

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, October 7, 2003, 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 and the Pledge of Allegiance was recited, led by Tom Stroller (phonetic)).

(There was an error with the CD)

Supervisor of the Day - Dakota Schmitt

Minutes of the Regular Town Board meeting of September 17, 2003 and minutes of the Special Board meetings of September 25 and 29 were approved by Councilman Lull and seconded by Councilman Densieski. The vote was 1 abstain; 4 yes.

REPORTS:

Receiver of Taxes	Monthly utility collections report for September - total collected, \$335,762.60
Town Clerk	Monthly report for September, 2003, Total collected \$11,334.21
Building Department	Monthly report for September, 2003, total collected \$103,375.00
Sewer Department	Discharge monitoring report for August, 2003
Animal Control	9 month statistics report
Jamesport and Wading River	Budget reports

APPLICATIONS:

Shows & Exhibition Permits	Abness Farm, LTD, Oct. 25-29 corn maze and pumpkin picking
	Cooperidge Inn - Oct. 4 th to 26 th - face painting, one piece band, pony rides
	Helen's Greenhouses - various dates in October - hayrides
Special Permits	Robert Patchell - construction of a restaurant
Site Plans	Crown Recycling - amended
	Lighthouse Agency - amended
Parade Permits	Target - October 12 th

CORRESPONDENCE:

Greater Calverton Civic Association	objection to the stakeholders plan
East End Arts Council	thanking the Town Board for all their support
Peter Danowski	Regarding Riverhead Develop- ment Corp. industrial site plans

There were Committee Reports by Councilwoman Sanders regarding Timothy Hill Children's Ranch - October 18th.

Public Hearing opened: 7:20 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 October 7, 2003 at 7:10 p.m. regarding the consideration of a local law to amend Chapter 108 entitled, Zoning Section 108-76E."

Speakers were Supervisor Kozakiewicz
Sid Bail
Allan Hurley

Public Hearing closed: 7:26 p.m.

Public Hearing opened: 7:26 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 October 7, 2003, at 7:15 p.m. regarding the consideration of the adoption of a local law entitled Moratorium on Residential Development."

Letter from Jill Lewis, Long Island Pine Barrens Society was read into the record.

"Honorable Robert Kozakiewicz, Town Supervisor; Barbara Blass, Edward Densieski, James Lull, Rose Sanders, Town Council Members. 200 Howell Avenue, Riverhead, New York 11901

Dear Supervisor Kozakiewicz and Town Council Members:

We are writing this letter in support of the proposed three month extension of the Town's residential moratorium and the proposed six month commercial moratorium. It is crucial that the Town take the time to adopt the master plan and enact the necessary zoning before allowing applications to be processed that are not consistent with the goals of the plan.

The community and the Town have invested extensive time and energy which would be lost if development were allowed to proceed under current zoning. Failure to impose the proposed moratorium would further compromise Route 58 and would completely undermine the master planning process.

Limited and short term delay in commercial development which does not impact either EPCAL nor downtown will have minimal impact on town tax revenues, if any at all. Conversely, the undermining of Riverhead's vision of its future would have devastating consequences for years to come.

Everyone associated with development of the master plan is eagerly awaiting its approval and implementation. The moratoria will ensure successful completion of this ambitious program for our town.

Sincerely, Jill Lewis, Associate Director."

Speakers: Jill Lewis
Venezia Corp (phonetic)
Supervisor Kozakiewicz
Sid Bail

Sid Bail: (Continued - 2nd CD) and say well, we were only kidding, right? We weren't really serious about, you know, planning for Riverhead's future and Riverhead's development. I think it's ridiculous. So, you know, we support the three month extension and we would hope that everyone on the Town Board would redouble their efforts to make sure that this happens.

And I know that this is the election. We have the silly season and there's a lot of dead time and you people have to campaign, etc. But this thing must get done and I would add the same thing for the commercial moratorium. If you could convince the public out there in talking to the people that this thing was going to be done in three months, in six months, a lot of these people will drop their objections.

And sometimes I do feel like a fool and act the fool sometimes, but, you know, when you go up there and you commit and say the Board needs the three months or the Board needs the six months, and you watch the progress or the lack of progress sometimes of the way things proceed for a Town Hall, I can understand their frustration.

And, so vote for it but get it done, please. Thank you."

Supervisor of the Day Schmitt: "Is there anyone else that would like to address the Town Board? Okay. Not seeing anyone else who wishes to speak, I declare this public hearing closed. The time is 7:33 p.m."

Public Hearing closed: 7:33 p.m.

Public Hearing opened: 7:33 p.m.

Supervisor of the Day Schmitt: "The time still being 7:33, declare the next public hearing open. Ask the Town Clerk to read the affidavit of publishing and posting."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on October 7, 2003, at 7:20 p.m. regarding the consideration of the adoption of a local law entitled Moratorium on Commercial Development."

Supervisor Kozakiewicz: "Now it's your turn. Okay? Venezia- I hope I'm pronouncing that right- Venezia Corp. And your name again, for the record?"

Joseph Vento: "Joseph Vento. I basically state- "

Barbara Grattan: "Can I have your name again, please."

Joseph Vento: "Joseph Vento. V-E-N-T-O. I basically stated my case before. It's quite simple. I'm a person that's gotten involved with developing a piece of property or wanting to develop it and was set back years ago by the moratorium that ended in late '80's and now I think that being that Wading River was restricted considerably from what it could have been developed into, is in a fair amount due to the hamlet study which took several years and a lot of taxpayers money.

Simply put, I know as a township, Riverhead has a growth situation. I don't think in Wading River it's been reduced down to a very nominal amount compared to the amount of people within the area.

Simply put, I would be- it is somewhat of a problem trying to do something of some ability to the public within the area when you cannot do it freely. So, if the moratorium is placed, it may cause a problem to any good development within the area and it is quite restricted. Thank you."

Supervisor Kozakiewicz: "Another one I can't read the writing. Pete Danowski."

Peter Danowski: "My mother would be ashamed being a schoolteacher that no one could read my handwriting. I would say at the outset, who's going to pay the taxes here in this town? You know, you try to stop commercial development- you know if you pass this moratorium, what the assessors are going to do is look on taxable status day to determine what buildings have been constructed, to determine what increase in tax revenue we'll be able to receive.

You also know that taxable status day really deals with the following tax year. By passing this moratorium in effect, you are going to stop building construction in the commercial area and we're not going to see an increase in tax revenue for two additional years. Why would you do that? The people who are going to pick up the slack are the single family homeowners.

It's sort of interesting when someone made a comment before about EPCAL and I'm not sure whether this moratorium is supposed to affect the Grumman property or not. It clearly is going to suggest as Mrs. Blass is saying- her belief is it does not. And you're going to take the taxpayers who own property and say to them, you can't build. But the people that can build are the people within the Grumman property.

So it seems to me either way you're hurting the taxpayers. Because if you're saying Grumman can move forward with commercial site plans, then it's unfair and discriminatory to the rest. If you're saying Grumman can't move forward, then you're hurting the taxpayers by not letting it being developed for commercial purposes.

Another point is what do you mean by commercial? I don't see the definition of commercial anywhere in this moratorium. I don't see the word commercial defined in our town code. I question myself if I want to take- and this is one of my favorite topics, take a home in the downtown area and convert it to a professional office, is that a commercial site plan that can't move forward if this moratorium is passed? My guess is you're talking about the shopping centers and the larger areas but I don't see where commercial is defined.

In some people's minds, it may mean other than residential. You've got a residential moratorium, a commercial moratorium. It seems like you stopped everything in the town. Why would you want to do it?

You also don't seem to distinguish at all pending applications. You don't take into consideration there are many people who are investing time and money in site plan work that's not yet finished that may be submitted tomorrow or the next day. So, again, you're not affecting people that are actually trying to something constructive in the town.

The criticism about residences were, well, you know, that will increase our taxes because it will be a greater demand for services. And yet what does commercial development do? Doesn't it raise the tax base? If you are passing this because you've seen some applications you don't like, then it seems to me just because you don't like them, doesn't mean you can delay them or pass a moratorium.

You create some laws; you act on the laws; submissions are made. They either conflict with the law or they don't.

For all of my clients who have pending applications, for those in this town that have commercial areas to develop, I oppose the moratorium. Thank you."

Supervisor of the Day Schmitt: "Okay. This card is from Michelle Ryan. Michelle Ryan, please stand up, please."

Supervisor Kozakiewicz: "If you would, someone's cell phone. Please turn off all your cell phones, please, as a courtesy."

Michelle Ryan: "Good evening. I'm Michelle Ryan, the new

Executive Director of the Riverhead Chamber of Commerce. And I'm here this evening to read a statement of behalf of Ursula Masseur (phonetic), the current President of the Chamber.

As an organization representing the business community, the Riverhead Chamber of Commerce does not support a moratorium of business expansion in the Town of Riverhead. We call for a speedy implementation of the master plan for the town without such a moratorium.

Town government has to be supportive of business, to be welcoming to new businesses, and to help existing business to expand. As a business organization, we are willing to join with the town in working on finding favorable solutions for everyone, to help manage their growth in the Town of Riverhead.

Sincerely, Ursula Masseur."

Councilwoman Blass: "Thanks."

Supervisor of the Day Schmitt: "Okay. This card is from Anthony Stollo."

Anthony Stollo: "Good evening. Thank you for the opportunity to speak to you about something that became very dear and close to my heart, my little piece of property on Route 58. I'd like to talk to you in two different veins, one, how I see it affecting the Town of Riverhead, and how it affects me personally- and me, my family.

I'm not a resident of Riverhead but I'd like you all to think of me as a citizen of Riverhead. I spend more time here than anywhere else. Probably when I die, this is where my wake will be because this is the only place where people know me. Where I live, they don't know me. I live here in Riverhead probably 15 hours a day.

I've come to Riverhead since 1976 and what a change has happened. Finally the light is gone. This community has become vital. It's become the envy of other communities on the east end.

The real danger in your commercial development is not to the Town of Riverhead, it's to the Town of Southold business people, the Town of Southampton business people, the Town of East Hampton business people, because as this area grows as a retail destination area, it's becoming very vital. And I look at those Target Store and the Riverhead Center and I say, boy, they're going to have to pay a lot of taxes, I sure hope they have to pay a lot of taxes because like everybody else, I think I'm paying a lot of taxes here in Riverhead.

I went to a wake two nights ago and I probably spoke to myself in

my mind for about an hour and a half. I promise I won't do that, you probably won't let me do that anyway.

The light is- "

Supervisor Kozakiewicz: "No, the Supervisor of the Day wouldn't let you get away without."

Anthony Strollo: "And the light is on. Riverhead has become a vibrant community. It's a destination. It's no longer looked on as a place not to go, something not happening there.

Every morning my wife- my daughter and my sales manager or I, we come down Route 58 and they spot the light on in Krispy Kreme. And we have to stop because the light's on in Krispy Kreme. I know that the light's on every single day. I go by there all the time. The light's on at Krispy Kreme. What it's telling you is that Krispy Kreme is open for business. Riverhead has become open for business.

You can't take this community and put it into a 1950 time capsule and reopen it 50 years from now and say look, nothing changed. Things have to change. There's always change. Not all change is good and what scares me as a businessman is the uncertainty that you propose or this moratorium proposal proposes, nobody could make plans. You're stuck. You can't do this; you can't do that. You have to sit and wait.

And I haven't really paid much attention, but I understand this residential moratorium has lasted two and a half years or it's going to be two and a half years or three years when it's finished. The moratorium cannot become a reason for inaction. You have a responsibility to do the right thing but you have a responsibility to do the right thing promptly. Promptly is part of doing the right thing. You can't put us in the trees and ask us to stay there and remain interested in doing business and doing growth in the Riverhead town.

Personally, I've been sitting here planning for years how to get to Route 58 and now I face the proposal that either I have to do something sloppy, quick, even if it doesn't pass today, maybe it will pass three weeks from now. I've got to do something quick in order to get in ahead of the system or I'm not going to make it obviously. And I'm not going to put together something I'm not happy with. And I would think that you probably wouldn't let me put together something that was ugly.

Don't shut the door on the business people. Don't shut the door on growth. You've got a vibrant, growing community. It's a retail destination and it's got to produce a ton of taxes. I'm sure that the

taxes that these big stores have to pay are greater than the demands that they put on the town for services. Thank you for your time."

Supervisor of the Day Schmitt: "Thank you. Sean Walter, please stand up."

Sean Walter: "Will you let the next guy go. I'm still writing."

Supervisor Kozakiewicz: "Tell him no, he doesn't get an opportunity. No, I'm kidding. Say John Kennedy."

Supervisor of the Day Schmitt: "John Kennedy please stand up."

John Kennedy: "Good evening, Supervisor, Councilmen. I'm here representing the Nassau/Suffolk Building Trades. We represent 60,000 construction workers that live in both Nassau and Suffolk County. And we depend on construction work, whether it be commercial, industrial or even residential. (Inaudible)

Or might be approved or in the process- "

(At this time, there was a problem with CD)

Councilwoman Blass: "-- any application that has received a special permit already or has an approved site plan or has a building permit will be allowed to continue. You can make an application for an exemption from the moratorium if you fit certain criteria and they're clearly outlined in the proposed local law. So this moratorium is not putting a halt on commercial development.

What we're doing is asking that new proposals comply with the new rules that we've been working on for a period of time which will not be in effect probably for another six months. And we're just asking that we be given the time to implement the new rules. Anything that's currently receiving or has already received those permits that I've told you will be allowed to continue. Anything in any of our urban renewal areas, that's EPCAL and downtown Riverhead, will also be excluded from the moratorium."

John Kennedy: "Okay. Just so that you know where we're coming from. The word moratorium really means unemployment for us and, again, we have a lot of mouths to feed. We're all taxpayers that live in both counties. Many of our members live in the Town of Riverhead and to be told they can't work for six months whether it be in residential, commercial or industrial, is devastating to us. So I ask you, we're against any kind of a moratorium. Thank you."

Supervisor of the Day Schmitt: "Charles Carone, please stand

Supervisor Kozakiewicz: "It looks like a Charles C-A-R-R-O-N, speaker. He declines? All right. The next one looks like (inaudible). Having a little bit of a tough time making out this one. I'm not sure if that's Doctor G-A-L-V-A-T-A-S-H."

Councilwoman Sanders: "Here he comes."

Gal Vatash: "Thank you for the opportunity. My name is Gal Vatash (phonetic). I'm a partner in RJR Associates (phonetic) which owns- sorry, can you hear me?"

Supervisor Kozakiewicz: "No. We got it."

Gal Vatash: "RJR Associates which owns 67 Commerce Avenue in Riverhead, Commerce Park. And also a partner in East End (inaudible) Center, 1149 Old Country Road.

For the past four months, we've been planning and we've gone through all the different stages of a approval for our next step of development which will be from a veterinary emergency hospital to a complete- a veterinary special center, which is highly needed in the east end of Long Island.

We picked our lot size based on our need- based on our needs, and at this point basically we're at the point where all that is required is site approval. And our service will provide a specialty veterinary for all east end of Long Island. We will draw business not only from the east end of Long Island but also from up west. We've grown from six employees to 25 salaries within three years and we are anticipating to grow and to employ approximately 75 to 85 employees within the next five years.

Timing is essential for us. Currently we are at the latest stages of our lease in our current location. We are hoping to open our doors in the new facility sometime in the next summer. If we will be forced to postpone our plan, not only that we may be forced to sign on another- on a new five year lease, that will change completely our plans, but also we will lose all the investment that we invested up to this point.

This moratorium may bury our plans and I- it may force us out of this town. We are highly appreciative of the opportunity that the Town of Riverhead has given us so far. It's been nothing but a pleasant experience. But the bottom line is the bottom line. So I strongly oppose this moratorium. Thank you very much."

Supervisor of the Day Schmitt: "Thank you. Richard Israel, please stand up."

Richard Israel: "Good evening. My name is Richard Israel. I own several commercial properties in Riverhead. We currently have in front of the Boards and we're pretty much at the end of the thing. We have two or there more site plans in Riverhead Commerce Park which will be probably coming to you within the next two weeks.

The moratorium I have some questions on. Some other people have spoken the same words but the real question is, how long will the moratorium last? We've seen your residential moratorium and for good reason be extended and extended so that you can get your plans in order. I know that we're on the verge of getting a new master- call it a master plan set into place which will give us some new rules and regulations to go by but my understanding is that even as that is adopted, it's still going to take you time to codify it. It's going to take time for you to write the laws which will allow the process to get done.

It's one thing to say this is our new master plan and this is what we're dreaming of and this is our new vision and we all approve of it. The next question is how long does it take to write the laws? And is the commercial codification the first thing that you're going to do or is it the residential codification the first thing you're going to do?

And I believe you have to have public hearings and comment on those things as you go through it and I think that's going to take time. It's going to be- just like we've taken the couple years to get where we are today, I think it's going to take- and I don't know, but I'm going to assume, at least six months to a year to get those laws written in a way that I guess are acceptable, understandable, and so that they can work.

And that means that really this commercial moratorium is going to probably last a year and a half. Okay? I don't know the truth of it. I don't know if you have anything written. I think a lot of- as me as a developer over the time, we have actually geared our site plans to what your dreams are. We have not just shut those down. We have- or at least my plans- we have increased our landscape coverage; we've dealt with parking the proper way; lighting the proper way, and everything else.

I don't know what happens with all the work that people have done in site plans that have been in the hopper let's say for over six months to a year and how fair it is for them to shut them down. It may be an important thing to maybe say, all right, for six months maybe we don't take a new application because we're on the verge, but it was only 'til I'm going to say the last month or six weeks, did the Board even determine what were the proper uses to be in these places

and really what was the final percentage lot coverage.

So, you have plans like mine that have actually gone through your architectural review board, have gone through your engineers, comments have been done, your lighting plans have been done, people have spent vast amounts of money for really just going down a jaded path. So I think it's important that you think about that and I think as people have said before, I think this moratorium will actually stop your commercial construction because it's something that you don't wake up tomorrow and say here's my plans for my house, can I have a building permit?

We go through a very long process. We go in front of many Boards, you know, as part of the town thing. We go in front of many of your resolutions, your people. When we hand in a site plan, it goes to 12 to 14 different agencies to get comments. In my case, I've done all that. We're on the verge of finishing them up so that we can start to build them to bring new tenants and new taxes to your tax base.

The other thing that I would like to say is I understand that the moratorium is just basically on commercial property excluding EPCAL and downtown Riverhead. And I have to say to you, why? Because if you truly have to finish your tactics of what is the proper thing to do, then it should be everything. It shouldn't be, you know, the way I look at it as a personal person, is you're turning to private industry and saying, no, you've got to stop. Go sit on the side here. But, you know what? The Town of Riverhead owns a couple thousand acres that we turn into industrial and we want to get things going. Well, that we're okay with because that's supposedly some better benefit.

Isn't it true that we should all have the same benefit and the same chance to get things done?

And, I'm against the moratorium to begin with. Okay? So understand that. I'm just saying if it's a moratorium, it should be against everybody, even yourselves. Thank you."

Supervisor of the Day Schmitt: "Thank you. Sean Walter, are you done yet?"

Supervisor Kozakiewicz: "Hand in your assignment."

Sean Walter: "Sean Walter. I am- in speaking to you in my capacity as candidate for Riverhead Town Board, not as Deputy Town Attorney so my disclosure is I am Deputy Town Attorney in the Town Attorney's office. I work for Dawn Thomas. And, in fact, Dawn is probably wondering what I'm going to say here tonight.

The reason is quite- I'm going to speak to you about the moratorium. I am 100% against the commercial moratorium. In 1992, '91, '92, when I started to come out to the Town of Riverhead, everybody said to me, why would you go out to Riverhead? Nobody wants to go to Riverhead. In fact, there was no business in Riverhead. There was very little housing in Riverhead. Our assessed valuation was slipping backwards in Riverhead. We couldn't generate the income to pay for the necessary goods and services that our residents required.

So this Town Board and the Town Boards of the '90's did certain things to bring businesses here, to bring residents here, and the Town is booming. Thank God, it is a wonderful town. We have wonderful stores. I love living here. And now my friends don't say, what the heck did you move to Riverhead for? They come here to shop; they come here to do things.

As government officials, you guys are put here to make very difficult decisions. Town government has very broad responsibility to protect not only the environment, but the community and that community includes economic growth. The town has to be placing itself in a position to do many things, least of which or not least of which, but one of the major things it needs to do is to create an atmosphere where jobs can be obtained.

It should be crystal clear to the town that the ability of town government to provide necessary services such as police protection, fire protection, and, yes, education, depends on a continuous financial and economic growth. Yes, I will agree residential subdivisions put a drain on the economic growth of the town. They take more services than they pay for. I'm not against that. I'm not against residential development. I wish and pray and hope that when my three sons grow up, they can afford to live in Riverhead.

But, see, commercial development is not a drain on economic services- or excuse me, is not a drain on services to the town. In fact, it pays a larger share of the total town bill for services than residents do.

Unfortunately the Town of Riverhead has a long history of being property valuation poor and it has always been a yearly struggle and I know Bob goes through this every year of balancing the budget and providing the needs of- for the needs of the community and businesses and keeping pace with the services that are required.

Most governments recognize this relationship between providing services and economic growth. The fact is that most governments put out a welcome mat, as we've done at EPCAL to provide for businesses to come to this town. They invite people to come in. They realize that

their community is dependent upon businesses. However, Riverhead has had this checkered past of putting up a stop sign to business.

Let me be clear. All business development is not acceptable in Riverhead, but it's for you folks to decide sitting there, and the new Supervisor there, sitting there to decide what is acceptable and what's not acceptable. Your proposal stops that. You will have no desire- if somebody comes in and says I want to put the greatest thing since sliced bread in Jamesport or Wading River and the entire community says I love this idea, you can't do it because you've got this six month moratorium in place.

Now, it is taking your decision-making away and I believe that there are two members on the Board that are opposed to this moratorium and there's one member on the Board that's in favor of it. So my presentation is to those two members that are sitting on the fence and I'm not going to say who you are. But you are going to be-- this decision is the life or death of this town economically.

Because I can guarantee you just by the fact that we're holding this hearing here today, there are businesses that are saying, what the heck- we're not going to Riverhead, they don't want us there. Why would we invest in Riverhead? That is not acceptable to me as a citizen.

No business owner wants to work here when it's uninvited. You don't want to come to work when it's miserable. I certainly don't want to come to work when it's miserable. They're not going to come to town when you set up this environment.

And I want to point out one small point, too, that is not in my script here, is that you are excluding two small areas, Grumman-- well, it's a big area but it's a small area of the town as compared to the town as a whole, and downtown Riverhead. That's not big areas to exclude for economic development.

Now, I understand we want to push- not push, but we want people to occupy Grumman and I as a candidate I wholeheartedly support people going downtown and as a resident I support that, but I also support it in the rest of the town.

To the most casual observer, you look at the budget and it includes an increase of I would say about \$3.8 million dollars and you should be applauded that you kept this to a modest tax increase of 2.5, 2.9%. That is wonderful. That is what the Town Board should do.

Your tax increases should never be out of whack with inflation. And I commend you for this. But let me ask you a question. You don't have to answer. But I suspect that for every 1% increase in- let me rephrase this. Every time you increase the budget 1%, you get only

\$100,000 in revenue. Now, we can argue that maybe it's 125, maybe it's a little more, maybe it's a little less. The projected- the town has projected roughly \$3.8 million dollars in revenue through increasing fees and for fees for subdivisions, for site plans, for building permits, so on and so forth.

You've built that into the budget and what the wonderful key to building this into the budget is is the developers who you've just heard from, they're footing the bill for me, who I live in my little 1,500 square foot ranch and smile when I pay my taxes. I'd like to pay less, but it's not a bad tax bill. But they are footing the bill in a large part through the fees you charge.

Now, I guarantee you if you're projecting \$3.8 million dollars, \$1 million dollars will be lost in your projected fees. You put a halt to this for six months at least- and it wouldn't be unheard of to say that, you know, almost \$2 million dollars will be lost, but at least \$1 million dollars would be lost. A \$1 million dollar loss at a tax increase- or a tax rate where 1% only gets \$100,000, even an attorney can do the math- that's a 10% increase in your taxes next year on top of your 2.9% increase.

So I implore you, we cannot do this. It's not acceptable.

What I'd like to say is that I'm in charge of- in closing I'm going to say one thing. One more thing. Is that I'm in charge of your land preservation. I may not be much longer but I'm in charge of it as of tonight. We generate 3 to 3 and a half million dollars in revenue for the CPF fund that I buy off the farms that you people either own or love or enjoy. If you put this commercial moratorium in place, people are not going to be buying at that rate. We're not going to be able to buy farmland at that rate or open space at that rate. So if you want to protect the environment, the last thing that you want to do is cut the legs out from under the people that are spending the money to protect the environment and that's the Kenny Barras and the other people here. These are the guys that are protecting the environment.

I implore the Board to act quickly and decisively at the next Town Board meeting to defeat this. I implore the Board to have a resolution on the table to defeat it once and for all. We've gone three weeks- then we will have gone three weeks with it. One week between the public hearing date and today and roughly a week and a half to the next Board meeting- or two weeks, whatever that is. Whatever. It will be two, three weeks.

I implore you to have the resolution to defeat it. It is not difficult to do the right thing. However, it is often difficult to know what the right thing is. Thank you."

Councilwoman Blass: "Mr. Walter, may I just ask you a question. You said you moved here in 1992. Is that correct?"

Sean Walter: "That's correct."

Councilwoman Blass: "And you've seen considerable commercial development since the time- "

Sean Walter: "That's correct."

Councilwoman Blass: "And I'm just wondering how- "

Sean Walter: "And I went to Border's book store last week and it was beautiful."

Councilwoman Blass: "It's a great place, isn't it? But I was just wondering if you were to make the argument that it is indeed the stabilizer for our taxes, I'm just wondering why we have not seen significant tax reduction or stabilization since 1992 if we're looking to commercial development in that regard."

Sean Walter: "Well, I will tell you. If you look at my tax bill when I moved in in 1992, it was about \$3,500. Now there's a lot that goes into this so this is not exact."

Councilwoman Blass: "Yes, there is."

Sean Walter: "My tax bill right now is just under \$4,500. That's 10 years. The school district- that's not bad over a 10 year period- an 11 year period. The school district taxes in that same time last year went up 10%. The year before went up 10% and I'm not sure about the other years. The bulk of it is the school taxes that have gone up. I shutter to think if Tanger was not paying \$3.5 million dollars in taxes, what my tax bill would be. It probably would be another thousand dollars. I can't- well, don't want to afford that."

Councilwoman Blass: "May I just comment also that some of the high profile commercial developments that you mention, actually were IDA products- projects, in which case they have either no assessment or very reduced assessment for 10 years. So that also has to be factored in."

Sean Walter: "There's a lot of things that have to be factored in but the point is the budget as proposed and I am happy with the budget a 2.9%, but what you're doing it's- let me give you an analogy. And as people understand this because the cigarette smokers pay the lion's share- well I don't want to say the lion's share, but cigarette smokers pay a lot in taxes and the federal government just basically

said, we're going to tax the cigarette smokers to death and at the same time, we don't want them to smoke anymore. And so what you have here is the cigarette- they're raising all these taxes on cigarette smokers and the government is dependent upon it, but yet we don't want you to smoke so they're encouraging you not to smoke so they're cutting the tax legs out from under the government. This is the same thing in your budget, the budget numbers that you guys come up with does the same thing. You're encouraging us to use the fees from the development but you're getting the legs out from under the fees by proposing this moratorium."

Councilman Densieski: "I have a question also. Did you really write all that down right over there?"

Sean Walter: "That and in the car and I had some help from somebody on the cell phone which I won't mention (inaudible). Thank you."

Supervisor of the Day Schmitt: "Okay. Even Kaplan- oh, Eve Kaplan."

Eve Kaplan: "Ready? Okay. Eve Kaplan, Riverhead. I guess I've had the pleasure of being present at every one of the hearings for the moratoria since it started. And I can't say that I think that moratoria are a good thing. I don't think it's something that anyone wants to see happen, and it's been interesting to see, you know, based on all the predictions that people offered at the very beginning of what would happen between the time the moratorium was put into place and the time it will have ended in a few months, it's interesting to see what the reality is compared to those predictions.

And there's a couple of things that I've observed that have happened in the last couple of years since the residential moratorium went into place. One of the things is that we've seen about a thousand new homes built in Riverhead which have brought with them about 3,000 people as shown by the updating of the master plan figures just in the last few months, just in this version. People who have looked at it, the population figures have changed rather drastically from the figures that were originally used which I think came from the Suffolk County Planning Department around the year 2000.

So we had a residential moratorium which was going to put builders out of work, put developers out of work, and yet we've seen non-stop building at such capacity that people who are builders can't even find enough people to work for them in this town. That there's a shortage of people to build, that real estate prices are going up, that our economy is booming as everyone here tonight is acknowledging. That's with a residential moratorium.

We've seen some other things. We've seen traffic lights go in on almost every single street in Riverhead that didn't have one before. You cannot drive around town anymore without stopping at a traffic light, with Route 105 being the most recent one, Edwards Avenue, Middle Road, Route 58, a couple just this week. I remember maybe two, three years ago sitting with Councilman Lull talking about how much we both- it would really be just another step in the loss of Route 58 to have another traffic light with another target and yet here it is and it's not going to go away. That's, again, with the moratorium.

I've seen some other things. I've sat through a lot of Planning Board meetings, a lot of Town Board meetings and I've actually become a certified planner in the time that this moratorium has been in effect.

One of the things I've seen having learned a lot from I'll say Pete Danowski, Rick Hanley, all the other people, Barbara Blass, Dick O'Day, all the other people at these meetings who have more experience than I do, is that the Planning Board and the Town Board do not, in fact, have the authority to bring site plans into conformance with the recommendations of the master plan until the zoning is in effect. I've seen them for years now struggle with what they knew was best for the community, what they knew would be recommended, and right now is recommended in print, in our plan, and not have the authority to make sure that those developments are built in the way to benefit the people or Riverhead.

Because as soon as a developer wants to threaten a lawsuit, any kind of denial is overturned.

So the reality is that this moratorium is something that needs to be put into place to protect the residents of Riverhead. We've seen- there's plenty of commercial development. I don't think anybody is saying- first of all, I don't think it's clear that the commercial development here- because of- with all due respect any action on the part of the town, Riverhead is the last place to develop and we all know that. Land here is relatively cheap. We're at the center of the east end and no other place is every going to have that distinction.

So whether these shopping centers are built now, whether they're built in six months, there's a lot at stake for the people that live here and are going to continue to live here. There are things that are going to change between today and six months from today that are more than a couple of arborvitaes, more than a couple of juniper bushes next to Route 58.

There's farmland preservation that may be required of some of these developments through the transfer of development rights program that's not required today but may be required in a few months.

There's restrictions on impervious surfaces or different paving materials and some other runoff changes that may be required that help protect the bay that we all swim in, we all use. Something that we're going to value for generations. You know, after Target is long gone.

You know, with this, we've seen- people talk about all this income. Look at the empty shopping center on Route 58, shopping centers, plural. Who's going to pay for that?

One thing I've learned in the last couple of years organizing residents of Riverhead, is that it's much easier to get people to come to a hearing when there's money, personal money income for them at stake. It's always easier to get someone who stands to profit up here at this podium than it is somebody who doesn't. Because I have a lot of better things to do than being here right now, one of them being home, having dinner, all those nice things that a lot of people give up to come and speak out on subjects that often aren't very popular.

So I see that we have a few people here who are not in that situation but in the other situation because they're here to protect their financial interest, not the financial interest of the residents of the town, but their interests. It's very easy to get up here when you stand to make a hundred grand or more from a development.

We have developers here from Garden City, from Hauppauge, from west, the majority are from west, let's be realistic. Okay. Wading River."

(Inaudible remark from the audience)

Supervisor Kozakiewicz: "Excuse me. Excuse me. Speaker has the podium."

Eve Kaplan: "But the fact is most people-- "

Supervisor Kozakiewicz: "Just, just- you know, no- no, because this is going to be a long evening, I can see it already. We're going to be here for a while on this one, so no comments from the audience, please."

Eve Kaplan: "The fact is when it comes down to simple things of town life and Town Hall, we don't see the representatives from Garden City, from Hauppauge, from the rest of the island. When it comes to their profits, they're very quick to make a trip out here. And they

make that trip right back after the meeting.

So, again, I hope that those of you that are on the fence and I'm sure this is a difficult issue. I'm sure this is not a popular issue. I know we all want to be pro-business. We all have businesses and we all have to make a living. I think that we all have to recognize that this is something that's limited at this time, limited in scope. It's something that can be flexible enough to give exemptions to the people who really need it and yet something that is only fair to the people of Riverhead. Thank you."

Supervisor of the Day Schmitt: "Okay. Jesse Heatley."

Jesse Heatley: "Jesse Heatley, Riverhead resident and can you hear this?"

Supervisor Kozakiewicz: "I can hear it but I'm not sure if anyone else can."

Jesse Heatley: "Hello, hello."

Supervisor Kozakiewicz: "There you go. Now you've got it."

Jesse Heatley: "Got to get closer. Sorry. I am the representative for the North Fork Environmental Council and my comments will be brief. Just pursuant to some of the comments made earlier, the North Fork Environmental Council supports consideration or the adoption of a commercial moratorium for a six month period."

And I'd just like to share that- as it's been said that this may take time, we believe that it's important at this point to do the right thing and to ease the adoption of the master plan by allowing time for procedures to come into place for the implementation of the master plan and the rules.

And it's the obligation of the town to do this for the people and the residents of Riverhead. Thank you."

Supervisor Kozakiewicz: "Thank you."

Supervisor of the Day Schmitt: "Marie Zere."

Marie Zere: "Good evening, Supervisor, Members of the Board. I wasn't going to speak today but I decided to put my two cents in. As a commercial real estate broker, I do come from out west. I do a lot

of my business in the Calverton-Riverhead area. I presently represent almost 500 acres of land zoned commercial and industrially and I just wanted to point a couple of things out to you.

First of all, my kudos to everyone for trying to do the master plan and coming up with something that I think will eventually work for the town. I work with all the townships in Nassau and Suffolk County and I am very pleased with some of the results I've seen that have come out of the master plan.

But referring to the commercial moratorium, I'm not only against it because I'm a commercial real estate broker and represent the land. I represent the people. These people are depending on these sales for their retirement so it's not just the developers getting fat and the commercial brokers getting fat. I've represented these people for about- I'd say about nine years trying to market the properties and finally the time has arrived where it may be right for someone to pick these properties up and to develop a strip.

My biggest gripe happens to be with the competition that the Town of Riverhead has created with their own former Northrup Grumman facility inside Calverton Enterprise Park. I have griped for years that these people that I represent that have Industrial A property have been competing with the Town. Every time I would have a buyer who wanted to put up a manufacturing plant or a facility of some kind that could bring in revenues and economic development to the area, they were referred to inside the gate. This is an old story and I went to see Supervisor Kozakiewicz and he was kind enough to listen to what I had to say, that was several years ago, that he should try to do something for the people who have Industrial A property because the Town is competing with them, and try to do something that is going to be able to give them the ability to sell their property so that they could go into retirement and go on with their lives.

And I do believe that he has tried to listen to that and I think that we're getting to that point where you are trying to be reasonable. But the competition inside the gate is something that is absolutely discriminating and it is something that has been going on for too many years. I have lost quite a few deals inside the gates; I've been trying to promote the properties outside the gates.

Now, I want to mention to you that I believe that this particular commercial moratorium, most of it falls on the burden of the Calverton area where the Middle Country Road corridor is, where there isn't any

development. Everything east of Tanger has been developed for the most part and there are some (inaudible) parcels. But most of the property that is empty, vacant, the industrial property which is probably more than 1,500 acres, is about to be developed and inside this area there is one particular parcel I'm going to address is the 33.7 acre parcel which used to be 45 acres. This parcel is owned by a group of gentlemen who have been trying to sell this property since 1996. This property- we have requested that this be included in an overlay district. They gave up 11 acres of their land in exchange for a favorable zoning which is now retail hamlet zoning which I believe was- it's a neighborhood business and now that's about to be taken away from them.

They started paying \$5,000 a year in taxes and when they got approved for the new zoning, they're now paying \$55,000 a year in taxes. They've been paying this for about four or five years now. It's incredible how the taxes have increased. They have been paying it all along. They gave up their 11 acres in exchange for this particular zoning, that was a land swap with the neighbor which was suggested by the people in the Town of Riverhead, the Council and the Town of Riverhead, and now they may be excluded from doing anything with that property that makes sense.

And just for the record, we are trying to get together with the neighboring piece of land, contiguous piece of land, and the hopes is that we're probably eventually to a PUD, a planned unit development.

So I just want to bring that to your attention and I thank you very much for your time."

Supervisor of the Day Schmitt: "Bob Weiboldt."

Bob Weiboldt: "Mr. Supervisor, Members of the Town Board. I'm here tonight and I guess I'm happy to be here tonight in Riverhead, New York, in the United States of America, the home of the free enterprise system.

And I'd like to talk to you a little bit about moratorium. I did not testify in opposition or in support to the three month extension of the residential moratorium. You may take that as a blessing that you've got three months of peace with an expectation that the Town Board act and resolve it.

A lot of people have been suffering now from repetitive

moratoriums on residential development going back over two years. We have in the commercial system a little question or two and I'll do this by implication.

Two years ago if you said that a master plan is necessary to have a moratorium because we've revising it and we may be changing rules- that's what you said, we therefore can't allow any more residential development applications to take place because the rules may change and the shifting sands and all those arguments are in effect- you did not say that at that time to commercial development. Maybe you should have.

You are now saying at the eleventh hour, a few weeks before you are ready to do it, oh, by the way, we now have changes in commercial development that may affect some pieces and, therefore, we need a moratorium of six months. I have a problem with that logic because you either were discriminating against residential properties in the beginning when you were working on commercial and not giving them equal time with commercial, the ability to process, or you were giving the green light to commercial development to go ahead and spend hundreds of thousands of dollars and to go through your arcane planning processes for a long time and then say we're cutting it off and now you've got to wait six months.

Now at the end of six months, I hope your master plan is in place; I hope it's in place by Christmas actually, but I can see Rick Hanley running around like a one armed paper hanger with all the applications immediately post-moratorium that are going to be updated to try and run in. And you've got to realize that from your final site plan approval to ultimate sign off, it's a conditional thing. You've got to run around and get lots of approvals and everything else. There's going to be a hiatus in the commercial development applications, some of which have been in the process a long time.

So in that regard, we're opposed to a moratorium that extends beyond a few months. We also have a question and a serious one with the idea of favoring public development over private. I think that's discriminatory. And you're doing something here that you should have done maybe in residential. When you did that moratorium, you said we're going to be looking at farmland, certain areas of the town. Yet, you made your residential moratorium town-wide.

Here you're doing the reverse. You're basically saying that we have some changes in our comprehensive plan that may affect commercial

development but we're going to not apply it here. We're not going to apply it here, we're only going to apply it in these other places. Yet there have been elements of the comprehensive plan which would affect downtown in recommendations yet those are exempt from this. So now we've got this confused situation and oh, you guys can go ahead even though there may be changes.

Eve made a point that I think is very important. Your recommendations in whatever draft you're looking at today of your comprehensive plan have no force of law or regulation with respect to an application yet you clearly say we'll exempt the application if it's in accordance with the goals and objectives in the wording of our comprehensive plan. You can't have that until you have your plan adopted and into law. So that exemption is a very strange thing. It doesn't really work and it creates a problem.

Now there's a candidate running around for a town office here that says that this particular Board and certain public officials have had the propensity to create situations where there's too much litigation. I'm very concerned that you may be doing that here. If somebody was bait and switch kind of thing, brought his application in in good faith under the then current application, spent a lot of money, was proceeding and just short of final application approval, you may have a really good discriminatory lawsuit and there may be a federal 1983 lawsuit with implications none of you want to face.

God help you if one application which has been through that process is being turned down because you're going to be changing the zoning and it can be shown to be a targeted application of a moratorium against certain projects because I think you're going to be very vulnerable. I think that's unfortunate.

I also would like to say that you really ought to get your final plan in effect. I mean I've been petitioning for several years now, a moratorium is not something you can enact because you can. A moratorium is an emergency power. You can enact it while you're doing the plan. You can enact it while you've got evidence of a plan. Therefore, your residential moratorium right up to the current moment is probably legally valid because you've been at one pace or another proceeding to finish it. Planning is still under way, you can make the argument.

But the minute you adopt that comprehensive plan, folks, it's a different ball game. Now your moratorium is going to be based solely

on political indecision or inability to come to a majority consensus on specific zoning changes. That's a different can of worms. All right. You no longer have validity and it becomes a six month followed by a year, followed by three months, by another three months, etc. in commercial. You're going to have a real problem on your hands.

So what I'm suggesting is also that you look back at your application stream and make sure that you're not being discriminatory against any specific applications. One way to do that would be to move down in the process. Instead of saying final special permit, final conditional site plan, to look at a point in process such as conditional approval of a site plan, such as acceptance of an EIS, and also to limit the time of the moratorium to (1) commensurate with the residential and, (2) to take out the exceptions or do it in the logical manner. You're not doing it in the language of your bill right now. Thank you very much."

Supervisor Kozakiewicz: "Thank you."

Supervisor of the Day Schmitt: "Angela DeVito."

Angela DeVito: "Good evening. Angela DeVito from South Jamesport. My comments on the proposed commercial- moratorium on commercial development are very brief. First, this has been a real learning experience for me tonight. I got a lesson in civics, economics, and basic law. That's rare at a town meeting to have all three. And for that I'm very, very appreciative.

The issue as I see it is that there are the rights of commercial developers on one side and we cannot ignore them. There are people who have and very justifiably so feel that they've made a major investment in their applications and they should be allowed to go forward with them.

And for that, I would say that if there is any action on the moratorium, that those people who are in any- those developers that are in any aspect of the process be allowed to proceed through the process as it now stands. However, with regard to new development, something that hasn't hit the town in any way, shape or form, there should be a moratorium on that.

The reason for my saying that and supporting this kind of, you know, it may seem that I'm speaking out of both sides of my mouth

here, two different positions on that, is that we have just seen along Route 58, it has been pointed out to us, a lot of commercial development and the impact on town services or the impact on the economy as a town has not yet been felt nor has issues of how we are going to control that traffic.

I mean I know we're still struggling with what we are going to do with traffic along Route 58 at this particular point in time and I think that what a moratorium on any sort of new development regardless of where it is in the town would enable us to do if we proceeded with it, is to begin to really look at and try to anticipate all of those impacts, utilizing a really well established evaluation assessment of what is going on with traffic, impact on community, residential areas that are not along Route 58 but are immediately adjacent to it, and I think this would give the town an ability to work with developers in future months and also would give the town the ability once you put in the master plan into place and begin establishing the codes that will be there, to develop and put in place items that will be in the best interest not only of the individual little resident like me who is not a developer, I'm not a planner, okay, I just, you know live and I actually work west of here, but also for those people who represent the commercial interest, represent those economic entities that really don't have, you know, the physical structure that all the rest of us have.

And I think that sort of balance is something that I would ask the Board to revisit this resolution that's been introduced on a moratorium and perhaps come up with something that serves as a compromise. I don't think it would please what I'm suggesting developers who wish to begin the process now, but perhaps it will meet the objections of some of those who are already in the pipeline because I don't think that at this point they can, you know, just simply be told sit around and wait. There is some degree of unfairness there and I think as a town, we basically have to be able to balance the needs of all of the community here. So, thank you."

Councilman Lull: "Anybody else who would like to be heard?"

Sid Bail: "Sid Bail, Wading River Civic Association. First of all, we support the commercial moratorium. A point is well taken going back to the statement that I tried to make on the residential moratorium that the issue of six months, there has to be a commitment on the part of the Town Board. If you're going to vote for this, that you are going to make more than a good faith effort to address this in

a timely fashion.

The master plan set out sort of like general goals, I guess, for all of the hamlets as well as areas like downtown and Route 58. And the goals weren't, I don't think, just in the interests of the residents old or new or environmentalists or civic people. There is supposed to be some give and take and it's been a very interesting process in the last month. There have been several intensive meetings of the Town Board where they've been going through the comments that were made about the various- at the various hearings.

And I was very impressed by the approach. The approach was thoughtful. It was intended to be evenhanded and it was intended to reconcile all the various interests. And I think we have a lot more in common than we sometimes realize. I just thought when I saw Mr. Strollo make a statement earlier in the meeting. About four and a half years ago when Supervisor Villella, at one of our first meetings of a stakeholders group we were talking about traffic problems. And Mr. Strollo made a point. He said, you know, from a business perspective, traffic isn't a problem to me, all right. If there are a lot of cars coming- can come to my business, and more and more cars come to my business, then that's good. It's not a traffic problem. He says, however, it can become a traffic problem when people say it's such a hassle getting to Mr. Strollo's business or anyone's business that they say, I'd rather avoid Riverhead. I'd rather go somewhere else.

And, so I think everyone has a stake in making this, you know, come out right and as I said we support the commercial moratorium and not with the idea of chasing developers away because I believe truly our time has come, Riverhead's time has come. And I don't think if you impose a six month moratorium developers are going to flee, all right, out of state. You know, they will adjust, you know, to- I think what they want is some certainty and it's that lack of certainty that is detrimental.

And so as I said, we support the commercial moratorium and we hope it is in the best interests of all the residents of the town. Thank you."

Councilman Lull: "Marty."

Martin Sendlewski: "Good evening. I would like to initially add my support to the people that have talked against having a

commercial moratorium. The two I think are most specific to me that I would like to almost include by reference in my presentation would be what Peter Danowski said and what Richard Israel said. I think that those two in particular really hit home.

As an architect, I deal with the same type of clients in terms of processes that are going on, some that are pending now, some that haven't been submitted yet, and some where we have people who are looking to do projects that they're currently working on funding, they're working on negotiating property purchases for very good investments in the Town of Riverhead.

One thing I take real exception to in the moratorium itself is the term briefly pausing. I would rather you just say stop and discourage development, commercially, because that's really what it is. It's not a brief pause. It's going to discourage good projects that people are considering in the Town of Riverhead. It's going to stop a lot.

The prediction really isn't a prediction. I already have seen a change in the potential of things that may happen in this town, good things, tourist related things. The type of things that this town has been striving for for a long time. I've already seen an impact on that with clients and other people that we're working with on various projects that haven't come forth yet where themselves, the people that are going to back them financially, are now taking a step back. So it's not a prediction.

And to compare this in terms of commercial development to residential development really is comparing apples and orange. You're talking about two very distinct and separate things.

Just a couple of things I would like to note specifically, there are three. One is that the terms of the moratorium indicate that there are certain things that can happen for an exemption. When you look at that, quite frankly, it seems that most of those exemptions are subjective, so how can you have a moratorium and then have, basically subjective- subjective criteria that can be applied to people who want to exempt themselves. To me that doesn't make sense.

Secondly, in the- due to the fact that there are certain areas commercially that are excluded including Grumman, downtown, the moratorium, therefore, is not uniformly fair and not uniformly unfair to commercial development.

And most importantly, and the last point to make is I'm up here to voice my opinion in support of everybody who has voiced their opinion against this moratorium. By the comments that have come forward, with all the speakers that have come forward, with the applause in the audience, it's very clear that the majority of people in this room in a public hearing which represent the Riverhead taxpayers in the Town of Riverhead, are more against this than in favor of it. And I think that each voter on the Board very specifically in making up their own mind, really have to take that into account. Thank you.

Councilman Lull: "Nancy. Nancy."

Nancy Binger: "Nancy Binger, 50 year plus resident of Aquebogue, New York. First I'd like to say that I'm not in favor of either moratorium and I'm speaking now because what I have to say kind of encompasses everything that's been going on in town.

The moratorium for the last couple of years in my opinion has actually caused a lot of the rush to develop and carving up the farmland. This is America and we should be very, very careful about taking away people's rights to their land.

The only problem that I as a resident for the past 50 some years has- have incurred myself is really the traffic up on 58 and I will address that in my letter to the Board.

Mr. Kozakiewicz, who is absent with our young Supervisor, and Members of the Town Board:

In 1981 my husband and I purchased a small farm and house that I grew up in from my father. It's located on Route 25 in Aquebogue. The front was zoned Business C and the back was Agricultural with a one acre overlay. I was very sentimental and I convinced my husband that it would also be a good investment. He didn't need all the time, money, and sweat that went into keeping our place up for all these years. He did it for me and our family.

After five years, the Business C was changed to CR, country rural, then to something else which we weren't even aware of until after the fact. So that right there was kind of an economic hardship on us. For the last two years, you have had a moratorium on developing or building and we have been unable to do anything with our

property.

In the meantime, higher density senior housing and huge shopping centers on land that was not originally zoned Business C have sprung up.

You are about to adopt a master plan that would change our zoning to two acres for a building lot. Just up the road from me, you are proposing an affordable housing project that allows four units per acre. I thought the concern was about having to build new schools. A project like this will surely add more to the system than if the zoning had stayed at one acre. Our property is long and narrow and if it's changed, we'll be unable to do anything with it. Again, an economic hardship.

It appears that the thought is that if you upzone it will retard the growth and alleviate the congestion on our roads. Well, we believe the biggest problem is not even being addressed in the master plan and that is the problem of traffic. Eighteen years ago my husband and I stood up here and we implored the Town Board at that time to build a road from the expressway to meet up with the dual highway in Mattituck while there was still farmland available. That did not come to be and now we have Route 58.

At least we had some foresight then. Today we would suggest to possibly looking into adding two more traffic circles, one at Riverhead Center and the other at Doctor's Path intersection, and I know that that- both intersections were just recently done but I wish somebody had maybe considered that, if they hadn't. Then if you had the three traffic circles, you would only allow right hand turns like they do in Jersey from that, you know, couple of miles section and eliminate all the lights. Really the lights is what's causing the traffic to back up. Anyone who thinks that the traffic circle is a problem should go and sit up there for 15 minutes and watch. It really is the lights and not the circle.

In closing, I'd like to thank you all. I know you've been working diligently on that master plan and trying to make the town a wonderful place to live. You each bring a very different perspective and that's democracy truly at work. I know that your position, there's a lot more criticism than there is praise, so I'd like to thank you and take our property concerns into consideration. Thank you."

Councilman Lull: "Brad."

Brad Berthold: "Good evening. I'm Brad Berthold from the Northville Beach Civic Association. I'd like to say- I'm speaking as an individual. I'm in favor of the moratorium. We've heard all the arguments back to the time zoning was implemented in Riverhead in 1956. The sky would fall, people would lose their investments, we'll lose the tax base in the town, and we hear these arguments over and over again.

I dare say this Town Board, the Planning Board, the Planning Department, probably the whole town government has worked harder on this master plan than any other preceding town government. And I thank them for that. I think that if they need some more time for whatever reason, not just for unreasonable delays to get this done, this moratorium makes perfect sense.

And I'd like to quote just from the legislative intent section of the moratorium legislation, it says the moratorium and the approval of site plans and special permits on lands within the town's commercial district will give the Town of Riverhead the breathing room it needs to adopt the zoning and planning changes necessary to protect the public health, safety and welfare. And it says in short, sound planning will lead to a higher quality of life for all of Riverhead citizens.

And the gentleman objected to the term briefly pausing. Just take that out and substitute stopping commercial development for a six month period rather than for a longer period in order to enact the recommendations of the comprehensive plan. The town is making an important investment for the future and upholding its commitments and obligations to its citizens. I think that sums up the rationale for this moratorium perfectly and I don't see any reason why this can't be done.

The developers and the speculators and the people who say the sky is falling and our tax base will crumble can wait six months, and I assure you they'll be back at the end of that time. Thank you very much."

Councilman Lull: "Paula."

Paula Jerman: "Paula Jerman, Zere Real Estate Services (phonetic). I represent a lot of property owners who are seniors who

had counted on the sales of their properties for retirement. With the current moratorium that's going to be placed, a lot of these owners have developers who want to buy the sites, been in contract with them, and have been waiting and getting extensions after extensions because the new master plan was being put into place and they couldn't go for site plan approvals.

Now these owners have been calling my office and now they're upset because now they have to wait another six months and, of course, another additional moratorium will be added onto that just like the residential, so in turn, they can't have their permits go through to the town. Am I correct on that?"

Councilwoman Blass: "Paula, we've actually spoken about a particular client of yours- "

Paula Jerman: "Right."

Councilwoman Blass: "-- and we agreed that his proposed development was consistent with the new regulations and if he wanted to apply for an exemption, that he would more than likely be granted an opportunity to continue."

Paula Jerman: "Okay. That would be great. My other customer who's down the other end of Route 58 couldn't be here tonight because he had angioplasty, is concerned about his zoning. He owns the car dealership on Route 25 and 105 for over 30 years. His customer who's been leasing his property for it's been in lease as a car dealership for 30 years, will be leaving his premises in March and the new zoning that he will be implemented with is from what I understand would be CRC and it will be cut down to municipal buildings and there's something else added to that. I can't think of what it was, but- "

Councilwoman Blass: "Your client was here the day that we discussed the changes in the CRZ- CRC zoning and what we told him at that time was we were incorporating all of the uses from the office service district and including two family houses as a special permit use. He was very pleased at that time."

Paula Jerman: "Well he has a new letter here that he wants me to submit to the town."

Councilwoman Blass: "Okay. I guess he changed his mind."

Paula Jerman: "Yeah. I guess after he got home and read the list, he was quite upset. I think that his piece that's on the other end of the corridor would be better suited for a business center. There's no gas stations on that end of the corridor. There's no any kind of retail on that end of the corridor. And maybe because there's so much congestion on Route 58 on this end of the corridor, that if some kind of type of retail could be put on the other end of the corridor, it would have less traffic coming up to the other end.

And he's at the gateway to- from the north fork into the Town of Riverhead. My current- my concern is that if his tenant leaves in March, the building will become empty and I'm afraid that office and all the allowed office use that would be in that is a five year away kind of deal. There is not an outpour of people looking for office leasing or building offices in the Town of Riverhead currently.

I represented a building on Main Street in Riverhead for a year and a half and the building never sold until recently and then it was empty for another six months until a tenant started occupying the building. So office is not a big use for Riverhead and that's what I'm afraid is going to happen. He has a 6.20 parcel so that's a lot of office space. Thank you."

Supervisor of the Day Schmitt: "Is there anyone else who would like to address the Town Board on this public hearing?"

Councilman Lull: "Rolf."

Rolf Koesling: "Rolf. I'm not going to be as eloquent as Mr. Sean here and some of your other speakers. I'm going to make it as short as possible. I like- I'm in support of the moratorium. I know it's unpopular with the audience in the back. People in all the what, 14, 15 years I've been coming to meetings, I've never seen here before. I support the moratorium. If you don't have the moratorium, you're going to end up like Brookhaven and Selden and all those other places.

I've heard people here talking about- worried about selling their property. I'm not worried about my selling the property. I've got a nice one-third of an acre and I'm happy there and I hope everything continues. I first came out here to Riverhead in 1937. It's been quite a long time. I enjoy it here. And I hope you can keep it like- at least slow down what's happening in other places.

Just a couple of sidelights in between. I always thought you had to identify yourself as you came to the microphone. I've heard people - just as I did today. I just said Rolf. Rolf who? I've heard people- Kathy and other names- just first names. I've heard people up here that didn't even give their name. (Inaudible)."

Councilman Lull: "Part of that, Rolf, is that we were taking cards and their name goes to Barbara on the cards. So that's it."

Rolf Koesling: "Yeah, but, and the audience don't know. That's all. I support the moratorium, all those in favor of. And like I say, I have no vested interest whatsoever. Thank you."

Supervisor Kozakiewicz: "Any other speakers to address the Board on this subject matter, for or against? George Schmelzer."

Councilman Densieski: "All right, George."

George Schmelzer: "We have to even now get an (inaudible) permit to live in your own house, if you build a house. If that ain't Communism, what the hell is it? What have you got some mental pollution or something, have to control people? If we had this 160 years, we'd have no country. Geez. Maybe some of you have gone to college with Communist professors. European had that- Europe had that for three generations, hard to get rid of it. Hitler was only half of a generation, get rid of that easy."

So, all you want is to control people. Don't you believe in any freedom? We don't hear the word freedom anymore. Maybe in the salute to the flag, but talk about freedom. More controls all the time. Some of you maybe can't control your own lives, but you want to control everybody else.

It's disgusting, really. Now, if the developers for a couple years refuse to bother with Riverhead, then we'd hear, gee, these developers don't take care of the needs of the people. We've got to do something. What's wrong with commercial development? You've got to control it? You enjoy that. People can't- haven't got sense enough to do it themselves.

Now, look at Grumman. Special deals, lower taxes, lower interest. When Vinnie was in, I asked him about it. I said aren't you going to have a level playing field? Oh, absolutely it will be level. No special advantages. All you've got is special advantages

here. So you leave that out of this proposition.

Now, downtown, because it's dead, there's no food store there. The food store is the most important store you have, whether it be A&P or Waldbaums or WalMart- or Waldbaum I mean. All of them. So then the people go in there to buy what they need. If the stores are on 58, they go on 58. Maybe you can help out by selling the Town Hall back to A&P.

Because there's no commonsense anymore. I call it mental pollution you have, you want to control people. Really, it's getting terrible. If you had this 106 years ago when they started the railroad, it'd kill the railroad, there would be no country. Maybe we won't have no country after this.

Expressway ended at 58. No effort was made to extend it, ever. And you wonder why 58 is overcrowded. Some people say we should widen 58. That makes some sense. Widen it, then you go back to East Main Street and back to 50 feet again. What sense does it make?

Come on. We want this master plan, it's a plan of the masters. Try to control people. No commonsense. Why don't you do something to make (inaudible) control, make it easier for the people instead of making it worse. Some of you go to a Communist college or something, or Communist professor, listen to that crap? Really. It's getting disgusting and dangerous. You can kill a country pretty soon if it keeps up like this.

Like the railroad, like the subways in the city. I remember when the subway was a nickel, a phone booth was a nickel. The city took over the subways, now they want two bucks; they're not satisfied; they're mooching off of federal government, the state government and the phone booth is a quarter and they still pay taxes. Now, who is worse? You know who's worse. Really. This is getting dangerous.

Throw out some of this crap, leave the people alone. You think you can run other people's lives better than they can? Really. New York has- what 45,000 police? It's like an occupation army. I was in Europe once, '75, I didn't see any cops around, once in a while. I didn't understand why. Got so many cops in the city here. We let all the world's garbage come in when we have trouble. When my ancestors came here in the 1830's, 1860's, 1899 my mother came here, if you were sick, they wouldn't let you in."

Councilman Densieski: "George, stick to the topic, please. It's a public hearing."

George Schmelzer: "Well- "

Councilman Densieski: "Not that I disagree with you, but stick to the topic."

George Schmelzer: "Let other people stick to it, too, then. They didn't stick to it."

Councilman Densieski: "Okay."

George Schmelzer: "Well, I'm against that moratorium. I'm against all controls. Leave people alone, they'll take care of themselves. Really."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Yeah, you're welcome."

Supervisor Kozakiewicz: "Next speaker, please. Larry Oxman."

Larry Oxman: "Good evening, Larry Oxman. It's always a tough act to follow. Some of the comments that have been made about people who are from out of town, so let me just talk a little bit about myself.

I'm a commercial real estate broker with an office downtown. I live on the other side of the river. However, I pay rent here. I rent; my rent pays the landlord, the landlord pays taxes. In addition, although I live in Southampton town, it didn't stop the previous Town Board from appointing me to the parking district, to- I helped write the legislation on the arts district for the town. I served on the Business Improvement District. I'm a member of Rotary. And I've been volunteering my time for many, many years as you know to help establish a hands on interactive science museum downtown. So, truly, I think my actions show that my concern and that my heart goes out to Riverhead.

I've been very active recently as the Town Board has discussed the comprehensive master plan and I thank them very much for letting me give some input.

Let me talk directly about the moratorium- the commercial- the proposed commercial moratorium. Like Marty Sendlewski, I also am not in favor of this moratorium, on principle and also the actual doctoring. I think that Mr. Danowski raised an interesting and very appropriate question as to what is the definition of commercial. Is it everything that's non-residential? Does this include recreational? And what about the mixed use properties and other gray areas? I don't know if this document adequately addresses that.

There was talk about comparing somehow this moratorium with the residential moratorium. I don't think that you can compare them at all. The residential moratorium when it was started almost two years ago was done from the very beginning or middle phase of the comprehensive master plan. There was- the residential moratorium specifically addressed population growth. The commercial proposed moratorium is quite different, doesn't address that at all.

Here we are actually at the 11th hour- this has been said before, but here we are with the town posed to adopt the comprehensive master plan but yet we have the moratorium being spoken about. I think that the more appropriate thing to do is to simply adopt the comprehensive plan and then adopt the zoning that would accompany the master plan.

In the past, the town has given some approvals that kind of mirror the direction that they want to go. An example is the CVS pad on Route 58. You gave approval but you asked for transfer of development rights to be used. That's a new thought and it comes in in relation with the master plan. So I believe that you don't need the moratorium and that you can continue along that same route.

As applications come in- I deal with commercial investors and developers on a daily basis. The people that are looking to invest in this town are not looking to fight the current, they're not looking to go upstream. They're looking to take the comprehensive master plan, see where it's going, and to propose development that's in concord with- in agreement with the comprehensive master plan.

Also, I heard a comment about developers and make \$100,000. Well, you know what? That's what developers do whether they live in Riverhead or not. They invest in areas where they think that they can make a profit and they are entitled to make a profit and in return they give to the community. They give to the community as a benefit of the service that they provide or their tenants provide, and by paying taxes which helps the community.

One of the things that concerns me specifically is- "

Supervisor Kozakiewicz: "Excuse me, George. Gentlemen. Thank you."

Larry Oxman: "Thank you. One of the things that concerns me about the language of this doctrine talks about- I think it's a little misleading and I think that it's been explained sometimes a little naively. It talks about if someone is in the process right now, that they're- that they can go forward if they satisfy certain criteria, but yet clearly 110-1004 says that no approval shall be granted. So one can go ahead and have the process continue next door, but they're not going to get an approval and I would think that what will happen is that the moratorium will be lifted when the new zoning takes place and what if the new zoning isn't- doesn't mirror what this applicant has been trying to achieve? It's just that- I don't think that it's right.

Further, what is the- what is the criteria to be exempted? It's not just a simple being- thought of being compatible with the master plan. There's quite a number of other criteria here. They're very subjective. I don't know how that's defined.

When you had the moratorium on residential development it was very clearly designed that if you did this, that's what you would get. If you cut your density, if you based it on a new density, it's very cut and dry. This is not. 110-1007, the exemptions, are extremely subjective. It goes on further to say that a grant of an exemption to an application- applicant's application herein under shall include a determination of unreasonable hardship upon the property owner which is unique to the property owner. I don't know what that means. I mean I could guess but I truly don't know what it means in the legal sense. So I don't think that anyone really ultimately is going to be exempted. I think that it's very hard to prove that.

Lastly, I come just to the concept of smart growth and what's going to happen. A comment made about Riverhead's going to look like Brookhaven. Riverhead doesn't look like parts of Brookhaven because of its current zoning. All right. And your zoning has been updated, signage has been updated. Fortunately we don't have the same look as some parts of Brookhaven which are often cited as poor planning.

Again, the developers that are coming here today are looking to

work with the town in an expedient way to put forward smart reuse of properties and build out Route 58 or other areas in accord with the current proposal.

One last thing that comes to mind, I'm sorry. I do believe that this is exclusionary. That you're not- that somehow you're in the urban renewal district which basically is parts of the downtown and the EPCAL site that you would be exempt from this. If, in fact, the true reason behind this doctrine is to prevent uses that are not deemed attractive, there's nothing stopping someone today from making an application downtown for a use, it's in the urban renewal district, they'll be exempted."

Councilman Densieski: "The urban- I just want to clarify one thing. The urban renewal section downtown is small. I know that because Andrea, Rick and I are trying to expand upon it now. It's just a very small portion of downtown."

Larry Oxman: "I understand."

Councilman Densieski: "It does not encompass the entire downtown."

Larry Oxman: "Yes, that's true. But still to say that they can move forward with-- under the current zoning, there could still be uses that are deemed inappropriate, that the comprehensive master plan is trying to not encourage or simply to get rid of. So, I'm not saying that everything should be in the moratorium. I'm saying that nothing should be in the moratorium. Again, I am certainly not in favor of a commercial growth moratorium. Thank you."

Supervisor Kozakiewicz: "Is there anyone else who would like to address the Board on this subject matter who hasn't had a chance to speak? And then we're going to take a recess because someone's got to get home for bedtime to get ready for school."

(Unidentified): "It's a school night, right?"

Supervisor Kozakiewicz: "I'm going to go with him."

Ken Barra: "Ken Barra, Wading River resident. Actually I'm here tonight- there's also a friend of mine, John Zumas who is also a developer in the Wading River area, too. So there are people that do- not only from out of town, there are people that do live in the

area. We both oppose the zoning for the moratorium on the commercial zoning.

I can sit here and go over all the different things that the folks before me have spoke about. Just to clarify one thing though that was said earlier in reference to the IDA. The IDA is set up to bring business to town. The assumption that the taxes are for free is not true. The taxes are given at a discount. My particular project, one I have gone through, is a five year discount. There was a 20%, 30% and 40%. This allows you construction time to complete your property and to get it open as opposed to not what it makes it seem like here tonight, that you stay here for 20 years and you don't pay any taxes. This is not true.

You take the par value of what I bought it for when it was vacant land, and then I got taxed every year as the construction continued. Just off the top of my head, every time they assessed it, it was five or ten times what it was prior to. So as far as IDA, and by the way, just another footnote. The IDA agency- I'm sorry. The IDA agency is also an application fee to get that. It's not something that's given to you or funded by the state or the government. You have to make an application, be approved, and there is a fee involved.

And as far as applications fee, one particular project that I've done, the fees have exceeded \$100,000 paid to this town, in excess of \$100,000 so there is quite a lot of revenue, you know, that the town is receiving from this.

Currently I have a couple of projects that I'm working on. There's a lot of money invested with other agencies besides the town, the Health Department, the state, employing a lot of people, surveyors, attorneys, especially attorneys. Peter, are you here still? Okay. Just checking.

It's not the process that everybody thinks that these big developers come to town. Obviously I'm a one man operation. There are people that are a lot- obviously a lot bigger than I am. But there is also the risk factor. Nobody spoke about the risk factor. Everybody thinks that you come to town- I personally did a project one time, lost \$400,000 in the town of Riverhead.

Not every project is a money maker and I'm sure the other developers here- I'm not saying they took that kind of a loss, but there is a risk factor involved. And then I agree with one of the

people prior to me that for me to be involved in various different projects and all of a sudden to come around and say, okay, next week we're going to put a moratorium. We're going to stop for six months. If this is something you want to do, please give us all proper notice so we can decide whether we're going to be purchasing or getting into contract before we spend a lot of time, a lot of research, a lot of investigation, a lot of money, and a lot of us are paying the taxes while we are seeking permission from the town to build.

Again, Peter and a couple other people that were up here, I could agree with them. I just don't want to take up too much of your time. Thank you very much."

Supervisor of the Day Schmitt: "We're going to go to recess."

Supervisor Kozakiewicz: "All right. Let the record show- yeah, we're going to continue the hearing. We're going to take a brief recess. We will try to be back out in 15 minutes. So we'll shoot for 9:35 p.m. to resume."

Recess: 9:18 p.m.

Public Hearing reconvened: 9:32 p.m.

Supervisor Kozakiewicz: "We're going to resume, 9:32 being the time. And, hopefully, that handy dandy CD is working Barbara."

Barbara Grattan: "It's working."

Supervisor Kozakiewicz: "And we're still continuing the discussion on the third public hearing, it is the consideration of a commercial moratorium. I understand there's a letter that needs to be read into the record. Is there anyone else, however, who hasn't had a chance to address the Board either for or against the proposal who hasn't had a chance to speak yet? Okay. Oop, Rick Searles. For the record Rick Searles, Richard Searles, just to make Rolf Koesling is hearing it."

Rick Searles: "Good evening. I'd just like to speak in general on a couple of topics if I could and it will relate to the moratorium whether or not it should be or should not be implemented."

Supervisor Kozakiewicz: "Yeah, you're talking about the commercial moratorium."

Rick Searles: "Commercial moratorium."

Supervisor Kozakiewicz: "Okay, good."

Rick Searles: "I have a situation where I get up in the morning, put on the TV while I'm getting ready for work, and in the news most days we find out what the federal government is trying to do to jump start our economy. Will the feds lower the interest rates? Will people be able to borrow money at lower rates so that they can create business so that they can provide jobs so that the country can move on and grow?"

I have a problem with what I'm seeing here because we have a good economy right now. We have a situation where we have business people out here looking to borrow money, maybe at low interest rates, maybe they are going to turn a good profit. But we're going to grow.

So what's our answer to our growth? Shut it down. Let's knock it down. Even if it's for six months because six months from now, interest rates could be 9 and 1/2% and we could be shut down for the next two years after that not having anything to do with this Board. That's just the way the world goes.

I've been involved in the construction and planning business in this community for close to 40 years. I've built a lot of homes with developers. When the economy was good, people wanted to come here, they wanted to live on Long Island. We built in Wading River; we built in Shoreham; we built nice communities. People bought the homes. In 1984 when the economy went down the tubes, I lost my job because my developer lost his land. He couldn't hold onto it. The bank note was too much for him to deal with. He made money over a period of time, there's no doubt about it. But you can't expect these people to give it all back in bad times.

So we go through this roller coaster, this economic roller coaster. We have good times, we have growth. What's responsible of a Board is to learn how to handle that growth. Zoning in its own definition is an implement for the orderly growth of a community. Zoning is not here to restrict growth. Zoning is not here to shut it down. Zoning is not here to put moratoriums on it. It's here for the orderly growth of the community. That's what Town Boards are responsible for.

They're responsible for the foresight to be able to put master plans together. Set up the zoning, set whatever requirements you need for that zoning, and allow the orderly growth of the community. Closing it down is not the answer. It could put everybody that has an investment in this room behind the eight ball for years and if you have any question with that, call Mr. Greenspan. Find out where the interest is going to be six months from now. He can't tell you because he doesn't know where they're going to be next week.

So we have a good thing going here right now. We have a good strong economy on Long Island unlike the rest of the community-- rest of the country. I'm sure there are towns in this country that would love to have your problem.

My personal feelings, I don't think you should put a moratorium on the commercial growth. I think you should put your master plan in effect, put your zonings in effect, and deal with the consequences. Let it grow. Thank you."

Supervisor Kozakiewicz: "Is there anyone else who hasn't had a chance to address the Board on the subject matter? Okay. I'm going to ask Barbara to read into- oh, yes. You spoke, Sean."

Sean Walter: "I want to speak one more time."

Supervisor Kozakiewicz: "Well, I may not allow you to do it. Tim, come on up."

Tim Griffing: "Tim Griffing, Riverhead. I'd like to see a moratorium (inaudible). I think that I'd like to see the master plan finalized before we have a dual moratorium situation. I'd like to see one thing completed. You're throwing a curve ball to a lot of people that have plans. I've gone another direction into commercial- in the direction of commercial because they can't derive an income, feed their families and contribute to the local economy due to the moratorium on subdivisions and what another thing that that has done is dried up all of our single and separate lots. If any of you came to me and said, Tim, I want to buy an acre and a quarter or a half acre lot right now to build a house on, there are none. So that moratorium while it was in effect, if it was trying to stymie growth, it did relative to subdivisions but any single and separate lots that were available at the time have completely dried up. So there's a pent up demand for getting this thing in order and getting it lifted.

I would not like to see a commercial moratorium due to the fact that originally Route 58 was built as a bypass and now it seems to be our main business corridor. And as it continues to prosper and grow and we do get more congestion up there, it will force more and more traffic flow through Main Street. Main Street is now becoming our bypass and the businesses that do go into that area should prosper from that. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Did you wish to speak as well?"

John Hartell: "John Hartell, Wading River. I'd like you to consider the small guy who can't be here because he has to work every day and someone spoke before and said the builders can't find people to work for them. That's not true. I'm a builder. I'm a small builder but subcontractors are calling me constantly because they're driving an hour and a half into other towns trying to find work right now. And they keep calling, saying when is your project going to go. When's your project going to go? And I have no answer for them. And these guys are really hurting for work. Thank you."

Supervisor Kozakiewicz: "Thank you. Anyone else who hasn't had a chance to speak? Sean Walter."

Sean Walter: "I'm hesitant to even come back up here but I want to say one thing that I didn't say. The moratorium is- by requesting this moratorium, this is an indictment of the Town Board. In other words what's happened here is the Town Board has not completed the master plan the way it said it wanted to complete the master plan. There is somebody in this room- he's not in the room now, but there is somebody here in Town Hall, if he's given the proper incentives he could get the zoning done by the end of the year.

If- there's many instances in the building trade- and I'm not a builder, I'm just a resident, I have no financial interest here. But in certain circumstances when somebody in construction wants a job done quickly and correctly, they offer an incentive. There is somebody in this Town Hall that I implore you to offer an incentive to the Town Board, a financial incentive, give him a secretary, throw him the hell out of Town Hall for 30 days, and let him write the zoning and give him that incentive, and I'll tell you what. He'll get it done. And you won't be talking about this moratorium any more because the zoning will be written by the end of the year. But you guys have to do that.

Calling for the moratorium, all you're doing is saying we didn't complete our job, we want more time. There shouldn't be any more time. Get it done."

Supervisor Kozakiewicz: "Anyone else? Will you read the letter into the record and then, hopefully, we can declare the public hearing closed."

Barbara Grattan: "October 7, 2003. This is from Route 58 Riverhead, LLC. From Carmine Dell Aquila. Dear Councilman Densieski: On behalf of Route 58 Riverhead LLC owner of the former Hazeltine property, I respectfully request this correspondence be read into the record at the public hearing this evening regarding the above referenced matter.

As a developer of the former Hazeltine property, I'm sure everyone is acutely aware of the efforts put forth by our company, and our commitment to bring a modern multiplex cinema to Riverhead.

After years of arduously wading through the development and approval process not to mention a tremendous capital investment by our company, we are now faced with yet another dilemma, a commercial moratorium.

Rather than recite all of the positive attributes related to the development of this property and after many frantic phone conversations this afternoon with representatives of Marquee Cinemas, I can only say this. In the event a moratorium is enacted, I cannot guarantee Marquees or any other theater company's continued commitment to Riverhead.

I regret not being able to attend this evening's hearing due to previous commitments. I am, however, willing to discuss this matter with the Supervisor, Council Members, or Planning Officials at their convenience. Very truly yours, Carmine Dell Aquila, Managing Member."

Councilwoman Blass: "Mr. Supervisor, could I respond to that just very briefly? This is a classic example of misinformation. That application would be exempt from the moratorium. Mr. Dell Aquila has already received a special permit for the cinemas. So just in that regard, people should understand. Anyone who has received a special permit, a building permit or a site plan approval, would be exempt from the moratorium. It was important for me to say that."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? Larry. Anybody else who hasn't had an opportunity because we're going to be here all night if we keep going three, four times. I mean, you know, you've been up for 20 minutes already."

Larry Oxman: "I just want to address what Barbara just said. So if the applicant has site plan approval, he has what special permit?"

Councilwoman Blass: "Special permit, a site plan approval or a building permit. A currently- or at the time that this would be enacted they would be allowed to continue in the process."

Larry Oxman: "Okay. Exactly what does that mean? In other words, he has a special permit- "

Councilwoman Blass: "His special permit is good."

Larry Oxman: "But he's not going to get a site plan approval."

Councilwoman Blass: "Why would you say that?"

Larry Oxman: "Because it says no site plan approvals will be granted."

Councilwoman Blass: "If you're exempt or excluded from the moratorium, you continue in the process. I believe this is talking about anything- any new applications, that they would not be allowed to get a new site plan approval."

Larry Oxman: "I don't think that that's necessarily how it could be interpreted. So that's a danger."

Councilwoman Blass: "Well- ask their legal counsel."

Supervisor Kozakiewicz: "I will say as far as the intent, I believe that was the intent that it would be any one of the three above would cause it to be exempt, although we know from a practical standpoint, usually a special permit requires a site plan approval, but as far as this particular legislation is concerned, it does provide for a building permit, you're exempt; if you have special permit, you're exempt; or and the word is or- and that's, I think, important when you look at it as opposed to and, site plan approval."

Anyone who has not had a chance to fully air your opinion, who hasn't had a chance to speak? Gone. Declare the public hearing closed 9:45 p.m."

Public Hearing closed: 9:45 p.m.

Supervisor Kozakiewicz: "All right. Now is an opportunity to address us regarding resolutions. Anybody wish to address the Board on resolutions? That's for later, okay. Dave, I think left, Frank Biondo and Jean (inaudible), they're- okay. Anybody? Resolutions. Bill Kasperovich."

William Kasperovich: "William Kasperovich from Wading River. I think of you people every time I park- I try to get onto a highway or I'm waiting for traffic to- at an entrance or exit where the sign creates a blind spot and I can't see down the road. Now, you approved all kinds of signs for a long time and I'm afraid that it's getting lackadaisical in the position and the place of the sign. If it creates a blind spot, that's the wrong place."

Supervisor Kozakiewicz: "Are you referring to a particular resolution, Bill?"

William Kasperovich: "Well, you have two resolutions for signs and I don't know if you have gone out there to see exactly what you're approving."

Supervisor Kozakiewicz: "Well, the one is right here, St. Charles Rehabilitation Center so, yeah, we've seen it a few times. And the other is on Hubbard Avenue, it's a new home construction, the sign being proposed for Hubbard Avenue. And the sign's not there yet."

William Kasperovich: "Well, did you look at it with the eye towards whether it creates a blind spot to the driver?"

Supervisor Kozakiewicz: "It's set back from the road."

William Kasperovich: "Yes. A lot of signs have been set back from the road. When you stop at the white line, you can't see down the road, it's not a proper sign. So here are two more and I don't know if that was considered."

Secondly, well, let me say that the agenda as presented in its minuscule form is hard to understand unless you go back to the resolution. I won't spend much time on that, but I will say that I went back to the corridor to see how the resolution 1115 was written, and it is written in a sense of comparable salaries and in the resume you want the salary that's requested. Now, you're asking- you're saying we're going by what the market is bearing to date on assistant town engineers and at the same time, you're saying tell us how much you'll work for. I don't think that's a proper want ad- help wanted ad. And that's all I'm going to take to say."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board on resolutions? Resolutions, only. Okay. If not, we're going to adjourn the Town meeting at this time, the time being 9:49 p.m."

Meeting adjourned: 9:49 p.m.

Meeting reconvened: 9:50 p.m.

Supervisor Kozakiewicz: "And we're going to jump right to 1076 because we've already done 1075."

Resolution #1076

Councilman Densieski: "Approves a site plan of the Riverhead Development Group LLC. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded. I'm sorry. The DayQuil did have some drowsiness."

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

Resolution #1077

Councilman Lull: "Is a resolution and consent approving the dedication of a highway known as Bay Run. 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 #1078

Councilman Lull: "Authorizes the Town Clerk to publish and post a notice of a public hearing for a change of zone petition of Traditional Links, LLC. 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 #1079

Councilwoman Blass: "This resolution authorizes the Supervisor to enter into an agreement with Electrical Inspectors, Inc. So moved."

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Leroy you're here, maybe you can answer. Was there a union concurrence necessary with this resolution? And if so, do we need something that's signed by them that says that they are - does somebody else have an answer?"

Councilman Densieski: "You mean approval to get an outside contractor in?"

Councilwoman Sanders: "I'm asking a question."

Supervisor Kozakiewicz: "I don't know if- good question. I know last time we did it, we did it without union concurrence and it was done because of the emergency situation that we had which was the

same circumstance we have with the particular individual who is ill right now and absent from work and, therefore, we weren't able to complete inspections. So- "

Councilwoman Sanders: "I tried to reach out earlier today to get an answer on this and I couldn't so that's why- sorry to bring it up at the last minute, but as far as you're concerned, there's not a problem? Not a problem? No?"

Supervisor Kozakiewicz: "We didn't have any issues last time we did it, so."

Councilwoman Sanders: "Okay. I accept that. And I will second. I did already."

Supervisor Kozakiewicz: "You did already. So moved and seconded."

Barbara Grattan: "I need your vote."

Councilwoman Sanders: "Yes."

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

Resolution #1080

Councilwoman Blass: "This resolution authorizes the Supervisor to execute an agreement with Sheryl Schultz for board transcription. 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 #1081

Councilman Lull: "I have a question for the Supervisor and I hate to take the time to do this but I need to ask you a question about this. 1081 approves- authorizes the submissions of application for a marine pump out vessel-- for funding for a marine pump out

vessel.

And the reason I'm asking it is this. I take a look at this and obviously this is something that will help to protect the bays and the estuaries of this town. And, secondly, that that will be of economic and social benefit to all residents of the town.

And, thirdly, that I am one of these residents, the residents of this town, and, therefore, I will benefit from this action. Therefore, should I recuse myself in voting on this issue because there is an economic benefit to the town."

Councilman Densieski: "I know what you're getting at, Jim. Point made."

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "That's almost as bizarre as the one you're talking about, Jim. Yes."

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

Resolution #1082

Councilman Densieski: "Authorizes the attendance of a police officer at the 110th Annual IACP conference. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Get your lampshade ready. Yes."

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

Resolution #1083

Councilwoman Blass: "Authorizes the Sewer District superintendent to attend a course. 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 #1084

Councilwoman Sanders: "Rejects bids and ratifies the republication of the notice to bidders for renovation to a structure located at 201 Howell Avenue in Riverhead. 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 #1085

Councilman Lull: "Riverhead Water District, is a resolution authorizing the Supervisor to execute change order #1 for Mid Road Properties Section 2. 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 #1086

Councilman Densieski: "Authorizes the Town Clerk to publish and post a notice for public hearing regarding Community Development Block

Grant CDBG funds. 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 #1087

Councilwoman Blass: "This resolution ratifies the authorization of the Town Clerk to publish and post a help wanted ad for a full time laborer in the yard waste program. 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 #1088

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice of a public hearing for a special permit of Allan Corby. 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 #1089

Councilwoman Sanders: "Authorizes application of Helen's Greenhouse for hayrides. 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 #1090

Councilman Lull: "Approves the application of NOFA, the Northeast Organic Farming Association. 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 #1091

Councilwoman Sanders: "Approves application of Verderber's Landscape, Inc. for hayrides. 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 #1092

Councilman Densieski: "Approves a temporary sign permit of Three Pillars Development. So moved."

Councilwoman Blass: "And seconded."

Councilwoman Sanders: "Discussion."

Supervisor Kozakiewicz: "Discussion."

Councilwoman Sanders: "At the work session we had last week? Yes, last Thursday. We all agreed that that sign permit would be without the telephone number and I believe it's back in the package with- "

Supervisor Kozakiewicz: "All right. Yeah, we did talk about that, so I actually propose that we do- I've already written on mine so I gave it to Barbara, that we insert a second Resolve- Resolve that said temporary sign is approved with the condition that there be no telephone number indicated on said temporary sign. And be it further- is that all right?"

Councilwoman Sanders: "Yup."

Supervisor Kozakiewicz: "That was what we agreed to. All right."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes, as amended."

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

Resolution #1093

Councilwoman Blass: "Discussion before I enter this into- for consideration. I thought that there was discussion at our last work session as well that we had some concerns about authorizing this temporary sign- actually three signs, in light of the current situation. And I don't know that the current situation has been rectified."

Councilman Densieski: "Okay. They have the applications in for their permits. They're waiting for their sign guy. These are already up until they receive their new signs."

Supervisor Kozakiewicz: "When did they submit-- they did submit a permit- a sign permit?"

Councilman Densieski: "Yes, they did."

Councilwoman Blass: "Have the existing violations been corrected?"

Councilman Densieski: "The existing violations are the sign- the temporary signs. The- I believe what happened was there was- "

Supervisor Kozakiewicz: "There was a prior resolution of this

Board that expired."

Councilwoman Blass: "Right."

Councilman Densieski: "They were cited. They still have not received their permanent sign yet so they requested to have their temporary sign up so they can still conduct business while they're waiting for their permanent sign. That's the background story for that."

Councilwoman Blass: "So it will be a total of six- 12 months of temporary signs? In other words, we will have extended or offered them an additional six months on top of the original six months. Is that- am I correct in that?"

Councilman Densieski: "Yes. That's what this resolution would say. But what they led me to believe was they're in the process of getting their new sign and as soon as they get it, they'll take those signs down and put up the permanent. You know, if that's an objection to the Board, then that's how we'll vote."

Councilwoman Sanders: "We had another discussion at work session on Thursday where we said that this was not because- well, that's true. I'm sorry. I shouldn't say that. We did discuss this on Thursday, this we weren't going to consider because this has been- we checked with the Building Department. What was the period of time? It was a considerable period of time."

Supervisor Kozakiewicz: "February of this year was when it was approved."

Councilwoman Sanders: "And we had- "

Supervisor Kozakiewicz: "Well, rather than debate this until midnight, can we agree since they say they have an application- "

Councilman Densieski: "They do."

Supervisor Kozakiewicz: "-- to give them one month?"

Councilman Densieski: "Do whatever you want."

Supervisor Kozakiewicz: "Because I- the temporary sign process is an avoidance mechanism not to deal with the ARB. We know for a

fact that, well, St. Charles is obviously doing good things by doing rehabilitation. The ARB would never approve the signs that are in front of us, the one that says Grand Reopening."

Councilman Densieski: "They're not looking for that."

Supervisor Kozakiewicz: "I understand that. Actually they are because there are three signs, I think."

Councilman Densieski: "One month is a very short time to go get a sign guy and- "

Supervisor Kozakiewicz: "They are looking for that-- they're looking for the double-faced sign on the street, the two that are attached to the building, and all three would be non-conforming under the sign ordinance. Grand opening- the opening has a telephone number. The one on the west side of the building has a telephone number."

Councilman Lull: "Anyone here from the ARB still?"

Supervisor Kozakiewicz: "No, they've left. So, that's one way to conclude the discussion."

Councilwoman Sanders: "One month?"

Supervisor Kozakiewicz: "And it hasn't been moved. Is anybody going to move this?"

Councilwoman Blass: "I would agree to move the resolution for a one month extension."

Supervisor Kozakiewicz: "Okay. Is there a second? Jim?"

Councilman Lull: "I was just looking out there. It looked to me like Rick Searles was out there, I don't know."

Councilman Densieski: "It hasn't even got to them. By the time they go through the permit process and get to ARB, one month isn't enough time."

Councilman Lull: "Two months would be fine with me. Because they really have to have at least a meeting on the ARB first."

Councilwoman Blass: "They've been in the process since February."

Councilman Lull: "Yeah, I know."

Councilwoman Blass: "And, again, I- "

Councilman Densieski: "It hasn't gotten to them yet."

Councilman Lull: "Yeah, sure. It hasn't gotten to them yet? Oh, okay, never mind. Never mind. That was my mistake."

Supervisor Kozakiewicz: "Is there a second to move this resolution."

Councilman Densieski: "I'll move it."

Supervisor Kozakiewicz: "Okay, thank you. Vote, please. We are going to amend the Resolve to say what? I'll move to amend the second Resolve to say temporary sign permit shall expire on November 7, 2003. Is there a second?"

Councilman Densieski: "No."

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "Okay. Vote on the amendment, please."

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

Councilman Densieski: "I don't think one month is enough time so we're going to put them right back in violation again. I think we have to learn to be a little bit more friendly, a little bit more cooperative to local businesses. This is a big business. This is non a Mom and Pop. This is a major hospital and they have processes just like we do. I don't believe one month is enough. I think we're sending once again a bad negative message about doing business in Riverhead. But I'll vote yes and wish that it was more time."

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

Councilman Lull: "I'll second what Ed said. I'll also vote yes but I wish it were a couple months to let ARB get a chance to move on it."

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

Supervisor Kozakiewicz: "I would do- I would love to do nothing more than help St. Charles Hospital. And the reason that I'm a little bit concerned is that we acted on this application in February of this year. It seems to me that this is a big organization they're not starving for money and in February of 2003 when they obtained their temporary permit, they simultaneously could have filed an application for a permanent sign.

I don't think they have it really in their gut, the burning desire to do the right thing by filing for a permanent sign because if they did, they would have done it then. But they know that the game is don't go to the ARB because they're not going to approve that telephone number on that sign. Let's get the temporary sign approved because we can get the sign on there with the telephone number, so it's a game.

I'd love to be cooperative with commercial enterprise and business, but it's a game and I think that's what I'm a little frustrated with. Because St. Charles could have done the right thing here. They could have had a permanent sign approved already.

And, again, this is not St. Charles. It's a lot of others and I vote yes for the amendment."

Barbara Grattan: "Okay, do we have the right (inaudible)?"

Supervisor Kozakiewicz: "Yeah. Let's move it as amended."

Councilwoman Blass: "I'll move it as amended."

Councilwoman Sanders: "Second."

Barbara Grattan: "Okay. Vote."

Supervisor Kozakiewicz: "Vote. Moved and seconded as amended."

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

Councilman Densieski: "I have to disagree with the Supervisor. I don't think St. Charles Hospital was trying to trying to put one over on good old Riverhead. I think they probably administratively

dropped it through the cracks and now they're trying to do the right thing and we're punishing them.

Their next temporary sign will probably be in another town. With that said, I'll vote yes."

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

Supervisor Kozakiewicz: "I hope Councilman Densieski's right that this wasn't purposeful and I don't know what their intention was. So I shouldn't have presumed anything. So I apologize if I offended anyone at St. Charles. I know that, however, we always get accused of doing things backwards or sometimes not doing them right and I would hope that business is coming to the town. While I want them to come, I'm looking forward to them being here, doing the right thing tax-wise.

When they file a temporary it would make abundant sense- we have some great sign builders- sign makers in the town of Riverhead. I'm not going to name them. But who know what the ARB wants and they could have done it around the same time.

So I hope this doesn't hamstring them. Hopefully, it doesn't chase them away and finally say yes. Let's move on it."

Barbara Grattan: "The resolution is adopted."

Resolution #1094

Councilwoman Blass: "This resolution appoints a Chairperson to the Conservation Advisory Council, that's Robert Kujawski. 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 #1095

Councilman Lull: "Appoints an interpretation consultant to the Police Department and the Justice Court for Spanish. 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 #1096

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice of a public hearing to consider a proposed local law to repeal and replace Chapter 90 entitled Special Events of the Riverhead Town Code. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Another welcome flag to Riverhead. Yes."

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

Resolution #1097

Councilwoman Blass: "This resolution amends a prior resolution, #1027 of 2003, which adopted a local law which amended Chapter 47 entitled Bays and Creeks of the Riverhead Town Code. And just to clarify, this amendment is only re-numbering of if you- I'm sorry, the sequence of the paragraphs. The content of the amendment- the chapter does not change. We had two paragraphs "A" and we are correcting them A, B, C to read sequentially. This was bounced back to us by the Department of State for that reason so we're amending it. So moved."

Councilman Lull: "So we're making up for stuttering."

Councilwoman Blass: "That's correct."

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 #1098

Councilwoman Blass: "This resolution adopts a local law to amend Chapter 12 entitled The Coastal Erosion Hazard Area of the Riverhead Town Code to include language which says or any activity which alters or disturbs the pristine natural protective features which includes trimming and clearing of vegetation. That's now included as regulated activity in the Coastal Erosion Hazard area. 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 #1099

Councilman Densieski: "Authorizes the Town Clerk to publish and post a public notice for a local law to consider the addition of Chapter 40 entitled Town Attorney Litigation and Recording Fees Account to the Riverhead Town Code."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes, for public hearing."

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

Resolution #1100

Councilman Lull: "1100 classifies the action and declares legal agency on special permit of Tanger Properties, LLP for Tanger I expansion and it refers the petition to the Riverhead Planning Board."

So moved."

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Councilwoman Blass: "Discussion."

Supervisor Kozakiewicz: "Discussion."

Councilwoman Blass: "In referring to the code, there are two special permit criteria or applications. One is for the actual Manufacturer's Outlet Zone and the other application or a special permit is for retail or personal services or personal goods sold at a retail capacity provided the individual or stand alone use is 100,000 square feet or more. And I believe when we refer to this as an increase to construct additional factory outlet retail space it is misleading because it is not intended to be a factory outlet retail operation as I understand it."

Supervisor Kozakiewicz: "So you would like to amend the description to state construct 136,566 square feet of- "

Councilwoman Blass: "It's basically general retail."

Supervisor Kozakiewicz: "Right. But it's called out in that zone, that article. Correct?"

Councilwoman Blass: "It's called out in 10844-6. There are two special permit uses. One is a manufacturer's outlet center and the other is an establishment engaged in selling goods or merchandise for the general public for personal or household consumption, etc., etc., what we know as a big box retail. That's what this application, I believe, is for and I think it should reflect that as opposed to an extension of the outlet center, which it's not."

Supervisor Kozakiewicz: "So what we should do is- "

Councilman Lull: "Take out the word factory outlet."

Supervisor Kozakiewicz: "That's what I was thinking, retail space. Okay?"

Councilwoman Blass: "And then I have- I just have another

question. It was my understanding that that particular area as depicted on the site plan was regulated by the WSR constraints and in light of that, it is not- I don't have any knowledge that those constraints have somehow been lifted. So I'm questioning why we're proceeding with an application that well may have problems at the state level for building in that area."

Supervisor Kozakiewicz: "We have done that in the past. I understand we've referred applications where there's not all the approvals in place, most namely- I think the most recent actually was Burman Enterprises where we approved the CDV and referred it back to the Planning Board, so the Board has done that in the past and made that a contingency. So- "

Councilwoman Blass: "We also know that the WSR line has changed or will be changed with respect to the property inside the fence of Calverton. There is no expectation that the WSR line is to be changed in this area and since it was in existence at the time of the original application thus rendering that particular area non-developable, I'm wondering what expectation we have that that's to change. Are we making an application for WSR to change in this area as well?"

Supervisor Kozakiewicz: "The town is not- but I understand Tanger has- "

Councilman Densieski: "I'm just curious to what makes you say that because I've always heard that they were going to move that to 25."

Councilwoman Blass: "I just know that there is no application that the town is involved in. I wasn't aware that they have made an application."

Councilman Densieski: "Aren't we just referring it to the Planning Board?"

Supervisor Kozakiewicz: "Yes."

Councilwoman Blass: "Asking the questions."

Supervisor Kozakiewicz: "Any other discussion? Vote, please."

Barbara Grattan: "Wait a minute. We are just taking out Factory Outlet retail space. No?"

Supervisor Kozakiewicz: "Factory outlet. So it's going to state construct 136,566 square feet of retail space."

Barbara Grattan: "Okay."

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

Supervisor Kozakiewicz: "I just want to abstain because, you know, it's something that I may have worked on many, many years ago when this thing was first being proposed. So there have been indications that I should stay away from stuff like that, so."

Councilman Densieski: "It's an administrative function."

Supervisor Kozakiewicz: "Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1101

Councilwoman Blass: "This resolution approves the application of Cooperage Inn. So moved."

(CD error)

Councilwoman Sanders: "And seconded."

Supervisor Kozakeiwicz: "Moved and seconded."

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

Resolution #1102

Councilwoman Sanders: "Reappoints Member to the Board of Assessment Review. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

(CD error)

Councilwoman Sanders: "I would like to move to table this again because (CD error)."

Supervisor Kozakiewicz: "To table, yes. Just understand why we're doing this a whole year ahead of time."

Barbara Grattan: "Okay. Resolution is tabled."

Resolution #1103

Councilman Lull: "1103 ADA adult program 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 #1104

Councilman Densieski: "Town Board special program fund budget adjustment. 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 #1105

Councilwoman Blass: "This is a budget adjustment in connection with Mill Ponds Commons sewer extension. 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 #1106

Councilman Lull: "Extends the bid contract for diesel fuel. 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 #1107

Councilwoman Blass: "This resolution is an authorization to publish an advertisement for food. 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 #1108

Councilwoman Sanders: "Authorization to publish advertisement for meat and poultry. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1109

Councilman Densieski: "Authorization to publish an advertisement for police uniforms. 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 #1110

Councilman Lull: "Authorize the Town Clerk to publish and post notice of a public hearing to consider the adoption of 2004 annual budget for the Town of Riverhead."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "I think this was something that was delivered to us but I don't know how it's ready for a vote. We haven't even had discussions yet."

Councilwoman Sanders: "I think the title is incorrect because if you look at what's attached to it- "

Councilwoman Blass: "It's a notice to call for a public hearing- ."

Supervisor Kozakiewicz: "I think it should be withdrawn."

Councilwoman Sanders: "-- to adopt a budget."

Councilman Lull: "That's the only thing that goes into it. That's the only thing that goes into it."

(Some inaudible discussion among the Board members)

Councilwoman Sanders: "So instead of it being considering the adoption of the 2004 annual budget, it would be to consider the elected officials salaries 2004 budget. Correct?"

Supervisor Kozakiewicz: "We can do it- I mean assume we were ready and we have it all set by October 16th, we can do this because on October 16th the preliminary budget has to be available for inspection in the Town Clerk's Office. If it's not, we have a problem because this document is saying two things. It's saying that (1) the Town Clerk authorize the publish of the notice which is describing the fact on the 5th day of November, 2003 at 2:10 there will be a public hearing, and (2) it's advising the public that a preliminary budget is going to be available in the Town Clerk's Office on that same day between the hours of 8:30 a.m. and 4:30. If we're very confident that

we're going to have it done by then and available for inspection, we can take this up now."

Councilman Densieski: "I have a couple questions. One, I see there are two salary increases in here and I'm just curious why all the elected officials were not- why raises were not discussed."

Supervisor Kozakiewicz: "That's another problem. I don't even know how this resolution got into the packet."

Councilman Densieski: "I'm going to motion to table this resolution."

Councilwoman Blass: "I'm just curious which increase- which positions are increased."

Councilman Densieski: "Two Board members I think are getting raises."

Councilwoman Blass: "No. That's not accurate. That's exactly the way it read last year. No. We declined it, but that doesn't mean that's not the published salary. We declined it. I know Councilwoman Sanders and I declined the raise. In the budget or in the notice for last year, all four Board members was indeed \$32,240 and that was adopted and we chose to decline that raise. So this is perfectly consistent. There's no raise here for two Board members. This is exactly the way it read last year."

Councilman Densieski: "Okay."

Councilwoman Blass: "It's the way it was last year."

Supervisor Kozakiewicz: "If you want to move it, let's move it."

Councilman Densieski: "I'd like to table it."

Councilman Lull: "Do we have time? You're the one that knows the time schedule better than anybody."

Supervisor Kozakiewicz: "It's 10 days required notice. So, we have to have it available by the 16th. If the Board is happy with the salaries and you assure me we will have a preliminary budget done by that time, there's no reason why we can't do it."

Councilman Densieski: "The other question is you're asking the Board if they're happy, but the other elected officials who don't get to vote on a raise, have you inquired with them whether the elected officials are going to get a raise?"

Supervisor Kozakiewicz: "I have not."

Councilman Densieski: "Well, I think we should do that."

Supervisor Kozakiewicz: "I submitted my budget. If we put this in, then we can't change it. It's done."

Councilman Lull: "No, what I'm saying is the Board has three meetings (inaudible)."

Supervisor Kozakiewicz: "So what do you guys want to do?"

Councilman Densieski: "There was a motion to table. If there's a second, then we'll table it."

Supervisor Kozakiewicz: "Is there a second to table?"

Councilwoman Sanders: "If we adjust the- if we can adjust the title of the resolution, I don't see any reason to table it."

Supervisor Kozakiewicz: "Who moved it to table? Is there a second to table? If not, let's take up the matter for a vote. It has been moved and seconded. Please."

Barbara Grattan: "Okay, you are going to take it for a vote the way it is. Not for the table?"

Supervisor Kozakiewicz: "Well, there's nobody seconding the motion to table. So is there a motion to move the resolution?"

The Vote: "Sanders."

Councilwoman Sanders: "Yes. Including the title, right? We're moving it as amended. We have to change the title of the resolution."

Councilman Densieski: "What's the amendment?"

Supervisor Kozakiewicz: "No. The amendment- the caption is

correct. It is the 2004 annual budget. Is there a- has it been moved? I don't think it's been moved."

Councilman Lull: "I moved it."

Supervisor Kozakiewicz: "All right. Was there a second? Do we have it seconded?"

Barbara Grattan: "I don't really know. I do have Sanders as calling the vote- for Rose."

Councilman Densieski: "Sanders calling the vote for Rose?"

Barbara Grattan: "Yeah, Sanders calling Rose for a vote."

Councilman Densieski: "How did that work out?"

Supervisor Kozakiewicz: "Okay, folks. Let's sit here for the whole evening while we wait for a second. Is there a second?"

Councilwoman Blass: "I'm confused. Are we moving the resolution- "

Supervisor Kozakiewicz: "As it exists."

Councilwoman Blass: "-- as it exists. I'll move it. I'll second it."

Supervisor Kozakiewicz: "Okay. Moved and seconded. Thank you."

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

Councilman Densieski: "I think the elected officials at least should have been consulted by the Board and the Supervisor. They have no ability to even have a cost of living raise and no one cared to ask. So I'm going to vote no."

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

Supervisor Kozakiewicz: "I agree with my colleague on this one. While I may not have changed my position on whether I voted on salary increases for the other elected officials, quite frankly I think they should of been offered at least an opportunity to be heard. So I

would vote no on the resolution but it's passed- "

Barbara Grattan: "It's passed, it's adopted, it's done."

Resolution #1111

Councilwoman Blass: "This resolution approves the request for a leave of absence. So moved."

Councilwoman Sanders: "And seconded. There's a correct."

Supervisor Kozakiewicz: "The correction is?"

Councilwoman Sanders: "The first Resolved- the absence- leave of absence, from October- "

Supervisor Kozakiewicz: "2004- okay."

Councilwoman Sanders: "Thank you."

Supervisor Kozakiewicz: "Vote, please."

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

Resolution #1112

Councilwoman Sanders: "Sets registration fees to the Riverhead Recreation Department. 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 #1113

Councilman Lull: "Authorizes the Town Clerk to publish and post a help wanted ad for assessment clerk, a job which will be contingent and provisional. 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 #1114

Councilman Densieski: "Approves a stipulation of settlement. So moved."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Blass: "Discussion."

Supervisor Kozakiewicz: "Discussion."

Councilwoman Blass: "Yes. And we discussed the salary of this particular individual and I just don't know that when we did that there was a question about where he was going to be placed on the salary schedule. And I don't know what it resulted in because I don't have the stipulation attached."

Supervisor Kozakiewicz: "The group that we proposed at the work session."

Councilwoman Blass: "Thank you for that clarification. I will second that."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1115

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post the attached help wanted ad, and that is for an engineering- someone in the engineering department. 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 #1116

Councilwoman Sanders: "It's a highway 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 #1117

Councilman Densieski: "Approves the site plan of TC 58 Inc. formerly Felice Enterprises. So moved."

Councilman Lull: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Discussion."

Supervisor Kozakiewicz: "Discussion."

Councilwoman Sanders: "Work session we had talked about receiving the letter, I believe- "

Councilman Densieski: "About the easement?"

Supervisor Kozakiewicz: "There were two issues."

Councilwoman Sanders: "The easement letter from both property owners, and I don't believe that we have received those letters. We received one of them- I saw one of them; I did not see the second one. And we agreed, again, maybe not everyone was there, but we agreed that we would go forward with the resolution but we were to see those two letters prior to."

Councilman Densieski: "Which is the property owner you are talking about?"

Supervisor Kozakiewicz: "There were two. There was, of course, the easement from J. Douglas Stark and Glenwood which there is an October 2, 2003 deed extinguishing easement rights."

(Some inaudible discussion among the Board members)

Councilwoman Blass: "And the letter from counsel who is approaching said that in correspondence with attorney for the property owner to the west, that it says furtherance of our conversation, I agree to whatever, but we don't have anything from them that says that they are willing to do that."

Peter Danowski: "I think as I understood your question, I was not at the work session discussion. It concerned itself that in the future and the future may be now in the sense that the neighboring property owner to the west has submitted a site plan that you have not yet approved.

You, as you normally do on a particular site plan, insist that we keep all the drainage and handle all the water on our site and sufficiently curb the property so that water doesn't run off onto the neighboring property owner. The attorney who happened to represent both the Stark family interest and the neighboring property owner to the west sent a letter in and said he was a little somewhat confused because he was concerned that his site plan may when the Town Board considers it, ask for permission to come back onto our property over a right of way that was originally granted as a result of the subdivision application.

I clearly stated in my letter that I supplied this Board with that my client gives the permission to come onto the right of way and that was the sense of that letter. However, I also said it's subject to the Town Board addressing that site plan. They may wish to say come onto the property; they may wish to say don't come onto the property. That will be a result of the Town Board considering that adjacent western property owner's site plan as also the state or the county DOT.

So I thought my letter was sufficient to say to the attorney and to you that you have our permission to come onto our property, onto the right of way; you have that right subject to the Town Board

wanting that to happen and that's the intent of my letter. And I thought that addressed that question."

Councilwoman Blass: "Can I ask a different question? Does the property owner to the west have any easement rights that he needs to grant to you?"

Peter Danowski: "No."

Councilwoman Blass: "Okay."

Peter Danowski: "You might have been even a member of the Planning Board or the Chairperson of the Planning Board when the original subdivision of Lynch was created- "

Councilwoman Blass: "I do recall that."

Peter Danowski: "-- and the right of way for Mr. Young was put there to serve both lots and it does, in fact, serve the other lot, that's a fact. It's just a question of when you review the neighboring site plan, you'll make your own decisions whether you want that person to come onto this property or not and you'll determine where it comes on if at all and the county DOT will also talk about the curb cut issue. Do they want a separate curb cut? Where do they want it? That's an issue out of our hands as well.

So all I'm saying is they have whatever rights they have, we recognize that, and I thought my letter addressed the second issue."

Councilwoman Sanders: "It wasn't clear; that's why I asked. Thank you."

Peter Danowski: "Sometimes it's not clear, so ask the question."

Supervisor Kozakiewicz: "Any other discussion? Vote, please."

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

Resolution #1118

Councilman Lull: "Ratifies a memorandum of agreement with-memorandum of understanding with the PBA."

Councilman Densieski: "Second the motion."

Councilwoman Blass: "I- he didn't (inaudible)."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1119

Councilwoman Sanders: "Make a motion this, Councilman Lull, before you get started."

Councilman Lull: "Okay."

Councilwoman Sanders: "I'd like to make a motion to table. I've had reason to discuss this particular item with the Rec Advisory Committee and the jury is still out as to whether they might want to go ahead with this particular project, being that there was some information that they did not have prior to them agreeing to making- authorizing this budget. So I would like to make a motion to table it."

Councilman Densieski: "Discussion. If we table this now, is that going to hurt our time frame as far as constructing new fields for the spring, Little League and all that?"

Councilwoman Sanders: "I don't think another two weeks is going to matter, but- "

Supervisor Kozakiewicz: "Can they do an emergency to deal with it?"

Councilwoman Sanders: "I reached out to George Gabrielson. He is aware, he is working and talking to the other committee members and I haven't received a response back yet. They meet again in- next week, next Tuesday. A week from today we meet."

Supervisor Kozakiewicz: "So they can pick it up thereafter. Okay. Is there a second to table?"

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "Vote on the tabling."

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

Resolution #1120

Councilwoman Sanders: "Oakley Avenue parking lot drainage improvement 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 #1121

Councilwoman Blass: "Budget adoption in connection with Middle Road road improvement from Mill Road to Deep Hole Road. 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 #1122

Councilman Lull: "1122 is a budget adjustment for the Riverhead Town Human Services Center. 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. This is to authorize purchase of 10 fire extinguishers and appropriate signage."

Barbara Grattan: "Okay, Resolution is adopted."

Resolution #1123

Councilman Densieski: "General fund budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1124

Councilman Lull: "Authorize the Town Clerk to publish and post a help wanted ad for a part time clerk. 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 #1125

Councilwoman Blass: "This resolution appoints a provisional account clerk typist. So moved."

Councilman Lull: "And second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "Yes. Appointing an account clerk typist, the account clerk typist that we're appointing is at the present time our Town Board coordinator. We shall miss her. We thank her for her work. Yes."

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

Resolution #1126

Councilman Lull: "Account clerk typist promotion. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Lull: "Moving from account clerk to account clerk typist, Melissa Anderson. Yes."

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

Resolution #1127

Barbara Grattan: "Resolution #1127, Bills."

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "Any other resolutions?"

Barbara Grattan: "No. We're done."

Supervisor Kozakiewicz: "All right. That's it for resolutions. Thank you all for being patient. This is the open comment time. I do have a card from Bill Kasperovich. He's the only one who's put one in. So, I know, I was going to ask if maybe you'd let- Bill, would you mind if Steve Kasperovich- I mean Steve Kirschenbaum would have two- you're going to be very brief, Steve? Would you mind, Bill? All right, thank you, for being so kind."

Councilman Densieski: "Thank you, Bill."

Steve Kirschenbaum: "Steve Kirschenbaum, Calverton, producer of the New York Air Show at Calverton. I'd like to thank the Town Board with all the scrutiny about the air show, about the opportunity to salute our returning troops and put together an incredible air show at Calverton, I thank you for the opportunity to do that.

I also thank the Town Board for taking the time out to scrutinize this project from beginning to end with comprehensive environmental reviews, traffic plans, security plans, fire plans, insurance requirements. The town was very thorough in passing the resolution to make sure this event happen and happen properly. And it did happen properly and 70,000 people now know that Enterprise Park, Calverton exists; Town of Riverhead exists and we're getting calls from the military telling us that this was one of the 10 best shows in America on a first year run.

My only issue with the air show and there's a small group of people that are beating me up about it, was the fact that traffic was unbearable and that the ticketing process at the event cost us a lot of money. And that's true, and in year two, which I hope will go forward eventually, we're going to sit down and we're going to work out a comprehensive traffic plan with the PD, with the Fire Marshal, and we're going to bring in another logistics company that are going to make things happen right at the site. But we bought enough- a truckload of professionals to make this air show come off right and 99.9% of it did happen.

The event cost us about 500- I'm sorry, \$625,000 to produce, of which we raised about \$525,000 so far. We promised charities in town that they would receive a portion of the proceeds and before we're done rounding up all the money that's out there, I'd like to make a commitment right here at the mike to those charities in the Town of Riverhead.

I know Vince Tria is here with the Vail Leavitt Theater and I'd like to give Vince a check for \$5,000 from the proceeds of the air show and say thank you and I hope things work out well with the Vail Leavitt.

Also, I'd like to call up Councilman Jim Lull here. He was on the Air Show Committee and help us for the past year with all those meetings. We have a \$7,000 check for Central Suffolk Hospital and a \$1,000 check for Dowling College of Aviation, and I'd like to give

these to Jim Lull to present. And, Jim, thank you very much for all your help with the Air Show.

Not only did the Air Show present a local flavor of aviation or a national flavor of aviation and still a lot of pride and patriotism to a lot of residents on Long Island and Riverhead, it also brought an international flavor to the show. We had the German Air Force turn out, the (inaudible), came from Germany to participate in our show because they wanted to be part of New York. And they gave us a plaque to give to the Supervisor and basically it says to our American friends for the outstanding hospitality at the 2003 New York Air Show, Capt. Ralph Potter, German Air Force. So I'd like to present this to the Supervisor.

I think no matter what negatives are being put forward with this event, you know, if I hit a home run and we made a ton of money there would be the naysayers saying bad things about the event. If nobody showed up, there would be naysayers saying bad things about the event. If we broke even. So no matter what happened, I was going to get it. You know what? We put together a great event. The town was very thorough and I'm very proud to work with you and, hopefully, there will be a 2004 air show. So thank you very much."

Supervisor Kozakiewicz: "Thank you."

William Kasperovich: "Good things happen but we always have traffic problems. William Kasperovich from Wading River. My subject is public drinking water. Since we have spent considerable money putting into the computer the record of the water districts and we can retrieve the different information, we can determine without any effort or so Mr. Pendzick tells me and offered me a copy of the printout, or to see a copy of the printout, the properties that are functioning with private wells.

This has been stirred on my account by finding my street, eight rentals- tenants that have not had their water tested for five years. And with the surrounding many cesspools around this common well, I can't believe that there's going to be the results that may show up, are going to be that this is good drinkable water. And I think that a work session agenda should include a study since we can't tell units that we supply everybody in the township with town water. There is a minor exception of some 60 families in Manorville that are remotely located and because they are sitting on top of the best water or the very good water close to the surface, might offer objection and there

is a cost for the distance of the tie in.

But if you take the entire township and put it on say a 20 year or 30 year bond where everybody pays for this arrangement, there would be a minimal cost and I don't think there would be an objection by the taxpayers. But I don't think we should permit eight families to live from a common well- water from a common well that hasn't been tested for five years. This to me is horrible. And so I offer that thinking and since the computer can print out for us how many units would be involved, we could then forecast a possible cost and with that, we could move or alter or abandon.

Thank you."

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

Councilwoman Blass: "Motion to adjourn."

Meeting adjourned: 10:30 p.m.