7/01 at 11:00, 2 bids were received
	Diesel maintenance opened on 5/7, 3 bids were received
	Stotzky Park Skate Park, opened on 5/7 at 11:00, general construction - one bid was received; for electrical - three bids were received

Barbara Grattan: "That concludes Reports."

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

APPLICATIONS:

Shows and Exhibition Permit	Central Suffolk Hospital on May 11th and 12th a Garden Festival
	Martha Clara Vineyards - 5/11 food and wine sampling
	Apple Chevrolet - June 7th to June- July 18th, a tent sale
	American Diabetes Association June 10th from 6 a.m. to 3 pm
Site Plans	Little Bay Shopping Center an addition to shopping center
	Coastal Gas Station - to install new canopy
	Island Water Park - creation of 2 water ski ponds

Barbara Grattan: "That concludes Applications."

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

CORRESPONDENCE:

Jack Van de Wetering	Regarding the Suffolk Theater should be operated by private business
William and Patricia Carey	Regarding Suffolk Theater, the Town should not be involved in the entertainment business
Mary D. Haeseker	States opposition to the Town being involved in the financing of the Theater
Suffolk Theater	7 letters in support of the Theater
Michael O'Mara	In favor of the five year extension for Skydive, L.I.
Petition	Regarding motorized racing - 12 letters against
Joseph Quigley	Letter requesting six month leave of absence
Milton Tyte	Letter requesting six month leave of absence
Jason Warner	Letter requesting six month leave of absence

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Committee reports? Any Committee reports?"

Councilman Kent: "Yes, I have one from the Rec Advisory Committee. We met last night. We had the opportunity on the skate park- skating park and roller rink complex at Stotzky Park, we reviewed the bid that was received and we also had an opportunity to review amended design drawings with our consulting engineer and there was unanimous support among the Committee to reject the bid that's been received and re-bid the project based upon the amended design

drawings and specifications. And I know we have a resolution on tonight to do that, so that was unanimously supported by the Rec Advisory Committee.

We also reviewed some of the upcoming projects and I will- I guess I can report on those at the time that we're- that the Town Board is going to consider them. We don't have any other projects under consideration tonight."

Supervisor Kozakiewicz: "Any other Committee reports?"

Councilman Lull: "Yeah, from the- from the Public Parking District the following- plans for the immediate future, the curbing repair, resurfacing and striping of the Peconic River lot; curbing repair, resurfacing and striping of the Swezey lot; restriping of the parking area along the river; surfacing and leveling and striping of the lot next to Salvation Army; repairing of holes and other repairs in the Roanoke Avenue/Griffing Avenue parking lot, plus striping in that lot and striping the First Street lot and lot identification signs to be mounted in all downtown parking lots.

And major projects for the future, the complete resurfacing of the Salvation Army lot in the fall of this year; the resurfacing of the- the complete resurfacing of the Roanoke Avenue/Griffing Avenue lot in 2002; and the complete resurfacing of the First Street parking lot in 2003."

Supervisor Kozakiewicz: "Any other Committee reports? Being none, let the record reflect that the time of 7:18 has arrived. Barbara, would you read the first public notice, publishing and posting?"

Public hearing opened: 7:18 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on May 15,2001, at 7:05 p.m. regarding the petition of Tsunis property to construct a lateral water main."

Supervisor Kozakiewicz: "Good evening."

Councilman Lull: "You found your way."

Dennis Kelleher: "I'm sorry (inaudible). When I work up this morning, getting dressed, I forgot I had the Town Board meeting. I'm

sorry, I was not golfing today."

Councilman Kent: "Okay."

Dennis Kelleher: "Excuse me for no tie."

Councilman Kent: "Should we adjourn the public hearing until (inaudible)?"

Dennis Kelleher: "I can come back in a month. Good evening, my name is Dennis Kelleher from the engineering firm of H2M. We are the engineers for the Riverhead Water District. The developer for the Tsunis property has petitioned the Town Board to extend the public water to service that property. The subject property is already within the Riverhead Water District boundary and all he's asked for is to extend the actual physical water mains.

The property is located at the intersection of 25A and North Country Road in Wading River. They have proposed to install five- construct five small commercial buildings. In order to provide water to this property, we would need to install 750 linear feet of 12" water main.

On the drawing that we have displayed, I've highlighted in blue marker the existing Riverhead Water District water main which is on North Country Road. In pink is the subject property. We propose to install that 750 feet of 12" water main. It's hard to see but it's highlighted in yellow, going across the eastern property line down to Sound Avenue and then west to the corner of the subject lot.

The estimated water use for the project is approximately 3,000 gallons per day with a maximum use of 9,000 gallons per day. The estimated cost to install the water main is approximately $50,000. This entire cost would be paid by the developer at no cost to the residents of the Riverhead Water District.

In addition to that, the developer would be required to pay key money in the amount of $2,500 per equivalent flow for a single family dwelling. As I mentioned, the water flow before was 3,000 gallons per day which is equivalent to 10 single family homes so the key money for this project would be $25,000. Any questions? Thank you."

Councilman Kent: "Wonderful job."

Supervisor Kozakiewicz: "Anybody else who would like to address

the Board with regard to this public hearing? Bill."

William Kasperovich: "William Kasperovich from Wading River. I guess I've got to stand a little away from this because I'm getting off on the wrong foot again. Why in God's name can't we see these displays at the public hearing prior to the meeting?"

Supervisor Kozakiewicz: "It's been up the last two days at Town Hall."

William Kasperovich: "There's no way to see that."

Supervisor Kozakiewicz: "It's been up the last two days at Town Hall."

William Kasperovich: "This is no excuse, Mr. Supervisor."

Supervisor Kozakiewicz: "It's been up the last two days at Town Hall."

William Kasperovich: "I don't have to live at the Town Hall for weeks on end in order to see this. This is only two days of significant exposure; it's ridiculous. Now yellow- can't even see yellow over here. Plus the fact that I don't know what it is (inaudible) might start and where it ends. The meeting of North Country Road and Sound Avenue is incorrect. It's incorrect. Now where it goes to, where it comes from, is no one expected to say anything?"

Councilman Kent: "You're saying that it's incorrect, it's not shown correctly on the map?"

William Kasperovich: "We have a dead end street, Debby Lane (phonetic) is here- "

Councilman Kent: "That's correct."

William Kasperovich: "North Country Road is here, 25A is here."

Councilman Kent: "Right."

William Kasperovich: "Now, where- "

Councilman Kent: "But this is a water-- this is- "

William Kasperovich: "-- Sound Avenue, Sound Avenue then- "

Councilman Kent: "Sound Avenue would be farther down right about where your right hand is now."

Councilman Lull: "Sound Avenue is off the road."

Councilman Kent: "Yeah, about where your right hand is, that's where Sound Avenue is."

Councilman Lull: "Sound Avenue is off the map."

William Kasperovich: "This is Debby Road right here. Show me on the large map."

Councilman Kent: "Debby Road is right there."

William Kasperovich: "That's Debby Road."

Dennis Kelleher: "There's Debby Lane right there."

William Kasperovich: "No, no. This is."

Dennis Kelleher: "Okay."

William Kasperovich: "You see the street signs and it says Debby Lane over here."

Supervisor Kozakiewicz: "All right. Bill- "

Councilman Kent: "It's not a traffic map though."

William Kasperovich: "This is entirely wrong."

Councilman Kent: "But it's not a traffic map. Dennis, does this depict- "

William Kasperovich: "What do you mean it's not a traffic map?"

Councilman Kent: "No, it's a water main."

William Kasperovich: "It's showing a water main- "

Supervisor Kozakiewicz: "All right, Bill, Mr. Kasperovich, could you return to- Mr. Kasperovich, could you return to the podium,

please?"

Councilman Kent: "Get back to the mike. Let me- can I pose a question to Mr. Kelleher, please?"

Supervisor Kozakiewicz: "So I can get your comments on the record."

Councilman Kent: "Mr. Kelleher, is that where the water main is? Is that correct? Is it correctly depicting that the water main comes down North Country Road and then goes on to Sound Avenue?"

Dennis Kelleher: "That is correct. And we are proposing to take it across on North Country Road, along the property line of the Tsunis property- "

Councilman Kent: "The eastern boundary there."

Dennis Kelleher: "The eastern boundary, to the southern boundary of the property and along Sound Avenue and the right of way."

Councilman Kent: "That's 25A there."

Supervisor Kozakiewicz: "25A, that's right."

Dennis Kelleher: "24A. The existing- we have another existing water main a couple of lots over and we propose eventually these lots may be developed and at that time we would request these developers to pay for the costs of tying the two together. But normal policy for the Riverhead Water District is to have the developer pay for the water main to be installed across his frontage so in this case he has two sides to bring across."

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "All right. Now, if I wasn't here to hear this explanation, there's no conceivable way for what's put on paper for me to know what's going to be done."

Councilman Kent: "That's why we have the public hearing."

William Kasperovich: "Doesn't H2M have enough money to get a decent drawing?"

Councilman Kent: "That's why we have public hearings, Bill, so

we can hear it."

William Kasperovich: "And when are we going to get a Town Board that will listen to the people to tell you when you're wrong, you're wrong. And this is wrong. You can't put down the correct name of the street on a drawing at a public hearing, who is to say what is being said and done?"

Supervisor Kozakiewicz: "Thank you. Anybody else? Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. I have to go along with Mister- "

Councilman Kent: "Kasperovich."

Supervisor Kozakiewicz: "Kasperovich."

Rolph Kestling: "I mean I know this section, I drive practically every day there and it is confusing, so I think you ought to do- and he's right, like Brookhaven does. Every time Brookhaven does something, it's in the paper, the Daily Record I think they call it, they have a map there, you can see. I think your Town should do that, too. Two days notice for somebody that knows something about this, Mr. Kasperovich, it isn't fair, it isn't right. I think the Town Board ought to review things (inaudible). Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilman Kent: "Thank you, Rolph."

Supervisor Kozakiewicz: "Anybody else? Okay. Not seeing anybody else's hands move- "

Councilman Kent: "Do we want to an amended map that reflects the street names properly?"

Councilman Lull: "No, it's not a road map."

Supervisor Kozakiewicz: "Well, it should be after the public hearing. I'm going to declare the public hearing closed, the time of 7:27 having arrived."

Public hearing closed: 7:27 p.m.

Public hearing opened: 7:27 p.m.

Supervisor Kozakiewicz: "Barbara, if you would, 7:27, if you would please read the affidavit of publishing and posting for the 7:10 public hearing? That is a long ways away, so I'm going to have trouble with that clock."

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 May 15, 2001, at 7:10 p.m. regarding the special permit petition of Long Island Housing Partnership Development Fund Co., Inc. to allow the construction of single family residences upon land situated within the Business C Zoning Use District located at East Main Street, Riverhead."

Councilman Kent: "Jim, do you have any maps?"

Supervisor Kozakiewicz: "Dawn, they need to be sworn."

Dawn Thomas: "Yes. Mr. Morgo, I'm just going to swear you in. State your full name for the record, please?"

James Morgo: "James Morgo."

Dawn Thomas: "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 Morgo: "Yes. Good evening, Mr. Supervisor, good evening, Town Board members. It's wonderful to be in the great town of Riverhead. I'm Jim Morgo, (inaudible) of the not-for-profit Long Island Housing Partnership and before I begin, I'd like to introduce some of the members of the Housing Partnership Riverhead Committee. Before the Housing Partnership ever works with any town, and we only work with towns who (inaudible) with them, (inaudible) Riverhead committee, local residents and some of those committee members are here tonight. Gwen Mack of the Millbrook Gables Civic Association is here and I think Gwen is going to want to say something about this, if I'm not mistaken on this, right, Gwen? And we also have Jean Hamilton (phonetic) of the Suffolk County National Bank is with us as

well as Edgar Goodale of Riverhead Building.

Before I begin, I also want to mention that we thank the town for its knowledge, encouragement, support and participation in our efforts to revitalize the Millbrook Gables neighborhood through affordable owner/occupied homes. We began in 1997 and I know that the town wants to do something about the problems in Millbrook Gables and the Housing Partnership is very happy to partner with the town.

Tonight we specifically are here to address a special use permit application. We are requesting special permit- a special permit pursuant to Section 108-39B3 of the town code for use of that part of the property that is zoned Business C for residential purposes, to construct single family owner/occupied residences in accordance with the proposed site plan that has been submitted to the Planning Department.

Just where we are, all variances to construct the proposed owner/occupied homes on the site, have been obtained by the Zoning Board of Appeals. The application for the special permit was submitted to the Planning Board for recommendation and the Planning Board after a hearing has submitted its recommendation to the Town Board. All requisite postings and mailings have been completed. I think that's what Howard brought up, right?

And as far as to address the specific code, the special use requested will not prevent or substantially impair the reasonable use of development of other properties in the neighborhood. If you look at the piece, Business C is inappropriate there. It is the gateway to what will be, we hope, an improved neighborhood. We've worked in many communities equally divided as Millbrook Gables is and we've learned that stable owner/occupied homes are the anchor to those communities.

The use of the property for affordable homes is the start of an overall revitalization of the Millbrook Gables neighborhood and will significantly enhance the surrounding community. The proposed use has the approval of the neighborhood civic group and it's being done in partnership with the town's Community Development office and Jean and Edgar are here as some of our business members and they are also active members of the Housing Partnership.

There are many advantages to be gained both to the neighborhood and the town and the health, safety and welfare of the town will not be adversely affected by the authorized use. And the proposed use is in keeping with the town's master plan.

Let me just say very briefly some of our experience of what owner/occupied homes do to low income families. The Housing Partnership has done- has created more than 800 owner/occupied homes in partnership with many towns on Long Island. We give- there are scattered sites which this town back in '67- '67- "

Supervisor Kozakiewicz: "'97, '97."

James Morgo: "In '97 and '98. Home ownership brings self-esteem, a sense of accomplishment and pride to these families. And another thing it brings is equity. I came across statistics that really I think are mind (inaudible). After only six years, a low income family that owns its home has nine times the wealth of a family with exactly the same income that rents. Nine times the net worth. Listen to this. This cuts across demographic lines but people who are over 65, the median net worth of homeowners, people over 65, median net worth, is $170,000. For renters, the median net worth for people over 65 is $6,000. $170,000 compared to $6,000. For families with incomes under $50,000, the median net worth of owners is 105,000. For renters, it's 8,000. For African Americans owners-- African American owners, their median net worth across the country is $75,000. For African American renters, it's $1,700 and for all minorities the median net worth of owners is $84,000, that's family net worth, it's not just the house but the house is a big part of it. For minority renters, their median net worth is $600.00.

And what does that mean? Think of what equity in the home means. It means for older people something to pat out when those inevitable health problems show up. Think of what it means to younger people. It means after years, they can build up the equity to use to send their kids to college. We have had so many people at the Housing Partnership who have said to us, we're not only the first people in our families to own our own home, we're also the first people in our family who have been able to send their kids to college.

And something that we've seen across Long Island, indeed across the country, home ownership when it's owner/occupied and there are covenants to keep it owner/occupied in perpetuity, strengthen the neighborhood because we have an (inaudible) in the neighborhood.

This special use permit is the next step where we have to proceed and we ask for your support this evening.

Ann Marie, do you want to add anything? I should introduce Ann Marie. Ann Marie is a planner and she's been working with the Housing

Partnership but she didn't stop before this project began, she's been with us and she is (inaudible) this project and she's a certified planner. So if you have any questions, either I or Ann Marie will be glad to answer them. Okay, thank you very much."

Supervisor Kozakiewicz: "Mr. Schmelzer."

Councilman Kent: "Oh, I thought Ann Marie was going to speak."

James Morgo: "We also have, I didn't realize it, homeowners from one of our developments in the Ponds which is within Southampton. Good to see you."

George Schmelzer: "Speaking of minorities, everybody is a minority of one in the world. (Inaudible)."

Councilman Kent: "Mr. Schmelzer, can you- hold on one second. This is a public hearing- "

Supervisor Kozakiewicz: "Mr. Schmelzer, you have to be sworn in."

Councilman Kent: "-- for a special permit so you have to be sworn in. So if you would just hold on one second."

Supervisor Kozakiewicz: "You've got to be- "

George Schmelzer: "Sworn in or sworn at?"

Supervisor Kozakiewicz: "Sworn in."

Councilman Kent: "Both, if you don't get sworn in, we might swear at you. Can you raise your right hand, please? Your right hand, your other right hand."

Dawn Thomas: "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?"

George Schmelzer: "Yeah, everybody else says the same thing. Did you swear (inaudible) in, too?"

Supervisor Kozakiewicz: "Yes."

George Schmelzer: "Okay, I want to know what the salary is

then?"

Councilman Lull: "It's not our business."

George Schmelzer: "What do you mean none of my business?"

Councilman Lull: "No. Not our business."

George Schmelzer: "Why not?"

Supervisor Kozakiewicz: "Can I ask the relevance?"

George Schmelzer: "Is (inaudible) free?"

Supervisor Kozakiewicz: "They are a not-for-profit corporation."

Councilman Lull: "Non-for-profit- "

George Schmelzer: "Well, what's the salary? Is he ashamed of it?"

Supervisor Kozakiewicz: "I'm trying to- what is the relevance to whether this subdivision's special permit should be approved?"

George Schmelzer: "Well, he's the only one who'll make a profit on it if the corporation doesn't (inaudible)."

Supervisor Kozakiewicz: "Again, what's the relevance- "

James Morgo: "I'll talk to you afterward."

Supervisor Kozakiewicz: "What is the relevance?"

George Schmelzer: "You know the relevance, damn well."

Supervisor Kozakiewicz: "Okay, go ahead, go on."

George Schmelzer: "Like it's illegal for our cemetery to make money so the guy- "

Supervisor Kozakiewicz: "We're not talking about a cemetery."

George Schmelzer: "-- he's getting a million dollars a year but the cemetery gets nothing, see, that's the way to do it. So I'd like

to know how much these guys make. If they've got a business for themselves, they use the non-profit corporation as a front, we have a right to know. Are we going to have special zoning for them because (inaudible) low lot, no sides, (inaudible) wouldn't it?"

Supervisor Kozakiewicz: "If you say so, George. I'm not sure if I'm agreeing with you, but if you say so, George."

George Schmelzer: "Okay. (Inaudible) the salaries, so let the people know about it."

Supervisor Kozakiewicz: "So you're opposed to this special permit being granted or are you in favor of it?"

George Schmelzer: "I don't even know what the hell it's all about."

Supervisor Kozakiewicz: "All right. Thank you."

George Schmelzer: "I'm just trying to find out."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "I hope you know what it's all about. Looks like nobody knows what it's all about. All right, thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? I'm go to ask Gwen Mack, please. Gwen, you need to be sworn in when you- "

Dawn Thomas: "Mrs. Mack, 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?"

Gwen Mack: "I do. In 1989- "

Councilman Kent: "Oh, please state your name and address."

Gwen Mack: "Oh. Gwen Mack, I live at 29 Osprey Avenue, Millbrook Gables. I am the secretary of the civic association. In 1989 we formed the Millbrook Gables Civic Association to improve the quality of life in our neighborhood which would improve the community. We had numerous clean up days in the past years with the help of the Town Board and its numerous departments. We also discussed a plan to improve our neighborhood by improving existing homes and adding new

ones and making them mostly owner/occupied. The town helped us by entrusting this venture finally with the Long Island Partnership. This Partnership has been to several different town department and board for approval of different things of this project.

We feel we are going (inaudible). I personally and many others have spent countless hours on this project to try and complete. The Partnership has also I'm sure spent countless hours and dollars. We have waited for this project while the Janoski administration, the Stark administration, the Vilella administration and also now Bob. I ask the Town Board, the Supervisor and the Town Board to help us complete this project, (inaudible) John Wesley I and II, Riverhead Landing and Meadowcrest being built. How about us? Thank you."

Supervisor Kozakiewicz: "I saw a hand there and then yourself, Bill. Your hand was up first, go ahead. We need to swear you in and then you have to state your name and address for the record. Okay?"

Dawn Thomas: "I'm sorry. Maybe- state your name first."

Pat Lutzky: "Pat Lutzky."

Dawn Thomas: "Ms. Lutzky, 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?"

Pat Lutzky: "Yes, I do. Do you want my address?"

Dawn Thomas: "If you- maybe if you could spell it- "

Barbara Grattan: "Could I have the spelling of your last name?"

Pat Lutzky: "L-U-T-Z-K-Y."

Barbara Grattan: "And your address?"

Pat Lutzky: "5 Corbit Court, East Quogue, New York 11942."

Barbara Grattan: "Thank you."

Pat Lutzky: "Do I need to speak into the mike? Can you hear me?"

Supervisor Kozakiewicz: "Yes, you have to speak into the mike."

Councilman Lull: "The other one, that one. Yes."

Pat Lutzky: "Thank you. Good evening and thank you. My name is Pat Lutzky and my husband and I are here from East Quogue in the Town of Southampton and we are the lucky recipients of having a home that was brought together for us by the Long Island Housing Partnership and I'd like to read this statement to you, if I may.

Members of the Town Board: What the Long Island Housing Partnership and the municipalities it works with do has little to do with real estate, zoning or even housing, not really. It's about building community. My neighborhood, the Pines in East Quogue, is a community comprised of 30 hard working middle income families. We range in age from 20 to 50, some of us have children, from newborns to college students. We are homemakers, waitresses, legal secretaries, bookkeepers, auto mechanics, retail workers, landscapers, truck drivers, tradesmen, fishermen and the like.

We are also first time homeowners, property tax payers and community participants. With home ownership comes a greater sense of community. We work hard to shape our town and hamlet, our school, our fire department, our park, our Main Street. More important, we watch out for each other. We are neighbors whose kids play together in each other's yards. On a warm summer night you can hear a group of neighbors talking and joking, smell chicken on barbeque, enjoy some of the dads take on a few of the kids in a game of hoops. If this sounds like a scene from a TV show, I invite you to drive down Gleason and Corbit Court in East Quogue this weekend and see for yourselves.

That's what the Long Island Housing Partnership does. It builds communities, one neighborhood at a time. In conclusion, my husband and I are forever grateful that the leaders in my town, Southampton, had the foresight to take on such a community building effort as the Pines. We applaud their courage to stand steadfast against those who do not have long range vision to see the benefit that home ownership fosters. The Hamlet of East Quogue in the Town of Southampton is better for it. Thank you."

Supervisor Kozakiewicz: "Thank you. Bill Kasperovich."

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

William Kasperovich: "I, William Kasperovich, swear to tell the

truth, the whole truth, and nothing but the truth, so help me God."

Dawn Thomas: "Very well."

William Kasperovich: "Now, you can ask all the fellows sitting up there the same thing because I don't think they're with me."

William Kasperovich: "When I hear some snickering about (inaudible), how in God's name do you expect to conduct a public hearing without informing the public first? You are holding me, a citizen of this township, that has some knowledge of engineering and layouts and planning and I'm being (inaudible).

I would like to know how many of these units are taken by prospective owners? You have so many units laid out, how many of these units are tied up by individuals, legally?"

Supervisor Kozakiewicz: "How many have already been committed to? Well, I'm not sure I understand the question."

William Kasperovich: "You have so many housing units."

Supervisor Kozakiewicz: "You're talking about this project?"

William Kasperovich: "How many families- yes, this project."

Supervisor Kozakiewicz: "Right, okay."

William Kasperovich: "How many families have committed themselves to the purchase of in general or specific lot and house?"

Supervisor Kozakiewicz: "I'll have Mr. Morgo get up and address that. Go ahead."

James Morgo: "Do you want me to do that now?"

Supervisor Kozakiewicz: "No. Do you have any other questions?"

William Kasperovich: "Mr. Schmelzer was somewhat facetious in talking about (inaudible) but at the same time he was bringing forth a point well taken. Now, a house is- can be a home and people can live, grow, be happy in it but a house to me is a structural entity that has quality and craftsmanship and layout so I look at it a little differently. Besides the need, I look to see what are these people getting for their money. Just because it's a low figure doesn't mean

that they're not going to get a low quality, low craftsman, shoddy type, slapped together structure. I don't see anybody that's qualified to look in that direction. So seeing the drawing and seeing something that's put on paper as to what is going to be done and how it's going to be done is important to me as it should be to every taxpayer in this country."

Supervisor Kozakiewicz: "Thank you. Before having you respond, is there anybody else who would like to address the Board? Yes? Keep those questions tallied and then we'll have you up at the end to respond."

Gedorge Papageorge: "My name is George Papageorge. I live 901 (inaudible) Avenue in Riverhead."

Dawn Thomas: "Mr. Papageorge, 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?"

George Papageorge: "Yes. Yes, I will."

Dawn Thomas: "Thank you."

George Papageorge: "I'm a resident in Riverhead for 55 years. I came here, I was 22 years old. I'm 74 years now. In Riverhead Greens we have 75 houses (inaudible). We have over there 200 kids. They're so crowded, they cannot (inaudible), they have no places to go. They only have one park. Now we have zoning for business. Now we're going to change it from the business to the resident. We already got 200 families (inaudible). Now they want to bring another 17 houses. Where are you going to put all these kids? It's not fair. You want to change it from the business, why don't they put over there nice building like a hospital, like something else. There's so many people, they pile up one on top of the other. They put two addresses on one single family house. Over there, in the Greens, they want to put five houses on one address. That's not fair. Because the poor people, they want to go any place they can put a house. Somebody comes from the outside, comes to Riverhead and he wants to make a lot of money and say (inaudible). They're not for the poor people, they want to stick them over there with the rest of us.

I once bought a piece of property over there. And I tried to keep the place clean and to put in decent people. They say if the people own the house, they are going to take care of it. It's not so. I bought three houses from people they got the house for nothing.

They pay two years, they stop paying. The bank take over, then they've got the house empty for three years. That was at 31 Melene Street. For three years, the cats, dogs and everything else. There was another house on 14 Melene, the same thing. There's another house on 15 Melene and 11 Melene. 11 Melene was empty for four years, they don't pay no taxes. I spent $10,000 (inaudible) and I put people in there with their kids, but sometimes I get bad people. It cost me 5-$6,000 to evict them because(inaudible). I want good people in there.

We have so many houses and so little spot. No, I don't see nobody, no neighbors come down because they don't come down because they're afraid."

(Comment from the audience)

Supervisor Kozakiewicz: "Hold it, no comments- the neighbors can come up and address us because there are neighbors who are here, but go ahead."

George Papageorge: "But I say my own opinion- "

Supervisor Kozakiewic: "You're entitled to your own opinion, but there's neighbors who are here who can state to the contrary. Go ahead."

George Papageorge: "If they are going to build another 17 houses, we're going to have more traffic, they (inaudible) and everything else. I just think it's no fair. They put so many houses on so little spot. Why don't they put them in a big (inaudible), for the big houses."

(Comment from the audience)

Supervisor Kozakiewicz: "Okay, excuse me, ma'am."

George Papageorge: "Thank you very much."

Supervisor Kozakiewicz: "When the speakers are up there, regardless of how much emotion you feel you need to respond, please don't respond from the audience. Let him speak. If you feel you want to come up and comment and explain why they're wrong or why the speaker is wrong, feel free to come up after them. Raise your hand and point out why that person is incorrect in what they're telling us or why you feel they're incorrect. All right? Thank you. Anybody else who would like to address the Board? I saw a lot of movement on

this side when Mr. Papageorge was up here. Do you wish to come up and make some comments with respect or in contrary to Mr. Papageorge's? Thank you. Please state your name and address for the record."

Lottie Dimey: "Lottie Dimey from (inaudible) Street in Riverhead and- "

Supervisor Kozakiewicz: "Okay, we have to have you sworn in. This is a special permit, so you need to be sworn in."

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

Lottie Dimey: "Yeah."

Barbara Grattan: "Could you state your name again, please?"

Lottie Dimey: "Lottie Dimey from (inaudible) Street in Riverhead. And I live right next door to one of Papageorge's houses. And I bought my house through the Long Island Partnership. I live there like three years so I just want to thank the Long Island Partnership because if it wasn't for them, I would never have been able to own my own house. So thanks a lot."

Supervisor Kozakiewicz: "Okay, thank you. Anybody else who would like to address the Board? If not, I know, Mr. Morgo, there was a question that was raised with respect to the houses, what they would be sold for and the construction question as well. You're still sworn."

James Morgo: "Correct. There were several questions I'd like to respond to. First of all, the question on how the people will be selected. On the matter of special use, we're talking about 13 single family homes and whenever the Housing Partnership builds any homes (inaudible) there is a lottery because unfortunately we don't build enough homes for the first time home buyers who can't buy market priced homes, but want to stay on Long Island and have the benefits of equity.

We just completed a development in Huntington where there were 51 homes and we had 2,000 applications for those 51 homes. There is always a local preference that guarantees that if not all the homes the great majority as has been said will come from someone who's already living in the community. And that addresses the question of

children. Children of a family, when there are children, who buy a Housing Partnership home are already in the community.

Secondly, the question of the quality of the home and that's- I can understand that question because of some of the things that have happened in the past with affordable homes. However, since the mid-'80's when you have an organization like us, a not-for-profit charity that blends public money with private grant money like the Suffolk County National Bank and other (inaudible) the standards now, I would say and our building will tell us, it's easier for them to build a $500,000 home than it is for one of our homes that sells for under $84,000.

I also want to say and this is a reaction to the question of what do the homes look like, I want to thank very much the two homeowners who spoke because- Pat Lutzky (inaudible) and look at the quality of their homes. I'll look at the home on Charles Street. I would like anybody- we have a videotape that we show because people have misconceptions about what affordable homes are like now. Go to Manorville, go to the three developments that we built in Southampton or East Hampton or Southold, at the affordable homes that we didn't do that benefitted Oakdale, I think those are the questions.

We're selected through a lottery. There's a local preference so that the folks from the community that's working with us get to buy the homes. They must get mortgages, they must be working. Secondly, the specifications, the standards are tougher than private market and, third, we invite anybody to see the quality of our homes and meet the other homeowners like the couple that you met tonight."

Councilman Kent: "What about parkland in the area? Are there any proposed- "

James Morgo: "Oh, I'm sorry."

Councilman Kent: "-- that's all right, parkland in the area? There was- within the community there, is there any proposed parks?"

James Morgo: "Are you talking about this specific piece of property? When we started, we were going to build (inaudible) as a townhouse (inaudible) but we were going to use the (inaudible). The design, the actual layout, I'm not- for this property, I know we've been working on (inaudible), narrow streetscapes, but I think maybe Ann Marie or Howard or somebody could answer that question about it."

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

Ann Marie Jones: "Yes. We are working with the Town of Riverhead. One of the things that has to be done after we go through this process is we have to go through the Planning Board and get a major subdivision application approved. As part of that, property that will be used to mitigate some of the Health Department regulations will have to be sterilized by the Town of Riverhead. Some of that property has already been purchased or given to the Town of Riverhead by the Suffolk County and one piece next to the park that is already in the neighborhood and part of what we're doing with the town is going to expand on that park that exists. There won't be any parkland on these 13 lot site, but another part of the project we're building four houses on scattered sites inside Millbrook Gables, we've already acquired that property from the Town of Riverhead and will be using property that is given from the County to increase the parkland that's already in the neighborhood.

But as Jim said, when we were trying to do a property- a project that had more density, there would have been more money that we would be able to donate or give to do parkland but because it's been cut back we have to kind of do a little- I just- one thing I didn't explain and I'm sorry I didn't, is that this is the 13 lot, this is the piece, it's about 3.3 acres and we propose to re-route Siegel Avenue through the project so that we can also improve an intersection that's not a very good intersection at this time. And this also gives us an opportunity to integrate the new property within the community itself. So that you have to go through here to get there and to get out. So we're really improving ingress and egress to the neighborhood. And we are, I guess a good word would be just uniting, the new project with the old community so that there could be a relationship."

James Morgo: "Yes. And one other thing that Mrs. Mack referred to is that where this is, is really the entrance to Millbrook Gables and it's the whole idea that we want to have something that looks so good that we can, as I think Ann Marie talked about, go in and work on the rehabilitation of some homes there, working with Andrea Lohneiss and I think this is where we send a message. I think it will make a very strong (inaudible)."

Supervisor Kozakiewicz: "You had a question, Ed?"

Councilman Densieski: "Yes. Mr. Morgo, it sounds like you have a pretty tight criteria. What is the percentage of families that fail the program? Is there a number?"

James Morgo: "Yeah. I don't know if I can give you an exact number but we do have people fail. Some people fail because someone who enters our program must be a first time home buyer so they're not bringing any equity in and, secondly, they can make no more than 80% of the original median income. So we get an awful lot of people who make more than that and still can't afford a home on Long Island, that can't get in.

On the other end of the spectrum, we have people- "

Councilman Densieski: "I mean, people that get accepted and get a home. What's the percentage of people that end up losing the home?"

James Morgo: "Oh, you mean foreclosures?"

Councilman Densieski: "Yes."

Councilman Kent: "Defaulting on the loan."

James Morgo: "Oh, okay, I see. We have done now as I said over 800 homes, we have had four foreclosures and they've all- it's understandable because many of them with their principal, taxes and insurance are paying less than they were paying for rent."

Councilman Densieski: "Okay. And what happens to a home if it does go to foreclosure? Does it go back in the program?"

James Morgo: "What happens- what we advise if we see it coming, is that they sell the home to another eligible home buyer before it actually forecloses. If it goes to foreclosure, often- I can think of one, where the holder of the mortgage, the bank, took the home back. But the bank has to sell it to someone who is going to use it as his principal residence because we have those covenants."

Councilman Densieski: "Okay. That was my point."

James Morgo: "Yeah."

Councilman Densieski: "Thank you."

James Morgo: "We- we- frankly, we did not start putting those

covenants, owner/occupied into perpetuity until about four years ago. They only lasted for 10 years in our first job. We've got a job in Manorville now where it's coming onto 10 years and some of the people in the homeowner's association are concerned about (inaudible)."

Councilman Densieski: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. I just want to ask-"

Councilman Kent: "Hold on a second. You have to be sworn in also, Mr. Kestling."

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

Rolph Kestling: "So help me God. I just want the Town Board a question. Did I hear something you don't want to rezone from B to Residential, did I hear right?"

Councilman Kent: "Business C. It's- that's what this whole application- "

Supervisor Kozakiewicz: "From Business to Residential."

Rolph Kestling: "Well, why is it you want to do this? Now that we've got too many homes, now you are rezoning something where you could- I mean, think about it."

Supervisor Kozakiewicz: "Actually it's a special permit application which is allowed under the Business zoning- it's not a rezone."

Rolph Kestling: "All right. Then but you're going to allow housing that couldn't be put there before, now you're allowing housing."

Supervisor Kozakiewicz: "They're allowed by special permit."

Rolph Kestling: "By special permit. That's what it boils down to. So on one side of your mouth you're talking you've got too many

people, we're being overloaded with homes, and the other side of your mouth, you're talking different."

Councilman Densieski: "It's already a disturbed site. We're trying to save farmland and open space."

Rolph Kestling: "That's not farmland."

Councilman Densieski: "This is- no, it's not."

Supervisor Kozakiewicz: "That's the point. That's the point."

Councilman Kent: "That's why. We're not trying to save this."

Rolph Kestling: (Inaudible)

Councilman Densieski: "It's already a disturbed site. That's why we want to use that spot."

Rolph Kestling: "What is there now?"

Councilman Densieski: "There was- a home previously. The Young family presided there for many, many years."

Supervisor Kozakiewicz: "There was an old homestead and then there was vacant land around the homestead."

Rolph Kestling: "Vacant land and is that (inaudible) that land or someone else?"

Supervisor Kozakiewicz: "It's been purchased by Long Island Housing Partnership. They are the current owners."

Rolph Kestling: "In other words they're stuck with it."

Supervisor Kozakiewicz: "If we go with your argument, yes."

Rolph Kestling: "Yes. Well, they're stuck with it. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Hand in the back, I can't see who it is."

Councilman Kent: "It's George Papageorge. Do you want to get anybody else first?"

George Papageorge: "George Papageorge (inaudible). Now just mention it, it was three point- "

Supervisor Kozakiewicz: "Two acres."

Councilman Kent: "Three point three."

George Papageorge: "How many units are they going to put on that?"

Supervisor Kozakiewicz: "Thirteen. We already heard your arguments, yes."

George Papageorge: (Inaudible)

Supervisor Kozakiewicz: "Thank you."

George Papageorge: "Three acres, 13 houses."

Supervisor Kozakiewicz: "Correct."

George Papageorge: "Right."

Supervisor Kozakiewicz: "That's what their application is, that's correct. And it's subject to Planning Board approval. Thank you."

Councilman Kent: "And I believe it's consistent to the development in the area."

Supervisor Kozakiewicz: "Anybody else? Not seeing anybody else's hands move, I declare the public hearing closed at the time of 8:05."

Public Hearing closed: 8:05 p.m.

Public Hearing opened: 8:05 p.m.

Supervisor Kozakiewicz: "The time still being 8:05, Barbara, would you read the last notice of public hearing, please?"

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 May 15, 2001, at 7:15 p.m. regarding the petition of Meadowcrest IV at Settlers Landing at Wading River to construct a lateral water main."

Supervisor Kozakiewicz: "We'll have a moment, then we'll let you go so you're uninterrupted. Everybody's undivided attention. Go ahead."

Dennis Kelleher: "Good evening. My name is Dennis Kelleher from the engineering firm of H2M. We are the consulting engineers for the Riverhead Water District.

The second public hearing tonight is about the extension of the water main to service a new subdivision which is called Meadowcrest IV. It's a proposed 46 lot subdivision and is located off of Wading River/Manorville Road, south of Route 25A. I've highlighted in pink the proposed subdivision (inaudible) and I've also highlighted in blue the existing Riverhead Water District water main which is to the right of the drawing. On the left of the drawing are existing water mains from the Suffolk County Water Authority.

This subdivision will really border on the Town of Brookhaven and Town of Riverhead border. The entire subdivision is in the Town of Riverhead.

In order to provide water to the proposed 46 lot subdivision, approximately 5,000 linear feet of water main will need to be installed. We will tie into the existing 12 inch water main on Long Pond Road, install water main throughout the subdivision, and then tie into an existing dead end water main located on Barnes Road. The estimated water use for the 46 lots is approximately 13,800 gallons per day on a typical day and that would increase to approximately 21,000 gallons per day on a peak summer day.

The cost to install all the water main and appurtenances is estimated at $209,000. This includes the service connection to the individual homes. This entire cost will be paid for by the developer. In addition to that $209,000, the developer will pay key money in the amount of $2,500 per single family home. With the 46 lots, that works out to $115,000 total key money. And that should do it."

Supervisor Kozakiewicz: "Anybody else who would like to comment with regard to this public hearing? Mr. Kasperovich."

William Kasperovich: "William Kasperovich from Wading River.

Well, this is the third time around. Never having seen this drawing, never having given it any consideration, how is it possible for me as the public to give you any comment whatsoever? I find this three times in a row- "

Supervisor Kozakiewicz: "I don't know what else to do short of delivering a map personally to you. It's up in the Town Hall, it's up on the wall, it's up on the wall- hold it, hold it."

William Kasperovich: "Are you trying to tell me you can't- "

Supervisor Kozakiewicz: "Point of order. Point of order."

William Kasperovich: "That's right, a point of order. You're the Supervisor."

Supervisor Kozakiewicz: "You have asked- if I could have a moment, please. I have asked that it be put up on the wall. They're up on the wall in advance of public hearings so that people can have a chance to look at the proposed diagram, in fact, have a chance to digest it and respond. Other than putting it up for five months in advance of the hearing being called for, I don't know how to stop you from getting up there and making the same comment every hearing, every public notice."

William Kasperovich: "First it was two days, now it's five months?"

Supervisor Kozakiewicz: "I'm saying short of doing that, I don't know how to make you happy."

William Kasperovich: "Mr. Supervisor, if this is the extent of your knowledge, you are revealing to the public-- "

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "-- your inability- "

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "-- and your inadequacy- "

Supervisor Kozakiewicz: "Do you have anything- do you have anything- Mister- "

William Kasperovich: "-- about the Town Board meeting. If you don't know what to do- "

Supervisor Kozakiewicz: "Mr. Kasperovich, Mr. Kasperovich- "

William Kasperovich: "-- with the Town Board- with the public hearing- "

Supervisor Kozakiewicz: "Mr. Kasperovich- "

William Kasperovich: "-- if you don't know what to do with the public hearing that's improper, you are showing your- "

Supervisor Kozakiewicz: "Mr. Kasperovich, Mr. Kasperovich- "

William Kasperovich: "-- incompetency."

Supervisor Kozakiewicz: "Mr. Kasperovich- "

William Kasperovich: "It's a hell of a thing for me to have to stand up here- "

Supervisor Kozakiewicz: "Do you have any other comments?"

William Kasperovich: "-- and say this to a man that I'm friendly with, that I greet in a cheerful tone? Come on, you can't get them- "

Supervisor Kozakiewicz: "-- just a simple question, Mr. Kasperovich."

William Kasperovich: "-- just because you don't know what to do?"

Supervisor Kozakiewicz: "Mr. Kasperovich, do you have any other comments with respect to this proposed hearing other than criticizing us."

William Kasperovich: (inaudible)

Supervisor Kozakiewicz: "Sir, sir, let's move on. Sir."

William Kasperovich: "If you can do no alternative but to put this hearing over to the next Town Board meeting."

Supervisor Kozakiewicz: "That's your opinion. Thank you, sir."

William Kasperovich: "That is my opinion."

Supervisor Kozakiewicz: "Thank you, sir. Is there anything else?"

William Kasperovich: "You can put off to a special board meeting."

Supervisor Kozakiewicz: "Is there anything else you'd like to address with the Board tonight other than criticizing us for not having it up on the board?"

William Kasperovich: "Yes, I'd like H2M to tell us about the connections in detail."

Supervisor Kozakiewicz: "They just did that."

William Kasperovich: "No, he did not."

Supervisor Kozakiewicz: "Yes, they did. But, Dennis, do you wish to come up?"

William Kasperovich: "He's making the connection with Long Island Water Authority and there is no specific indication nor did he say of any specific indication."

Supervisor Kozakiewicz: "Mr. Kasperovich, you've asked him to outline the connection. He's trying to do that."

Councilman Kent: "Suffolk County."

Dennis Kelleher: "As I stated before- "

Barbara Grattan: "Dennis, Dennis, the only thing is that this isn't getting on tape because you're not by the microphone."

Dennis Kelleher: "Okay."

William Kasperovich: "Do you want to bring that thing closer by so you can talk with it?"

Dennis Kelleher: "The existing subdivision will be connected to the existing, excuse me, proposed subdivision will be connected to the

existing Riverhead Water District in two locations. The first is the existing 12 inch line located on Long Pond Road. We will tie in there, have a connection. We will also tie into the existing, I think it's a six inch line on Barnes Road. It's an existing dead end line. I will now point to both locations. Here's Long Pond Road. We are tying in right here with the 12 inch. Here's Barnes Road, a dead end, we are tying into a six inch right here."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Dennis, I have a question."

Dennis Kelleher: "I just have one more- I mentioned the Suffolk County Water Authority water main because they're shown on the map. We are not connecting to the Suffolk County Water Authority water main."

Councilman Densieski: "Dennis, is there anything- "

William Kasperovich: "Why is this green line pointing there, running horizontally in the upper left hand corner? You have a green line running over to the outline of the property."

Dennis Kelleher: "There aren't any green lines on the- "

William Kasperovich: "Or is it blue?"

Dennis Kelleher: "I'm sorry. This here is the existing- "

William Kasperovich: "What is this blue line?"

Dennis Kelleher: "The blue line that was just indicated is the existing Suffolk County Water Authority water main that is installed. We are not tying into that- "

Councilman Densieski: "Dennis, I've got a question. Is there anything about this or any of the other proposals that were brought before us tonight that are not the industry standard?"

Dennis Kelleher: "These are definitely the industry standards."

Councilman Densieski: "Thank you."

Dennis Kelleher: "We've been doing this work for 30 years."

Councilman Densieski: "Thank you."

Dennis Kelleher: "And copies of the report with the plans have been- actually in both cases, were delivered to the town back in March of this year."

Supervisor Kozakiewicz: "When you- just clarify that, when they are delivered to the town, they're delivered to the Town Clerk?"

Dennis Kelleher: "Copies to every Town Board member and to the Town Clerk."

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "Are we or are we not going to tie in with the Long Island Water Authority?"

Supervisor Kozakiewicz: "Suffolk County Water Authority. And the answer is no."

Dennis Kelleher: "No."

William Kasperovich: "Now, there's nothing I can say that I won't regret. But any (inaudible) has been given a full rein and we have been cooperative with them and we have given them enough money to sustain a good office, they are not responding."

Councilman Densieski: "I disagree with that statement."

William Kasperovich: "You can disagree all to hell. I'm telling you that the man is telling us he's got 40 years of experience, he wasn't out of school at that time and the people that (inaudible) and ran H2M at that time were a hell of a lot different character people than there are now to permit this sort of thing to go on. And we have no- "

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

Supervisor Kozakiewicz: "I just want to clarify. You are commenting that he said he had 40 years of experience and that is not what he said. If you were listening, the question was was this in accordance with industry standards? And the comment was, it was and it's been the design that H2M or the company has been utilizing for 30 years, was the response. Not that particular person who was the speaker at the time, Mr. Kelleher.

So just to clarify the record. I think if we went back and we were to look at what the record was, it was a question regarding whether this plan was in accordance with industry standards. The response was that it was and that it was in accordance with the standards that that particular company, H2M, has been utilizing for the last 30 years. That was the response. Not that that particular individual, Mr. Kelleher, has been there for 30 years. Thank you."

William Kasperovich: "The number was 40 in case your memory has failed you."

Supervisor Kozakiewicz: "Well- "

Councilman Kent: "He said 30."

Supervisor Kozakiewicz: "It was 30 and it was not speaking personally about his experience, he was speaking about the company's experience."

William Kasperovich: "And there is no one individual sitting at your table that's known that from beans about what is the industry standards. You people have absolutely no knowledge- "

Supervisor Kozakiewicz: "Thank you. Okay."

William Kasperovich: "-- of water works or water works standards and yet you are accepting and not questioning or reviewing anything that is thrown at you."

Supervisor Kozakiewicz: "Well, do you have something- forget it, I'm not even going to go there. Thank you for your comments. Anybody else who would like to address the Board with respect to this particular public hearing? Not seeing any hands move, the time being 8:18, declare the public hearing closed."

Public Hearing closed: 8:18 p.m.

Supervisor Kozakiewicz: "It is now public time, public free will and you can come up to address us with regard to anything about- yeah, it's going to be a free for all I think tonight. There must be a full moon out maybe. Anything that's on as far as resolutions or matters that you would like to address the Board. Please limit your comments to five minutes if you would. Once again, I'm going to ask

individuals who are coming up to- I mean, individuals who in the audience, to allow the speakers to state what it is they are coming here to say. If you feel you have a need to address what they have stated as incorrect, please do it at the podium, not in the audience. Mrs. Patrikis."

Vasse Patrikis: "My name is Mrs. Patrikis and I'd like to talk about the Suffolk Theater. I know that you approved four million to restore it and I think this is something for us, the taxpayers, that we have to decide. I don't think- we're talking about millions, like your own millions, they're not yours, they're our millions, the taxpayers millions. And we have to decide. If we decide that it's okay- the theater- all the people say yes, we want that to happen, then let it be. But if we say no, you have no right, the four of you that decided that it's okay to spend the four million for the theater. We have so many other things that we should spend our millions because we're all forgetting our children.

There are so many children- we have nothing for the children in Riverhead, absolutely nothing. What you are trying to do by the park to do the things that you are talking that you have to do, are all fine but there are so many things. Because our children is the most precious thing that we have in this world and we're forgetting our children. And that hurts me when I see that those children have nothing to go to and they have no programs. I see in Greenport they're doing so many things for the children and I really am very happy to see them. I take my grandkids there, they don't live around here but there is nothing in Riverhead for the children.

Before you decide to spend your four millions for the theater that you're never going to recover. One hundred years from now even if you rent it, how much money are you going to make? You are never going to recover it."

Supervisor Kozakiewicz: "As crazy as this is- "

Vasse Patrikis: "So, I'm fighting for (inaudible) and I'm going to go Saturday, outside King Kullen, I'm going to go to BJ's, all the stores, and I'm going to have the 400 signatures because I think this is our decision and not your decision. We're employing you to do a job for us. We put you in that position that you're there. And you have to do what the taxpayers, what is the will of the people. That is the right thing. Okay?

You are already two years and I haven't seen too many things

happen. Whatever happened was from the past that it happened and you follow it up. Well, I'm sorry, that's how I feel."

Supervisor Kozakiewicz: "Thank you. You're entitled to your opinion."

Vasse Patrikis: "But I think I'm right in many things. I think there are too many things."

Supervisor Kozakiewicz: "Again, you're entitled to your opinion."

Vasse Patrikis: "Okay. But the most important thing that we have to fight for is our children, our young children. The children are born today, I work with children all day. And I love the children and if we don't do anything for our children to let them stay in Long Island, forget it. Forget it. This is- your priority are the children."

Supervisor Kozakiewicz: "I actually agree with you that they are certainly one of the priority that we feel."

Vasse Patrikis: "The only priority, not one."

Supervisor Kozakiewicz: "And that is why we have been working diligently with the Rec Advisory Committee to build the roller hockey rink and the skate park. We have seen what other communities have done and- "

Vasse Patrikis: "But (inaudible)."

Supervisor Kozakiewicz: "-- this has been something that has been going on for over a year. We went out to bid and we were very disappointed to find out we only received one willing bidder. But I think that anybody who is on this Board with me knows the amount of time and effort that has gone into design that park- "

Vasse Patrikis: "Well you are going to have to work much harder."

Supervisor Kozakiewicz: "Well, it's- "

Vasse Patrikis: "That's not good enough for me."

Supervisor Kozakiewicz: "Well, that's fine."

Vasse Patrikis: "What you're doing is not good enough for me. Work harder."

Supervisor Kozakiewicz: "Thank you. Okay."

Vasse Patrikis: "You're not working hard enough for our children, you have to remember that."

Supervisor Kozakiewicz: "Thank you. And actually, since you brought up children, if you watched the public hearing or the debate involving Suffolk Theater you would have noticed that there were a number of young men and women who came up at that particular meeting. Apparently there's- "

Vasse Patrikis: "I wasn't able to do because I sing in a chorale- "

Supervisor Kozakiewicz: "Well, I'm just responding to a point you raised."

Vasse Patrikis: "But from now on, every meeting that I can, I will make it because my priority is the children."

Supervisor Kozakiewicz: "Okay, that's fine."

Vasse Patrikis: "And I ask that you do something for our children- your Board is (inaudible)."

Supervisor Kozakiewicz: "And I would like to- if I could have a comment period just to respond to yours."

Vasse Patrikis: "Sure."

Supervisor Kozakiewicz: "If I may, please. If- the Suffolk Theater I understand your viewpoint, that it's not going to provide any opportunities to the children. However, if you had an opportunity to review the public hearing record or had an opportunity to watch the Cablevision recast of that program, you would have noticed that there were, in fact, a number of young men and women who came up and spoke and told this Town Board what an opportunity they felt and believed in their hearts that the Suffolk Theater would provide to them. A venue that is not otherwise open to them. That they would provide acting opportunities and an ability for them to further that type of activity that they would not otherwise wish to proceed with. They're not- everybody- not everybody wants to roller skate; not everybody wants to

skateboard; not everybody wants to play baseball. Some young men and women want to take up the arts. Some young men and women want to play the guitar. Some want to play other musical instruments. Some want to act. Some want to participate.

I just wanted to point out because if your reason to vote against the Suffolk Theater is based upon a decision that you don't want to see that money spent for something that's non-children related, then I think you're misguided. That's my point."

Vasse Patrikis: "But it's not going to cost four million, let's face it. It's not going to cost four million. (Inaudible) four million goes a long, long way. You don't need four million. You can do it very, very inexpensively, you want to improve it and do things. You don't have to do all the things that you're talking about and spend four million."

Supervisor Kozakiewicz: "All right, thank you. Anybody else? Hands in the back, please, I can't see. Sure. Rose Sanders, please. Oh, I guess Dorothy Pennell, please."

Dorothy Pennell: "Dorothy Pennell, Jamesport. I'm concerned equally about something- about the expenditure of four million dollars. What are your plans with Main Street and doing something constructive about it?"

Supervisor Kozakiewicz: "Specifically?"

Dorothy Pennell: "Yes."

Supervisor Kozakiewicz: "One of the things that we have on tonight as a matter of fact if it's made it into the packet and I'll verify it is, we're looking to redraft the zoning in order to attract a coffee/book store type of enterprise, big (inaudible) store type of enterprise downtown. So that a Border's Books, Barnes & Noble, will be able to come to the Main Street and we're going to provide that this type of zoning would be to the exclusion of other districts so, hopefully, we can entice a business such as Barnes & Noble or Border's Books to Main Street.

There is also, if you've gone down there, the Atlantis Aquarium has brought a lot of activity. There are a number of new restaurants that are opening. In addition, we're looking to try and bring the Empire Development Zone or the Economic Development Zone to the Main Street corridor so that businesses that are looking to revitalize or

provide more employment opportunities will be able to seize upon the Empire Zone credits and get tax credits so that they will, in fact, be attracted to downtown.

The Vision Theater is there now. They've opened, so there's a lot of things going on, a lot of plans. Grangibel Park we're looking to do re-bulkheading of the park and to refurbish the Grangibel Park area. We've opened up the pumphouse that's behind or adjacent to Grangibel so we have a lot of plans. We're also looking to acquire some properties. I've been talking to the County of Suffolk. Hopefully, we'll be able to acquire a couple of waterfront properties along Peconic River in order to open up vistas and provide some walking trails or bicycle trails. So there's a lot of different things that we're looking at as far as the Town Board and myself, personally."

Dorothy Pennell: "All those things that you mentioned, Mr. Kozakiewicz, are all positive and they're very, very attractive and I would not say anything negative about any of them. However, I'm talking about the condition of Main Street now. What are you going to do with Ben Franklin? I think it's a horrible thing, well, just as that store did on Peconic Avenue right on Main Street, the corner, they had their furniture out there; they had their wares out there. They put the sign painted on the window, you know, $5.00 (inaudible). But aren't there any codes in the town that prevent that? That's a main street. It could be absolutely lovely. And it could be beautiful because of the geographical situation, you have the river, and (inaudible).

What are they doing- has anybody ever spoken to them about caring for that and making it more attractive than what it is? I realize it probably is a ticklish situation for some of your people, that you don't want, you know, to discourage a store of that magnitude. But there should be a code where none of this is allowed. Do you think that you're going to have a lovely theater and right next door practically, Ben Franklin is going to have their yard- it looks like a yard sale. And certainly could not compare to Westhampton Theater the way that is. They did a wonderful job. Even as far as this town was concerned, you fixed the outside of the theater with some of the monies that were allocated but as far- it should have been done in the inside because there was such a tremendous amount of deterioration in there. You did it- I mean not you, not Mr. Villella, but before that Stark and Janoski so they didn't- (inaudible)."

Supervisor Kozakiewicz: "Okay."

Dorothy Pennell: "And what are your plans for that? Are you anticipating correcting that situation or making it more attractive? You'll have a lovely theater there, you'll have all the things that you're talking about, the book shops, the coffee shops, nice restaurants, (inaudible). Those are attractive and they're well kept, they're well maintained."

Supervisor Kozakiewicz: "I'm going to be honest with you. When I drive down Main Street, I tend not to focus on the negative, I tend to focus on the positive. I look at the Star Confectionary operation; I look at the Digger's operation; I look at the Bank of New York; I look at West Marine; I look at the new North Fork Gym; I look at the Little Guppy; I look at Two Scoops Ice Cream. But this issue is something that we'll take a look at to see if we have any enforcement powers to clear it up since you brought it to our attention."

Dorothy Pennell: "But it should have been tended to long before- even before your administration."

Supervisor Kozakiewicz: "Thank you."

Councilman Lull: "Dorothy, you're talking about the issue of a store like Ben Franklin operating outside. They don't operate outside unless they have a permit to do so."

Dorothy Pennell: "Did they get a permit every time they have merchandise out on the street?"

Councilman Lull: "They have- they are supposed to- they have been told at various times not to, but they also have had- at various times have had a sidewalk sale approval."

Dorothy Pennell: "When they have been told not to, and they persist in doing that, has there been any reaction as far as the town is concerned in attempting to have them- "

Councilman Lull: "I've heard of no circumstances in which they refused to comply."

Dorothy Pennell: "And even as far- they're going to have- I'm thinking of the Theater- where it's located, there's (inaudible). I have nothing against Ben Franklin, but the thing is-- the relationship of the area, (inaudible) and then you have the (inaudible) with all of the sales, two for five and all this other nonsense. Isn't there-- that's what I'm asking you. Is there any code of propriety or

something that adds to the town, the Atlantis, that has added to it. And it has made it nicer and it has a number of people that we get in there every weekend, that, you know, it's beneficial to the business. But then you come across this."

Councilman Kent: "Mrs. Pennell, as part of the master plan proceedings that are going on, there is a downtown group, a sub-committee, that's dealing with the downtown area and I attended a couple of those meetings and there has been some suggestions about amending our sign ordinance to have certain types of signs only permitted on Main Street in the downtown area. So this is going to be discussed further before the master plan is adopted. There will be amendments made to the sign ordinance for the signs downtown. And it may preclude some of these signs that you are talking about, that are just hanging in the windows. There will be some uniformity for the signs downtown."

Dorothy Pennell: "Well, that's good because I had been upstate last fall to a convention and the town, when I walk down the Main Street of the town, it was are laid out almost like (inaudible) but the difference then, the appearance of that little old town was amazing. The shops were decorated nicely, they had benches along the street. They had- "

Supervisor Kozakiewicz: "We have benches along the street."

Dorothy Pennell: "Well, not the way this little town- I have pictures and I'll bring- "

Supervisor Kozakiewicz: "We do have benches though."

Councilman Kent: "Yeah, could you bring me those pictures because we are trying to- in our master plan process, we are really trying to have some kind of vision of what we'd like downtown to look like."

Dorothy Pennell: "(inaudible) Lake, upstate."

Councilman Kent: "Where is the town?"

Councilman Lull: "At the end of (inaudible) Lake."

Supervisor Kozakiewicz: "Okay."

Dorothy Pennell: "I stood in the middle of the street and I

said my gosh, it looks like Peconic Avenue in Riverhead other than what we have here."

Councilman Lull: "I'll be there Thursday."

Dorothy Pennell: "You know, the four million dollars, that theater (inaudible)."

Councilman Kent: "Take some pictures."

Councilman Lull: "I will."

Councilman Kent: "You can either bring- put these pictures in an envelope, either bring them to Town Hall or you can just mail them to me, whichever you prefer. And I'd be glad to look at them."

Supervisor Kozakiewicz: "Thank you."

Councilman Lull: "As I told Chris, he can get pictures from you or I'll be there on Thursday, so I'll take some. I go up there a couple times every year."

Dorothy Pennell: "Well, be sure- and it's a lovely, lovely town. And there isn't any reason why we can't have that here."

Supervisor Kozakiewicz: "Great."

Dorothy Pennell: "With rules and regulations and foresight."

Supervisor Kozakiewicz: "Thank you. Rose Sanders."

Rose Sanders: "I just want to take a couple seconds to address some concerns of the earlier speaker, I'm sorry, I don't know her name but- "

(Unidentifed): "Mrs. Patrikis."

Rose Sanders: "And her concerns (inaudible) dealing directly with the children and I agree with you. My name is Rose Sanders, I'm the Chairperson of the Riverhead Recreation Advisory Committee. And I think children, adults, seniors, middle-aged, you name it, we tried to look at the whole town and say how can we improve and provide activities for all age groups? And just to let you know and I know nothing is ever done fast enough."

Supervisor Kozakiewicz: "Rose?"

Rose Sanders: "We all feel that way at certain times and we all like projects to be done yesterday but that's just not the reality of the situation. The skate park and roller rink we worked on that project for two years, putting together the facts and figures, visiting other skate parks, trying to come up with the best plan that would meet everyone's needs and projects of that magnitude unfortunately take a lot of time, a lot of planning and cannot be done overnight. So (inaudible) to the Board, they have two liaisons on the committee who work with us on town projects and thoughts and ideas and resolutions to bring forward at our suggestion, so that has been on the table for a long time and we're finally getting a chance to move forward on it.

But we also not only do the skate park, we've done projects at Two Bears, we've done projects on Horton Avenue, we're in the process of doing a project on Horton Avenue, Oakland Park; Millbrook Gables; Bayberry Park. We're renovating the children's playground, Stotzky Park. And the Rec Department-- in addition to what we do, the Rec Department, I know we all get those flyers, and there are more programs than we know what to do with. There are (inaudible), there's art, there's (inaudible), so there is a lot out there for the children and I think the whole town has always put children as a priority. That's all I wanted to say. Thank you."

Councilman Kent: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Sid Bail, then Bill."

Sid Bail: "Good evening, Sid Bail, Wading River Civic Association. Could you please tell me what special event that they're talking about in Resolution 551?"

Supervisor Kozakiewicz: "I know there's a couple- oh boy."

Sid Bail: "(Inaudible) the application?"

Councilman Lull: "Yes, it's kind of like a grand- whoops- it's kind of like a grand opening thing."

Councilman Kent: "It's a grand opening."

Councilman Lull: "That's food and beverage provided."

Councilman Kent: "They're going to have cars and motorcycles there, too."

Councilman Lull: "Yes."

Sid Bail: "Okay, it sounds like a good time. On Resolution 558, assuming you pass it tonight, when will the public hearing be on the proposed moratorium?"

Supervisor Kozakiewicz: "July 17th."

Sid Bail: "July 17th."

Supervisor Kozakiewicz: "It's- "

Sid Bail: "Will that be in Wading River?"

Councilman Densieski: "It's got to go to Suffolk County- "

Councilman Kent: "A lot of things. It has to go to our Planning Board. It has to be referred to our Planning Board and the Suffolk County Planning Commission before we can have our public hearing."

Supervisor Kozakiewicz: "Right."

Sid Bail: "Okay, thank you very much."

Supervisor Kozakiewicz: "You're welcome."

Councilman Densieski: "We'll be watching it very closely, Sid."

Supervisor Kozakiewicz: "Steve, I'm going to ask you to wait. Bill Kasperovich had put up his hand right after Sid's and then I'll ask you to come up after Bill Kasperovich. Is that okay? Okay. Bill."

William Kasperovich: "William Kasperovich from Wading River. Resolution 551 (inaudible). This group of stores has small parking area and the driveway has no turning lanes onto Route 25A. This would likely be a popular affair, will create a traffic jam. No question about it. Because there's no place to park and there's no way to get in and out of this (inaudible). I looked at this area carefully this afternoon because that's where my barber shop is so I stood around there to see how this thing is going to happen and if there will be a

traffic jam and if we anticipate a jam then we accommodate it. If we don't anticipate it, it's going to be not a good (inaudible).

(Inaudible) in Riverhead, Wading River, there was listed a site plan application of Little Bay Shopping Center. It was to be (inaudible), but this shopping center has two entries and two exits- two entries, an exit- an exit, an entry off 25A, an entry and exit onto Wading River/Manorville Road. We do get a lot of traffic and the parking lot gets jammed up at lunchtime. But other than lunchtime, it's a flexible, normal, useable parking lot.

The one problem we have had over the years and I notice the town did not address it, is that the driveway into Wading River/Manorville Road was recently resurfaced. However, once again, nobody paid any attention to the storm drains. The water- you're running north/south, from the north comes in, has to run over the driveway onto the gas station at the intersection. Consequently, in the right hand lane you have standing water there continuously. And yet they resurfaced it with no intercepting storm drain.

The other aspect of this particular driveway is that when you're leaving, when you try to look north to your left, there is privet hedges that require you to practically get onto the road to be able to see the oncoming traffic. Now, these people prepared a site plan, they should know exactly where that boundary property line is and if that privet hedge is one inch over the property line, we should pull it back to improve and better the line of sight. Because it is a hazardous situation.

Now, (inaudible), if they prepared a site plan, they should know where that boundary is and we should (inaudible) ourselves that this privet hedge does not extend over that boundary restricting the line of sight.

The other point, first, the (inaudible) onto 25A has no turning radius at all. This parking lot was put in a good 50 years ago. The turning- we didn't have that much traffic on 25A and there was no concern for turning radius but we have no turning radius onto 25A.

And (inaudible) the Peconic parking lot that the Committee report made mention of, that there was a (inaudible) on the curbing. Well, the curbing onto the (inaudible) highway that you would use to get onto the parkway, did not survive the winter. The snow plows knocked those blocks out the way they're put in because (inaudible). So at the current time, they're a mess as I stand here talking to you about

it. If you want the public into this area, this should be brought up a little higher priority to repair. And the repair should, if possible, be made more sturdy so that it can survive the winter (inaudible).

On the resolutions, unfortunately I have several items I wish to bring to your attention. Item- resolution 540 which is a classification for a special permit for a gas station and in the resolution the first Whereas, service and inspection facilities. Now I feel that the intent is New York State inspection. But this does not say that. It could be inspection of a vehicle in any manner that a garage would offer or extend their services. But the New York State facility, an inspection facility is a very inspection item and many garages in this area are not fixed up to take on this equipment because they can't afford to get it- enough money to lease or rent or even purchase. So I think that should be spelled out specifically, New York State inspections, unless he intends otherwise."

Councilman Densieski: "Thank you, Bill."

Councilman Kent: "I don't know what (inaudible)."

Supervisor Kozakiewicz: "On Resolution 532- "

Councilman Kent: "I'm not sure of the intent on that one, Bill."

Supervisor Kozakiewicz: "Well, I bring it to your attention. The intent could have been either way."

Councilman Kent: "Currently Tom's Country Motors is on that site and he has inspection for insurance purposes."

Councilman Lull: "He does insurance inspections."

Councilman Kent: "He does a (inaudible) where you get your photograph taken for the insurance company. That's the kind of inspections he performs there now."

Councilman Lull: "So that's an inspection facility."

Councilman Kent: "But I don't know if it's New York State emissions inspections, if that's what you're referring to."

William Kasperovich: "All right. Now, Resolution 532, wherein

code 108-44.7 item L theater, indoor. I didn't think that this project would go in this direction but since it has I do think that the use theater, indoor, if push comes to shove can be misinterpreted. A theater isn't necessarily a movie house. A movie house does not necessarily provide stage theater. Also a concert hall, where an auditorium is required to (inaudible) doesn't necessarily have to be (inaudible), it says theater, indoor (inaudible) non-movie house."

(There was some inaudible discussion among the Board members)

William Kasperovich: "A movie house in this area for this spot in Tanger is a little way from Office Max (inaudible) a good thing."

Supervisor Kozakiewicz: "Bill, I'm- Mr. Kasperovich, I am going to ask you to sum up if you could."

William Kasperovich: "I have two more resolutions. 524 appoints a summer intern in the Engineering Department. Now, whereas to have an intern appointed to work the summer months to complete various annual projects. Summer after summer I get the same excuse. Well, what do you want from this youngster that hasn't had any experience? And so these annual things that are required go by the wayside and we don't get the full effects and effort of the intern.

The last item is Resolution 512, 513 and 514, approves the request for a leave of absence for 3 months for three separate maintenance mechanics (inaudible). One is presented by Lull, another one is presented by Kent and Cardinale. Everything is identical except the name of the individual. And I want to know what kind of nonsense is this? Is this handing out the poker hand, one to Lull, one to Kent, one to Cardinale and it's the same thing? And the one thing that's being overlooked is it's a three month absence for a 30 day notification of intent. You can't replace a mechanic III in 30 days. And so you're trying to ask for a person to (inaudible) their intent and yet you've given them a deadline that you can't replace or find it extremely difficult to replace.

With that, I'll let the others go by. I'm sorry to say that it's disappointing to me that I go through the resolutions and I find so many items that have to be mentioned to you people. Between five men not to cover the kind of things that I bring up to your attention, it is practically unbelievable."

Supervisor Kozakiewicz: "All right, Bill. Thank you. Steve

Haizlip."

Steve Haizlip: "Steve Haizlip of Calverton. I would like to update at this time the light at 58 and Harrison. I've been informed by Suffolk County DPW that they have been working on this back in April. But the only thing is no one can see it and realize what was happening. They have done deep (inaudible) holes, put in concrete, and were told to put the other poles in and it's a matter of appearance now and they will, hopefully, get started by the end of this month as soon as they determine that's cured enough.

Two weeks from today on the 29th of May at the Ramada Inn, the Golden Donor blood drive will take place. I would ask that all people that is in town government employee be released by the Supervisor to help out those needy people that's going under operations and desperately need the blood."

Supervisor Kozakiewicz: "What's the date and the time?"

Steve Haizlip: "The 29th."

Councilman Kent: "Tuesday. The 29th of May."

Supervisor Kozakiewicz: "From what time to what time?"

Steve Haizlip: "8:30 to 2. And there will be refreshments, gifts, and I'll even shoot the gab with you."

Councilman Kent: "I think that did it; that was the clincher right there. You shooting the gab is the clincher. There will be a lot of people there looking for that."

Steve Haizlip: "Well, that's one reason I like to be in front of the camera so that when you watch the town board meeting, I'm requesting that you come down. It says where we're going but we'll accept anyone 17 on up to whatever the doctor allows them to do.

You know I hear a rumor circulating both through the airways and to community talk that the hierarchy of the Republican party got to Willmott and said can Ruth so Ruth has been canned or left."

Supervisor Kozakiewicz: "Incredible."

Steve Haizlip: "Hey, I don't want your comment; I'm just (inaudible) on the TV."

Supervisor Kozakiewicz: "I don't think the Republicans have that much teeth."

Councilman Densieski: "If they did, congratulations."

Steve Haizlip: "Mrs. Thomas mentioned about- you mentioned that Mrs. Thomas had worked on the delinquent people juveniles for community service."

Supervisor Kozakiewicz: "These are- "

Steve Haizlip: "One of the places they could really be used and could beautify the highways is the growth of week around all these utility poles. Looks horrible. And some of the streets have been cleaned up, only one that I know of and that's over on Deep Hole Road I believe it is or- "

Councilman Densieski: "Steve, some of the jobs are protected by union status. That's why there are other things like picking up garbage that we can do but some of the things would end up being a union grievance. That's why they're not permitted to do every job that we'd like them to do."

Steve Haizlip: "Ed, are you really telling me that somebody going to the court or was someone that didn't go to the court, they finally got caught up with them, that they are union protected?"

Supervisor Kozakiewicz: "Steve, no, no, no."

Councilman Lull: "Steve, he's saying- "

Steve Haizlip: "They get a violation- "

Councilman Lull: "He's saying that the job is union protected."

Councilman Densieski: "The employees of Riverhead town that do that service- "

Supervisor Kozakiewicz: "Well- "

Steve Haizlip: "Well they don't have time do it they've got so much other to do, so if you put them in community service, let them do it (inaudible). They were picking up papers off the road- "

Supervisor Kozakiewicz: "Rather than belabor the point, I

understand what you're saying. You're looking to see if they can knock down some of the weeds. We'll refer that over. If we can do it, we will do it."

Steve Haizlip: "Resolution 541 (inaudible). I remember one time Joe Griffin (phonetic) and I asked Ken Ross (phonetic) how much money he made- he was getting as Superintendent of Schools. He didn't want to tell us. I said but you're asking us for it so why shouldn't we know. So in this particular case, it says a settlement has been done so you're asking us for the money, so what's the amount of the settlement?"

Supervisor Kozakiewicz: "Two hundred and five thousand dollars."

Steve Haizlip: "Okay, thank you. Now, I remember the day that the newspaper carried an article and Joe Janoski was yelling about a building in the town being painted pink. Well, Joe should see Tire Crafts now. I guess he would have a fit."

Supervisor Kozakiewicz: "Salmon. Thank you. George Schmelzer."

Councilman Densieski: "Of course, it's in Southampton town."

Supervisor Kozakiewicz: "Oh, I'm sorry, Mr. Smith, do you want to get up and we'll save you for last, George. Didn't see your hand go up there, Mr. Smith. I was trying to ignore it, probably."

Allen Smith: "Mr. Supervisor, my name is Allen Smith. The reason for my approaching the podium is this. With reference to Resolution 539, Councilman Cardinale has been kind enough and I wish to express publicly on the record how much I appreciate it, that he has provided me with certain comments from Dvirka & Bartilucci. It appears that (inaudible). I can shut up and sit down rather quickly. I just simply need to know what the Board's pleasure is with (inaudible)."

Supervisor Kozakiewicz: "I had talked to staff people on it. I understand town counsel was also involved in some of the discussions earlier and my feeling was that we were in a position to forge ahead. That's my opinion based upon what I've heard from our counsel."

Allen Smith: "Thank you, sir."

Supervisor Kozakiewicz: "Thank you. Anybody else before George? George."

George Schmelzer: "(Inaudible) of the Board of the Town of Riverhead, they call it Riverhead because it sounds more appropriate- "

Unidentified: "You live here."

George Schmelzer: "For several years I've been trying to get the part of Riverhead that's in Brookhaven to make sure that (inaudible) outside of the fence to give to the state to make sure (inaudible) to be taxed on it (inaudible). They want a copy of the map, same thing here. So, I got proof recently. A couple years ago that up in the Adirondacks the people won't allow the state to get more parks and if they do (inaudible). There's over 6,000 square miles in the Adirondacks and Catskills state parkland that the state pays taxes on, school tax (inaudible). And that's a cost of over a hundred million a year (inaudible). Really, it's a disgrace. Stupid. (Inaudible) Here you go, you can make copies of it."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: (Inaudible).

Supervisor Kozakiewicz: "Ready to take up the resolutions? Thank you. I'll share these with the rest of the Board members."

George Schmelzer: "Well, (inaudible) doesn't even care about people having the right to decide what should be spent. Spending last year with the airport, now we've got four million dollars for the theater. What are you afraid of? Do you think you're better than the taxpayers? No better? They've got the right to decide what they want, they should vote for. Maybe (inaudible) a little bit, sit at the same table. Feels like it sometimes.

Well, like this zoning you're talking about. Southold talking about five acre zoning. Wonder how many acres each of their Town Board members have under their own house? I remember when it started here, 1969, for the health, welfare (inaudible) of the town. Yeah. Now they change it to you have to have a zoning to control the population. Why don't you call it contraceptive zoning? That's what it is. Now you've got to have separate zoning for poor people, rich people, that's (inaudible). Now you've got to get a permit to live in your own house. Isn't that a disgrace? Really. (Inaudible) Just

like some dictator. (Inaudible) And when you get to be 65, we don't need you anyway, drop them down to $5.00 (inaudible). Do the same thing. Next thing you get a permit to eat, you get money out of that. Really. You should be ashamed of yourselves. What's happening to this country? Really.

And you're afraid to ask the state to extend the expressway to 105, talk about widening 58. Widening 58, put in two more lanes and (inaudible). I'm surprised. You want to control traffic, I don't think the people would go for it (inaudible) all the road construction and bridge construction maintenance should be paid for by school tax, not income tax or sales tax (inaudible). If you did that, you'd (inaudible).

The Town Board now (inaudible) we've got three lawyers on the Board. They can (inaudible). If you had five lawyers on the Board, what would happen? I don't know (inaudible)."

Supervisor Kozakiewicz: "Are you trying to be Dave Letterman, monologue? What's the point?"

George Schmelzer: "You can say whatever you want, I don't care."

Supervisor Kozakiewicz: "All right. And I guess that goes the same, the other direction, right? Thank you. As I say, you're entitled to your opinion however misplaced it is. Go ahead."

George Schmelzer: "I guess the President and they couldn't agree with the Congress on the budget, didn't have any money to pay the bureaucrats down there so the government closed up a couple of days. The bureaucrats stayed home and it improved right a way. It didn't bother the people. Really.

You're talking about Main Street, did you look at West Main Street? (Inaudible) Why don't you ask LaValle to get rid of that damn nonsense. You want it to look that way. Are you afraid of him or something?"

Supervisor Kozakiewicz: "Keep going, George."

George Schmelzer: "No, are you afraid of him?"

Supervisor Kozakiewicz: "George, keep going. Thank you, George. Thank you."

George Schmelzer: "You don't answer. You must be scared of him. What's he got on you? (Inaudible)."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "George, we all know these stories."

George Schmelzer: "Huh?"

Supervisor Kozakiewicz: "You've told these stories many, many times up there."

George Schmelzer: "You never give us an answer (inaudible)."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "Let me ask you a question. I could ask Mr. LaValle to petition the state to change the line. The river line."

George Schmelzer: "Get rid of it."

Supervisor Kozakiewicz: "How?"

George Schmelzer: "Ask him to."

Supervisor Kozakiewicz: "Sure. Okay. He'll do it tomorrow. Thank you. Okay."

George Schmelzer: (Inaudible)

(Some inaudible discussion among the Board members)

George Schmelzer: "I figured you would, yeah. Should have done it yesterday."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "(inaudible) That's all I've got to say now."

Councilman Densieski: "Thanks, George."

Councilman Lull: "Thank you, George."

George Schmelzer: "Okay, thank you very much."

Councilman Kent: "Thank you."

George Schmelzer: "Really, I'll save it for next time. (Inaudible) Going back to the Middle Ages."

Councilman Kent: "Okay."

George Schmelzer: "The people (inaudible) we tell them to do. (Inaudible). Couldn't come for the last month because I didn't feel good."

Councilman Densieski: "We missed you, George."

Councilman Lull: "We certainly missed you and your favorite chair missed you."

George Schmelzer: "Thank you."

Councilman Lull: "Take care, George."

George Schmelzer: "So long."

Supervisor Kozakiewicz: "The resolutions."

Resolution #502

Councilman Densieski: "Awards a bid for Calverton Enterprise Park contract No. 4, water tower removal. 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 #503

Councilman Cardinale: "#503 awards a bid for the Equestrian Estates Extension No. 60, Riverhead Water District. 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 #504

Councilman Densieski: "504 rejects the bid for Stotzky Park skatepark project and authorizes the Town Clerk to repost and republish notice to bidders for Stotzky Park skatepark project. 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 #505

Councilman Kent: "Resolution 505 authorizes the Town Clerk to post and publish request for proposals for Suffolk Theater interior renovation regarding audio visual systems. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Probably going to be for naught, but I'll vote yes."

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

Resolution #506

Councilman Lull: "Curious order. Rejects bid for Suffolk Theater interior renovations for audio visual. 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 #507

Councilman Kent: "This one is done in one resolution. Rejects the bid for Suffolk Theater interior renovations, plumbing construction and authorizes the Town Clerk to repost and republish notice to bidders for Suffolk Theater interior renovations for plumbing construction. 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 #508

Councilman Cardinale: "508 awards the bid for a backhoe. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I'm going to vote yes. How much are we paying? I don't see that attachment."

Councilman Kent: "We received a notice, but I don't recall."

Councilman Cardinale: "Yeah, I assume this is the low bid."

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

Resolution #509

Councilman Densieski: "Awards bid for two utility two wheel drive utility trucks for the Water District. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yeah, it's the same difficulty, there's no bid attached but I believe the bids were attached at the work session. I vote yes."

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

Resolution #510

Councilman Kent: "This is an order establishing Extension 57 to the Riverhead Water District named South Twomey 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 #511

Councilman Densieski: "Authorizes the Town Supervisor to execute a change order for highway maintenance facility roof repair-replacement, $1,865.00. 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 #512

Councilman Lull: "Approves the request for a leave of absence. So moved."

Councilman Kent: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Kent: "Discussion on this."

Supervisor Kozakiewicz: "Yup."

Councilman Kent: "We're going forward with advertising these positions, isn't that correct?"

Supervisor Kozakiewicz: "There's resolutions that follow later in the packet."

Councilman Kent: "So as far as replacing, do you think we'll ever- this leave of absence is from May 21st; another one is from June 1st."

Supervisor Kozakiewicz: "That's right."

(Unidentified): "There are three different dates."

Councilman Kent: "So we are going to go ahead and fill these positions on a contingent basis for 60 days and then if there's no word within 30 days, the position can become permanent. Right? I'm trying to answer the concerns of the public on this issue.

I think that at some point we have to establish a firm policy whether we're going to grant these or not grant these."

Councilman Lull: "I think this is the first step to doing that."

Supervisor Kozakiewicz: "Discussion? Further discussion? If not, the vote."

Councilman Densieski: "Yes, I think Chris is right. We do have to establish a policy on that. As Councilman Cardinale has pointed out, there is no other place that you can leave the job and come back in six months, so that's something that we do have to look at."

Councilman Lull: "Ed, as I just said, I believe we have- with these we have established our position here."

Councilman Densieski: "I agree."

Councilman Lull: "This is not granting the leave that was asked for."

Supervisor Kozakiewicz: "Vote."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yes, as indicated, I think we probably should go in steps rather than in leaps. I would hope that the employees who care to watch are aware that we're re-thinking this policy of permitting leave of absence routinely for six months because it really does create havoc with the planning for this town. Most of them do not come back when they leave and it keeps us in (inaudible) position for several months, so, but I think it's a good first step and I know that Jim has worked on it and the Personnel Committee has worked on it. I'll take the recommendation and vote yes."

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

Resolution #513

Councilman Kent: "This approves a request for a leave of absence. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yes, for the same reasons."

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

Resolution #514

Councilman Kent: "Approves a request for a leave of absence. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yes, a quick comment. This one is for a

different length of time. There is some medical reasons here so I will support this. Yes."

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

Councilman Cardinale: "Yes. This is (inaudible) as I understand it, is a medical reason for a family member. Yes."

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

Resolution #515

Councilman Kent: "This amends a prior resolution which granted a leave of absence. It was supposed to be for six months. Somehow we just only counted out five months when we set the dates, so this corrects the ending date of the leave of absence to July 3rd. 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 #516

Councilman Lull: "Ratifies the appointment of a temporary secretary to the Board of Assessment Review. 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 #517

Councilman Kent: "This appoints a contingent provisional Assessment Clerk in the Assessor's Office. 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 #518

Councilman Densieski: "Authorizes the attendance of as Assessor at a seminar. 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 #519

Councilman Densieski: "Appoints a part time secretarial assistant. 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 #520

Councilman Kent: "This appoints a Detention Attendant to the Police Department. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I have to make a comment here. This is one of the young ladies from down in Accounting. I think she thinks the jail is a better place to work. So I'll vote yes."

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

Supervisor Kozakiewicz: "I don't think that's the reason why we're doing this."

Councilman Densieski: "I bet it is."

Councilman Kent: "It's part time."

Supervisor Kozakiewicz: "It's part time."

Councilman Cardinale: "I vote yes."

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

Supervisor Kozakiewicz: "We're always in need of Detention Attendants. Yes."

Barbara Grattan: "Resolution is adopted."

Resolution #521

Councilman Kent: "This appoints summer personnel for 2001 to the Recreation 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 #522

Councilman Densieski: "Amends Town Board Resolution #484. This is just a reschedule. 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 #523

Councilman Lull: "Appoints Amy Vonatzski to the job of Public

Safety Dispatcher to the Police Department. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Yeah, the Police Department this year took 1,000 calls or just short of 1,000 calls more this year than it did the previous year. So I'm going to vote yes."

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

Resolution #524

Councilman Densieski: "Appoints summer intern in the Engineering 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 #525

Councilman Lull: "Appoints part time police officers to the Police 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 #526

Councilman Densieski: "Appoints a Park Attendant II to the Riverhead Recreation 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 #527

Councilman Lull: "Ditto the previous one for Craig Fredericks. 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 #528

Councilman Cardinale: "Approves the application for fireworks permit for Riverhead Raceway for July 7th, 2001. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "I'll be there, yes."

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

Supervisor Kozakiewicz: "I'll watch from the distance. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #529

Councilman Densieski: "Approves the application for fireworks for Riverhead Raceway for August 25, 2001. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "Same comment. Yes."

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

Resolution #530

Councilman Densieski: "Authorizes the Town Clerk to publish and post a notice of public hearing. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Densieski: "A quick comment on this. This is the one we discussed earlier about moving book stores, the big box type book stores, like a Barnes & Noble or Borders, to downtown. There are serious implications that Councilman Cardinale had brought out that possibly we could scare away anybody can come to town. That's not the intent here. And I think this will work. I think we can lure somebody downtown and that will make a difference downtown so I'm going to vote yes."

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

Councilman Kent: "Yes. The public hearing is scheduled for June 19th. And I vote yes."

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

Resolution #531

Councilman Lull: "Adopts a local law adding Chapter 91 entitled shopping carts to the Riverhead Town Code. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski; Cardinale."

Councilman Densieski: "I didn't vote yes."

Barbara Grattan: "Oh, I'm sorry."

Councilman Densieski: "This is a small resolution but it really is a quality of life issue. If you look around anywhere, there's shopping carts everywhere and, hopefully, this will do something about it. So I'll vote yes."

Barbara Grattan: "Could you say that again?"

Councilman Densieski: "Yes, Barbara."

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

Councilman Cardinale: "I personally am especially proud of this what I believe to be ground breaking legislation. And I'm going to vote yes, too."

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

Resolution #532

Councilman Lull: "Adopts a local law to amend Article X entitled Business F District Manufacturer's Outlet Center Overlay Zone of the Riverhead Town Code. So moved."

Councilman Kent: "It it X or XA?"

Councilman Lull: "I'm not sure whether it's- it is XA, I'm sorry."

Supervisor Kozakiewicz: "Is there a second? Moved and seconded?"

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski."

Councilman Kent: "Discussion though first. One- the issue was raised, are we limiting this to movie theaters or are we going to allow this to be a performing arts center also?"

Councilman Cardinale: "In all seriousness, with all seriousness, I think Bill's comment is actually a good one."

Councilman Kent: "I know. That's why I'm raising- "

Councilman Cardinale: "I (inaudible). It says theater indoor. I assumed we were talking movie theater throughout- I think everybody did. Should we- "

Councilman Kent: "Limit it for that?"

Councilman Cardinale: "What are the implications of doing that now?"

Supervisor Kozakiewicz: "The public- the public hearing was done in this fashion, this was the way it was noticed, this is the way we heard it."

Councilman Cardinale: "I was afraid of that."

Supervisor Kozakiewicz: "So, if you want to open up that avenue, it requires another hearing."

Councilman Lull: "Doesn't the hearing- doesn't the hearing- "

Supervisor Kozakiewicz: "I- I- I think that a movie cinema fits within the definition of theater indoor, so unless there's further discussion- "

Councilman Kent: "Do we want to limit it to that or do we want it to be a theater where it could be live performance or do we want to allow them to be either or."

Supervisor Kozakiewicz: "Allow them to make the argument at a later date."

Councilman Cardinale: "Yeah."

Councilman Lull: "I think whatever argument they wish to make at a later date, the hearing record has always indicated that it's- "

Supervisor Kozakiewicz: "It's movies, it's a multiplex or movie house."

Councilman Lull: "-- cinema, yes."

Supervisor Kozakiewicz: "That's what the record will reflect and I believe that's the intent."

Councilman Cardinale: "I have no doubt that that is the intent."

Supervisor Kozakiewicz: "That's what the discussion was at the public hearing."

Councilman Cardinale: "I think you're absolutely right, that's the intent. The question, of course, is the language doesn't actually state movie theater. It says theater. And we overall missed it up to this point."

Supervisor Kozakiewicz: "Well, it could have said multiplex. It could have said a lot of other things. Saying that, we all know what the discussion resolved- revolve around. I believe we all knew that what's being proposed is the only center which has the Business F right now and what they're proposing to do. So- "

Councilman Cardinale: "Can I verify a couple of things to make sure I understand (inaudible). This is on a motion of the Town Board, Bob, this thing? It's not through an applicant; it's through the Town Board's own motion?"

Supervisor Kozakiewicz: "An applicant did come to us to establish a use. However, the Town Board needed to change the zoning characterization. We held public hearings, as you well know."

Councilman Cardinale: "Right. But they were- "

Supervisor Kozakiewicz: "Three of them, to be exact, and the last one was called in response to the way- with response to comments that were received back from the Planning Board addressing the question of whether it should be properly an accessory use or whether it should be permitted as a permitted use as opposed to a special permitted use. We called for the public hearings, we noticed the public hearings, we followed up. Since it involved application of a zoning text, the applicant can't change the zoning text, only the Town Board as the legislative body can change the zoning text. And that's what we're doing here tonight."

Councilman Cardinale: "The second question- the Planning Board I think recommended exactly what we're doing, utilizing an accessory use for the theater?"

Supervisor Kozakiewicz: "They had recommended that, yes."

Councilman Cardinale: "And if I- believe it or not, I'm really not trying to give Bob a hard time, I'm just trying to verify the facts from my recollection. The third question is, is it not true that the adjacent zone on Route 58 are- permit theater use? So that all we're doing is adding it to a zone in which adjacent zones permit the same use? Is that an accurate statement?"

Supervisor Kozakiewicz: "I believe there are Industrial A zones that are adjacent to this where they are allowed. Yes."

Councilman Cardinale: "Thank you."

Councilman Kent: "Are they also allowed in business zones, too, right? Shopping center."

Supervisor Kozakiewicz: "I don't have the zoning code memorized in my head. If I knew these questions were being asked, I could respond."

Councilman Kent: "I know some adjacent properties that are zoned Business."

Supervisor Kozakiewicz: "There are but there's a lot of Industrial A. Any other discussion?"

Councilman Cardinale: "Right across the street, there's a big sign (inaudible) coming next week."

Supervisor Kozakiewicz: "It's a marquee."

Councilman Cardinale: "Yes, marquee."

Supervisor Kozakiewicz: "Vote, please."

The Vote: "Densieski."

Councilman Densieski: "Yeah, I'm comfortable with theater indoor like it says here and from what I understand from the people of Riverhead, they don't really care how this paper is written. They really don't care about the code and they really don't care where it is. They want a movie theater in town. So I'm going to vote yes."

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

Councilman Cardinale: "It scares me how often we agree, Ed. Basically, this was our own motion as I indicated and the Planning Board recommends the action we're taking. There are adjacent- adjacent to this, theaters are already permitted. It doesn't strike me as (inaudible) to have accessory use theaters in an adjacent zone. So I'm going to vote yes.

I want to point out also so that nobody gets too encouraged too quickly. It is my understanding that although this is the beginning- makes it possible for a theater to be at that location, let me remind you that the industry is in turmoil and that as I understand it, no deal is in place for a theater at the Tanger Outlet. They now have to go out and try and make a deal now that the zoning is permitting it, so hang on out there. But I vote yes."

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

Councilman Kent: "I also- as Eddie said, it's kind of scary that the public doesn't care about zoning and that's why we're up here. We should care about zoning but I'm going to vote yes on this. The- I had voted no on the SEQRA resolution because I thought there should have been a limited- an environmental impact statement prepared, limited in scope, but since the SEQRA determination was made by the majority of the Board, I am now going to vote yes on the actual change to the zone. So I vote yes."

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

Councilman Lull: "Yes, I'm comfortable with the wording as well because the fourth Whereas clause mentions that we have considered the merits of the petition and the petition is for a movie theater. Yes."

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

Resolution #533

Councilman Densieski: "Adopts a local law amending Chapter 108 entitled Zoning of the Riverhead Town Code. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes."

Councilman Densieski: "Just brief- what this does is now when someone comes with a project, one copy will go to the Handicap Advisory Committee and let the people that are handicapped decide if it's adequate or not. So I'll vote yes."

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

Supervisor Kozakiewicz: "I understand that what we're doing is adding an additional referral so that individuals who sit on that particular Advisory Board can give us input. My understanding is it will not delay the process and, therefore, I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #534

Councilman Lull: "Business Improvement District budget adjustment. 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 #535

Councilman Lull: "It's a budget adjustment in the Highway 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 #536

Councilman Densieski: "Town of Riverhead PAL fund budget adjustment. 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 #537

Councilman Cardinale: "It's a Water District budget adjustment, $17,000 from Appropriated Fund Balance to safety equipment. 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 #538

Councilman Kent: "This approves the amended site plan of 721 East Main Street. 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 #539

Councilman Densieski: "In light of the document that we received today, I make a motion that we table 539."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Motion and second to table. Vote, please."

The Vote: "Densieski."

Supervisor Kozakiewicz: "Discussion? Wait a minute. Discussion. Jim, do you want- "

Councilman Lull: "Yes, no, I want- "

Supervisor Kozakiewicz: "You want to hear what the reason is for tabling it?"

Councilman Densieski: "Okay. We just received a report from Dvirka & Bartilucci with four issues that have not yet been resolved and that's a concern. I don't think it would be wise for this Board to vote on it with the four issues that aren't resolved."

Supervisor Kozakiewicz: "These are- these issues were discussed if you recall when we met as a Town Board the other day to review resolutions and we've had some dialogue back and forth as to whether we felt these issues were issues which were monumental and, therefore, should prevent us from accepting the FEIS. If you recall, the conversation was that they were not and, in fact, we should proceed forward and accept the FEIS. I believe that you had that same conversation with counsel yesterday or perhaps earlier today and was led to believe the same way. It's my understanding that from speaking with the Planning Director and from what I understand from- our Town Attorney's position that these are not matters which should prevent us from holding up this FEIS process at this time."

Councilman Kent: "But the letter that we just received, a copy of the letter that we just received to Mr. Hanley from Dvirka & Bartilucci states that our own consulting engineer states that the comments they made on January 24th have not been responded to in complete fashion. They had four exceptions to items that have not been met to- that have not been commented upon to their satisfaction. And it says they asked for 14 days for information to be supplied to the town and which would allow us, since there's three weeks between tonight's meeting and our next Town Board meeting. I think that in that three week period we may have adequate responses to those comments in those four areas so that we could act on this at our next meeting. And I believe that's what this letter that's addressed to Mr. Hanley from Dvirka & Bartilucci requests and it's our consulting engineer. I think we should- we should take their advice. So, I'm prepared to table it at least to our next meeting and perhaps in that time period the four items can be addressed by the applicant."

Supervisor Kozakiewicz: "I know with regard to the economic analysis we were informed by our own Planning Director that that was not something that could be fully explored in the EIS. That he felt that the FEIS had adequately addressed it. With regard to the other issue there was some discussion about being able to monitor that since

there's a real question of whether that's been adequately addressed or not. I believe we're in a position to forge ahead. I believe there's been- we accepted the EIS. We had the public scoping hearing that was held on November 30, 2000 as pointed out in this resolution. The comments have gone back and forth.

Any other discussion? Anybody else? If not, let's take up the vote. There's a motion to table this. Vote, please."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "I have been listening carefully to the discussion because I did not see this until I arrived tonight, this letter dated May 15th which was faxed over, and to start with, if I were the developer, who I believe is paying $12,000 to Dvirka & Bartilucci, even though they are the town consultants, I would be a little upset about the letter faxed over on May 15th. That is the reason I gave it to counsel for the developer because I think that's the proper manner in which to conduct ourselves.

However, I am concerned because the letter that was alluded to reads the following: Based upon our review we have concluded the document addresses the concerns. That's the document we're supposed to (inaudible) final by this resolution, raised in our comments on the draft, except for the four items listed below, one, two, three, four. And, incidentally, I'm not too impressed by the four items.

We believe that subject to town (inaudible), the applicant should submit the following information within 14 days, one, two, three, four. It doesn't say that this is not- it doesn't recommend whether or not we should accept it as final although it implies, it says one, two, three, four is missing, and in 14 days we should have one, two, three, four. That it doesn't believe it's final.

In a situation that is becoming all too common, we no longer have our department heads here, including Rick Hanley, who would be very helpful because I could ask him this question, do you recommend that we accept this as final? And if he said yes, I would, because that is our common practice. He isn't here. I have no reason- I have no desire to unnecessarily screw around any developer because we necessarily screw them around very well on most issues anyway. So I don't have any desire to do it unnecessarily. However, with this letter in front of me, without Rick Hanley to ask the question here, I don't see we have an option except to table it.

If the Town Attorney or the Supervisor wants to tell me something I don't know or Jim, let me know. But, otherwise my vote is to table."

Councilman Densieski: "Phil, in all due respect, Mr. Hanley- I did ask him if it was- if he thought it would be okay and the Town Attorney this morning to vote yes and he did say yes but we didn't get this until we showed up here and I think that in my opinion sheds a little different light on it."

Councilman Cardinale: "So we don't know- "

Supervisor Kozakiewicz: "The issues that are set forth in this letter, just so we're clear, were issues that were discussed with Mr. Hanley and Mr. Tony Cannetta (phonetic) prior to that meeting. Why the letter arrived today at this late hour, I can't fully explain. But the issues that are raised in the letter were the same issues that were discussed orally between Mr. Cannetta and Mr. Hanley. It's the- and I think Phil kind of alluded to that these particular comments do not strike him as substantive type of issues. The traffic mitigation- "

Councilman Lull: "We had quite a serious discussion Thursday about tiger salamanders."

Councilman Cardinale: "I remember that. (Inaudible) I'm sure that Allen Smith and his client will not take great solace from these words, but I am so confused about what we're supposed and not do legally on these applications that I believe I am doing the developer a favor by tabling it. Because if we accept this and it is not final or these four items are deemed to be significant enough that we should have not accepted it as final, I am fearful of the result for all concerned. So I still think I have to err on the side of caution and that means we're delaying perhaps unnecessarily for three weeks a developer who is paying the very people who can't get a letter out until the day of the meeting which does not impress me.

But nonetheless, I'm still going to table- unfortunately I'm (inaudible) to table but I hope I've addressed my reasons adequately to both sides."

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

Councilman Kent: "Yeah, this is the reason why I'm going to table this. I believe that the letter from our own consultant

contradicts the Resolve clause of our resolution so I believe we're doing really a service to the developer by tabling it because if we passed it and anyone brought a lawsuit and a FOIL or got access to the consultant's letter, they would see that the letter contradicts the Resolve clause.

The Resolve clause states that the subject FEIS contains responses to all commentary made upon the relevant DEIS, that the level of detail as to allow the preparation. So, and the letter states that the document, the FEIS, addresses the concerns raised in our commentary dated January 24th except for the following four items. So they're clearly stating that the FEIS is not- does not address certain comments that were raised in their document of January 24th. So if we were to go forward with this resolution, I think we would be acting contrary to the express opinion of our consulting engineer. So I'm going to vote to table and, hopefully, in the three weeks time between now and June 5th, at our next meeting, the applicant can respond and perhaps the- our consulting engineer will say that all comments have been responded to in a complete and clear manner so that the FEIS can be accepted.

So I'm going to move to- I'm going to vote to table."

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

Councilman Lull: "Like Phil, I've seen this for the first time tonight although we did have some discussion of certain of these issues that Rick Hanley brought to the table on Thursday at the work session. However, simply the contradiction between what our consultant says and what our resolution says, I believe is something that we can't afford to go before a judge in another suit with that kind of contradiction. And so I believe the contradiction has to be cleared up. I want the project to go forward. I don't want to get in the way of it but, in fact, I believe that we are in the way by approving. Yes, to table."

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

Supervisor Kozakiewicz: "I believe that it was unnecessary to table. I've had discussions with Mr. Hanley and with Mr. Cannetta of Dvirka & Bartilucci. The issues as pointed out I do not believe to be substantive. We talked a great deal Thursday about the issues. A number of these issues, alternate uses to the site in the event of a business failure, expanded economic market analysis, I'm not sure where that ends. Traffic mitigation is- as I understand it is a

question of who's going to mitigate traffic? This site or Home Depot? And, again, I don't mean to make light of any particular tiger salamander issue, but I- as I understand, it was raised during the scoping process. It was addressed in the DEIS. There was some question of whether there might be an underwater connection. As I understand it that was responded to by the applicant and while parties may beg to differ on the substantive findings that should- as I understand, should have ended the analysis.

I vote no to table for the reasons I set forth. I believe that for all the discussion that's been had, these are issues that do not prevent us from accepting the FEIS."

Allen Smith: "Mr. Supervisor, may I address the microphone to reserve my right since I didn't have an opportunity to when I asked about the resolution earlier?"

Supervisor Kozakiewicz: "Certainly."

Allen Smith: "Thank you for the opportunity. Again for the record, my name is Allen Smith. I represent the applicant. The State Environmental Quality Review Act Part 617 provides that the FEIS shall be adopted within 45 days of the hearing. The period of time has passed, it's not 45 days, it's more like three months or four months since the hearing date. So the operative 45 days has long passed. This caveat in the act provides for an extension of that 45 day period for certain good causes. Obviously the cause in this particular instance is the completion of the responses to commentary which form the FEIS. And that document was filed 25 days ago, 10 days prior to your last meeting. And, in fact, I made every effort to find out if there were commentary to the document such that my client could and will respond to those commentaries in the 10 days prior to the May 1st meeting.

When the resolution (inaudible) I felt it was appropriate May 1st. I was told that the reason was that it had to go to Dvirka & Bartilucci. Now why didn't Dvirka & Bartilucci (inaudible) the May 1st meeting, I don't know. In that I did not receive any comments from Dvirka & Bartilucci prior to the May 1st meeting, I waited for a while and I filed a Freedom of Information request on Friday of that week, that being May 4th, requesting any and all documents from Dvirka & Bartilucci to the Town Board, from the Planning Department to Dvirka & Bartilucci and the response to my FOIL request was that there was no (inaudible) to Dvirka & Bartilucci or coming back the other way. I believe that the record will reflect that will abide by the resolution

while reserving their rights as to compliance with Part 617 and whether or not this project is being treated or differently or apparently in comparison to other projects that seem to be (inaudible). Thank you."

Councilman Kent: "Just a couple comments on that, Mr. Smith. The hearing was on November 30th?"

Allen Smith: "It was along- "

Supervisor Kozakiewicz: "The scoping hearing."

Councilman Kent: "Was that the scoping hearing? It says public hearing on the- "

Supervisor Kozakiewicz: "No, no, that was the public hearing on the DEIS. Right."

Councilman Kent: "And you were saying it's 45 days from that date within which- you didn't even submit your- "

Allen Smith: "The 10 days prior to- "

Councilman Kent: "April 20th, so it was beyond 45 days from the date of the public hearing within which- "

Allen Smith: "I believe the Act says that it's extended to that period."

Councilman Kent: "Okay, so it was 141 days from the end of the public hearing to the date that you submitted the document, well beyond the 45 days. This came up in a discussion with the Supervisor today when I went by to see him because in your response to your demand for access I asked whether we had ever received a document from Dvirka & Bartilucci and at that time we had not, which was this afternoon. This was placed upon the podium today for our review. There were- I then asked the Planning Director what date the document was referred to Dvirka & Bartilucci, it was April 27th, so other than a referral, I don't- are you looking for the date of referral? It was April 27th."

Allen Smith: "I'm simply making a record that if you compare what is (inaudible) whereas in November of last year it was seen by you, adopted by you and finished by you within 45 days. There seems to be another timetable."

Councilman Kent: "My question though if we only received the document on April 20th, which was only 25 days ago and we received our comments back from our own consulting engineer today, actually five minutes before the meeting began- "

Allen Smith: "All I wish to be treated in the same way as everybody else and it seems that whether it's on this issue or other issues things seem to pop up at the last moment. You are voting to table and I reserve my rights- "

Councilman Kent: "I don't know what popped up- I don't know why this popped up today but I believe we are actually doing you a favor by not passing it with this document unresolved."

Allen Smith: "My client stands ready to respond to anything that's in Dvirka & Bartilucci's letter."

Councilman Kent: "Okay."

Allen Smith: "Okay? And we will do so."

Councilman Kent: "Okay, good. So this- "

Allen Smith: "The fact remains that this application is being treated very much differently than other applications similarly situated."

Councilman Kent: "And by whom, I don't know who you are referring to."

Allen Smith: "Well, the only- "

Supervisor Kozakiewicz: "The only other one he could be referring to is Riverhead Center- "

Councilman Kent: "No, I am saying by who is he being treated differently. I don't know."

Supervisor Kozakiewicz: "Well, Riverhead Center just so the record- we do have to respond, has been kicking around since January, 1996."

Allen Smith: "Mr. Kozakiewicz- "

Supervisor Kozakiewicz: "Correct?"

Allen Smith: "-- as one of the Board members alluded to we'll deal with that when the gentleman (inaudible)."

Supervisor Kozakiewicz: "Of course."

Allen Smith: "The only thing I wish to do tonight is reserve my rights. I reserve my right."

Supervisor Kozakiewicz: "Thank you. All right. Steve, and then just real quickly because we want to finish up. I thought I'd let Mr. Smith reserve his rights and that was it. He just wanted to reserve his rights under SEQRA and set forth his reason why he's being treated differently under SEQRA. I gave him the opportunity to do that, this is not an opportunity to address us as far as anything other than that particular item. I know this was a little bit improper, a little bit out of the ordinary but when he came up before, Mr. Smith had come forward and had asked specifically what this Board intended to do. I indicated that we were going- as far as I was concerned, my vote, was prepared to go forward. The other Board members did obviously feel compelled to table. So given the fact that I didn't provide Mr. Smith an opportunity to respond at that point and to put on the record what I believed he wished to put on the record, I- the differences or perceived differences in how this application was being treated, I allowed him that opportunity. So, saying that- "

(Unidentified): (From the audience - inaudible)

Supervisor Kozakiewicz: "I think it's an applicant's right to reserve his right to say that he's being treated differently. We can open this back up and we're going to get back into the public comment. I allow you to speak, then someone else who is not happy with more comment is going to want to come up and address us. We'd like to- "

(Unidentified): (From the audience - inaudible)

Supervisor Kozakiewicz: "That's the- the issue will be ferreted out by the courts if it goes that way. It doesn't require any public comment at this time, I think. But I don't think there's any necessity. We've stated our record for why we feel we needed to table, those Board members who did. There's been allusion to the May 15th response from Dvirka & Bartilucci. I would like to if the Board would agree with me, proceed forward with the resolutions at this time. Unless there's anybody who opposes that. It's not that I want to cut you off, there's really not a reason for you to respond at this

point. It was only to give Mr. Smith an opportunity that I cut him off before."

Unidentified: (From the audience - inaudible)

Supervisor Kozakiewicz: "I believe it is, so unless there's (inaudible), I'd like to go back to resolutions. We can talk about this after the meeting if you so desire. Thank you."

Unidentified: "Or give us something in writing."

Supervisor Kozakiewicz: "Thank you. Okay."

Resolution #540

Councilman Kent: "Resolution 540 is a SEQRA classification of action on special permit petition of Calverton Enterprises Inc. and refers petition to Planning Board. 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 #541

Councilman Lull: "541 authorizes the settlement of Donohue versus the Town of Riverhead, Suffolk County Supreme Court, Index No. 97-10888. 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 #542

Councilman Cardinale: "This resolution accepts the assignment of certificate of deposit, cashier's check and performance bonds (2) Silver Village at Aquebogue, New York. So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "The Town Attorney and I are in a continuing dialogue as to whether the (inaudible) not using letters of credit but using alternatives are in compliance with our code. Here we're using a certificate of deposit, cashier's check or performance bond, all three, which makes my mind spin. It makes me wary of whether or not we will ever be able to collect on any of them- "

Supervisor Kozakiewicz: "I think we'll collect on a cashier's check and a certificate of deposit."

Councilman Cardinale: "The way our record has been, I have my doubts about that. Anyway, I'm going to abstain on this and other votes with regard to this matter until I have a clear understanding of whether we are in compliance with our own ordinance which I believe requires letters of credit. So I abstain."

Dawn Thomas: "I'd just like to respond to that. I think in the discussion we had at the work session, we may disagree on the municipal home rule issue, however, the local law that changed the code was clearly improperly done. So that change is jurisdictionally defective."

Councilman Cardinale: "I'm not certain I agree with that and even if I did then the proper move would be to correct the law now disregard it. In any event, my vote will not be critical because I believe you'll have four other votes. Let's move along so we can all go home."

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

Councilman Kent: "Yes. I'm not ignoring Phil's issue but I think we need to move along so I'll vote yes."

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

Resolution #543

Councilman Kent: "This authorizes the release of a performance

bond for Smith McCord, Inc. also known as Bell Atlantic. Is that possible?"

Councilman Densieski: "He's the-- "

Councilman Kent: "Oh, that's right, he's the agent. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Cardinale: "As a release, I would vote yes."

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

Resolution #544

Councilman Densieski: "Accepts performance bond of Amato and Associates, PC for Verizon Wireless. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Abstain, for the same reason."

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

Councilman Kent: "Are these the same Amatos that we're in litigation with on the other- "

Supervisor Kozakiewicz: "Yes. They do all the Verizon work."

Councilman Kent: "I'll abstain."

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

Supervisor Kozakiewicz: "We've approved this site plan. This is the one that was at the Keyspan property in Jamesport. We're accepting cash. Yes."

Councilman Kent: "Cash?"

Barbara Grattan: "The resolution is adopted."

Resolution #545

Supervisor Kozakiewicz: "It says in cash."

Councilman Lull: "Accepts performance bond of 1998 Peconic LLC. So moved."

Councilman Kent: "This is also cash."

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "Is there a second?"

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 #546

Councilman Kent: "This accepts a certified check as security in connection with Mill Pond Commons. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "Yes, a certified check (inaudible)."

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

Resolution #547

Councilman Densieski: "Authorizes the release of a performance bond for Arthur Hermna, Calverton Post Office."

Supervisor Kozakiewicz: "It should be Herman."

Councilman Densieski: "Herman?"

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "Okay. Arthur Herman, Calverton Post Office. 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 #548

Councilman Cardinale: "This amends Resolution 442 of 2001. It incorrectly listed two recharge basins. So recharge basin two is not deleted. 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 #549

Councilman Lull: "Resolution and consent approving the dedication of highways known as Whitespruce Drive, Michaels Lane, Joan Court, Barbara Court, and a recharge basin. 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 #550

Councilman Lull: "Authorizes the Supervisor to execute an

agreement between the Town of Riverhead and Grace Episcopal Church. 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 #551

Councilman Kent: "This approves the Chapter 90 application of Village Beverage Corp., Wading River, New York. 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 #552

Councilman Lull: "Authorizes the Town Clerk to publish and post a help wanted ad for maintenance mechanic II in the Street Lighting 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 #553

Councilman Kent: "Authorizes the Town Clerk to publish and post a help wanted ad for a 90 day temporary maintenance mechanic I in the Buildings and Grounds Department. 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 #554

Councilman Densieski: "Authorizes the Town Clerk to post and publish a notice to bidders for vacuum tank truck system. 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 #555

Councilman Lull: "Authorizes the Town Clerk to advertise for bids for the Riverhead Water District for Extension #58 Foxwood Village II. 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 #556

Councilman Densieski: "Accepts performance bond of Sound Housing LLC, which is Willow Ponds on the Sound. So moved."

Councilman Cardinale: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Kent: "Either there are too many zeros or the comma is in the wrong place. I like it with all the zeros."

Supervisor Kozakiewicz: "In the first Whereas, okay."

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

resolution is adopted."

Resolution #557

Councillman Lull: "Amends Resolution 438 of 2001 performance bond of Sound Housing LLC Willow Ponds on the Sound condominium Phase II. So moved."

Councilman Kent: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "I didn't hear anything."

Councilman Cardinale: "The reason for that so I have some (inaudible) consistency here on the last 556, I believe my vote was a yes; it should have been a no. It's a performance bond and for the reasons I've already stated, I have difficulties with them. This is an amendment to the performance bond, 557. We already passed it so what the heck, we'll amend it. I vote yes."

Barbara Grattan: "Okay, wait a minute, I'm confused. 556. 557."

Councilman Kent: "My vote was yes."

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

Resolution #558

Councilman Densieski: "Authorizes the Town Clerk to publish and post public notice to consider a proposed local law entitled Moratorium on Residential Subdivisions within the proposed Agricultural Overlay District. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded. Discussion."

Councilman Kent: "Discussion, briefly. I thought we had decided to amend the text of the proposed local law to allow not only final approval on building permits- properties upon which final

approval on building permits already issued to be exempt but also those that had preliminary approval."

Dawn Thomas: (Inaudible)

Councilman Lull: "Yes, we did agree to that."

Councilman Densieski: "Yes."

Councilman Kent: "Is it in the text but not in the- did you change it in the legislative intent also because that's where I'm picking it up."

Dawn Thomas: "I changed it in the local law itself. I don't have a copy- "

Councilman Kent: "Okay."

Supervisor Kozakiewicz: "Yeah, yeah, it's the- under 109-006A(2) subdivision applications that have received preliminary plat approval or final conditional approval."

Councilman Lull: "Yes, there it is."

Supervisor Kozakiewicz: "At the top of the third page."

Councilman Kent: "Right. It's in the text. It should also be added to the legislative intent language also, okay?"

Dawn Thomas: "Okay."

Councilman Kent: "So with that change, I think that's the way we had decided to go with."

Supervisor Kozakiewicz: "Right, yes."

Councilman Kent: "I don't think we need to, but when- you have to put this in the paper, don't you?"

Supervisor Kozakiewicz: "Yes."

Dawn Thomas: "I set it up so that it could be published in the June 5th edition of the News Review so that in case there were substantive changes requested by the Planning Board of the Suffolk County Planning Commission, before we spend the money publishing this,

we may change (inaudible)."

Councilman Kent: "I'll give you my copy. Because, just that one paragraph in the legislative intent it says- doesn't talk about preliminary approval only finals and building permit."

Dawn Thomas: "Are we going to amend it?"

Councilman Kent: "No. We don't have to amend it. This is just to attach really for our benefit because- "

Dawn Thomas: "Well it is attached to what will be published and posted so if you want (inaudible)."

Councilman Kent: "Okay, then in the legislative intent paragraph, in the- "

Supervisor Kozakiewicz: "What page?"

Councilman Kent: "I think it's page 2, page 3. Page 3. The paragraph beginning with the moratorium is not a building moratorium."

Councilman Lull: "Yes, that's it, second."

Supervisor Kozakiewicz: "Okay, so- "

Councilman Kent: "We just want to add after the words likewise those developers having received final and preliminary- just add the words and preliminary."

Supervisor Kozakiewicz: "I was actually going to put in preliminary in front of it since preliminary precedes final."

Councilman Kent: "Okay, preliminary and final."

Supervisor Kozakiewicz: "Right."

Councilman Kent: "Okay, why don't we do it that way then if that's preferable."

Supervisor Kozakiewicz: "Preliminary plat."

Councilman Kent: "Preliminary plat and final."

Supervisor Kozakiewicz: "Right."

Councilman Kent: "Okay."

Supervisor Kozakiewicz: "Any other discussion?"

Councilman Cardinale: "Do we have an opportunity to discuss this at work session before we publish this proposed law?"

Dawn Thomas: "I think- yes, I think (inaudible)."

Councilman Cardinale: "Yeah, the reason I ask that is we have a really extended a through f exemptions section. It always discourages me when (inaudible) exemptions by application to the Board considering six factors."

Dawn Thomas: "Those are hardship exemptions."

Councilman Cardinale: "I know. They're hardship exemptions. But they are very vague, too, so I'd like to have a little further discussion on that and I know this is not the time. Because we could be- the exemptions could (inaudible) the whole thing, if we let them."

Dawn Thomas: "Well, I think in there there's a provision requiring proof of hardship so you'd have to make that determination."

Councilman Cardinale: "We still have to discuss a little more at the next work session."

Supervisor Kozakiewicz: "Any other discussion? If not, take up the vote with the amendment."

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

Resolution 559

Barbara Grattan: "Resolution #559 to pay bills."

Councilman Cardinale: "So moved."

Supervisor Kozakiewicz: "Who moved it?"

Barbara Grattan: "Cardinale moved it and who seconded?"

Supervisor Kozakiewicz: "Cardinale moved and Lull seconded."

Councilman Densieski: "I've got a tabled resolution I'd like to bring up."

Barbara Grattan: "Wait a minute, we've got to do bills."

Councilman Densieski: "Oh, I'm sorry."

Barbara Grattan: "Vote to pay bills."

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

Councilman Densieski: "Resolution 43 tabled which rescinds Resolution 820 of 2000 that appoints advisor for Public Access Television. So moved."

Supervisor Kozakiewicz: "I'll second it but I'm told I'm not supposed to be seconding it and I believe I can second it."

Councilman Lull: "You can."

Councilman Kent: "You can."

Supervisor Kozakiewicz: "So I'm seconding it."

Councilman Lull: "Yup, member of the Board."

Barbara Grattan: "Is this to bring it off the table?"

Supervisor Kozakiewicz: "Yes."

The Vote: "Densieski, yes; Cardinale."

Councilman Cardinale: "No, to take it off the table, the famous Zabby resolution when she was appointed our advisor. I think (inaudible) but she's very, very competent and knows a great deal about the area of Cablevision and Cablevision rules and regulations. So I think she is a service to the town particularly she's doing it for nothing which some people suggest wouldn't be a bad idea for the Town Board to do in view of their performance. So I vote not to take it off the table."

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

Supervisor Kozakiewicz: "What is the difference? Abstain. It

didn't pass. Motion to adjourn?"

Councilman Kent: "So moved."

Councilman Cardinale: "Motion to adjourn."

Councilman Kent: "Yes, seconded."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Keep up the good work, Zabby."

Meeting adjourned: 10:10 p.m.

Barbara Gratton
Town Clerk