

Minutes of a Town Board meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, April 2, 2002, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Barbara Blass,	Councilperson
Rose Sanders,	Councilperson

Also Present:

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

Supervisor Kozakiewicz called the meeting to order at 7:01 p.m.

Supervisor Kozakiewicz: "Let the record reflect the time of 7:01 p.m. has arrived. I now call the meeting to order. Mr. Tria, would you lead us in the Pledge of Allegiance?"

(At this time, the Pledge of Allegiance was recited, led by Vince Tria)

Supervisor Kozakiewicz: "I been told the only reason I did that was to get your hat off your head. Is there a motion to approve the minutes of the Town Board meeting of March 19, 2002?"

Councilwoman Blass: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. Vote, please."

The Vote: "Blass, yes; Sanders, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. 5 yes, the minutes are approved."

Supervisor Kozakiewicz: "Reports, please."

Parade Permit

Jamesport Fire Department, July 13

Denise Valvo - 7-10:30 p.m.
Shoreham-Wading River H.S.

Jamesport Fire Department, July 10,
2002

2002 EMS Memorial Bike Ride, May
18, 2002

Site Plan

137 Associates, Inc. - one story
addition to existing office

Barbara Grattan: "That concludes Applications."

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

CORRESPONDENCE:

Greater Calverton Civic Assoc. opposition to Crown Sanitation
change of zone

Marsha Kolasky, Michelle Stark Hulse, Lee Eskin,
Larry Eskin, Howard Fass Opposition to the building of
condominiums along Riverside Drive

Petition 74 names in opposition to the
condominiums along Riverside Drive

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Okay. Any committee reports?"

Councilman Densieski: "I'd just like to remind anybody that's
in the Riverhead Water District that the spring flushing of the water
mains will be from April 7th to April 27. Most of that will be done
at night but you might want to try running your water before you do
laundry, etc."

Councilman Lull: "Okay. From the Public Parking District, you
can keep an eye out for probably the next two Sundays or maybe the
Sunday after that, the parking lot between Roanoke Avenue and Griffing
Avenue is going to be resurfaced and re-stripped and you'll see on the

public hearings tonight, three new improvements in the Parking District. We'll talk about those at the appropriated time."

Supervisor Kozakiewicz: "Any other committee reports? If not, I just want to mention one thing. We did have intentions of a ceremony to honor the Receiver of Taxes, Diane Stuke, who has left us and has come on to work at the Treasurer's Office. That will not take place today.

Since the time of 7:05 p.m. has arrived, Barbara, if you would read the affidavits of publishing and posting for tonight's first public hearing?"

Public Hearing opened: 7:05 p.m.

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on April 2, 2002, at 7:05 p.m. regarding the increase and improvement of the facilities of the Calverton Water District, estimated cost being \$250,000.00."

Supervisor Kozakiewicz: "Mr. Russo."

Frank Russo: "Good evening. My name is Frank Russo and I'm with H2M."

Supervisor Kozakiewicz: "Just- I'm just going to make a brief comment if I may. Mr. Densieski had an obligation that he had to attend to tonight that couldn't adjourn. He'll be back in 15 minutes. He just wanted me to alert you to that. It's not disrespect but something that he had to do."

Frank Russo: "In early December, Suffolk County Department of Health Services performed a routine inspection of the waste water treatment conveyance facilities at the Calverton Sewer District. In that inspection report, they noted several deficiencies of the other facilities.

In mid-December or early January, our firm performed a follow up inspection to verify those deficiencies and also to see if they had missed any others that should have been picked up. As a result of that inspection, we estimated- this project is for the undertaking to repair those deficiencies and make those facilities comply with the State standards in terms of wastewater treatment and disposal.

Those standards are necessary in order to protect public health and the environment and the estimated cost of the project is \$250,000."

Supervisor Kozakiewicz: "I know individuals are going to get up and ask if what specifically are we talking about doing and if you could just give a little more detail for today's public hearing, Frank, what the deficiencies were and what the measures are and I'm trying to get a brief abridged version, but I think it's necessary to put on the record what the proposed improvements are."

Frank Russo: "Absolutely. The majority of the deficiencies are the lack of emergency power. Should utility power go out, the facilities are- have to be run no matter what."

Supervisor Kozakiewicz: "So one of the things that you are looking to do is to establish a generator system- "

Frank Russo: "That's correct."

Supervisor Kozakiewicz: "And what was the cost anticipated of that?"

Frank Russo: "Well, there's actually three generators that would have to be provided. There's three existing pump stations. Those pump stations are (inaudible) three generators or the control system to switch from normal power to emergency power. So those controls would have to be installed as well."

There's a small pump station there now that was completely flooded, under water, not functional. We did get the town electrician out there to try to (inaudible) it up, to no avail, so that service would have to be replaced as well. The pumps in that station- it's a rather small pump station. We can use the structure, but just replace the pumps, the controls and a very small generator as well."

Supervisor Kozakiewicz: "Okay. Now I know that for the last few years or so we've been talking about a possible upgrade so that the sewage does not end up in (inaudible) and then ultimately in the Peconic River. The improvements that we're talking about- I'm sure there are people who are going to find fault and say why do these improvements if ultimately you're going to do an upgrade."

Frank Russo: "The reason is that it takes quite a while to design and construct a facility. With the current process of

Enterprise Park being taken over and other properties being sold and whatnot, the whole planning process, although started, hasn't progressed to the point where we've actually put pen to paper to start those improvements. So these are termed interim improvements, the word interim meaning a period of about five years when the new facility should come on line and then the new plant will be constructed and the pump stations will be upgraded and (inaudible).

At this point, though this is not enough information to do that."

Supervisor Kozakiewicz: "All right. Anybody else have any questions on the improvements?"

Councilwoman Blass: "Just a question, Mr. Russo. How many users are in the District now?"

Frank Russo: "Right now I believe there are four customers, four servicing customers that there's still not a lot of flow, very little flow, but that doesn't exclude the fact that these improvements should be made simply because it is a State requirement."

Councilwoman Blass: "Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address this Board, either pro or con with respect to the proposed improvements for the District? Yes, Mr. Binder."

Art Binder: "Art Binder, Baiting Hollow. Did I just hear correctly that there are four customers and they want to spend \$250,000 to restore certain plumbing elements? Was that correct, four customers?"

Supervisor Kozakiewicz: "Yes."

Art Binder: "That's \$50,000 a customer, roughly."

Supervisor Kozakiewicz: "Well, there's other entities that are also paying Sewer District taxes."

Art Binder: "Buy some port-o-potties. It's a hell of a lot cheaper."

Supervisor Kozakiewicz: "I'm sorry. What was that?"

Art Binder: "Port-o-potties. A lot cheaper."

Supervisor Kozakiewicz: "Well, I wish the Suffolk County Department of Health Services would agree with you, but they don't. Anybody else who would like to- yes? That's correct. I'll make that comment."

John Lesser: "My name is John Lesser. I'm with a company called Michael Reilly Design (phonetic), one of the four users. Okay."

Supervisor Kozakiewicz: "Yeah. Before you go too far, one comment I want to make is the improvements here are taxed to the Calverton Sewer District, not to all town residents. So I want to make sure that the point is stressed that this is not a general town obligation. This is a Calverton Sewer District obligation that will be spread out over the entities that are paying taxes within that district boundaries. So I want to clarify that."

John Lesser: "I have several questions, I guess, just to follow up on the last comment. Since it's going to be borne by the entities within the Calverton Sewer District, of which you stated there are four- "

Supervisor Kozakiewicz: "It's four users presently. That's not all the taxpaying entities."

John Lesser: "Okay. I think there are roughly 10 taxpaying entities at this point in time."

First, I just want to- okay. There are approximately 10 users/taxpayers in the Enterprise Park, of which we are one, who I would assume you would be expecting to foot the bill for the sewer plant improvement. Only three of these were notified prior to this meeting. We were not. Actually, we did get a letter today that was forwarded to us so we got, you know, half a day's notice of this meeting, which I don't think is, you know, an equitable way of conducting business generally speaking.

Second point. Isn't it generally true that a site can't- or shouldn't be marketed as an industrial site without a fully operational sewer plant?"

Supervisor Kozakiewicz: "The answer is I think you're misplaced in that logic. I mean, the plant was fully operational and can handle the flows presently. The anticipation is dealing with future flows."

John Lesser: "Okay, well, my understanding is there's- it's a 30,000 gallon a day plant--"

Supervisor Kozakiewicz: "That's right."

John Lesser: "-- which can handle- it handled Grumman at a reduced level which was probably a thousand plus people, you know, not on the night shift, but on day shifts- "

Supervisor Kozakiewicz: "The SPEDES permit is for double that and-- which is 62,000 gallons per day is what we're authorized to take in per day."

John Lesser: "Okay. When a developer is involved with the developing and industrial site like the Enterprise Park, isn't the developer usually responsible for making the required infrastructure improvements? And, if so, why wasn't that done here?"

Supervisor Kozakiewicz: "I think that, again, I don't know why- where you're coming up with this law. These are questions that- "

John Lesser: "That's not a law."

Supervisor Kozakiewicz: "I'm not going to respond to that today. Your comments are being taken down. I will ask that we get an opinion back and a definition. I don't think you're right. But thank you for your comments."

John Lesser: "Okay, well, I'm not done."

Supervisor Kozakiewicz: "Okay."

John Lesser: "Okay. There are several commercial industrial buildings located just outside the front gate, okay, that I believe were Grumman buildings that were sold and I believe that these buildings are located within the Calverton Sewer District."

Supervisor Kozakiewicz: "They are."

John Lesser: "These buildings, in fact, have septic systems and are not connected to the Calverton Sewer District. I want to know what's being proposed here in any way, shape or form to connect those buildings to the Sewer District or to the sewer?"

Supervisor Kozakiewicz: "I anticipate they'll be required to

hook up as well. When we went to re-develop this property, the Epcal parcel, the- all the involved agencies have been very adamant that they are requiring sewer hookup. This is something that they were mandating as a requirement for the redevelopment of the parcel. It's clearly outlined in all the plans, all the discussions, and all of the previous documents that have been circulated that (1) the sewage treatment plant as presently configured is something that's now seen favorably by the regulatory agencies; (2) that they were going to ask and mandate that an upgrade be done at some point in time when the flows required it north of the groundwater divide. These documents were all public record."

John Lesser: "Yes. I would also assume that if the intention would be to connect these buildings that are not currently connected to the plant that the expense of doing that would be borne by the owners of those particular buildings and not the other (inaudible) users within the District. I don't know- obviously you haven't gotten to that but, you know, again, our feeling would be that that would only be fair.

I only have two more points. The next one is I believe there is an approved or to be approved 50 acre site on the north side of the Enterprise Park that is either is or to be owned by the Riverhead IDA, and upon which is to be erected a business incubator facility in conjunction with SUNY Stony Brook. Am I correct in stating that this land does not fall within the Sewer District?"

Supervisor Kozakiewicz: "You're incorrect. We had public hearings on this issue. They are within the Sewer District and they were going to be required to hook up to the Sewer District."

John Lesser: "Okay. I guess- my follow up question would be given the fact that the Riverhead IDA as well as SUNY being a State entity, do not pay taxes- "

Supervisor Kozakiewicz: "They would pay sewer, yes.

John Lesser: "They would pay sewer, so they would be responsible for hookup, if there is a hook up. Their own hookup."

Supervisor Kozakiewicz: "That's correct."

John Lesser: "Okay. As well as a pro rata sharing of, you know, whatever is going on- "

Supervisor Kozakiewicz: "As far as the Sewer District taxes because of the fact that it's not a general town tax, yes."

John Lesser: "Okay. Okay. Those are my questions. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Mr. Haizlip- I mean, Mr. Schmelzer."

George Schmelzer: "We had a sewer system in Riverhead before we had a sewer, most of them were lawyers, they were the sewers."

Supervisor Kozakiewicz: "I think we needed a little comic relief."

George Schmelzer: "Yeah. And this is- as far as if the current goes off for a while, the thing doesn't work, well, put in a cesspool. Use a cesspool in the meantime. If you didn't have any sewers, you'd have to use cesspools. (Inaudible), that's cheaper than \$250,000, it will build a lot of cesspools. That's all."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to speak either for or against this proposed improvement to the Calverton Sewer- proposed improvements to the Calverton Sewer District? Not seeing anybody, declare the public hearing closed the time of 7:19 p.m. having arrived."

Public Hearing closed: 7:19 p.m.

Public Hearing opened: 7:19 p.m.

Supervisor Kozakiewicz: "The time still being 7:19 p.m., Barbara, would you read the affidavit of publishing and posting for the second public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on April 2, 2002, at 7:10 p.m. regarding the increase and improvements of the facilities of the Riverhead Parking District No. 1, estimated cost being \$410,000."

Councilman Lull: "The recommendation for this comes from the Public Parking District liaison group which is the, excuse me, State

required citizens group made up of people who are owners or residents in the Sewer District and their recommendations are each year for improvements to the District.

I mentioned already one improvement that is not a bond issue that is going to come out of existing sewer- I mean parking district funds, these are three improvements. One improvement is the improvement in the condition and foundation of the parking district that is between the aquarium and Salvation Army. I don't have to tell anybody who has been there exactly what condition that's in. And that is one that is going to be done.

The second one which is going to be done which is a resurfacing of the driveway between Main Street and- from Main Street into the Peconic parking district area, north of the river. That drive needs work. The sidewalks are going to be re-done, landscaping and that type of thing. Sidewalk- one of the sidewalks which is next to the Riverhead Grill makes it necessary for somebody who is walking on the sidewalk to step into the road, into traffic, and somebody had to build a door, The Grill, that is about a two foot wide sidewalk. That is going to be widened.

On the other side where West Marine is, the sidewalk is going to become a part of our Riverwalk area which will be a walkway from Main Street down to the parking lot and from there, there will be a continuation from there to the river.

So it's those two, plus we have a dumpster code in town and those people who are homeowners, excuse me, business owners in the business district downtown are allowed by our zoning to build out to 100% of the size of the property, the downtown business- the downtown zoning and that's- they are allowed to build. However, they also have to take care of their garbage and if you built 100% of your property, that leaves somebody else's property to put your garbage on and they have chosen for the most part, the town.

What we are doing, is we will be constructing a dumpster corral which will hold the dumpsters for that whole area which will be constructed by the town and- by the Parking District, sorry, and maintained by the Parking District and by some rentals or improvements or (inaudible) funds from those who pay the taxes in the district.

All of the money for this bond is in the Parking District and will be repaid by Parking District funds."

Supervisor Kozakiewicz: "With that introduction, is there anybody who would like to address the Board either for or against the proposed improvements to the Riverhead Parking District- public parking district #1?"

Liz Strebel: "Hi. My name is Liz Strebel. I own the property at 85 East Main Street where the Riverhead Grill is located. I am all in favor of this bond. We need new sidewalks in town. The one side is either terrible and it's going to be really great to get this done. I hope to see it done this year."

Supervisor Kozakiewicz: "We'll try. Thank you for your comments."

Liz Strebel: "Thank you."

Councilman Lull: "Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board either for or against the proposed improvements to public parking district #1? If not, we'll close the public hearing, the time of 7:23 p.m. having arrived. Jim, do you have a question?"

Councilman Lull: "Yes. Can I- can we leave- "

Supervisor Kozakiewicz: "Open for written comment?"

Councilman Lull: "-- for written comment. There is still some comments to be taken into consideration and they will be at the next Parking District meeting which will be the next Thursday. So, if we can let it go for another two weeks."

Supervisor Kozakiewicz: "Two weeks?"

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "Okay. Any objection from any of the Board members? If not, we'll keep the written comment period with respect to this issue open until, that would be April 16th? Close of business April 16, 2002."

Public Hearing closed: 7:23 p.m.
Written comment open until April 16, 2002

Supervisor Kozakiewicz: "All right. We're at the public portion. I have some cards. I want to remind everybody there is a five minute rule. Steve Shauber. Steve? Hopefully, I pronounced it right."

Steve Shauber: "That's perfect. Hi. I've lived in Riverhead for 13 years and I reside at 19 East Meadow Road which is in the Manors development, and I'm here to- "

Unidentified: "A little louder please, we can't hear."

Supervisor Kozakiewicz: "We've got to get that microphone up a little closer."

Unidentified: "Can you speak up?"

Supervisor Kozakiewicz: "That's a friend, I presume? Okay."

Steve Shauber: "You know, I chose to live where I live because the population, diverse population was there, the culture, the farms that are around there, and when I move in there was a landfill. It was operational but, in fact, I knew that it was closing, it was mandated to close within a couple years. And I'm just, right now I'm a little bit concerned because after closing one landfill, I guess it's going to be capped off pretty soon, we're now looking to- "

Supervisor Kozakiewicz: "Well, actually, we're still trying to reclaim it. We believe that's still a better way to go."

Steve Shauber: "It looks like we're expanding, I guess, across the street, where they used to store the garbage trucks or whatever, then this turned into a transfer station, (inaudible), a couple of years, things have changed.

Now I understand, in fact, they're trying to expand from two acres that is zoned Industrial to an addition 14 that is zoned Agriculture and they're trying to turn that into Industrial. I guess a couple of points I have is where is a need for this in the community? They're not going to picking up any more- I mean they're not expanding to help the community; they're expanding to preserve private business and they're trying to generate more and more revenues.

What I do see happening is that the surrounding communities being affected, the demographics has changed drastically from when it was

zoned Industrial to what it is now. There's more and more developments going in. The quality of life, I think, again, I know there's going to be an environmental impact study or the preliminary study is going to be discussed tomorrow, but one thing the study can't identify is that we don't know what- basically they're going to be, I guess, recycling cement, and that's a variable that we're never going to know exactly what they're going to be putting into the recycling facility and what's going to be coming out.

And you can have all the studies you want, but there's a lot of toxic materials that are in there, dioxins, carcinogenic properties that are byproducts from cement and concrete, and I really think that you have to look at the big picture. Again, you've got to look long term.

They're a contractor of ours, they do business with us but without our business they wouldn't be there. What happens if they don't get the contract? Rezone this thing Industrial, and after they leave, anybody can basically do whatever you're allowed to do in the Industrial area.

Next to that, there's- who would want to live next to that area where they're doing the composting and the recycling of the concrete? There's a farm now that's next door to five acres and it's up for sale right now. I can't see anybody buying that that would want to live next to this facility. If this does take place, they'll buy that fairly cheaply and they can expand and then the next thing you know, we have a whole row of, you know, composting and recycling businesses.

I just think you really should look long and hard at this because if will affect all the citizens that are around this and long term, I think, it's in the best interests to keep it Agriculture and that's basically why I moved to where I moved and I think that, you know, it's very, very important that you listen to the wishes of the community that's right in that area. Thank you very much."

Supervisor Kozakiewicz: "Thank you. I'm not sure if I'm able to make out the second name. The first one looks like Robert- "

Robert: "Yeah, that's me."

Supervisor Kozakiewicz: "All right. I'm going to let you pronounce the last name because I'm having difficulty reading it."

Robert Sighinnulfi: "Sighinnulfi."

Supervisor Kozakiewicz: "Sigh- what?"

Robert Sighinnulfi: "Sighinnulfi."

Supervisor Kozakiewicz: "Okay."

Robert Sighinnulfi: "Basically I'm here to oppose Crown Sanitation. I came last time we had the meeting about this and spoke and I don't know how dangerous the cement is. I know Steve did some research and it's very dangerous. I'm just concerned about the quality of life.

I bought my house 10 years ago in Baiting Hollow. I commute 40-45 minutes a day to live out here and work and 45 miles west and thought this was a beautiful area. I bought in Baiting Hollow because I was told (inaudible). I was told the back of my house could never be developed. Now I'm being told it's going to be developed and it's going to make it dusty. We don't need it.

You must have 11 acres of industry zoned some place in Riverhead. If Crown Sanitation wants to grind their cement, let them move to an area that's zoned to grind cement. (Inaudible) raise potatoes, raise trees, to raise- not to grind cement.

You drive down Youngs Avenue and there's 25 to 30 cars illegally parked. That shouldn't (inaudible). You drive down Youngs Avenue or Osborn and you see trailers- I mean that isn't the reason I moved to Baiting Hollow. And I think the neighborhood has grown and has developed to a nice part of town and you have more subdivisions coming in which is going to make it even a better neighborhood. I don't think you want to be grinding cement in Baiting Hollow. You've got to be able to find some place in Riverhead to do that.

And, I think we should make it so that our quality of life is maintained. Change it back- change the two zones and the two acres that are zoned industry and zone it back to agricultural, let it be a farm. We don't need it. That's all I have to say."

Supervisor Kozakiewicz: "Thank you. Kathleen Grodski."

Kathleen Grodski: "Good evening- "

Supervisor Kozakiewicz: "No problem with Grodski."

Kathleen Grodski: "Town Board Members. My name is Kathleen

Grodski of Calverton. This evening I would like to talk about the application of the rezoning of Crown Sanitation. When Reliance Leasing Corp. bought 14 acres of property in 1997, they were well aware of the type of zoning that was applied to this property being agricultural.

This is why they paid a little over \$13,000 an acre. If their intent was to buy property that was Industrial B, they certainly would be paying a much higher price for that privilege. If they indeed wanted to find Industrial B property to expand their business, I do believe there is this type of zoned land available in Riverhead elsewhere.

As a Town Board, you're elected by the people of the town to speak for us and make decisions that will benefit our town and also, hopefully, carry out the feelings of the majority of the people. This zone change I feel is wrong. If you had gone around to hear the people in this area's feelings and concerns about this change, you would know that the majority is against the zone change.

When these neighborhoods bought their homes in this area, yes, many of them after Crown's already in operation, deal with the comings and goings of this operation on a daily basis. They also bought their homes knowing that the land next door to this operation was zoned Agricultural and couldn't be used for any industrial use. Having no idea that in a few years down the road they would be trying to change the zone to so call expand their business which is not true because right now I don't believe they can crush- do a crushing plant there, and I also don't believe that that's what the land they are on is zoned for now.

I truly hope this Board does the right thing for the people of this community. Remember your decision on this matter about rezoning can be in your neighborhood next. Once you change zoning for one, you set a precedent for others. This issue has been through many heated discussions. I have nothing against Crown Sanitation, Crown Recycling, Excel Demolition Recycling, Reliance Leasing Corp. or 65 Youngs Avenue Corp. or whoever approaches the property in the future. Crown has done a wonderful job as a transfer facility for our town and they are nice people. But that is not the issue.

Remember the point. That is rezoning. If you start here with spot zoning it will jump and continue. We as a town do not need another crushing facility, we already have Calverton Industries and TS Haulers. I also believe that several years ago, (inaudible) had a

crusher which they had removed because the town didn't want any more crushers and it was not needed.

The bottom line here to me is a no brainer. (1) the town has Industrial B property available that Crown can purchase if they want to start a new phase of their business. (2) spot zoning is something this town says that they were against. (3) the people in this area do not want it.

Please think about this decision carefully. Remember to listen to the people of this area. The environmental issue- I'm not even going to address tonight, I'll save that for tomorrow. My main point, and I'll say it again, is no spot zoning. Thank you for your time."

Supervisor Kozakiewicz: "Thank you. Frank Nicolazzi."

Frank Nicolazzi: "Good evening. The issue is the item #359, accepts performance bonds of Knolls of Fox Hill for the 3300- 3400- "

Supervisor Kozakiewicz: "To be fair, Mr. Nicolazzi, there's also that tabled resolution which I want to make sure- well, for- "

Frank Nicolazzi: "For 3200- "

Supervisor Kozakiewicz: "-- which is- should be out there--"

Frank Nicolazzi: "It is- "

Supervisor Kozakiewicz: "I just wanted to make sure it was there."

Frank Nicolazzi: "All right. Thank you very much. I guess we should start- I have a statement that I'd like to make. But where we should start from is the identification of 33 and 3400. I have no idea where 3300 and 3400 are and what are they- what do they represent. So that would be an issue. 3200 I'm familiar with but not 3300 nor 3400. So if I can put that aside for the moment. Just go through my notes.

The question of performance bond approval. I offered this comment- I offer these comments as (1) a homeowner at the Knolls at Fox Hill as well as an HOA Board member. And what the HOA and individual homeowners are requesting of the Benjamin organization and/or other do not have the approval of this Board. Further, please note the Knolls currently is in litigation/and/or deliberation with

the Benjamin organization and we are meeting with, have met with on a continued basis with the Attorney General of the State of New York, which I know you're familiar with."

Supervisor Kozakiewicz: "Very familiar. I spoke with them March 22nd. It was based upon that conversation with Mr. Rosengard (phonetic) from the Attorney General's office that these got back on."

Frank Nicolazzi: "Okay. All right. The- we have a meeting which him on April 21st and- "

Supervisor Kozakiewicz: "Correct. I knew that."

Frank Nicolazzi: "-- and with Mr. Benjamin as well."

Supervisor Kozakiewicz: "Right."

Frank Nicolazzi: "The "H" -- here's where we're coming from. The HOA feels that the approval of this bond issue and the 3300 and 3400 which I cannot identify, will hinder- will hinder negotiations that they're currently in. It will- if we were to allow us to settle our differences and at the time then the Town Board make its decision, we feel that we as well as Mr. Benjamin would be in better (inaudible).

Some things that we feel could, in fact, occur, although the communication that you received, I believe, dealt with the fact that Mr. Benjamin was going to proceed with the building. I believe, my thoughts, that what Mr. Benjamin would, in fact, choose to do would put the bond into position on the three items, then submit whatever plans have to be submitted, and then it would be convenience for Mr. Benjamin, the Benjamin organization or whomever, to go forward and then sell off that property for construction by another firm. It doesn't necessarily have to be Mr. Benjamin or his organization.

I'm going to find out a couple of things. (1) the original plan that was submitted, this is going back five to six years ago, included the properties from 3200- 3200 west to the corner of the drive that brings one into the Knolls at Fox Hill. The reason that that was rejected by the Town Board was because of the level of the land and that the builder would be required to build up that property in order to give the owners of the units that he's going to sell an opportunity to have the vista of our great Long Island Sound.

What that would do is approximately six feet from the last

building that we have on the property now to where the property goes down, the property would have to be built up. It was rejected because of a- because of having to do- "

Supervisor Kozakiewicz: "Mr. Nicolazzi."

Frank Nicolazzi: "-- I know my time- "

Supervisor Kozakiewicz: "I'm going to ask you to sum up."

Frank Nicolazzi: "All right. I'm going to sum up. I'm going to mention as well that three years ago there was a meeting of the Board of Health and at the Board of Health meeting in the town center there were three members of our Board that were present. We- we were at that meeting and at that meeting the rights to build were- the rights to build on the property in question were transferred to build the golf course and it had to do distinctly with the water rights.

Allow me this, this is the last thing. One can look into the records of a memo dated 2/15/01 where Mr. Joseph Hall of Mr. Hanley's department made special note to the issues dealing with the inappropriate water supply, etc., etc., etc. And I thank you for your time."

Supervisor Kozakiewicz: "Mr. Nicolazzi, thank you. Just in response, I do want to just comment because you've put out a lot there. I want to make it certain just so the record's clear, that I- based upon our discussion in December- December 4th, did follow up with Mr. Rosengard. We had (inaudible) from--who's representing your interest. At that point in time, based upon everything that was being said to me, we held this in abeyance."

Frank Nicolazzi: "Right."

Supervisor Kozakiewicz: "I'm not being guided by them; I'm being guarded by (inaudible) Rosengard, and that's what I've told the Town Board putting this on. Mr. Rosengard feels strongly that there will still be a settlement despite this. He takes a little bit of a different view as far as that issue. He also feels very strongly that as the Assistant Attorney General that's been involved with this, he can get a resolution of this on the 23rd of April and that, third, should they attempt to transfer or build, he has no problems with moving to get injunctive relief. And that has been, I understand, conveyed to both parties, your attorney as well as to Mr. Benjamin's attorneys so that there's- by approving this, there's a step in a

direction but clearly the Attorney General's Office from what they're telling me is not going to allow the next thing to occur, which is what you're suggesting, and I intend to call Mr. Rosengard tomorrow if this does pass or if it should not pass just to let him know where we are."

Frank Nicolazzi: "Okay. Thank you very much, sir. Thank you all."

Councilwoman Sanders: "Thank you."

Supervisor Kozakiewicz: "Steve Haizlip, please."

Steve Haizlip: "Steve Haizlip of Calverton. And Riverhead. Number one item here. On this Cablevision, I'd light to bring to light some information that was put on the airways right here on WRIV. The reason for our latest increase was that they invested in the WIZ and they lost money so they want us to make it up. And checking with the Public Service Commission, they claim that all the utilities is allowed to make a profit regardless of how they squander their money."

And my next item is for Mr. Lull. I know that you've been very busy and recuperating and haven't time to get back to me on the Riley radius, but the public, (inaudible) is sending signals and hints that they want this radius increased, (inaudible) there, so Mr. Kwasna is ready to go when you are.

Now this is a very interesting subject. I heard about a case in California where the citizens brought a case against the lottery and there was only two lottery tickets published or made for \$20,000 each. But those two were sold but they kept on advertising and pushing the promotion but there was no \$20,000 there, it was gone. Which brings to mind, \$1,000 for life. Same thing. They published the two that won but they kept on advertising and pushing it. So I wrote a letter asking them about this. Guess what? They haven't answered back yet. And I don't expect they will because the judge in California says the State can do no wrong but the citizens have to do right.

It doesn't make any difference where I go these days, Bob. Somebody is always approaching me about something of this town. The latest thing is they say you're sort of becoming like Ali Baba and his 40 thieves. You know, first you get us with the theater, then you get us with the airport, and now you are getting us with this \$25.00 on the yard waste up at the Highway. And I thought that all this money was budgeted already for this operation. Why do we have to go this

\$25.00?"

Supervisor Kozakiewicz: "Actually it was considered to be- it was in the budget but it also was a source of revenue. We anticipated that a revenue source which would be yard waste so the answer was that this was something we anticipated. The fee."

Steve Haizlip: "Well, (inaudible) looking into it, I was told is to take the dumpsters at \$300.00 each.

Okay, last item here. This resolution 254. On the last meeting, it intrigued me. That was the one about the tax case against Suffolk County. So the way the line read it just says a settlement. But I wanted to hear a little more about it. So I got the resolution, checked it out. It turned out to be (inaudible). As Joey says, we have a half a dozen so lawyers so they must have cleaned up, they didn't leave much money for the county. Thank you, Bob."

Supervisor Kozakiewicz: "Thank you. Robert-- is it Bogo?"

Robert Bogo: "Yup, that's right."

Supervisor Kozakiewicz: "Okay."

Robert Bogo: "My name is Robert Bogo. I'm a resident of the Knolls at Fox Hills. I'm also a member of- on the Board of Directors. We want to ask that you do not approved Resolution 359 tonight. We think it would put us in a weak position with the Attorney General and with Benjamin.

When we all bought our units at the Knolls, we were handed a prospectus. That prospectus is what we based our purchases on. There's been numerous violations to that prospectus. Benjamin violated the disclosure regulations by the Attorney General by secretly removing 15 acres of our 27 acres which we were supposed to be deeded. We were never deeded those acres. Then he secretly removed 15 of those acres so that he could build other things like a golf cart barn for the golf course. These were supposed to be all our properties.

So what we want to ask you, until- this thing is with the Attorney General now, we would like you to not do anything until it is resolved with the Attorney General so we are requesting that you table not only the one that you already tabled, but we'd like you to table the next one.

And the other thing is with the water. We have a couple people here, Frank Nicolazzi being one of them, who was at a particular meeting where this builder gave up his water rights to build 16 golf villas down at the corner of Oakley and we don't see how he can build on this property at all. To us, it's not buildable. That's all I'd like to say. Thank you."

Supervisor Kozakiewicz: "Thank you. Rolf Kestling."

Rolf Kestling: "Rolf Kestling, Wading River. I just want to read a little article out of the newspaper which I'm sure you're familiar with.

Little Flower Children Services located on North Wading River Road is investigating whether to house at risk children who statistically could become sex abusers and who need treatments. Robert Amato, a Little Flower spokesman, said Suffolk County Family Court Judge David Freundleich (phonetic) approached Mary Ryder (phonetic) executive director of Little Flower about housing these youngsters who are at high risk for being sex abusers. When asked by this reporter if these youngsters were victims or whether they have been charged with sexual offenses, Ryder replied we don't know. We have no material on the kids. We haven't done anything yet, says Mary Ryder, yet meetings are being held with the State and Ryder admitted the program would start sometime this summer. It's being funded by the Office of Child and Family Services who will pay Little Flower per child. There is no program of this type in Suffolk County. The program would according to Ryder bring youngsters from nine to under 13.

This is interesting. Ryder said one resident facility is being demolished internally. She said the building would have intensive staffing including one social worker for every three youngsters. There would be an alarm on the doors, laser light outside to alert the staff if one of the children climbed out of the building. Sounds like Stalag 13.

We are glad that Judge Freundleich came to Little Flower said Amato. We are taking steps to access the feasibility but we always want to be good neighbors. The community is concerned because you have the good neighbors. Our business (inaudible) for the children in need. The community won't be let out. As soon as we come up with a conclusion, the community will know.

Now, they're already demolishing the building so they must have

already made up their mind. Now remember back in '98 when they wanted to put up the cottages and I spoke and you sort of agreed that on the old buildings, they weren't allowed to use them. There was a covenant placed on them. They cannot use them to house any individuals. I think you remember that. I'm addressing you."

Supervisor Kozakiewicz: "You (inaudible) town attorney."

Rolf Kestling: "As town attorney."

Supervisor Kozakiewicz: "I don't recall a conversation but- "

Rolf Kestling: "I'm under the impression- I haven't been down there, but I've got a feeling they're using one of these old buildings, which they can't do. So I would suggest that tomorrow morning- "

Supervisor Kozakiewicz: "Last time I was up there, they were using the new residential buildings for residential purposes."

Rolf Kestling: "But this is what they're demolishing, the interior where they're going to put in these sex offenders. Now you remember when they had them in the cottage, the kids there. Fences were broken, graffiti was all over the place. Father Fagan admitted some of the kids were mooning the motorists as they were going by. Now, come on, we don't need that kind of stuff out here. Tomorrow morning, I think it's incumbent upon you to send Mr. Barnes down there and check out what buildings they are using. And if they are going to use one of the long buildings, a stop order immediately. We don't need it."

Supervisor Kozakiewicz: "Thank you."

Councilman Densieski: "Hey, Rolf. The only thing that surprises me about that story is that they're not trying to put it on Main Street in Riverhead."

Rolf Kestling: "Well, they've been trying to get close there. And, you know, the housing- see that new section of housing that are going up by the (inaudible) going up there. The property, a little piece of property is going for over \$100,000. We don't want that up there. Thank you."

Supervisor Kozakiewicz: "Thank you, Rolf. That's it for the cards. Anybody else who would like to address the Board? Henry

Talmage. Then I'll go to you on the right, sir. My right, the Board's left."

Henry Talmage: "Good evening. My name is Henry Talmage. I'm a greenhouse and nursery grower in Riverhead and President of Long Island Farm Bureau and I serve on the Farm Select Committee for the Town and the Ag Advisory Board also for the Town.

I'd like to speak in support of Resolution #340 with regards to the serial bonds for using the Community Preservation Fund dollars for purchase of development rights of farmland and other lands in the Town. As all of you know, the agricultural community is very concerned about the pressures of development that are going on in Riverhead, not only in Riverhead but all the east end towns, and we as an industry support group are very concerned that we will maintain the critical mass of enough land and operations in order to sustain agriculture not only as a good neighbor and a supplies of pleasant vistas, but also as a commercial entity which we think is really critical to the future of our town.

And I think most of you know that the Long Island Farm Bureau has been working very hard over the last several months, working with all of the east end board supervisors as well as looking for continuing to get additional funds from the county and now especially the state and the federal government. And there's been quite a bit of talk about that and a month ago nearly 20 of us went to Albany for two days to lobby our legislators there to look for state funding, to look for over a five year period to really look at ways to address this issue with real dollars not with window dressing.

And, of course, two weeks ago Bob was nice enough to come down to Washington with us where we met with Senator Clinton and Senator Schuman- Senator Schumer, Felix Grucci and the whole Long Island delegation to address this issue from a federal dollars point of view.

But certainly in all of these programs in which we've been trying to promote is the idea of using local dollars, town dollars, county dollars, state dollars and federal dollars in a very comprehensive way. And that requires, of course, that there are dollars at each level of government to make this thing happen. We recognize that this is not something that we can wait 20 years or 10 years to deal with. This is something that we have to deal with now. It's a now problem.

And by authorizing-- essentially this resolution enables the town the leverage, the Community Preservation Fund monies, in a way that

they can be utilized in a much quicker fashion. If we wait until the coffers are full, we won't have anything to buy. And I think it's very important and I commend the town for taking this very aggressive approach that is necessary and I think one of the- one of the real important points for this is that TDR has been by far the most successful farmland preservation tool on Long Island. For over 20 years, nearly 10,000 acres have been preserved using this tool. It's not the only tool and we're really looking forward to getting the report back (inaudible) to look at other ways in which we can be very proactive and innovative in preserving farmland and preserving tax base at the same time.

But short of that we also have to recognize that PDR is going to be the major component in preservation efforts in the town. And so I think as a spokesperson for the agricultural community, I would just like to commend the town for taking this aggressive stance and I encourage you to pass it and I would also, again, offer the continuing offer to work on these issues which are very complex. It's not simply an upzone issue; it's not simply a land use issue. These are very complex. They intertwine with the rest of the master plan.

We understand that but we hope that there will be a chance to be innovative and find ways to use all the tools in the tool box and really address the issue and get the majority of this land preserved and also the fee title of the farmland back into the hands of the agricultural not land speculators.

So thank you for your time."

Councilman Densieski: "I've got a question for you. Is the Farm Bureau comfortable with the 20/10 split? Do you really feel that the 20 (inaudible) will be sufficient for the TDR program versus the 10 million for open space?"

Henry Talmage: "Comfortable is probably not a great word. I'd be comfortable with about a 29/1 split, you know. But I think this issue has come up with regard, you know, look one of the important things you have to recognize is you only have one top priority and if farmland is our top priority then we have to address it as a top priority. I would rather see a higher portion of it but I recognize that there are other people in the town that may not take that same view.

Certainly if we don't do this, we're not going to have the money for the town to participate at all. Our goal is that we are going to

be able to leverage this money with other money from the county, from the state and federal governments so that it will be enough to do the job. But, you know, no question about it. I'd rather see that as a top priority, remain a top priority."

Supervisor Kozakiewicz: "Thank you, Henry. The gentleman over here on my right."

Tony Mancuso: "Good evening. My name is Tony Mancuso and I reside in Baiting Hollow."

Barbara Grattan: "Tony, can I have your last name again?"

Tony Mancuso: "Mancuso."

Barbara Grattan: "Spell it."

Tony Mancuso: "M-A-N-C-U-S-O. And I would like to just go back if I may to the request for the zoning change from Crown Sanitation. And I know tomorrow you're going to be having the environmental impact study on it. I would like to make a couple points if I- "

Supervisor Kozakiewicz: "We're having the hearing on the DEIS and how that can be expanded."

Tony Mancuso: "Very good. I'd like to make a couple of points if I may. If I'm not mistaken, they're going to be requesting to put in a concrete crusher and they're going to be requesting to put in a wood mulching machine. If I'm not mistaken, on the grinder itself, the noise level generated would be 96 decibels at the base of the machine. And even though it diminishes as you go through footage as much as 200 feet down to 52 decibels, they have not considered one of the geographic characteristics of Baiting Hollow is the wind factor, how noise travels.

In addition to that, the mulching machine, which is the secondary machine that will be operating simultaneously, I believe, with the concrete crusher, operates at 75 decibels. And even though that diminishes down and they state in their impact study that at 400 feet it drops down to about 58 decibels. The combination of both machines operating in addition to the wind factor which is not addressed, probably will cause a noise level that exceeds the town limits of 65 decibels. And that's my first fact.

The second thing I'd just like to bring to your attention is that

they're talking about mulching all this wood and having mulch piles that would be held aside until the time is appropriate to have them removed. As you know, pollen travels. There are people in our development that suffer severely with asthma. That suffer severely with allergies, my son included, where this could be very detrimental to their health.

Third, I would like to bring to your attention that the mulching machine itself holds 125 gallons of fuel plus 120 gallons of oil. The fuel has to be replaced daily. You're operating a machine. And any place that I've ever seen operate where fuels are used and other chemicals, there is spillage. And over a period of time it will contaminate the ground with the fuel. It happened across the street at the gas station; it will happen there.

I also would like to bring up a point. Paragraph 3.4.1 on page 34 under their general site operations state and they admit this, they're saying this. At present, truck parking is performed on the site of Youngs Avenue. I would think that this would be illegal and a violation of the zoning and operating permit because it's done daily on a public road creating a traffic hazard. I know when I go by many times between 3:30 and 5, there's more kids out there in the street, playing in the street, with two trucks parked simultaneously actually blocking the road.

And another question, I had in regards to that is, at least as far as (inaudible) is concerned, if I'm not mistaken the Riverhead Ambulance is located on Osborn Avenue. If they had to come into our development, they must travel through Youngs. Otherwise they've got to go down to Sound Avenue, come all the way around and back. If they're blocking the road, we're talking even five minutes, that five minutes could be the difference between life and death. I feel that the trucks do block the road and they create a dangerous traffic situation.

I believe also that the berm that they put up along the side has created flooding conditions in the road. So between the flooding conditions, the garbage and the trucks, you have a real serious situation on that road now. A very serious traffic situation. Just until a couple weeks ago, they had an old abandoned trailer that was not (inaudible) to the property, but exposed out there. I saw children playing in that trailer a couple days ago- a couple weeks ago. And I don't know if there's asbestos hanging out of there or insulation, I don't know how old that trailer is. But that was plain to see.

And the last point that I would like to make and I appreciate your indulgence is that they're saying that once they go ahead, they get this industrial zoning allowed, it will bring a profit in taxes to the town of \$57,575. This is what it says in the statement. It also says though, however, that if the 13.9 acres was made into residential, they would support 12 homes. And I think the average taxes in Riverhead, at least I know my taxes, are running between \$5,000 and up. If you multiply that by 12, you've got \$60,000 and you haven't had the (inaudible) the rest of the neighborhood. So you're making more taxes than ever before.

On top of that, if it should go through, and it is Industrial, my property is valued and my neighbor's property is devalued. And there's about 15 acres here whose property will be devalued. And I would think that if we were somewhat smart, that we would come together, file a class action suit as a grievance requesting reduction in our taxes. And even if we were able to reduce our taxes like \$1,500 to \$2,000, on 15 homes you're looking at a loss revenue of \$75,000 to \$100,000 in taxes.

So I hope you will give this some serious consideration before that zoning change is granted. Thank you."

Supervisor Kozakiewicz: "Thank you."

Tony Mancuso: "Thank you very much."

Supervisor Kozakiewicz: "Lyle, this gentleman was coming up first. So you'll be next. Thank you, Lyle."

Jerry Basso: "My name is Jerry Basso. I'm from Foxwood Village. This is an open statement to the Town Board. I have been evaluating the recommendations of the Planning Board. Their ideas on the control of growth are in some case commendable. This reason- the reason why I am addressing this forum is to advise the people of this Board to take a comprehensive and needed action to control growth with a deep understanding of the consequences we all have to live within the future years.

I have lived in Nassau County in the vicinity of Westbury and Carle Place for almost 40 years. Prior to moving to this area, I was active in the civic association, excuse me, and I have met with various developers of Roosevelt Field, Roosevelt Raceway and The Source which is Fortunoffs many times along with the surrounding civic association members. They made various promises even shown us

sketches of the development they had in mind. Well, if you know the corridor of Old Country Road from Glen Cove Road to Post Avenue, you will notice what has happened to this area. They raped the area for short term gain.

Also the public officials stated that these would decrease our taxes in the future. That was never realized. In fact, it had the opposite effect. I am bringing this information to the Town Board to let you know what the consequences can be if we cannot control our growth immediately. Let's not make the same mistake as Nassau. Let us have a heritage for the future generation. Let them say thanks for a job well done. Thank you."

Supervisor Kozakiewicz: "Thank you, Mr. Basso. Lyle Wells."

Lyle Wells: "Lyle Wells from Aquebogue. I just wanted to (inaudible) this gentleman's speech in support of Resolution 340. Just a couple comments, Henry pretty much covered all the bases in regard to why we in the agricultural community will support this.

I also serve as the Chair of the Farm Select Committee and not only does it cover farmland but also open space. And the only comment that I would make and the question was raised by you folks, is the split appropriate. And I can only tell you that the applications for farmland for sale of development rights of farmland far outweighs those applications for open space acquisition.

At present I am-- I believe the only open space acquisition proposal before us right now is along West Main Street at the end of Kroemer Avenue, the particular parcel that the County and the Town are looking at. So I would speak, again, in support of Resolution 340 but as Henry mentioned a 20 to 1 split would be more appropriate in regards to the needs of the Town which is obvious by the proposals that come before my committee.

The other comment would be in regards to the actual money if this bond issue is passed and I would hope that we would utilize it and Henry also touched on this in some other ways other than PDR. PDR has been very successful over the years. It's captured a lot of the scenic vistas that we all hoped (inaudible) while at the same time there is an economic base in this town which is eroded by the extinguishment of the (inaudible) development rights. Those of you who know me over the years realize my passion for the need for a development rights (inaudible) within this town.

What I am suggesting is with some of this bond money, that we create such a bank and invest in the future of Riverhead town by creating our open vistas while at the same time creating an economic base that we can turn to in the future when the need is demanded of it, whether it be for high residential properties or whether it be for increase in industrial properties zoned on a particular property or commercial, I think we need to look far into the future and, again, invest in our community rather than just (inaudible). Thank you."

Supervisor Kozakiewicz: "Thank you. (Inaudible) Did you have your hand up? Okay."

Larry Williams: "Larry Williams, Riverhead. (Inaudible) heard a lot about acquisition. Anyway, I've just got a simple question. It will only take about two minutes to (inaudible). I just want to know, I met with the members of the Recreation Committee about the access to Stotzky Park from the (inaudible)."

Supervisor Kozakiewicz: "I'm not sure I understand the question. When you say access- "

Councilman Densieski: "Sidewalk?"

Larry Williams: "Sidewalk, okay. Okay. I did talk to Mark Kwasna not about the sidewalk but about the crosswalk from the west side of the street going over to the park and that will be done before the park opens."

Councilman Densieski: "It's there."

Larry Williams: "Okay. It's there. Is that coming from JT to- "

Councilman Densieski: "No, that would be coming perpendicular to the sidewalk. It would be a crosswalk, similar to a crosswalk at an intersection on Main Street, say, the two white lines with the vertical lines in between. Okay. You know walkways."

Larry Williams: "I understand that part. But I want to know if it starts from JT Blvd. and continues down to where- what is it, Riverhead Building Supply?"

Councilman Densieski: "No. I think you're talking about a sidewalk. That would be different."

Larry Williams: "Right, Okay. But I guess what I'm saying is I understand the part about the crosswalk but the problem is you know for people to walk from my neighborhood to that crosswalk. There's a danger walking on the side of the street because of the number of people who speed and the traffic. That's what I'm getting at. So there's nothing on the sidewalk. I can only talk about the crosswalk."

Councilman Densieski: "I don't think that that issue would really have anything to do with the Park and Rec because they wouldn't be able to spend money on it. I think that would be highway department issue and we can pass that issue over to Mark and let him know that we need a safe condition for people who access that from JT Blvd."

Supervisor Kozakiewicz: "Larry, this was actually brought to the Rec Committee, this issue?"

Councilman Densieski: "Yes."

Supervisor Kozakiewicz: "Okay, and I agree it's probably not a Rec issue, it's a highway issue and now that you brought it to our attention, we will certainly follow up. Because as you point out, there's probably some real safety issues and concerns for your community in accessing the park."

Larry Williams: "Okay, my next question is who do I meet with so I have someone to speak with."

Supervisor Kozakiewicz: "This would be a Highway Department issue or an engineering issue."

Larry Williams: "So I should speak to Mark Kwasna."

Supervisor Kozakiewicz: "Larry, why don't I set up something and I'll call you. Can I do that?"

Larry Williams: "Sure."

Supervisor Kozakiewicz: "Okay. Call you at work?"

Larry Williams: "You can do it."

Supervisor Kozakiewicz: "Thank you."

Councilwoman Sanders: "May I say something? At the last meeting that we had we were going to attempt having a joint effort between the Highway Department and possibly the Rec Committee if we can put in a crossing near the skate park area. Possibly the Rec Committee could look into using some of their funds in order to support that- "

Supervisor Kozakiewicz: "That's even better."

Councilwoman Sanders: "- (inaudible) the Highway Department, so I'm trying to make this a joint effort so we can get as much accomplished in that- "

Supervisor Kozakiewicz: "Maybe I'll pass this off to Rose."

Larry Williams: "I knew with that Board there was a good answer."

Supervisor Kozakiewicz: "I have your number and I'll share it with Rose. Okay?"

Larry Williams: "Thank you."

Supervisor Kozakiewicz: "All right. I thought I saw another hand, but I'm not positive. Yes, Mike Spindler. George, do you want to speak? How about next? Is that good? All right."

Mike Spindler: "Mike Spindler, Calverton. I'm here tonight to voice my opposition to the most recent and any other motor sport proposal at Calverton. Unfortunately since my time is extremely limited here I will not be able to cover all points of concern. I respectfully ask for your patience and a few extra minutes due the following (inaudible) circumstance.

Due to recent actions far beyond my control, I only have these few minutes to defend and try to protect what is sacred to me and also has taken my, my family, and countless others in the community almost a lifetime to accomplish. This will be my only opportunity to speak out publicly to you against motor sports at Calverton because I'm in the National Guard and have been called overseas with my squadron. Due to the duration I will be away, it is highly unlikely that I will be available to attend public hearings on motor sports at Calverton.

Isn't it ironic as I leave my home to serve my country which I have been privileged, honored and proud to do for over 23 years, the

community in the small world in which I live is under attack and in jeopardy of being devastated forever. Being devastated by a project that has been opposed not only by me but by every survey I'm aware of even Councilman Densieski's.

It is also important to note that at Meet the Candidates Night prior to the recent election, all candidates who were recently elected or re-elected, voiced opposition to motor sports at Calverton. I believe the position on motor sports is one of the reasons why some of you are sitting here today. I hope you will remember this at the same time.

I am fully aware and respect that under our selective process you, the elected officials of this town, are obligated to entertain all proposals that are presented to you by the RDC. That said, I make the following comments.

Did any of you have the opportunity to see the film Saving Private Ryan? Have you seen the Viet Nam movie Platoon or other true to life war movies? I am reasonably sure that most of you have. Where do you think many of these young men and women are buried who gave their lives for this country? Where do many of the veterans who served in the great war get buried? They're buried in national cemeteries. What is located in extremely close proximity to this proposed speedway and drag strip disaster? The longest and most complex national cemetery system in the country.

Okay. So one may selfishly and carelessly say as I heard before, these veterans are dead. They are not going to be offended by the noise, traffic and other nuisances associated with a speedway and drag strip. I asked what about the thousands of family members who come to grieve their lost relatives and loved ones? Should they be subjected to the nuisances associated with motor sports while taps are played and a loved one is being laid to rest or while they're simply there for a weekend visit. Should their ability to mourn over a fallen loved one be interfered with in any way, shape or form? I say emphatically no.

I believe all efforts should be made to ensure that the peace and serenity of the sacred ground be maintained and enhanced, not degraded or even remotely threatened. I believe any other actions that would be in contrast to this goal would be a disgrace.

Would you be in favor of placing a motor sports complex in the vicinity the Arlington National Cemetery? Would you be in favor of

placing a motor sports complex in the vicinity of the cemeteries in France where fallen World War II veterans are laid to rest? Would you place a motor sports complex and drag strip within a mile of the Viet Nam Memorial in Washington, DC? The battlefields of Gettysburg or Mt. Rushmore, Yosemite Falls or any other national monument park or treasure? I would surely hope not and I doubt that you would.

When deciding on whether or not to permit a drag strip and motor sports complex at Calverton, I respectfully request that you ask yourself this question. What does the Calverton National Cemetery mean to me? What does a national cemetery mean to our country, to our town, this country? How soon some of us forget.

So let's say you chose to ignore the previous logic that you (inaudible) a race track. (Inaudible), Virginia, has been touted by some as a prospering area partly due to the race track. Here's what the newly elected Governor Mark Warner (phonetic) of Virginia has to say about this particular area in his recent State of the Commonwealth address. Governor Warner describes the (inaudible) as an area left behind. And an area that can hardly bear to hear any more bad economic news. Governor Warner further describes the (inaudible) region as an economic disaster area in need of emergency support. I personally don't see any signs of desperation or economic disaster on the east end of Long Island. We don't need to attract tourism at any cost. We are not a desperate community.

The (inaudible) folks representing Calverton Motor Sports speak favorably of a race facility in Ohio. (Inaudible), Ohio is located approximately 50 miles to the west of Cleveland and approximately 65 miles east of Toledo. Having recently been through this area, I believe this area cannot be compared to the socio-economic and environmental strengths of Long Island and the east end in particular. I don't believe (inaudible) has the micro-economy and better options available than we have here. I believe (inaudible) Ohio, like many (inaudible) towns is a community grasping for anything they can get to attract tourists to their area. We don't need that. We don't have to do that.

As far as (inaudible) motor sports in Florida another facility employed by Calverton Motor Sports. I asked area residents in the Palm Beach part of the area about (inaudible). I was told the facility is 13 miles from town and I quote one resident, there is absolutely nothing around it. It is in the northeast corner of the everglades, alligator country. If anyone is not familiar, this facility is well to the west of US 95. There's not much out there.

Do not confuse this area with the real Palm Beach or even West Palm Beach.

When asked if there was a facility elsewhere in the country similar to what Calverton Motor Sports proposed, their PR person said no. Well, there is a track, in Joliet, Illinois a town well known for its maximum security prison where there is a new state of the art racing facility that is bermed and engineered to limit noise in the surrounding community. The noise at that track can be heard for over 10 miles away and some folks have told me they can hear it even as far as 15 miles away. To quote one local resident who lives eight miles from the Joliet track, he said it's freaking loud.

There is also a track in (inaudible), Tennessee and (inaudible), California, built state of the art with the same problems. Are we supposed to be the lab rats for a computer generated noise track experiment that they say has never been tried elsewhere but would work here? I would hope not. We simply have too much to lose.

What about the proposed road course with an (inaudible) type (inaudible)? Calverton Motor Sports never addressed noise for that. How can they suppress Indy cars (inaudible) racing out in the open? These cars will be racing (inaudible), most of which is dying or dead. What will suppress that noise? And what about the motorcycles that would scream on that track, too? Have you ever heard anything mentioned about the smoke and smell of burnt rubber, bleach, and alcohol emanating to the surrounding area of drag racing? (Inaudible)

How many great projects will this motor sports complex turn away and slam the door on? The high tech incubator that's supposed to come. Maybe a new high school. (Inaudible) university annex. A recently expanded local golf course would be seriously jeopardized. (Inaudible) denied outdoor activities. And I haven't even mentioned area residents and the retirement communities surrounding the facility that will be degraded. Also the additional burdens on police and emergency personnel.

Simply put, I believe that motor sports complex goes against all forms of sustainable development at Calverton. Please vote no on the motor sports complex. There's simply too much to lose. And I fully support the farmland open space bond issue. Thank you."

Supervisor Kozakiewicz: "Thank you."

Councilwoman Blass: "Mr. Spindler, in your overseas venture, I

hope you're safe."

Supervisor Kozakiewicz: "And I would join in those comments and say that we did this special for Mike, given his special circumstances, there's still a five minute rule in effect. Anybody else want to address the Board? - Oh, I'm sorry, George. I promised George, I'm sorry. Forgot. George, come on up here, go ahead."

George Schmelzer: "Talking about too many people on Long Island. Why don't you address the immigration? Now both Clinton and Bush (inaudible) immigration. I knew this guy that worked for INS when Clinton was in he said special orders, don't touch illegal immigrants. Leave them along. If they do anything up to a felony, don't touch them. And Bush is acting like a lobbyist. You see what happened in September, let all those trash in. The both parties got together, the two of them can't blame each other but it's our own fault, but we'll blame Afghanistan. So the people fought with that, spending billions over there. They say they can't find Ben Ladin, maybe they are telephoning him, I don't know. It's very strange to me."

So anyway the reason we want to spend these billions for nothing on farm preservation. I never heard of anything so crazy. We're going back to the Middle Ages. You want the town to spend millions, the county, the state, the federal government, why don't you just take farmland, zone it for farm use only. They want to use it for something else, they've got to get a change of zone. Very simple. Why don't you do it?

Or get rid of zoning. You have no zoning, scare these people to move here, they will be afraid of everything. Come on. Why are you spending money for nothing?"

Supervisor Kozakiewicz: "I don't agree with you."

George Schmelzer: "Well- "

Supervisor Kozakiewicz: "That's an interesting argument that we zone agriculture only for agriculture."

George Schmelzer: "Well, you want to keep farming, so why not do it that way? You (inaudible) otherwise."

Supervisor Kozakiewicz: "That's your belief. Thank you."

George Schmelzer: "Well, you can see it. The Farm Bureau, they're a bunch of hypocrites themselves. Sanctimonious hypocrites. They agree to- "

(Unidentified): "Sit down, George."

George Schmelzer: "Shut up- "

Supervisor Kozakiewicz: "Everybody, let him finish up."

George Schmelzer: "And the Farm Bureau okay'd Amper's proposal to zone all of the houses on River Road part of the pine barrens. Where I live there's a house there before 1900 and the Farm Bureau says it's okay to have it as part of the pine barrens, those hypocrites they want to spend billions of money to preserve farm- "

Supervisor Kozakiewicz: "The Farm Bureau didn't vote on the pine barrens plan."

George Schmelzer: "Don't tell me, they approved it."

Supervisor Kozakiewicz: "We the Town Board approved it as did-"

George Schmelzer: "Well, maybe you did, too, yeah, you did, too. You should have the flag at half mast that time."

Supervisor Kozakiewicz: "Thank you."

George Schmelzer: "Yeah. (Inaudible) the Farm Bureau approved it. He told me (inaudible). They didn't do nothing for people to get paid for it. You should think about it. Save a lot of money instead of going to Washington and mooch you for more money."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "What a mooch-ocracy. Every (inaudible). You want to preserve farming? Look at the trouble anybody has on 58. Hundreds of thousands of lawyers fees, property rights, wait for years for some judge to untangle it. Come on. We don't need- put it on a referendum and see what happens. Put it on a referendum."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "That's all I've got to say. You really thank me?"

Supervisor Kozakiewicz: "Yes, I do."

George Schmelzer: "Yeah, okay."

Supervisor Kozakiewicz: "Mr. Griffin."

Councilman Densieski: "George is always tough to follow."

John Griffin: "I just wanted to reinforce with you the letters I have written, all my statements on the zone- change of zoning from agricultural to industrial and the special permit. I think everybody knows I'm against that."

You're going to be voting-- the second thing. You're going to be voting tonight if I read correctly on a graffiti referendum tonight- resolution?"

Supervisor Kozakiewicz: "A change to the code which is the chapter on graffiti."

John Griffin: "But it's stated that once graffiti has been recognized, it has to be taken care of by the owner within seven to 10 or 15 days?"

Councilman Densieski: "I think that's a notification period. I think it's actually longer than that."

John Griffin: "Thirty days? I think it is. I'll take 30 days. After that (inaudible) and if it's approved, is that letter being sent to the railroad to get rid of our train?"

Supervisor Kozakiewicz: "They have- I think Councilwoman Blass, myself, I think many of the Board members have expressed our level of aggravation with LIRR MTA. As you know, MTA is a separate and distinct- "

John Griffin: (Inaudible)

Supervisor Kozakiewicz: "I understand that. I understand that very well. But I want to make it clear that in the past we've tried to enforce our code and (inaudible) by MTA getting a quick answer back. Can't do it. So we have been stressing the importance to them that it be cleaned up. I just want you to understand that there is a certain extent of what we can and can't do."

John Griffin: "Okay."

Supervisor Kozakiewicz: "All right?"

John Griffin: (Inaudible)

Supervisor Kozakiewicz: "We're going to keep annoying them. We're going to keep annoying them and if, you know- "

John Griffin: "We'll come back and- "

Supervisor Kozakiewicz: "Absolutely."

John Griffin: "The last thing I've got is I read the papers, I work all day. What happened with this Calverton Industry thing?"

Supervisor Kozakiewicz: "The Calverton Industries matter was reconciled or resolved by a judgment that was entered. There was a number of reasons why it was done and I think that it's clear if you read the judgment what the resolves were, what the differences were. There was a resolution- there was a judgment that was entered."

John Griffin: "It was to court twice from what I understand, maybe I'm wrong."

Supervisor Kozakiewicz: "That's correct. There was a federal court proceeding which exposed the town to a large amount of judgment if there was a violation of the federal laws. There was an action pending. There were two state actions pending as well as a motion to reargue by DEC to re-hear the case that had been decided against us (inaudible). So if you look at this from a bigger perspective, we have taxpayer money from the town being used to fight the case from one side and taxpayer money which hires a state Attorney General fighting us from the other side."

John Griffin: "Big mess."

Supervisor Kozakiewicz: "It was a mess. And it wasn't black and white."

John Griffin: "Okay. But it was forced upon you, the Board, to make that- the judge made that ruling for us."

Supervisor Kozakiewicz: "The judge said to the parties, get together or I will decide it."

John Griffin: "Okay, thank you."

Supervisor Kozakiewicz: "All right."

Councilwoman Blass: "Mr. Supervisor, on that matter, may I just ask the attorney a question?"

Supervisor Kozakiewicz: "Sure."

Councilwoman Blass: "I was curious as to what the last day that the Town of Riverhead can appeal that judgment in court."

Dawn Thomas: "That would be 30 days after we receive notice of entry and as I understand it and I'm going to confirm with my office tomorrow, we did receive it that on the 27th of March. It will be 30 days following that, about three- three and a half weeks."

Supervisor Kozakiewicz: "If it was by mail, it would be an additional five days after that."

Dawn Thomas: "That's correct. I'm sorry."

Councilwoman Blass: "Thank you."

Supervisor Kozakiewicz: (Inaudible) "Joan Griffin."

Joan Griffin: "Good evening. Joan Griffin, Baiting Hollow. I just have two simple questions for you. To put a child through the Riverhead School District per year, how much does that cost, \$5,000, \$8,000?"

Councilman Densieski: "Nine thousand."

Supervisor Kozakiewicz: "I think that's the allotment that was given to the Charter School but the actual cost per student is somewhere between \$11 and \$12 or over \$12."

Joan Griffin: "Okay. And the second- "

Supervisor Kozakiewicz: "That's because it changes as, I think, a higher cost at the elementary level as opposed to the high school level."

Joan Griffin: "Thank you. And the second question, can you define a non-nuisance business? What does that mean, non-nuisance

business?"

Supervisor Kozakiewicz: "I think that was a particular definition that was added historically. I wasn't on the Board when that was done and I don't think many of us question what it means. It's sort of an open ended definition that's subject to interpretation. I'm not going to try and put a parameter on it tonight."

Councilwoman Blass: "There are two definitions in our code, Bob."

Supervisor Kozakiewicz: "Right. There's- "

Councilwoman Blass: "Wholesale business, non-nuisance industry- "

Supervisor Kozakiewicz: "Right."

Councilwoman Blass: "-- and non-nuisance- "

Supervisor Kozakiewicz: "I think the question is one that's been before the courts and even the courts had some problem addressing it."

Dawn Thomas: (Inaudible)

Supervisor Kozakiewicz: "There's a colloquy going on up here. That's one of the things that we are looking to eliminate- to avoid this issue."

Joan Griffin: "Is the word non-nuisance?"

Supervisor Kozakiewicz: "Non-nuisance and some of these other definitions that are somewhat nebulous."

Joan Griffin: "Okay, thank you."

Supervisor Kozakiewicz: "Thank you. Hand in the back. Ann Miloski."

Ann Miloski: "My name is Ann Miloski from Calverton. And I would like to also support what Mike Spindler said and I was here at the work session and I listened to the public relations on the motor sports, and when the consultants spoke and someone from the Town Board

asked him about the noise that he was saying that they could control, he never ever (inaudible) a race track. So that is number one. I think that the Town Board (tape change).

And the other thing, he also talked about berms and (inaudible) the race track. How deep do we have to go with this race track so it doesn't make any noise? And if it doesn't work, is this going to create more sand mines in Calverton?"

Supervisor Kozakiewicz: "The answer on that one- I don't know if you heard that comment. That if they do this, they're going to do a cut and fill. They're not intending to export any soils off the property. That was the comment they made when that question was put to them."

Ann Miloski: "Okay. Well, I urge the Board to proceed very slowly and ask a lot of questions and this project does not enhance our quality of life. It's disrespectful to have all this noise during veteran burials across the street and they never, ever addressed the traffic. And the traffic is so bad that you couldn't even have (inaudible). So I think that you have a lot to look at before you make a decision and I urge you to say no. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to- yes, Lindstrom, okay."

Kathy Lindstrom: "Kathy Lindstrom, Calverton. With the recent decision on Calverton Industries, does this make sand mining illegal?"

Supervisor Kozakiewicz: "No."

Kathy Lindstrom: "No."

Supervisor Kozakiewicz: "No. There was- that's based upon the fact that when they established it, there was still an allowance in the code for this type of a use. (Inaudible) eradicated or removed from the code in 1998 so any industry coming in after that would have to abide by the current zoning in effect."

Kathy Lindstrom: "So it's still illegal."

Supervisor Kozakiewicz: "Illegal."

Kathy Lindstrom: "Illegal, okay. And- "

Supervisor Kozakiewicz: "If you're asking if a use comes in today, April 2, 2002, it would not be a permitted use."

Kathy Lindstrom: "All right. But you're saying that it would not open our town to more sand mining, more than we have now?"

Supervisor Kozakiewicz: "Not, other than what's presently existing today. That's correct."

Kathy Lindstrom: "Which has all been illegal. Is that right?"

Supervisor Kozakiewicz: "No, no, no, no. That's not what I said. There are some pre-existing uses that do have legal authority such as Suffolk Cement- "

Kathy Lindstrom: "Right. I- "

Supervisor Kozakiewicz: "I don't want to say there's operations that are illegal. There's some that do have legal authority to operate."

Kathy Lindstrom: "Yes. But Suffolk Cement- "

(Some inaudible discussion)

Kathy Lindstrom: "I'm sorry."

Supervisor Kozakiewicz: "No, go ahead."

Kathy Lindstrom: "Okay. So we are not opening ourselves up to more sand mining you're saying."

Supervisor Kozakiewicz: "My opinion?"

Kathy Lindstrom: "In your opinion."

Supervisor Kozakiewicz: "That's right. As I understand it."

Kathy Lindstrom: "All right. Okay."

Supervisor Kozakiewicz: "Okay. Thank you. Yes, Sid Bail, please. Gentleman, I'm sorry, I didn't see your hand over here. I'll get you next. Okay?"

Sid Bail: "Good evening. Sid Bail, President of the Wading

River Civic. Two quick comments. One, I was at that work session with the Calverton Motor Sports presentation and I share some of the same concerns that Mr. Spindler and Ann Miloski voiced, and I hope you take a very good, hard look at the implications of that proposal.

The second thing. I support that bond issue that's for the farm acquisition TDR's. I think it's a wonderful idea and Mr. Talmage made one heck of a great statement justifying it. Thank you."

Supervisor Kozakiewicz: "Sid, I have a question for you."

Sid Bail: "Yes?"

Supervisor Kozakiewicz: "Because I respect your opinion. You were involved when the master plan was being done, (inaudible) studies for the Calverton property. These uses were outlined and this particular use, a motor sports facility, as a projected use. I think it was clearly defined and clearly laid out as a possibility. I guess my question to you because I didn't follow it as closely as some of us, why wasn't the objection raised at that time when the zoning was being put in place and HR&A's study-- was studying this as a possible re-use?"

Sid Bail: "My guess, where this is kind of like many things were included because there was a compromise statement in some areas and although it's a permitted use and I think it's a use that would make money, you know, that the folks who were presenting it have the financial wherewithal, etc. I think there are a legitimate quality of life and I am just concerned how it would affect the development of the rest of the property. But, you know, there were a lot of potentially inconsistent uses that were agreed to. But, as I said, I think there was a lot of give and take, there was a lot of compromise (inaudible)."

Supervisor Kozakiewicz: "Thank you. Gentleman to the right, yes, come on up."

Raymond Zuppa: "My name is Raymond Zuppa. I live in Baiting Hollow and I have a personal letter to the Board with around 140 signatures, all voicing opposition to the Crown Recycling (inaudible). I'd like to present that. Okay?"

Supervisor Kozakiewicz: "Absolutely. Thank you."

Raymond Zuppa: "You're welcome."

Supervisor Kozakiewicz: "Thomas Lassandro."

Tom Lassandro: "Tom Lassandro from Baiting Hollow. Before I start speaking and everything, I'm opposed- as I said, I'm opposed to the Crown Sanitation also and this past weekend I had the opportunity to take photographs that I'd like the Board to look over and I think this will speak for itself."

Supervisor Kozakiewicz: "Do you want us to keep these photos, make them part of the record?"

Tom Lassandro: "By all means."

Supervisor Kozakiewicz: "Thank you."

Barbara Grattan: "Give me your name again, please."

Tom Lassandro: "Lassandro."

Barbara Grattan: "Spell it."

Tom Lassandro: "L-A-S-S-A-N-D-R-O. If you have any questions on those photographs, I'd be more than happy to answer them for you."

Supervisor Kozakiewicz: "While we're looking, why don't you go forward because, you know, so we're not getting into (inaudible)."

Tom Lassandro: "Everything that I'm about to say, you know, is my opinion only. You know, this is a very simple matter. Okay. The past administrations that we've had, okay, they (inaudible) the town of Riverhead. All you have to do is look right across the street, all that property over there has been condemned. Okay. And in due time, the same thing will happen at this site that is zoned agricultural. It could take a year, it can take three years, it can take five years. Nobody can guess on how long it will take, but it will happen. Okay. It's a dump. They don't want to call it a dump. They can use more sophisticated names. It's going to be crushing cement, make mulch, and all those things bring animals, okay, and some of those photographs show animal holes already. Okay. And those (inaudible) have only been there for maybe a year and a half, two years at the most. Okay."

And I'm less than a quarter of a mile away and the back of my property, okay, I have one of those holes right under my fence, okay. And I'm in a residential area. Now, if I want to change my land, my residential land to industrial or agricultural, I would be turned

down, no matter what. Okay. I say the same thing goes for this.

With all due respect to Crown, they do a wonderful job. And for them to come and try to change this is totally uncalled for. Let them go where it's supposed to be done. (Inaudible) okay, from 58 or 25, wherever there's industrial. Something like this has to be done in an industrial area otherwise it just creates problems.

Rule of thumb. (Inaudible) and we all know that companies make contributions to politicians- everybody into office. And all we're asking the Board and the Supervisor is to keep the town clean. If it's not clean that has to be addressed instead of changing things. Leave things the way they are. If something is dirty, clean it up.

And what Crown wants to do is just going to make the Town of Riverhead worse. Okay. And to vote no on this is very important because one thing is at stake and that's our health. Okay. If they do this, we're very close to this change of zone. It can affect our health. And my personal family, I have a father, okay, he only has one lung. Okay. And he's 80 years old. Or he will be in August. And for him to breathe in this dust or the fumes and whatever kind of smell may come from there would be detrimental to this health. Okay.

And when we moved here, we checked out the area and we checked with our doctor- our family doctor if it would be okay to live so close. And the doctor gave us the okay. And we don't want to move from here but if something like this is approved, we will be forced to move away from the Baiting Hollow Riverhead area.

So I urge you to vote no on this, to sit down with Crown and try to find a location where it's appropriate. This particular area is not appropriate, it's plain and simple. The photographs speak for themselves. I don't know if you've had the opportunity or the chance to get over there but (inaudible). We live here, they don't. That's another thing. You know. We are the local people and they're not. So you've got to take that into consideration, too. Thanks very much."

Supervisor Kozakiewicz: "Thank you. We're going to have to take a brief recess. We'll resume at 9:00. Let the record reflect it's 8:47."

Recess: 8:47 p.m.

Meeting re-opened: 9:00 p.m.

Supervisor Kozakiewicz: "Let the record reflect that the time of 9:00 p.m. has arrived and we'll resume. I think there might be some people to still address the Board? Yes, no? Anybody who wishes to address the Board? One hand in the back. Come on up, sir. (Inaudible). Order, please. Thank you."

Joseph Lenartz: "Can you hear me?"

Supervisor Kozakiewicz: "I can but maybe you better pull that mike up. I'm not sure if the people in the back can."

Joseph Lenartz: "Can you hear me now? My name is Joseph Lenartz. I live at the Manors. I was up here once before about a month ago, I guess, and I've also given a letter in to the Board. I'm just here again against the re-zoning of agricultural to industrial, not just in the Manors but all agricultural to industrial. We have enough industrial in the town already.

The thing is that we bought the house in November of last year and we had to pay a Peconic Community Preservation Tax of 2%. And this was told to us when we bought the place that this was supposed to help us protect the environment and make it healthy for us. I do not see this- expanding of this plant could be a better quality of life or helping the environment.

My question to you is can you explain to me, I heard this term thrown around, quality of life. How do we define this quality of life or is this another one we're just going to throw away- "

Supervisor Kozakiewicz: "Well, I guess quality of life may mean a different thing for each community depending upon what they have. I mean quality of life, I would love to see it be what it was in the '70's with the population of only the teens and individuals who have come in subsequently not be here. But I don't mean it that way, that it was the way it was. I mean, that's quality of life. I'm sorry I rephrased that the wrong way. But I mean, I grew up as a young man, you know, 50 acres of land surrounded by 100 acres of farm, surrounded by 1,000 acres of farm. That's great. But unfortunately things have changed.

So I think where we are is we have had more farmland turn into residential uses. We've have more proposals on Route 58 and the quality of life issue I think means everything a little bit differently to others. Quality of life means maintaining as much of the rural atmosphere as we can. Maintaining the woodlands to the

extent we can. Maintaining our Peconic Estuary to the extent we can. Maintaining the Long Island Sound and its integrity to the best we can. Seeing the birds, seeing the wildlife, the geese, the fish. (Inaudible) I think that's what it means to all of us."

Joseph Lenartz: "Do you think that by extending this it will improve our quality of life or decrease our quality of life?"

Supervisor Kozakiewicz: "Obviously you're telling us that it will. You're coming to us as an affected property owner, a stakeholder, who is saying to this town board we believe that it will affect our quality of life. This is what we've heard. This is the comment that you've made, that it will result devaluation of your property and we've heard you."

Joseph Lenartz: "I thank you very much."

Supervisor Kozakiewicz: "Okay. John Ellwood."

John Ellwood: "John Ellwood, Calverton. A few things about Crown, opposition to them, quality of life, etc. But I remember (inaudible) and he says he's applied for a recycling salvage compaction in 1972. Now I came out of Viet Nam in 1970, I made many trips to the landfill and I don't remember any need because the landfill didn't shut down 'til 1992. I'm in the highway business. I don't see any back in 1972 why there would be- I know the town, we didn't recycle back then. So some of the things are a little fuzzy, you know."

Supervisor Kozakiewicz: "I think that back in the '70's, '72, '74, '76 there was a change of zone application which was made to permit a- I think it had a name for it back then but a facility that was a solid waste facility. But I think- because I know this question has come up. If you go back to I think it's probably the Building Department and if you let the building department pull up the tax map number for the existing site that they're located on, you'll find that a use permit was issued in the '70's and there had been some industry that goes back to the '70's on it."

John Ellwood: "I understand what you're saying but I know myself I don't think anybody in Riverhead recycled (inaudible) in '72, isn't it, we didn't get into it until 1989, you know."

And then the other thing I'd like to just address is that you know we're- he's the one that's applying for the zoning change.

(Inaudible) People built their houses, you know, agriculture or residential. Now then he claims that he bought this additional property and the property was bought in 1997, April 1997, (inaudible) 13. acres. Now, if I was a businessman, I don't care if I owned a race track or a recycling place, Baiting Hollow Manors was already in full swing when he bought this property. He knew, now if his intention was to expand he- it was not something that we- I get the feeling that he's saying that we encroached on him.

But in 1997 most of these residents were already-- pretty well had their homes so, you know, and there was things in the newspaper that, you know, nobody is disputing here about the job that he does, he does a good job. If he wants to expand, I think it's outgrown the business that he wants to put in there. He's outgrown the area. It's simply said, you know, again, I don't think- the newspaper says he, you know, crushes, and, again, the idea that it's Riverhead debris, Riverhead rubbish. And that's not the case. You know, he has a rolloff business. I've seen the trucks in Bellport, in Patchogue. He's (inaudible) as we speak. So this will be an additional business with the crushing of concrete. I think that's a little bit foggy there. He's going have the business that he has now and he's looking for an additional business, if I'm not mistaken. So he's going to have the trucks running from all over, from Bellport and East Patchogue as he's got now. Now he's applying to have more trucks come in crushing the concrete. So where they're saying this thing is going to reduce traffic, I'm at a loss.

But, anyway, I just had to bring that up and voice my opposition."

Supervisor Kozakiewicz: "Thank you. Hand in the back. You, sir."

Bob Levelle: "Bob Levelle from Baiting Hollow. I talked to you at the last meeting. I won't talk about the environmental impact statement because there's plenty of time to take that up. I'll just talk as a homeowner in the Manors at Baiting Hollow. I, of course, am in opposition to the expansion of what they're doing. I'm in opposition to it primarily because of the definition of quality of life that you, yourself, so eloquently dictated."

Supervisor Kozakiewicz: "I described it. The only thing I will add to it is I'm not sure that quality of life is one of the defined factors that we consider when we look at a change of zone. But, I understand it's certainly something that the individuals who are

speaking against this today have made clear. As far as the change of zone is concerned there are legal issues that we have to wrestle with as a board."

Bob Levelle: "I'm a very simple person, when things get complicated, I run away. So I'll try to keep this very simple. The people who are the stakeholders or at least one set of stakeholders in this issue are the people who live in the surrounding area around that facility. Almost unanimously and I understand that's kind of an (inaudible)-- almost unanimously- possibly strictly unanimously, the people that live in that area are completely against this. I have not spoken to anyone who lives within probably a mile or a mile and a half as the crow flies from that facility who is in favor of it. And that's probably- "

Supervisor Kozakiewicz: "As the crow flies?"

Bob Levelle: "As the crow flies. Probably about- "

Supervisor Kozakiewicz: "Are you within that distance as the crow flies?"

Bob Levelle: "Okay, all right. But like I say, I say almost unanimously."

Supervisor Kozakiewicz: "Okay. I just want to make sure I was clear."

Bob Levelle: "I'd be willing to bet that if we were to quantify households for and against that it would be a slight majority."

Supervisor Kozakiewicz: "I wish a change of zone application and our decision was that easy."

Bob Levelle: "So, I guess the point I'm saying is that the electorate, your constituents, who surround this who are the key stakeholders in this, are pretty much almost unanimously against it. In my pea brain, that should be enough right there. I understand, however, that there are other factors involved in this. There are legal factors and others (inaudible). Just understand that as a group, as a block, primarily we are against it. We are against it quantitatively in terms of their environmental impact statement as well as qualitatively in terms of what we perceive to be our quality of life, and there you have it."

Supervisor Kozakiewicz: "Thank you."

(At this time, nothing on the tape)

Resolution #304

Councilwoman Blass: "Approves site plan or Riverhead Bay Motors."

Councilman Densieski: "-- car dealership on Route 58, just down the road from the Loew's application. This has less landscaping, less amenities and I'm happy to see it (inaudible)."

Supervisor Kozakiewicz: "I would just like emphasize, I'm sorry to interject, that there is an amendment to the resolution which is adding a section or a paragraph 16 that reads that though the subject site plan depicts and specifies all outdoor lighting fixtures, no building permit shall be issued prior to the provision of photometric data to the satisfaction of the Planning Director. I want to make sure that's clear, that's what we're voting on. Sorry to interject."

Barbara Grattan: "Do you have a copy of that?"

Supervisor Kozakiewicz: "Yes, I do."

Barbara Grattan: "You voted yes?"

Councilman Densieski: "Yes."

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

Resolution #305

Barbara Grattan: "Resolution #305, Councilwoman Sanders."

Supervisor Kozakiewicz: "Is there a motion on this one?"

Councilman Lull: "I'll move to withdraw it."

Supervisor Kozakiewicz: "Okay."

Councilwoman Sanders: "Seconded."

Councilman Densieski: "Which one are we- "

Supervisor Kozakiewicz: "305 is duplicative. It's a later resolution that takes in the same language plus also identifies the environmental significance. So there's a motion to withdraw. And a second. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is withdrawn."

Resolution #306

Councilman Lull: "So I'm going to vote- table 306. 306 excludes special permit petition of J. Douglas and Agnes Stark (Glenwood Oaks, Section 2) from residential moratorium. And because of a legal question still pending, we are going to table this motion. I move to table it."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is tabled."

Resolution #307

Councilman Densieski: "Classifies action and declares lead agency on special permit and site plan of Little Flower Children's Services and refers petition to the Planning Board. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #308

Councilwoman Blass: "This resolution classifies action and declares lead agency on special permit site plan of Jul-Bet Enterprises, LLC and refers the petition to the Planning Board. So moved."

Councilman Lull: "I'll second that."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull."

Councilman Lull: "I vote yes as Barbara said, Councilwoman Blass said, (inaudible) refers petition to the Planning Board should be the last line. It just says- the title, the title resolution."

(Some inaudible discussion among the Board members)

Councilman Lull: "I'd like it to be there in the record, that's all. I vote yes."

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

Resolution #309

Councilwoman Blass: "This resolution appoints the law firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP as special counsel in connection with the lawsuit entitled "Headriver, LLC v. Town Board of the Town of Riverhead". So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Yes. What this resolution is going to do is it's asking me to authorize taxpayer funds to fight something I'm not opposed to. As far as the Lowe's application, we took out the restaurants, we made them put in 20% landscaping, we made them to the drainage, we made them do the parking. We did everything to make it a real good application, something that we- whether we need or not is not necessarily our choice but I think it was going to be something nice. And now you're asking me to use taxpayer funds to fight it. I'm sorry, I can't do that. I'll abstain."

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

Councilman Lull: "I was not here for the discussion (inaudible)."

Councilman Densieski: "It's hiring Smith, Finkelstein,

Lundberg- "

Councilman Lull: "To defend us."

Councilman Densieski: "That's correct."

Councilman Lull: "Yes."

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

Supervisor Kozakiewicz: "I vote yes. It's been our policy when we're sued to not allow a default to occur. We've been asked to bring in outside counsel because (inaudible) and because of other reasons with respect to this particular lawsuit- "

Councilman Densieski: "Mr. Supervisor, can I have the floor a moment, please? I would just like to say one other thing that I forgot to mention. If we go to court and obviously we are, there is not- there is a possibility that if we lose the judge may say you can put the restaurants in. You don't have to put the 20% landscaping and all the other things that we negotiated for. So that's the risk that we've taken by voting no on that application. Thank you."

Barbara Grattan: "The resolution is adopted."

(Unidentified): "Just for the record."

(Some inaudible dialogue among the Board members)

Supervisor Kozakiewicz: "Three votes- "

Councilwoman Blass: "The retainer agreement that's attached refers to a resolution as adopted on May 2nd. That has to be corrected to April 2nd."

Supervisor Kozakiewicz: "Yes. Okay. Okay. Very good. 310, I think we're at 310."

Resolution #310

Councilman Densieski: "Authorizing the attendance of one police detective at the FBI training conference entitled Forensic Video Analysis Course. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "There seems to be a question on the number of days- is there anyone here who can clarify?"

Councilman Densieski: "It's eight weeks, I believe."

Councilwoman Blass: "No. It's eight days, I believe."

Councilman Densieski: "Well, it says- I'm sorry."

Councilman Lull: "Three or four days."

Supervisor Kozakiewicz: "You have a memo- the memo that was attached identifies a three day program- the resolution describes a four day program."

Councilwoman Blass: "I think (inaudible)."

Supervisor Kozakiewicz: "Well, we describe the program. So I think we'll- rather than delay this, we'll certainly vote on it and we'll try (inaudible). The bottom line is we're authorizing him to attend- "

Councilman Lull: (Inaudible)

Supervisor Kozakiewicz: "Yes. Okay."

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

Resolution #311

Councilwoman Blass: "This resolution authorizes attendance of police detective at Fire Arson Investigation training class. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Yes. How many days is that?"

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

Resolution #312

Councilwoman Blass: "This resolution authorizes an increase and improvement to the Riverhead Water District for a series of miscellaneous improvements. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Yes, with the comment that any time we do these in the future, we should clearly spell out rather than referring to a (inaudible), what the improvements are. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #313

Councilwoman Sanders: "Resolution authorizing the Supervisor to execute change order regarding Riverhead Water District Darren Development Crescent on the Sound. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #314

Councilwoman Sanders: "Authorizes Town Supervisor to execute change order for skate park with Celi Electrical, Inc. That is to add an additional \$1,220 for power lighting so that we could possibly plug in some holiday lights or anything that would seem necessary to celebrate in the park during holiday season. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #315

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead Town Code (Business D District). So moved."

Councilwoman Blass: "I will second it but we do need to make a correction on the publication and that it is that if it's the intent for the Town Board to be authorized to have this use as specially permitted by the Town Board, if it's written the way it is, it gives the authority to the Zoning Board of Appeals. We have to specifically add there by special permit of the Town Board."

Supervisor Kozakiewicz: "Any other problems with that proposed change?"

Councilman Densieski: "No."

Supervisor Kozakiewicz: "So we're going to take and add on at the end- "

Councilwoman Blass: "At the end, by special permit-"

Supervisor Kozakiewicz: "By special permit of the Town Board."

Councilwoman Blass: "That's correct."

Supervisor Kozakiewicz: "Thank you."

Barbara Grattan: "Where is it, Bob?"

Supervisor Kozakiewicz: "It would be at the bottom, the underlined portion. What we're going to do is to continue that so that it says office, business, professional, utility, by special permit from the Town Board."

(Some inaudible dialogue among the Town Board)

Supervisor Kozakiewicz: "All right?"

Councilwoman Blass: "I second it with that amendment."

Supervisor Kozakiewicz: "Okay. Vote with that amended language."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Do we have a typo on it?"

(Some inaudible dialogue among the Board members)

Barbara Grattan: "Densieski, is that a yes?"

Councilman Densieski: "Yes."

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

Resolution #316

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post public notice for a local law to consider an amendment to Chapter 106 Waterways of the Riverhead Town Code. So moved."

Councilman Lull: "And this public hearing will be held on April 16th. Second."

Supervisor Kozakiewicz: "On this one I know there was one suggestion which I'm going to be honest, I didn't have a chance to look at. If you want to refer it to them, you can. That was to the Riverhead Conservation Advisory Council. Do we want to just add that in? I didn't have a chance to- oh, okay, I wasn't clear on that, okay. Thank you. All right. Moved and seconded."

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

Resolution #317

Councilman Densieski: "Adopts a local law amending Chapter 48 entitled Beaches and Recreation Centers of the Riverhead Town Code. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. The Resolve clause has to be changed to the Suffolk Life (inaudible) News Review."

Supervisor Kozakiewicz: "Oh, yes. Okay. With that change?"

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "Okay."

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

Resolution #318

Councilman Densieski: "Adopts a local law amending Chapter 63-A entitled Graffiti of the Riverhead Town Code. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #319

Councilman Lull: "It's authorize- authorize the Supervisor to execute a contract agreement with Buildings and Grounds department head Ken Testa who is also our Town Engineer. SO moved."

Supervisor Kozakiewicz: "Is there a second."

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "Okay. Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Ken handles the town engineering

department, buildings and grounds department, the street lighting department and I have to say that he does a real job with all three of those. Before we move further with these contracts, I want to thank Supervisor Kozakiewicz who is taking out- taken out the overtime provision that was mistakenly put in by a previous administration. It might not sound like a big deal but it is a very big deal. It adds up to thousands and thousands of dollars on each department head contract. I've requested that these department head contracts be placed in the Town Clerk's office for public view as I believe they should be but usually aren't."

Barbara Grattan: (Inaudible)

Councilman Densieski: "They are there? They're not there. Okay. I'd also like to point out that the contracts that Supervisor Kozakiewicz has brought forward, there's no hidden sources of money. Anybody that wants to go to the Town Clerk and read these will understand exactly what the person is getting. With that said, I'll vote yes."

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

Councilman Lull: "And I will add to what Ed said there was a good bit of negotiations by Bob very much in our favor. Also he has negotiated agreements that end December 31st of this year which means the management specialist that we wish to hire will give us information about- or at least his point of view of what we should be doing with our department heads, with our supervisory staff. (Inaudible) by that time and begin new negotiations on new contracts or however we're going to do it, whether it's contracts or resolution begin that at that time. Yes."

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

Resolution #320

Councilwoman Blass: "This resolution authorizes the Supervisor to execute a contract agreement with Jack Hansen, the town financial administrator. So moved."

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes."

Councilman Densieski: "Discussion, I'm sorry. Does the town pay any portion of the (inaudible)?"

Supervisor Kozakiewicz: "On this contract?"

Councilman Densieski: "Yes."

Supervisor Kozakiewicz: "No."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "I know we had tried previously. It was apparently something (inaudible) to this Board and I have not placed it in there as part of the continued discussions with department heads. None of the agreements have included that provision."

Councilman Densieski: "Okay. This contract which I do have in front of me, Article 3 paragraph 1, this one for the year 2001, still gives the overtime provision and I don't think the others do."

Supervisor Kozakiewicz: "The ones that we haven't been able to reach a reconcile with because those payments have been made already did. The only ones that did not were the prior agreements that were executed with Mr. Testa, for example, because we (inaudible) the beginning of the year (inaudible) most of these payments made. But certainly from this year forward, 2002, they're all eliminating that (inaudible)."

Councilman Densieski: "Thank you. I vote yes."

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

Supervisor Kozakiewicz: "(inaudible) yes."

Councilman Densieski: "We voted yes (inaudible)."

Resolution #321

Councilman Lull: "Authorizes the Supervisor to execute a contract agreement with Andrea Lohneiss as the Community Development Department and Community Development Agency. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #322

Councilwoman Blass: "This Resolution authorizes the Supervisor to execute a contract agreement with Michael Reichel, the Sewer District Superintendent. So moved.

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #323

Councilman Lull: "I move to table 323."

Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Second? Motion and second to table."

Barbara Grattan: "Densieski- okay."

Supervisor Kozakiewicz: "Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is tabled."

Resolution #324

Councilman Densieski: "Approves the application of the Wading River Civic Association for the Duck Pond Day which is on May 5th from noon until 5:00 p.m. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #325

Councilman Lull: "Approves application of Polish Town Civic Association for Polish Town Street Fair and Festival on Pulaski Street and other places around Polish Town on August 17th and 18th, 2002. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #326

Councilwoman Sanders: "Authorizes- authorization to discard fixed assets. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz." "Supervisor Kozakiewicz:

"Just so it's clear, this resolution and the next will discard fixed assets. One is fixed assets from the Police Department; the next one is the Ambulance District and that's why they were distinct and separate to identify where they were coming from and I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #327

Councilwoman Blass: "This is an authorization to discard fixed assets. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "You can decorate a whole apartment with this resolution. Yes."

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

Resolution #328

Supervisor Kozakiewicz: "328 is there a motion? Nobody is identified in this resolution. This is the one to do a final extension of a temporary sign permit for Sunken Pond Estates."

Councilman Densieski: "I'll move it."

Councilman Lull: "I'll second it."

Supervisor Kozakiewicz: "Okay. Discussion?"

Councilwoman Blass: "I thought perhaps that the first Resolve should be include the word final. (Inaudible)."

(Some inaudible dialogue among the Board members)

Supervisor Kozakiewicz: "Moved and seconded and I think I had asked for a discussion because saw- all right."

Barbara Grattan: "Is there anything added in?"

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I- just for out there trying to gather what we're talking about. We have a lot of these temporary sign permits that come to us and we've decided as a Board that there is a certain time when a temporary sign should become no longer, should be turned into a final sign. And the decision of the Board was that we would grant two extensions- or one extension, the original six month and then a final six month. If in that time period they haven't been able to get their issues resolved, too bad, they've got to put the final sign up. So that's what all the discussion was about. We've indicated this resolution to be the final one, so, I vote yes."

Barbara Grattan: "Councilwoman Sanders, was that a yes?"

Councilwoman Sanders: "Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #329

Councilwoman Blass: "This resolution authorizes the release of a performance bond for Peconic Propate, Inc. (Thomas Witkop, Sr.). So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #330

Councilman Lull: "Accepts the Suffolk County National Bank irrevocable letter of credit of Schembri Homes, Inc. (Water District key money - Sound Meadows). So moved."

Supervisor Kozakiewicz: "I was going to say that this is contagious tonight. Is there a second?"

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #331

Councilman Densieski: "Releases irrevocable letter of credit and assignment of the subdivision entitled The Meadows at Aquebogue (Water District - key money and park recreation fees). So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #332

Councilwoman Sanders: "Appoints a program leader to the Riverhead Recreation Department. So moved."

Councilman Densieski: "And that person is Cynthia Hynds. So moved."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "That went through Personnel? I don't think Recreation (inaudible)."

Supervisor Kozakiewicz: "This is a part time position, right. Which is- "

(Some inaudible dialogue among the Board members)

Supervisor Kozakiewicz: "Vote?"

Councilman Densieski: "Yes."

Supervisor Kozakiewicz: "Okay."

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

Resolution #333

Councilwoman Blass: "Re-appoints members to the Riverhead Town Landmarks Preservation Commission and they are Don Denis, Alice Graff, Miles Kucera, Peter Lucas and Laurel Sisson. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I have a question which refers to the seven members. These are the members being reappointed, does it list all the members?"

Councilwoman Blass: "Actually (inaudible)."

(Some inaudible dialogue among the Board members)

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

Resolution #334

Councilman Densieski: "Authorizes the execution of contract with Seed Clam Administrator. So moved."

Councilman Lull: "And second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Yes. The contract was for David Lessard. Yes."

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

Resolution #335

Councilman Lull: "Authorizes the Town Clerk to publish and post a help wanted ad for Architectural Review Board members. There are two vacancies on the Architectural Review Board. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded and I think we want this to appear in this issue- it should be appearing in the Suffolk County Life, not the April 10th, 2001 issue, 2002. So with those changes, vote, please."

The Vote: "Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes."

Supervisor Kozakiewicz: "You didn't vote on that one?"

Councilwoman Sanders: "No."

Supervisor Kozakiewicz: "You wish to register your vote?"

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "Okay. And what is that vote?"

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "Okay, very good."

Resolution #336

Councilman Lull: "336 establishes compensation for Riverhead volunteer Ambulance Corps., Inc. for calendar year 2002. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes."

Councilwoman Blass: "And there is a correction on the second Whereas clause we have an agreement between the Riverhead Volunteer Ambulance Corps. and the Riverhead Volunteer Corps. I guess one of those should be the- "

Supervisor Kozakiewicz: "It should be the Riverhead Ambulance District and the Riverhead Volunteer Ambulance Corps."

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "You're right."

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

Resolution #337

Councilwoman Blass: "This resolution urges the Governor and the State Legislature to use insurance surcharge to fund training. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes;

Kozakiewicz, yes. The resolution is adopted."

Resolution #338

Councilwoman Blass: "This resolution is in the matter of the increase and improvement of the facilities of the Riverhead Scavenger Waste District of the Town of Riverhead, Suffolk County, New York. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilman Densieski: "What number are we on?"

Supervisor Kozakiewicz: "338."

(Some inaudible dialogue among the Board members)

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes."

Supervisor Kozakiewicz: "This is a following up of a public hearing that was held on the 19th of March which was conducted. This is establishing an order for that improvement. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #339

Councilman Lull: "A resolution authorizing the issuance of \$140,000 in serial bonds of the Town of Riverhead, Suffolk County, New York, to pay the cost of the purchase of an ambulance for said town. So moved."

Councilman Densieski: "Seconded."

Supervisor Kozakiewicz: "Yes. Moved and seconded."

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

Resolution #340

Councilman Densieski: "A resolution authorizing the issuance of \$40,000,000 in serial bonds of the Town of Riverhead, Suffolk County, New York to pay the cost of the acquisition of various parcels of real property, and, or, interests or rights therein, including development rights in agricultural lands, for the preservation of open spaces and areas in and for said town. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Densieski: "Discussion."

Supervisor Kozakiewicz: "Yes."

Councilman Densieski: "From some of the comments from some of the key people in the Farm Bureau and the Ag Advisory Committee, I'd like to move to amend this. Now understand that we can amend it later but it will take four months to do so. I'd like to try to amend it now where the PDR, the farmland portion, would be \$25,000,000, and the open space would be \$5,000,000 instead of the 20- the way it's written is \$20,000,000 for farmland and \$10,000,000 for open space."

Councilman Lull: "Yeah. I look at the maybe two or three of the really significant open space pieces in town that we are looking at to preserve either large business or in a couple of cases to preserve estuary and prevent serious development within estuary programs. And I know even with those three that I'm thinking of, \$5,000,000 won't touch them. It won't come close. And although I do believe that the establishment of this is a Farmlands Preservation program, it is significant in that farmland is, in fact, our first priority. I don't believe we should cut out the other serious ability to move on other properties which are significant, significant to the estuary, significant to certainly the quality of life issues."

Supervisor Kozakiewicz: "Anybody else?"

Councilwoman Sanders: "I agree that it would limit- definitely limit possibilities and we have spent a lot of time discussing this and in my very short time that I've been on this Board I've learned many things and one of the things that I've learned is that although farmland preservation is a priority, open space is one as well and with reducing that amount to 25 and 5, I just think it would still

really restrict that in that it wouldn't be accomplishing what we intend to accomplish by even proposing such an impressive resolution as this. So I would support what is in front of us right now which is the 20 and 10."

Councilwoman Blass: "I would agree and just add to what my colleagues have said already so eloquently but this is really a very exciting time for all of us to be a part of these kinds of initiatives and I finally feel that for once all of the forces are coming together. We've got financial resources, we have incredibly creative ideas, things that Lyle alluded to this evening on new preservation techniques and we're also re-working our appraisal process.

Farmland indeed has always been a priority in terms of our preservation efforts and it will probably will continue to be so. But there is a balance that is necessary here and in light of the fact that we are doing a master plan update which will probably identify some very key acquisition parcels for purposes of open space and by the way, that includes active and passive recreation. It's not just areas that are sensitive such that you can't do anything but look at them.

Recreation opportunities that include beach accesses for example and limiting our options by limiting our resources is not something that I think we should be doing at this point. I would support the resolution that is before us and commend the Supervisor for his initiative in bringing it to this point."

Councilman Lull: "And I also commend Councilman Densieski. I would like to go 25- believe me, I see the importance to our very quality of life, to the preservation of farmland. However, this program which the Supervisor has so carefully devised to offer is probably the most important program that's been offered the six years I've been on the Town Board. And I think that it has been very carefully worked on. The numbers make sense in terms of the way that we can make the most impact with the least impact- most impact on our preservation with the least impact on the taxpayers. And so, therefore, I would support certainly the 20 and 10."

Supervisor Kozakiewicz: "I know there's enough then (inaudible)- and I would- "

Councilman Densieski: "More discussion, Bob."

Supervisor Kozakiewicz: "Oh, okay, okay. Any other

discussion?"

Councilman Densieski: "I would just like to say I respect the wisdom of my colleagues and they're right, those are very important issues. But I think as one of the speakers said tonight we have to choose our priorities and for me my personal priority is the PDR, purchase of development rights. I think farmland is my priority but I understand and respect the comments of my colleagues. That's it."

Supervisor Kozakiewicz: "Okay. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Not to belabor the point, but I do want to thank- I was going to thank you, Bob, but never mind, I'll pass."

Barbara Grattan: "Do you vote yes?"

Councilman Densieski: "Yes."

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

Supervisor Kozakiewicz: "(inaudible) engage in a lot of discussions when we were talking about how we would split this and I think (inaudible) said feel very strongly about (inaudible); it's near and dear to me.

I guess I'm kind of hoping that our federal visit will pay off and there will be some dividends, and hope that the county will stay on board and that the state will come in so that \$20,000 can be piggy back, whatever term you want to use, that will get the job done because I agree that it's critical, it's important, it certainly we have to emphasize on it.

I also agree with the rest of my colleagues that when we talk about the open space, if we identify one or two parcels we can probably (inaudible) the \$5,000,000 right off the bat without much to do. So this will certainly one I struggled with. Oh, I want to also share a lot of the gratitude because there's been a lot of people reminding me that we've got to going on this. From my right, right to my left. So, thank you all and I know this is a significant one. It's a tremendous measure, progressive is the word we've used. I think there's probably nothing that's been in this town before, so, good luck and yes."

Barbara Grattan: "The resolution is adopted."

Resolution #341

Supervisor Kozakiewicz: "It should be 341, right?"

Barbara Grattan: "Yup."

Supervisor Kozakiewicz: "Okay."

Councilwoman Sanders: "A resolution authorizing the issuance of \$60,000 of serial bonds of the Town of Riverhead, Suffolk County, New York to pay the cost of the increase and improvement of the facilities of the Riverhead Scavenger Waste District in said Town. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #342

Councilman Lull: "342 is a resolution authorizing the issuance of \$13,000,000 serial bonds of the Town of Riverhead, Suffolk County, New York to pay the cost of a Phase II project for the reclamation of the Youngs Avenue landfill, in and for said town. You know, you take a million here, a million there (inaudible). So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I spent \$50,000,000 tonight. What did you do? Another \$13,000,000- "

Supervisor Kozakiewicz: "No. Authorize."

Councilman Densieski: "Okay. Let me see if I got this right. We're going to take all garbage from our hole and we're going to dig a hole somewhere else and we're going to take all that garbage and we're going to put it over there and we're going to do it whether you want

to do it or not but guess what? You're going to pay for it. And then we're still going to cap it. But then, you know what? The DEC is going to change their mind in about 10 or 15 years. They're going to decide they don't like the caps and then they're going to ask us to excavate it then. Well, guess what? I tell the State, I tell the DEC, if you want us to spend \$30,000,000 or \$25,000,000 or whatever it is going to be come up with the bucks. This is more of a protest vote than just (inaudible). I'm going to vote no in protest the State of New York treading on us as they usually do."

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

Councilman Lull: "I approve of that. That's a very interesting approach. However, we have discussed this reclaiming and capping for I guess the better part of six, seven years now. We start reclaiming this month or we start paying huge state fines. And I mean huge. The fines before were- Bob, you were Town Attorney. What were the fines before?"

Supervisor Kozakiewicz: "I think the stipulation of settlement was in the hundreds of thousands."

Councilman Lull: "Yes. It was hundreds of thousands of dollars in fines we paid before just to get to this point. Then we can cap it. But if we cap it, our engineer said it's going to cost us \$12,000,000 over the next 30 years just to monitor it, whether there's too much gas in this capped landfill. And then we still might have to dig it out. The decision we made was to go ahead and start the reclamation now, get the reclamation done, and finish up that part- that place in our town as a useable piece of property which is going to be clear and clean. Yes."

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

Supervisor Kozakiewicz: "I just want to say yes, but I can't because of all the comments that have been made. Boy, I'd love to join Ed and tell the DEC where to go with it but fortunately that was the sentiment of the Board in 1990 when the landfill closure law was taking place. And what happened was the town vigorously fought that law and I say vigorously, they- there was an ability to keep the landfill open for an additional three years. As a result of that fight, ultimately the DEC prevailed. Ultimately the closure took place. Ultimately after about another two years of fighting, a stipulation of settlement was signed, I think it was in 1995. And as pointed out, there were some fines assessed to the town. There was

some forgiveness so that we could do nice things for the community and some public benefit type of things in lieu of fines going directly to the DEC.

But make no bones about it. If we don't go forward, we don't do this, the DEC will be on us like a cheap suit. No question about it. And I think that my decision to go forward and reclaim while it may be a little more expensive up front, avoid the 30 year maintenance issue, avoid the 30 year monitoring issue which our expert has pointed out said could be \$12,000,000. That doesn't address the fact that what happens if during the capping process something fails. What happens if during the monitoring process the DEC changes the rules again on us without any help as they so often do.

This is the much better alternative, I think. Everybody has been looking at us or at least some people are starting to look at us and say, well, little sleepy Riverhead is doing it, maybe we should take a closer look at this. While we can make it happen, while we can do this, we also fail to mention the fact that if we can get through the reclamation process, we have a parcel that's open for all uses. If it's capped, it's not.

For all those reasons, I vote yes."

Barbara Grattan: "The resolution is adopted."

Councilwoman Blass: "One final comment, I can't resist. The- I think it's worth mentioning that any time during the phase of (inaudible) for whatever reason there is a decision that we should not go forward, we do have that option."

Supervisor Kozakiewicz: "That's correct."

Councilwoman Blass: "And I thought that was important to mention."

Supervisor Kozakiewicz: "That's correct."

Resolution #343

Councilwoman Sanders: "Awards bid for landfill reclamation pilot project. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I agree with Supervisor Kozakiewicz 100% that it should be excavated and not capped. I just don't want to pay for it. As a member of the poorest community on Long Island- "

Supervisor Kozakiewicz: (Inaudible)

Councilman Densieski: "I'll send the message to the state. Help. But my protest vote is no."

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

Supervisor Kozakiewicz: "For all the reasons previously stated, yes."

Barbara Grattan: "The resolution is adopted."

Resolution #344

Councilwoman Sanders: "Awards bid for propane. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #345

Councilwoman Blass: "This resolution awards bid for snack vendors. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Blass, yes; Sanders, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "You guys want to go to that, we'll just all say yes at the same time, we'll speed things up. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #346

Councilman Densieski: "Awards bid for meat and poultry. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #347

Councilman Lull: "Awards bid for food. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #348

Councilman Lull: "Awards bid for sodium hypochlorite (chlorine) for the Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #349

Councilwoman Sanders: "Awards bid for dry hydrated lime, calcium hydroxide. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #350

Councilman Densieski: "Awards bid for Soundview Meadows for the Riverhead Water District. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #351

Councilwoman Sanders: "Authorization to publish bid for five combination dump body/spreaders, power reversible snow plow and low mount hitches. So moved."

Councilman Lull: "I'll second it."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #352

Councilwoman Blass: "This is a 2002 recreation capital improvement budget adoption. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #353

Councilman Lull: "Budget adjustment in the Riverhead Ambulance District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #354

Councilwoman Sanders: "General fund budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #355

Councilman Lull: "Is a Town of Riverhead landfill reclamation Phase I capital project budget adoption. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #356

Councilwoman Sanders: "Authorizes the execution of a lease agreement between Kenneth Demchak and the Town of Riverhead. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #357

Councilman Lull: "Authorizes to attend a wastewater biology seminar in Albany. SO moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #358

Councilwoman Blass: "This resolution appoints part time account clerk typist in the engineering department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes."

Councilman Lull: "Just to point out the Personnel Committee, the recommendation of the Personnel Committee was to appoint Margaret McKay to the position. Yes."

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

Resolution #359

Councilman Densieski: "Accepts performance bond of Knolls at Fox Hill, Inc. 3300 and 3400. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. Based upon the direction of the Supervisor and information provided this evening. Yes."

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

Councilman Densieski: "I'm a little concerned. I think that some of the residents said that this will weaken their position for some strange reason. I have a funny feeling they might be right. With that said, I'm going to vote no."

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

Councilman Lull: "And that position was not supported. As a matter of fact, quite the reverse position was taken by the Attorney General's office."

Supervisor Kozakiewicz: "Mr. Oliver Rosengard, that's correct. Based upon my personal conversation with him."

Councilman Lull: "I'll vote yes."

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

Supervisor Kozakiewicz: "Yeah, this was a really difficult one. I understand that there's a great deal of factual circumstances involved here with this particular issue. There's the (inaudible), then there was other approvals granted by the town. As far as what we're doing today, we're dealing with the performance bond on a project that received approval from the Town Board. That goes back to '96, '97. In speaking with Mr. Rosengard, he was very firm in his position that he would not sit back, he would not sit on his laurels, and he would make sure that should the Knolls try anything slick or anything additional as far as trying (inaudible) build on it, he would have no reservations about making injunctive relief and exercising that authority."

Based upon his comments and based upon a very direct response back to me when I asked what is it that we as a town should do with respect to this issue? Should we get into a litigation issue or do you feel comfortable enough to say that the Town Board could act with proviso knowing that April 23rd is coming up and then, hopefully, the parties will come to a resolution, he said that the Town Board in his mind could take this action because he felt that he could ensure the protection of everybody and reach a resolution on the 23rd.

Based upon his comments to me and based upon his statements to me, I vote yes, because I understand he's been involved in the process and he has made no bones that he's willing to utilize any measures to

do the right thing."

Councilman Lull: "And you will stay in close contact with the homeowner's association, too?"

Supervisor Kozakiewicz: "I will certainly speak to them, yes."

Barbara Grattan: "That resolution is adopted."

Resolution #360

Councilman Densieski: "Ratifies the stipulation of settlement. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded. I'm sorry."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I just wanted to point out, this is somebody from Riverhead PBA who filed a grievance and that's what the stipulation is for. Yes."

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

Supervisor Kozakiewicz: "Yes. This is something we talked about quite a long time ago. This is a grievance that goes back to the year 2000 and we were unable to resolve it in a more prompt fashion. But it's something that all parties agreed to I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #361

Barbara Grattan: "Resolution 361 to pay bills."

Councilman Lull: "So moved."

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I'd like to move tabled Resolution 1205, accepts performance bond of Knolls at Fox Hills, Inc. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is off the table."

Councilman Densieski: "Motion to adjourn."

Supervisor Kozakiewicz: "The motion to take off the table. Have to vote on the resolution."

Councilman Densieski: "Oh, we voted to take if off the table?"

Supervisor Kozakiewicz: "Right. That's all right. (Inaudible) It's the way it was brought, so go ahead. Just make sure it's clear."

Councilman Densieski: "Okay."

Barbara Grattan: "Okay, that was to take off the table."

Supervisor Kozakiewicz: "Okay, take off."

Councilman Densieski: "Now, I'd like to move 1205, accepts performance bond of Knolls at Fox Hills, Inc. So moved."

Councilman Sanders: "And second."

Supervisor Kozakiewicz: "And second."

The Vote: "Sanders, yes; Blass, yes; Densieski, no; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Supervisor Kozakiewicz: "Any other business?"

Councilman Densieski: "Motion to adjourn."

Supervisor Kozakiewicz: "Thank you all."

Councilman Densieski: "Thank you everybody."

Meeting adjourned: 10:07 p.m.

Barbara Grattan
Town Clerk