

Minutes of a Regular Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, November 19, 2002, at 7:00 p.m.

Present:

Robert F. Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Barbara Blass,	Councilwoman
Rose Sanders,	Councilwoman

Also Present:

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

Supervisor Kozakiewicz: "I would like to call to order tonight's Town Board meeting.

Before we get to the usual course of business, it is with great regret that I have to report that there was a very tragic accident yesterday afternoon at the intersection of Roanoke Avenue and Osborne Avenue. The family of Sewer and Scavenger Waste Superintendent Michael Reichel were involved in one of the vehicles and they were transported to Stony Brook and tragically, Michael's daughter, Brianne, who is 16, succumbed to her injuries. He's holding up well. He's doing as well as can be expected under the circumstances. Certainly I conveyed to him that I think everyone is fully supportive of him here in his time of need and based upon those circumstances, I would ask that everybody join me in a moment of silence for her.

Thank you.

I- at this point in time, would ask Vince Tria to lead us in the Pledge of Allegiance.

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

Supervisor Kozakiewicz: "We'll start with the minutes and then I guess we'll go down. Is that all right?"

All right. Is there a motion to approve the minutes of the Town Board meeting of November 6 as well as the Special Board meeting of October 31, 2002?"

Councilman Lull: "Second."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Okay. Moved by Councilman Lull; second from Councilwoman Sanders. Vote, please."

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

Councilman Densieski: "I wasn't at the meeting so I'm going to abstain."

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

Barbara Grattan: "4 yes and 1 abstension."

Supervisor Kozakiewicz: "And at this point, following the agenda, I'm going to ask the Board to join me down below and recognize an individual by the name of Juan Ayala.

I'm going to have members of the Labor/Management and hopefully Juan's family members, his wife- is it Salone? Salone, okay, his sons, Alexander, Juan, and daughter, Salone, all join us up front. Juan works for the Buildings and Grounds division. He had worked there a few years as a seasonal employee and we saw what a great and valuable employee he was and we hired him full time.

I'm going to turn it over at this point in time to Lt. Mulcahey- or Madelyn. Who's going to read the proclamation? Madelyn? Oh, okay."

Madelyn Sendlewski: "Ladies and gentlemen, I just want to say that I know Juan and his wife and family personally and as a member of the Labor/Management Committee, we have the distinct honor of nominating and voting on- or receiving nominations and voting on an Employee of the Quarter. And as Supervisor announced, it is Juan, and we're just thrilled to give him this award.

I want to introduce very quickly the Labor/Management Committee members that are present, Jim Lull, Terry Fenton, Barbara Grattan,

Det. Sgt. Mulcahey, myself, and Lt. Mulcahey, forgive me. People get promoted, you know. And we're missing a couple members, one of which includes Michael and we extend our sincerest wishes to him and his family. And I'll let you proceed."

Lt. Mulcahey: "WHEREAS, it is both fitting and proper and the Town Board and the residents of the Town of Riverhead join with the Riverhead Town Labor/Management Committee in recognizing an individual who provides excellent and professional service above and beyond the standard, while executing his responsibilities as a Mechanic-Maintenance Mechanic II with the Town of Riverhead Department of Buildings and Grounds for the past three years; and

WHEREAS, Juan Ayala has worked for Buildings and Grounds since the year 2000 after spending numerous summers as a seasonal employee for the same department, responsible for all building and property owned by the Town of Riverhead; and

WHEREAS, Juan Ayala has demonstrated initiative and creativity in carrying out the responsibilities of his position with a willingness to help those around him in a cheerful, caring and enthusiastic manner.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead wishes to congratulate Riverhead Town Employee Juan Ayala for being chosen by the Riverhead Town Labor/Management Committee as Employee of the Quarter in consideration of his efficient and courteous performance while fulfilling his professional obligation to the Town of Riverhead; and

BE IT FURTHER RESOLVED, that with the power vested in the Supervisor of the Town of Riverhead, Robert Kozakiewicz does hereby proclaim this day be set aside and recognize Juan Ayala."

Juan Ayala: "Thank you. I would like to take this time to (inaudible) for this award. (Inaudible) and serve my commitment to my job. Thank you everyone."

Lt. Mulcahey: "Okay. For receiving this award, Juan gets a bond for \$100.00 and a day off. Congratulations."

Madelyn Sendlewski: "With pay."

Lt. Mulcahey: "With pay."

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Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "Committee reports."

Councilman Densieski: "I'd just like to report that as the handicap liaison, I attended the Huntington Unilateral Committee- Handicap Committee and we accomplished- it was a good meeting, we did a lot of hard work and brought back a lot of good ideas to Riverhead, one of them which our Town Clerk, Barbara Grattan, has incorporated in our own agenda and that's larger print for the sight impaired. Thanks, Barbara."

Barbara Grattan: "You're welcome, Ed."

Councilman Lull: "Also, Mr. Supervisor, just- I want to point out that going on tonight is the- a meeting at one of our new communities, Sunken Ponds, which is to stimulate and begin a neighborhood watch program in that community. Expanding that neighborhood watch is our first line and very successful approach to community policing."

Supervisor Kozakiewicz: "Any other Committee reports?"

Councilwoman Blass: "I'd like to remind everyone that this Thursday evening, there will be another public hearing before the Planning Board on the pending comprehensive plan update, the master plan. And that starts at 3:00 in this room."

Supervisor Kozakiewicz: "Okay. As indicated on the agenda, we have no public hearings on- scheduled- for today's meeting."

If the Board would, I'd like to depart and allow people to come up to address us. I know we have some cards, to deal with resolutions and subject matter as we used to do in light of the fact that we have no public hearings and see if we can move right into that and then take up resolutions after that open comment and that comment period on resolutions.

I would point out that there is a resolution that may need to come off the floor which would be a CDA resolution on a license arrangement which I'm going to have to also inform my Town Board

members of- and that would be with a company called Telephonics who's looking to utilize the Grumman property for a very short stint and they're doing so in connection with a device that they're working on with Homeland Security. This came up very quickly and it's something that obviously however we can help out the country with Homeland Security, I would like to do so.

Briefly, what I can say is it's a small device which is a radar device which can track individuals from approximately six miles away, it can track helicopters from a greater distance, tanks from a greater distance, and this is something that they're working with Homeland Security on a number of different applications. And the individual came to me last- late last week and said well, we may have a need to do a demonstration for the Homeland Security people in order to show them what a great device we have and it can be used in various applications including border patrols to detect individuals coming into our borders, drug detection and other types of operations.

So this is something that, as I say, came very quickly, and this is to allow them to utilize the property for a one day period at this point and then certainly if it's going to require more times on the property, it would be done with a more formalized and, hopefully, a more advanced notice."

Dawn Thomas: "Just so you're aware, I did draft the agreement and I drafted the resolution so that if you need to modify the agreement slightly you can do that- "

Supervisor Kozakiewicz: "Thank you."

Dawn Thomas: "-- in the form substantially attached so that you have some flexibility."

Supervisor Kozakiewicz: "Yeah, I know this came up really quickly. Okay.

So, with that said, I'm going to go to the cards and we'll try to address all of your concerns tonight. Henry Danowski."

Henry Danowski: "Good evening. Henry Danowski from Oliver Street, Riverhead. With all the construction that's going on in Riverhead, I'd like to know if there's anything to do with the movies that was promised to us some time ago and nothing became of it. Is there anything going on with the construction for a movie house?"

Supervisor Kozakiewicz: "Marquee is still in the picture. They're going through their SEQRA review, the State environmental quality review. That is being done as we speak and we're working through the process to make sure from an environmental standpoint and in accordance with that body of law that all the T's are crossed, the I's are dotted and we can get to the end of the day so that we can address their application. But, yes, there's still an interest of that particular party to utilize the Hazeltine property."

Henry Danowski: "Right. What about Suffolk Theater?"

Councilman Densieski: "We are- Mr. Supervisor, if you don't mind. We are negotiating with a company called Suffolk Theater Enterprises and we are discussing contracts back and forth with their attorney."

Henry Danowski: "Okay. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Allen Ryan."

Allen Ryan: "Good evening."

Councilwoman Blass: "Good evening."

Supervisor Kozakiewicz: "Good evening."

Allen Ryan: "Mr. Supervisor, Members of the Board, and Madam Clerk. The- I just wanted to- I have a few notes concerning the redefinition of the word in and the establishment of a hotel on Route 25A which is pending at the moment.

Now a hotel is an establishment or a building providing a number of bedrooms, bath, etc., usually food for the accommodation of travelers and/or semi-permanent residences.

An inn is a dwelling which is usually formerly a house, used to provide board and lodging for students and travelers. A motel is a word derived from the combination of motorist and hotel involving a single story hotel providing travelers ready access to their cars.

Hotel was also originally used to identify the mansion of a person of wealth and/or rank.

My endeavor is to bring to your attention that the complex known as the East Wind on Route 25A fits only one of the above, that of a

hotel. To refer to it as an inn is a misnomer. In hindsight, to pass zoning on it as an inn was very likely a mistake in judgment, albeit a misjudgment by a prior administration.

The passing of the newly proposed additional 50 room inn would then only serve to compound a past error. The present inn at East Wind is palatial and though one must certainly pause in awe and respect at the (inaudible) of grandeur, attention to detail and the pursuit of perfection and presentation, there remains some contradiction with the zoning for the area. However, it is and, therefore, it shall be.

I urge the Board to withhold judgment on the passing of another such structure, even if less dramatic in scope, until the first has proven credible need. Given a good or at least improving economy and a warm and pleasant tourist season, the East Wind and other area hotels, motels, etc., could very likely experience a room shortage of 10 to 12 weekend days, usually just a Saturday during the months of July, August and early September. That, however, leaves many days, many weeks, many months when there will be more rooms than needed.

The town has passed on a new hotel or motel on Route 58 and is eagerly anticipating the promise of a luxury hotel on downtown Main Street. These will all serve to provide extra rooms when needed and a most troublesome burden when they are not. On the same day Newsday announced a possibility of a downtown hotel, they reported just a few pages on the low occupancy rate of existing hotels in western Suffolk and this through a most inviting summer season.

I've been involved in the lodging industry in the Town of Riverhead since 1955. I own my own establishment from 1980 to 2002. I feel confident in stating that if that which is now proposed is built, Riverhead will face a surfeit of rooms during the next five to eight years.

And one other consideration for the Board would be the fact that the current appraisal of the remaining property at the Calverton Enterprise Park is dependent on 50 acres designated for a hotel and conference center at an estimated worth of \$150,000 per acre or \$7.7 million of the \$52.9 million expected. To liquidate that possibility by allowing overbuilding of similar structures outside the park, might constitute an error in judgment today that would preclude the lack of necessary financial backing for future projects that could prove more beneficial to the town's economy and growth.

I'm asking the Board to carefully consider the definition of an inn and to do so before passing judgment on the proposal of another 50 room hotel on Route 25A. To consider this in reverse, thus allowing the hotel before redefining the terms, would not represent a responsible exercise in political acumen. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Sid Bail."

Sid Bail: "Good evening. Sid Bail, President of the Wading River Civic Association. I want to make some comments about the country inn resolution, 1180.

First of all, we don't support it. We believe it should be put on hold. We feel that another 50 unit facility undermines the recommendations of the master plan update for Wading River. Barbara mentioned that there's going to be a hearing at 3:00 on Thursday and, you know, this isn't the direction-- the master plan is trying to shrink the business district as the original hamlet study did in 1989 even further than it is now.

And, you know, so we're concerned. We believe at least it's appropriate to put it on hold. Okay? Table it, not necessarily vote it down, but to at least table it.

Another thing. This is a rather significant proposal, not only in terms of money but how it will define the hamlet of Wading River. Someone suggested to me with two of these facilities, maybe we ought to change the name of the hamlet to Wading River at East Wind. But I think they were only being facetious.

But, it would really define the hamlet. And for proposals such as this, I don't know if it's required but it would seem to me that a public-- the only way that I found out about this was about 24 hours before a reporter called me. I didn't know the hearing was going to be tonight. You're not going to see a lot of residents here from Wading River but I guarantee you will get reaction from Wading River, you know, in the days and weeks, nothing that Sid Bail is going to stir up. But people will have feelings about this.

Going back to the inception of the country inn, I think it was under Jim Stark. Originally before Mr. Barra (phonetic) owned the piece of property which he's developing now, I believe there was another proposal to do a nursery landscaping business there and some of the residents had concerns, etc. And Supervisor Stark required, suggested-- when he suggested something, it was almost like a

requirement as I remember, that the developer meet with the residents, etc. And the adjoining residents, and not just the professional building, there are residences behind there, and there are many, many issues whether the tennis courts, etc., are going to be lighted.

But, basically, we feel that this project should be put on hold. Thank you."

Supervisor Kozakiewicz: "Thank you, Sid. Next one is a card from Wading River community, so I take it there's a number of people who want to speak with regard to Little Flower. So, you can come up one at a time or you can come up collectively, however you wish to address us. Well, I only can take testimony from one at a time, I'm sorry. So you might as well come up one at a time. All right. And maybe what will go- I don't know who wants to take lead here.

Okay, why don't you come up, state your name and address for the record."

Art Marigliano: "Art Marigliano, 32 Cambridge Court, Wading River, New York."

Barbara Grattan: "What's your last name?"

Art Marigliano: "M-A-R-I-G-L-I-A-N-O."

Supervisor Kozakiewicz: "Okay. Go ahead."

Art Marigliano: "I'm not too familiar with what went on last meeting and what role we can play but I think putting those people in that place with all the children in that area, is a huge mistake. You know. I can't imagine what would- how we'd all feel if something happened to one of our children. And, you know, we would come here and, you know, there would be an awful situation.

I think it's just a huge mistake and like I said, I don't know what transpired at the last meeting and where we stand with it, how close we are to approving it, what your views are on it. I don't know if you've ever voiced that to anybody but- "

Supervisor Kozakiewicz: "Yeah, we had a work session. The matter has been in a holding pattern if you will. There was a presentation made to the Board at its last work session this past Thursday to describe what was being proposed with respect to the matter that's before the Board and then to distinguish and point out

how that was not one and the same project as far as the recent funding that came to Little Flower from Congressman Grucci.

Our issue is one that I think we pointed out, we've asked the Town Attorney to take a look at the use question. The Little Flower site enjoys a status which is from a zoning standpoint of a prior non-conforming use. Under our statute, when we look at a prior non-conforming use, we if it's the same use, we come to the conclusion that it's not a distinct use, the question is coverages that we're limited to and a question of whether the- under the special permit criteria of our code, the coverage is such that we should deny a special permit.

So, the fact is because it's a prior non con-forming use, because it existed there before others came, it's sort of a different-treated differently than if it was a brand new application coming in brand new. However, the collective Board judgment, I think, came through, pretty at the work session that we're going to ask the Town Attorney to look at the question of whether this is a different use, a change in use that would require Little Flower to go to the Zoning Board of Appeals. And that's where we sit.

So it's not going to be acted upon tonight. We are going to wait for an opinion from counsel on the use issue and depending upon that opinion, the applicant, Little Flower, will need to go to the Zoning Board of Appeals or may not need to go back to the Zoning Board of Appeals which means it will come back to us as a special permit application."

Art Marigliano: "Okay. All right. Good. Thank you."

Supervisor Kozakiewicz: "Thank you. And your name and address, please."

Kelly McCormack: "Kelly McCormack."

Supervisor Kozakiewicz: "Okay."

Kelly McCormack: "126 North Woods Drive, Wading River."

Supervisor Kozakiewicz: "Thank you."

Kelly McCormack: "And I just have- we strongly oppose Little Flower's proposal for a 15,000 square foot infirmary and for a Start Up program which consists of sex abusers. We feel Little Flower is an inappropriate location with no security which is surrounded by a

residential community and backed by Camp DeWolfe.

At current times we have a petition being circulated, a copy of which was given to the Board, and we ask that the Board deny Little Flower's proposal. We just really don't feel that it is an appropriate location and like you said we also agree that it seems to us that they're going a whole other route at this point. It's not what Little Flower is intended to do is to house sex abusers and a 15,000 square foot infirmary just seems very large for the amount of children that are supposed to be housed in Little Flower.

Thank you."

Supervisor Kozakiewicz: "Thank you."

Greg Sicari: "Hi. My name is Greg Sicari from Wading River, 123 North Woods Drive. Not much to add to what my neighbor, Kelly, just said, except that we just want you to consider the fact that our neighborhood, the Village of Wading River, and a lot of the new surrounding neighborhoods that are popping up in Wading River now, contain a lot of young children and we feel that it's a very inappropriate place to have sex offenders and stuff like that showing up there. So we just ask that you please consider that before you pass any sort of motion allowing that to be rezoned."

Supervisor Kozakiewicz: "Okay. I have to make a couple comments because this is on the record and I think that if the comments aren't addressed, the record's going to inaccurately describe what's going on. So I need to address those so that, hopefully, the issue of what is going in and what's being proposed is clear as I understand it, and this is my recollection so take it for what it's worth.

The 15,000 square foot facility which is the subject matter of the special permit before the Board, involved two components, an infirmary and a respite care or a crisis center which was to deal with children who were having- in need of crisis and needed more intensive review. So that facility had absolutely nothing to do with children of sexual abuse. That facility had nothing to do with individuals who are abusers.

Furthermore, the other grant which was the grant announced by Congressman Grucci, is not a grant to house sexual predators or sexual abusers. It was to address referrals from the Family Court of children who were exhibiting inappropriate sexual behavior and who

were potentially victims of sex abuse. So I just want to make sure that's clear, that we're, you know, when we use these things in a general sense, there may be some misunderstanding of what's being proposed.

It does not change the other comments I made earlier as to whether there's a need and certainly we're going to turn to counsel to take a close look at the use question and tell us from a legal standpoint our rights as far as whether this constitutes a change in use requiring a Zoning Board of Appeals application.

But I just want it clear. Because one of the things that we weren't sure of until we had the presentation this past Thursday at work session, is what Little Flower is proposing. There's two separate and distinct proposals here. The one that's the special permit, the 15,000 square foot facility which is a seven bed infirmary and an 18 bed respite care, and then separate and distinct, the grant that I talked about earlier which was a 9 bed facility for children referred who were exhibiting inappropriate sexual conduct.

I just want to make sure the record is clear and if anybody disagrees with what I just indicated, from the Board, because I think that's pretty much what I heard. We're only dealing with the 15,000 square foot infirmary and respite care. Okay. Thank you."

Jackie Sicari: "Hi. My name is Jackie Sicari, 123 North Woods Drive. After the meeting last week, we stepped outside and Little Flower had approached us and I don't remember the woman's name- "

Supervisor Kozakiewicz: "Frances, I think. LaGrande. Grace-Grace LaGrande."

Jackie Sicari: "Yeah. She approached me and I had spoken to her regarding the sex abusers and I said to her you had mentioned that these children were abused. I said, can you tell me were- are any of them going- have been abusers before? And she told me yes."

Supervisor Kozakiewicz: "Okay."

Jackie Sicari: "Just to- "

Supervisor Kozakiewicz: "Okay."

Jackie Sicari: "You know. We don't- we have in our neighborhood the Village at Wading River, we have 45 children the ages

of 13 and under. I mean I can hear them playing from my yard. They've been to my home before. They come to my neighborhood all the time. They've been to people's houses. They try to collect money. You know, there's no security there whatsoever. We're just very concerned for our children."

Supervisor Kozakiewicz: "Okay."

Jackie Sicari: "And also, too, they want to make a 15,000 square foot building for 16 beds?"

Supervisor Kozakiewicz: "Seven beds for the infirmary which is the existing infirmary, seven beds, as well as 16 beds for- which would be two eight bed wings for respite care as they label it."

Jackie Sicari: "That's just for- we just think that that's a large building just for that, you know, just so that you know."

Supervisor Kozakiewicz: "Okay."

Jackie Sicari: "Thank you."

Supervisor Kozakiewicz: "Thank you."

Dawn DiGradi: "Hi. My name is Dawn DiGradi. I live at 35 Dover Court and I have the same issue. I was also approached from the woman from Little Flower and I have had trouble with Little Flower before. They- a girl from Little Flower had left there and was in my garage, stealing my son's scooter and I have a police report and everything on file. My point is I don't think- I know they're giving you a big explanation on what they want to use this building for and their other uses. My concern is is that this is all becoming a money issue and that the use to this building is going to be for something else.

And whether it is or it isn't going to be housing sex offenders, my concern is they can't control the kids that are in there now. I feel that every child should have help and I don't disagree with what they're doing but they want to bring in more children and house children that have severe problems, whether they were sexually abused or they are sexual abusers. And if they can't control the ones that are in their facility now, what happens if one of the sexual offenders should get out?

I mean, like I said, I had one in my garage. I was home. I

didn't even know she was there. You know. And I have my neighbors running in and I'm chasing a girl through the woods. I mean, I- you know, I moved to Wading River for a reason and that was for the safety and the reputation that it had. And having this concern, being in a neighborhood that they- and it hasn't been only once. They've been through our neighborhood, like my neighbor, Jackie, had said. They've been through our neighborhood several times.

So my concern is maybe they should put the money towards maybe fencing or security or to have someone there to control the children more rather than worrying about a building to house more than they can handle. Thank you."

Supervisor Kozakiewicz: "Thank you."

Barbara Grattan: "Dawn, Dawn, can I have your address again, please?"

Dawn DiGradi: "35 Dover Court."

Barbara Grattan: "Okay, thank you."

Supervisor Kozakiewicz: "Thank you. I think that's it for the cards. Anybody else who would like to address the Board? Rolph Kestling."

Rolph Kestling: "Rolph Kestling, Wading River. The first thing I want to ask is who's responsible for the new clock?"

Supervisor Kozakiewicz: "I'll tell you."

Rolph Kestling: "I can't see the damn thing."

Supervisor Kozakiewicz: "Well, well, let's be fair. Yesterday we were here. We had the clock die. I tried to put a battery in. We did put a battery in. It worked when the clock was flat. Actually two batteries. But when I put it up this way, it stopped. So it was either that clock or no operational clock."

Rolph Kestling: "I thought it was one- "

Councilwoman Blass: "It's a temper- "

Supervisor Kozakiewicz: "It would have been a clock that would have been correct twice a day only."

Councilman Lull: "Rolph. Rolph, we had to get one real quick because this guy is climbing on this railing up here trying to replace that clock. We had to get him down off there."

Rolph Kestling: "Okay. All right. Now I didn't intend to speak on that but you know how I feel about the Little Flower thing. I mean I've been quite vocal about it. Just one thing, this building they're renovating. I can't seem to get an answer. Is that one of the buildings that the covenant was placed on? I asked Barnes and everybody gives me a run. Is that a building- "

Supervisor Kozakiewicz: "If that was a former cottage building, then the answer is I would say yes- "

Rolph Kestling: "Yes."

Supervisor Kozakiewicz: "-- because as part of that application there was a covenant would not be used for residential purposes."

Rolph Kestling: "Well, how come they're- "

Supervisor Kozakiewicz: "So- "

Rolph Kestling: "Without a building permit I may add. Maybe they got one after but when I spoke with Barnes about it, he sent somebody down and evidently they didn't have and they convinced them they should get a building permit so one was issued but they've been working on it without a building permit."

Supervisor Kozakiewicz: "And if- assuming what you're saying is true, that it was a cottage, then you're correct in your statement that the C&R is affected. If it wasn't, then the converse is true, the C&R's don't affect it."

Rolph Kestling: "There should be a fine or something- "

Supervisor Kozakiewicz: "If they violated the C&R's there would be a right to enforce the C&R's."

Rolph Kestling: "Okay. And I'll go along with all the people here. Like I said at the beginning when I first came up here in May or June or whenever it was, I said I don't trust anybody and when that was written up, I still don't trust them. Thank you."

Supervisor Kozakiewicz: "Thank you, Rolph. Anybody else who would like to address the Board? George Schmelzer. Oh, I'm sorry, George. Why don't you- there's another speaker coming up behind you. Come on up. Okay, that's okay. Your name and address."

Susanne Wilson: "Susanne Wilson, 105 (inaudible). I just want to- I'm here because I want to state my opposition as well to different use- I'm a very nervous speaker."

Supervisor Kozakiewicz: "That's okay. Take a deep breath. We don't bite."

Susanne Wilson: "I just want to say that we moved into this community for a reason because it's safe for our children and that's the most important thing."

Supervisor Kozakiewicz: "Thank you. George, you want to get up?"

George Schmelzer: "Can't walk so good. The mayor of New York City wants to tax the people that work there but live outside the City. I agree with a tax but the tax should come to us for this reason. The weasel New York City, now they allow- even want the cops and firemen to live here because they send their kids to school here. Now if a cop lives out here from the City of New York, he has two kids, it will cost us what, eight, nine thousand apiece and his house- "

Supervisor Kozakiewicz: "It's closer to eleven."

George Schmelzer: "Huh?"

Supervisor Kozakiewicz: "I think it's closer to eleven."

George Schmelzer: "Okay, eleven, make it twenty-two then. The wages went up so that went up, too, I guess. So, but they don't say that, see. So it's an advantage to the City for their employees to live out here. They don't have to put their kids through school, we pay for it. That's why our taxes are going up, our school taxes. So I'd answer the bastards. Tell them, okay, we should have a tax but it should come to us. And publicize that, too."

And I see you got a letter here from John Schoen. Did you read it yet?"

Supervisor Kozakiewicz: "I read it yesterday. It seems a little bit strange."

George Schmelzer: "Did you read it to the people here?"

Supervisor Kozakiewicz: "Again, I said it seemed a little bit strange and I didn't want to- bottom line is this. I know what he- he wrote about the school tax issue."

George Schmelzer: "Yeah."

Supervisor Kozakiewicz: "And I think tongue and cheek, he was trying to suggest that the Town of Riverhead, and I don't know who put him up to writing the letter but that's another whole other issue. It was interesting you were cc'd on it, George. But it was interesting that the letter came. It was just somewhat odd. It was tongue and cheek trying to take a stab at the town."

Let me tell you that the Town Attorney has been working on a lawsuit, the Deputy Town Attorney, and I hope that within the next day or two to announce that we have brought a lawsuit. I'd rather fight him and get it turned around in court than engage in a useless exchange in the newspapers.

The bottom line is I was deeply offended by what took place in Albany, I was deeply upset that our arguments with respect to the shift of tax base back to Riverhead were not heard and, believe me, I'm not- I haven't given up yet. Just because I am quiet doesn't mean I've given up. The Deputy Town Attorney is working on papers as we speak. I was hoping not to have to make an announcement today but since you're forcing me to make an announcement today, I will do so. But there will be a further press conference when those papers are served."

George Schmelzer: "Well, I'll tell you how that letter started. When I went to the School Board meeting last spring, I asked Mr. Duffy what percentage of the students are from Southampton. He said 20%. Well, then Southampton should pay 20% of the budget, as simple as that. That's all there is to it. The ones from Southampton, they were very (inaudible), now some of them left. And this fellow, Schoen, he lives over there, some of his neighbors hated me. Say that son of a bitch saying that. Yeah. So he told me about it. So then he said I'm right. So I met one of them at the School Board vote there, almost verbally attacked me outside. So that's how it started. And he doesn't like his City neighbors so he wrote that letter and he sent me a copy."

Supervisor Kozakiewicz: "Okay."

George Schmelzer: "Shall I read it?"

Supervisor Kozakiewicz: "We have it in the record. Barbara has identified it as one of the letters we received and the bottom line is you have five minutes, George, and you've got about a minute. So if you can read that entire letter in a minute, go for it. But if not then, I mean, the bottom line is I think the letter is- rather do that, George. You know what the letter- all of us read the letter. To- let's do the bridge version. He basically said, tongue in cheek, thank you Town Board for not writing any letters, thank you town residents for not writing any letters to what the Southampton residents have said."

George Schmelzer: "I'll read it fast. I wish to thank the entire Town Board and Supervisor also your state representative for not writing one letter to any newspaper supporting the Riverhead position on school taxes for the Riverhead School District. I wish to- this is handwritten- thank you for letting Southampton's land-board members and their state representative write letter after letter and not answer- and you not answer them. Thank you for paying \$1.8 million more dollars in your share- more than your share. I am sure that the second and third homeowners wish to thank you before they leave for their homes in the south.

Thank you for paying our taxes so that we may take off more land off the Southampton tax rolls. We only have taken 80% of the land in our part of the Riverhead School District off the tax rolls now. Maybe- how that- now that you are going to pay the Southampton school tax, Southampton can take more land off the tax rolls. I am sure your people of Riverhead will pay for that, too.

Finally, I wish- I would like to thank the people of Riverhead, especially Riverhead Town Board, for helping the poor residents east of the canal to pay for Southampton's school children in the west part of Southampton town. Thank you, John J. Schoen. It says here a copy to me."

Supervisor Kozakiewicz: "Thank you, George. And we're going to move to the next speaker."

George Schmelzer: "Let me explain to you how it started."

Supervisor Kozakiewicz: "No. We are up to five minutes. Who

wishes to address the Board at this point? Is there another- anybody else who would like to address the Board. Colin Grattan, please."

George Schmelzer: "Tell them to have their own school district. You ought to maybe work for that. There's enough people over there to make their own school district."

Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "Thank you. Okay. Couldn't read it so good because it's not typewritten."

Supervisor Kozakiewicz: "It was your handwriting, George. It was your pen name. Colin Grattan. I'm just teasing, George. Go ahead."

George Schmelzer: "I wrote a handwritten letter, I couldn't read it myself."

Colin Grattan: "Colin Grattan from Calverton. I'm looking for some information about the proposed courtrooms for Riverhead. How many do we have now? Are they talking about eight or 12 of them?"

Councilman Densieski: "Nine."

Supervisor Kozakiewicz: "Eight with a ceremonial courtroom. So a total of nine."

Colin Grattan: "Okay. This is a budget separate from the regular budget, right? The regular county budget."

Supervisor Kozakiewicz: "It's part of a capital budget."

Colin Grattan: "Capital budget? I get, you know, it's nice if we can get that, but I think the last proposal we had was six courtrooms. Is that a year or two ago?"

Supervisor Kozakiewicz: "No. Originally it started at 16, then the various Bar Associations had a discussion amongst themselves whether they should be here or west and then it was- there was an announcement of eight with the ceremonial."

Colin Grattan: "I thought there was a prior budget that they said there was going to be like six. So that was just a proposal?"

Supervisor Kozakiewicz: "Your- this is- your comments are probably- I don't remember ever seeing a proposal for six, Colin."

Colin Grattan: "Okay."

Supervisor Kozakiewicz: "No."

Colin Grattan: "I also wanted to mention the State Trooper Barracks proposed. Gov. Pataki was here in June or July I think I saw some of you guys probably in a picture with him. I read in the paper they talked about a September groundbreaking."

Supervisor Kozakiewicz: "It's come and gone."

Colin Grattan: "And you know you get a lot of promises in the campaign and sometimes money isn't there and we're getting a winner so what are they talking? Do you hear anything about- they're talking about breaking ground?"

Supervisor Kozakiewicz: "I understand the contract has been signed. They're working out the details with the contractor because this is a private build out with a lease arrangement, so- but I haven't gotten any more information than that and I haven't seen the agreement. That's what's trickled down to me from the State."

Colin Grattan: "Yeah. Because obviously that's an important (inaudible) to help in the downtown."

Supervisor Kozakiewicz: "No question."

Colin Grattan: "You know. One thing I'd like to say about last week. I was real happy that you guys okayed the air show and, you know, I literally spent hundreds of hours watching fighters come in and out of Grumman and I've traveled around to different air show, you know, as far out as Dayton, so I was real happy. Personally, you know, and there was some talk about liability, you know, it's not risk free, for sure. But, you know, I think every time there's some sort of mishap you see it on TV, you know, and a lot of times you see it from foreign countries, you know, and I think Councilman Lull said last week there's 1500 to 2000 a year in this country. So, you know, I've never done any research but my guess is there's some sort of mishap once every 500 to 1000 air shows, you know. And so I think it's worth the risk."

And you talked about, you know, a lot of static display, you

know. That's not necessarily bad. That's what Westhampton had a couple years ago but Westhampton failed, you know, and if you go halfway, this is going to fail, you know. It's not up to you guys obviously, you know, if you're working with the hospital and the (inaudible), you've got to give people the reason to come back.

You know, I went to Westhampton the first year. I went the first two days and it was nice and they had promised some fighters fly overs and it didn't happen, you know. And the next year they also promised and I went the first day and there was nothing. The next day the Blue Angels were in Coney Island, I went to see them. And then I looked on News 12 and they did have an F-14 fly and if I knew that one F-14 was going to fly, I would have gone to Westhampton that day, not to Coney Island. But they had already lost me, you know.

And the thing is, it's not going to work if you don't give people the reason to come back. And I'd like to see them if they can get one of the fighter teams in, you know. This comes down to the Congressman. I understand the Congressman has to apply for it, you know. And their schedules are usually filled up 80 to 90% the year before. But they do have some open dates."

Councilman Densieski: "Yeah, they do."

Colin Grattan: "And if you can find them in the northern part of the country and work the days out you can have something like the Blue Angels. It would certainly help because obviously you have Grumman the place that built the F-14. They've never used the F-14, the Blue Angels, but I'm sure you might be able to get them to come."

Councilman Densieski: "Colin, you're making a good point. It's got to be done right. And this is the same people that brought you the F-14 memorial on the Grumman property and I think that certainly is done right and I think it will be done in accordance with that."

Colin Grattan: "And the one thing I was surprised when I looked at the schedules of both the Thunderbirds and the Blue Angels, I was surprised in light of September 11th, there were no shows in the New York area last year. I mean New York- consider New York metropolitan area. If I remember, the Thunderbird were at Stewart which is Westchester, I believe, and they were at McGuire which is in New Jersey which I don't think really is metropolitan New York. And I would think they'd want to do a show out here and Mike Spindler mentioned tough air space, well, this is great air space out here, you

know.

The reason they don't usually do a lot of Coney Island although they do it sometimes is that the air space in New York obviously is full. It's not as full out here, you know, and it could help the downtown, too. Because when I went to Dayton, I parked two or three miles away and I took a shuttle bus and you could have shuttle buses down there that you would publicize in the Riverhead area. You don't have to drive down there, you could stop in the downtown parking lot, take the shuttle bus and come back and some people would eat in the downtown area. It would- I think it would be advantageous to everybody. But I'd hate to see you just go halfway."

Supervisor Kozakiewicz: "Colin, I appreciate your comments. Thank you. Anybody else who would like to address the Board? Kenny Barra. Hal, did you wish to speak? Okay, I'm sorry. I overlooked you."

Ken Barra: "Yeah, Ken Barra, Wading River. Just in regards to the two comments that were made, one from my good friend, Sid Bail, there. This application has been pending for over a year. All the neighbors were notified. There was a variance required because of the tennis courts and the parking in the rear and there was no- nobody petitioned against it. Nobody even had mentioned anything to me against it. Everybody that I spoke to was in favor of it.

And the other gentleman, too, who came up and spoke. He used to come to my place on a regular basis and thanked me for bringing a lot of people into town and I believe since then he has sold his business and he probably got a lot more money because of my business being in the area because it did generate a lot of business into the- that I brought to town.

Also, just to remind everybody, the folks that I bring in which will be over 100,000 people this year for 2003, will be coming into town. I have my own audience. We are on 25A in Wading River. We are not off the expressway, a main artery or something like that. So my intentions are just to keep them in town, spend some money in local areas, the aquarium, the golf courses, the vineyards and stuff like that. And that's what we're looking to do. That's it."

Supervisor Kozakiewicz: "Thank you. Hal Lindstrom."

Hal Lindstrom: "Hal Lindstrom, Riverhead. Good evening, Board.

I just wanted to comment. I read an article in the papers where there was a request for a zone change on Middle Road, was like 600 feet. Does anybody know anything about that?"

Supervisor Kozakiewicz: "Can you give us a little more? I think you've got us totally lost. Six hundred feet for what use and where?"

Hal Lindstrom: "It was for a zone change from Ag to Industrial. Is anybody familiar with that?"

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

Councilman Densieski: "The Planning Director is shaking his head no."

Supervisor Kozakiewicz: "-- a notice in the paper?"

Councilman Densieski: "I said Middle Road."

Hal Lindstrom: "This was on Middle Road. It was an article in the papers."

Supervisor Kozakiewicz: "It's not ringing a bell, Hal."

Councilman Densieski: "That's- he's not referring to John Wesley III?"

Supervisor Kozakiewicz: "Industrial Development Agency?"

Councilman Densieski: "That's probably what it is."

Supervisor Kozakiewicz: "That's- okay, you're talking about John Wesley III. It wasn't for a change of zone. They have a change of zone."

Hal Lindstrom: "Okay."

Supervisor Kozakiewicz: "They are looking to expand the previously approved special permit application to do a new site plan."

Hal Lindstrom: "Oh, okay."

Councilman Densieski: "I think it's Industrial Agency financing

I believe is what it is."

Supervisor Kozakiewicz: "There is IDA financing."

Councilman Densieski: "That's what the application is for."

Supervisor Kozakiewicz: "Right."

Hal Lindstrom: "Oh, okay. So it wasn't for a zone change."

Councilman Densieski: "I don't think so, no."

Hal Lindstrom: "Okay. Thank you."

Supervisor Kozakiewicz: "Yes. Your name again."

Dawn DiGradi: "Dawn DiGradi."

Supervisor Kozakiewicz: "Okay."

Dawn DiGradi: "I just wanted to know if it's possible we can request a public hearing for Little Flower."

Supervisor Kozakiewicz: "We had a public hearing on Little Flower. There was one held."

Dawn DiGradi: "Do you know when it was?"

Supervisor Kozakiewicz: "Off the top of my head, I don't recall, but it was at least what, three, maybe four meetings ago, Rolph? Yeah. So there was a public hearing."

Dawn DiGradi: "Can we request another one since there- I mean, we obviously weren't aware of all of this when it happened otherwise we would have been here. Is it at all possible to request another one?"

Supervisor Kozakiewicz: "Well, we'll have to come back to you on that one. I'm not sure whether we can do that and what the- because as far as the legal aspects of it are concerned, I don't want to limit it to that. There was notification given, there was posting, all the prerequisites were done and there was a public hearing. It's highly unusual for us to make people come back for a multiplicity of public hearings because I'll be honest, if we start down that road,

there will be individuals who say well, gee, I didn't make the second one, can you have a third. I didn't really like what they said at the third one, can we have a fourth? And there's never an end to that type of movement and it's somewhat unusual to ask that.

I think we have a real clear sense based upon what they said, they want to do, and we have some legal issues that we really have to clarify in our camp, in here, with the Town Attorney. So- "

Councilman Densieski: "Also, I'd like to comment that I think we're going to be pretty diligent in our research, you know, and to our legal position and our community position. I think we'll be pretty diligent."

Supervisor Kozakiewicz: "Can we research that issue and get back to you?"

Dawn DiGradi: "Yes."

Supervisor Kozakiewicz: "Is that possible?"

Dawn DiGradi: "Yes."

Supervisor Kozakiewicz: "Because I'll be honest with you. This is a somewhat unusual and not routine request. It's different."

Dawn DiGradi: "Right."

Supervisor Kozakiewicz: "Okay?"

Dawn DiGradi: "Okay."

Supervisor Kozakiewicz: "All right. Thank you. You kind of got me startled here, you know. All right. I don't know the answer. Anybody else who would like to address the Board?"

Councilwoman Blass: "Mr. Supervisor, just as a follow up to that. If it were to be determined by the Zoning Board that this application was not encompassed in the original special permit, would it not then require that they make a new application for a new special permit to address this issue in which case there would be a special permit- or a public hearing associated with that new application? If the ZBA says- "

Supervisor Kozakiewicz: "No. As I understand the law, and again we're trying to debate the zoning statute here, or discuss it. When we have nonconforming, prior nonconforming uses, there's two issues. One is an expansion of a prior nonconforming use which is a Town Board function and we deal with lot coverages. The other is a distinct issue and that is whether there's a change of prior nonconforming use to another nonconforming use which requires a Zoning Board of Appeals application.

So if there is a determination made they need to go to the Zoning Board of Appeals, the zoning mechanism is a Zoning Board of Appeals application, not another special permit application. There would be a Zoning Board of Appeals hearing, that's correct, if there is a determination that it's a change of a prior nonconforming use to another nonconforming use. So we really need to get that answer addressed and then there would be a notice placed on the property and the notification given for that hearing. But I don't think it would- if it's a change in nonconforming use, cause a new special permit application to be required. Yes?"

Dawn DiGradi: "Based on, I'm sorry, based on from what they're saying about- they have- they're telling us that the one building, and what they're doing with the other money from Little Flower is two separate issues. Now did they have a public hearing on the first issue so then shouldn't we be able to have a public hearing on the second issue which I'm talking about housing the sexual offenders."

Supervisor Kozakiewicz: "They're utilizing an existing structure and we're really getting into some legal issues here. They have a piece of property, they have existing structures. They can reuse an existing structure unless it violates the C&R without having to go for a special permit because it's not an enlargement or it's not an expansion of a prior nonconforming use.

When they- let's just say they have a total of 50,000 square feet of coverage, just for argument's sake, and they decide that withing that 50,000 square feet space they are going to reuse it. That does not trigger, so long as it's within pre-existing nonconforming use, does not trigger an application to this Board. It's not an expansion. It's not an enlargement of a prior nonconforming use.

Now once they say they're taking the 50,000 square feet of existing building space and they're going to expand that to 55,000 square feet of space that's going to be utilized for Little Flower, that requires in our discretion because we also talked about this, a

public hearing before the Town Board because it's now an enlargement of a prior nonconforming use.

We held a hearing with respect to the 15,000 square foot infirmary respite care because that's what it did. It created more square feet of usable space on the property. Okay?

And then, of course, the open question, the question that we have not resolved, is the change in nonconforming use and whether it requires them to go to the Zoning Board of Appeals. Okay?

All right, anybody else who hasn't had a chance to address the Board who would like to address us? Anybody else who has not because this is highly unusual for us to keep going this way. Not that I'm saying no, but, okay, since there's nobody else who wants to address us, okay, come up."

Kelly McCormack: "I'm sorry. Kelly McCormack, again. And I just had a question. Now, the new program that is trying to be put in place with the potential sex abusers- "

Supervisor Kozakiewicz: "Right."

Kelly McCormack: "-- that is not in place, that has not gone forward. So as of this time, there should be because I don't know if this is right, but from what I have gotten was that these children that were going in that were potential sex abusers, were going to be kind of rehabilitated and that they were not able to function in foster care so they would be housed in Little Flower.

Now, when we left the meeting the other day, the woman that was there, Grace, had said to us well, we have children that are already back there, that are sexual abusers that have abused siblings. So now if that hadn't been put forward, how could it be that those children are already back there? And that was a direct quote from her."

Supervisor Kozakiewicz: "I'm not sure I understand the question."

Councilman Densieski: "I think what you're trying to say is that they're already doing this now?"

Kelly McCormack: "Yes. Is basically what she told me."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "As part of their current- "

Kelly McCormack: "And that couldn't be the case."

Supervisor Kozakiewicz: "They're part of the 95."

Kelly McCormack: "Right. But wouldn't those children that are all back there now that are part of that 95 have to be children that they are looking for foster care for or looking for an adoptive family? Is that correct?"

Councilman Densieski: "Yes."

Kelly McCormack: "Right. Okay."

Councilman Lull: "But if the reason that they had trouble within their own family is the problem that you suggested- "

Kelly McCormack: "Right."

Councilman Lull: "-- then they do fit in the category of the people that Little Flower has dealt with right along."

Kelly McCormack: "Right. But those children are not able to function in foster homes so that they would be- were being housed and rehabilitated at Little Flower and basically what she had said to us was the children are- that we have some children already back there. So is that possible that they have gone ahead and have taken children in that they are not looking for foster or adoptive families for and that they are already starting this program? Is my concern."

Supervisor Kozakiewicz: "I think your question is one that we really need Little Flower here to address because you're asking us to address something that I don't know the factual circumstances of."

Kelly McCormack: "And I think that's- "

Supervisor Kozakiewicz: "Really what you're asking us to do if I understand is we're going to go back to the day that Little Flower first opened its doors and examine each and every year what those children, you know, what type of institutional setting if you would, and I hate to use the word institutional setting, they've been doing."

If it's 95- they've had 95 children between the ages of 9 and 14 there. I don't think I'm hearing that they're doing any more than the 95 currently. Now, sometimes there's tangential issues and other problems that the 95 children that are there for placement may exhibit or may have. I really don't know how to answer your question and say certainly when we deal with the expansion of the nonconforming use, we can deal with that in a special permit. To try to speculate on whether there's a change in use based upon the scenario you present, is a little bit different scenario.

I think- we're going to have to ask the Town Attorney to obviously look at this issue, whether there's a change in use, do the Zoning Board of Appeals application if it's necessary. I hate to repeat myself but that's what we have to deal with.

As far as- because I think that we don't know factually whether what you're saying is correct or not and I'm not saying that you're wrong in any way, shape or form. We don't also know whether that's something that they have done traditionally and whether there's been some of these problems in the past and, therefore, they have a prior nonconforming use.

I don't know how to address your comments other than to say that we have 95 residents who are there. We know that that's the number they have represented that they have currently. We know that's the number that they've been allowed by prior Town Board actions. Now they're talking about doing more through the respite care and through the infirmary. We clearly have that application which is separately and distinctly defined and then we have this other outstanding issue which is the reuse of the building for the nine children. Again, if it's a new use, it's got to go to the Zoning Board of Appeals."

Kelly McCormack: "Right."

Councilman Densieski: "Mr. Supervisor, would it be fair to say that the Town Board is going to need a lot more information before this moves forward?"

Supervisor Kozakiewicz: "I think it's safe to say that when we had Little Flower in front of us at the work session, we had a very open and clear discussion with them. I think what we're hearing now is there's some other things that may not have been disclosed to us and that's a different story and- but we have to deal with what's

before us factually."

Kelly McCormack: "Right. And I think that's why we are calling for another public hearing. Because at the work session, the community members weren't able to speak and ask the questions and, you know, put them to Little Flower and this happened to come up outside of, you know, the work session and they had approached us and that was one of the comments that she had made to us, Grace."

Supervisor Kozakiewicz: "Okay, thank you."

Kelly McCormack: "I don't know what her last name is, I'm sorry."

Supervisor Kozakiewicz: "LaGrande."

Kelly McCormack: "Sorry."

Supervisor Kozakiewicz: "Okay, thank you."

Kelly McCormack: "But I just wanted to say that's, you know, one of the reasons why we are calling for a public hearing."

Supervisor Kozakiewicz: "Okay."

Kelly McCormack: "Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? If not, Rolph. Yeah, but I know I'm going to get the (inaudible) because we were looking to move through and I've let people a multiplicity of times up. I really violated the rules today. And my Board's been very kind to me to let this happen."

Rolph Kestling: "Rolph Kestling, Wading River. I first became aware of Little Flower when we move out here in 1937. Little Flower at that time had two big gate houses in front. It was caused Little Flower Institute. Later on many, many years later, they made it Little Flower House Providence. They took down the gate houses. Even they took the points off the metal fence. So that's- they were originally an orphanage. They were run by the nuns, the kids used to come past my- our place to the State park. They were well behaved, they were well dressed and they were shepherded with the nuns going down. No problem."

Now the other thing, reinforces what I say about your public notices in the paper that nobody reads. Nobody read- I read it and I read it sure because I follow it and I have a magnifying glass and I make it my business to read it. But the Suffolk Life, when I had a post office box, the people opened up their box, they went through the mail, into the trash bin went Suffolk Life. So get a better paper to make the ads in. Thank you."

Supervisor Kozakiewicz: "Thank you, Rolph. All right. At this point in time, nobody else indicated a desire to speak, we're going to go to resolutions and we'll go to the CDA resolutions first, the time being 8:06 p.m. And we'll adjourn to take up the CDA matters."

Meeting adjourned: 8:06 p.m.

Meeting reconvened: 8:10 p.m.

Supervisor Kozakiewicz: "And we'll go back to Town Board portion and take up resolutions."

Barbara Grattan: "Who has that resolution?"

Supervisor Kozakiewicz: "I have it."

Resolution #1170

Councilman Densieski: "Authorizes the Supervisor to execute a letter of agreement with Dvirka & Bartilucci regarding the USEPA Phase II stormwater management agreement. So moved."

Councilman 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 #1171

Councilman Lull: "Authorizes the Town Supervisor to execute a covenant sterilizing several parcels for the construction of affordable housing. The resolution includes eight Suffolk tax map numbers. So moved."

Councilwoman Sanders: "Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1172

Councilman Lull: "Approves the stipulation of settlement. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Supervisor Kozakiewicz: "I vote yes but I- okay. All right. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1173

Councilwoman Blass: "This resolution authorizes the Town Supervisor to execute a contract agreement. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1174

Councilwoman Sanders: "This is a public hearing calling for a new chlorination system which uses dry chlorine tablets in replace of liquid chlorine. That public hearing will be, sorry, December 17th at 2:15 at Town Hall. 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 #1175

Councilman Lull: "Is an order calling a public hearing for a proposed well, No. 11-2, for the Riverhead Water District 202-b hearing. 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 #1176

Councilman Lull: "Re-establishes a Handicapped Advisory Committee. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, abstain; Blass."

Councilwoman Blass: "Yes. This is the first time we're seeing this resolution. It was not the subject of any prior discussion. And I think there are just some particulars about it that should be addressed and we did not have the opportunity to do that. So I will also abstain."

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

Councilman Densieski: "Yeah. This re-establishes the membership with changes from time to time of the hard working volunteer handicapped committee so I'm going to support them and vote yes."

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

Councilman Lull: "I, too, would like to see resolutions prior to our sitting down here at the dais but for this purpose it's an advisory committee. I vote yes."

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

Resolution #1177

Councilwoman Sanders: "This classifies action and declares lead agency on a special permit of CVS Pharmacy and refers the petition to the Planning Board. 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 #1178

Councilman Lull: "Approves the site plan of Blue Fin Realty. And before I move it, I just want to point out to people that it's a space on East Main Street which for a while, several years, was occupied by Ricky's Hamburger stand. We have seen the drawings and it's a very well conceived medical building. It's nice to have some active work there. Yes. I mean so moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. And I would encourage you to go out and take a look at the drawing on the wall. It's really quite a wonderful facility. Yes."

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

Councilman Lull: "I hope they make good cheese sandwiches. Yes."

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

adopted."

Resolution #1179

Councilwoman Sanders: "Amends site plan of McGuires hearing aid service. 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 #1180

Councilman Densieski: "Approves site plan of Knightland, Inc., Grace's Country Inn. So moved."

Councilman Lull: "And seconded."

Councilman Densieski: "Discussion, Mr. Supervisor."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Densieski: "I would like to put a couple covenants and restrictions in here, if possible. One, that the tennis courts will not be lit with overhead lighting and, two, that the rear yard will be suitably screened with evergreens to buffer the improved area of the site from the lands of the Long Island Power Authority. I'd like to add those two- "

Councilwoman Sanders: "Further discussion."

Supervisor Kozakiewicz: "Okay, other discussion?"

Councilwoman Sanders: "Yes, Mr. Supervisor. I would like to suggest that we table this particular resolution. The project does have many, many merits but there are certain outrest- unrest I should say out there in the community and I think we should make those considerations. I think there is an agreement that could be made that would address the concerns and considerations of the community, the Town Board as well as the applicant and I think we can find a way to come to the table to make- to address- I know that the public hearing

there were many concerns regarding the use, the size, and there are other issues, again, not that the community was saying that make the project go away but there were concerns regarding that some consideration were made to their concerns, I would suggest that we table that resolution."

Supervisor Kozakiewicz: "Any other discussion?"

Councilwoman Blass: "I would second the motion to table."

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

The Vote: "Sanders."

Councilwoman Sanders: "Yes, to table."

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

Councilwoman Blass: "Yes, to table."

The Vote (Cont'd.): "Densieski, no; Lull, no; Kozakiewicz, no.
The resolution is not tabled."

Supervisor Kozakiewicz: "Vote on the motion and second to move the resolution. Okay."

Barbara Grattan: "Okay. Did somebody move that resolution?"

Supervisor Kozakiewicz: "It was moved by Densieski."

Councilman Densieski: "We did."

Supervisor Kozakiewicz: "And seconded by Councilman Lull."

Barbara Grattan: "Okay. Now we get to the vote."

The Vote: "Sanders, no; Blass."

Councilwoman Blass: "Mr. Supervisor, I would just like a moment to comment. I'll be brief. On more than one occasion and as early as 1997, our Planning Board has urged the Town Board to reconsider the definition of country inn to avoid what is-- in reality amounts to moderate size hotels from being built in the Business CR, that's Country Rural zoning use district.

And this Town Board has, in fact, held a public hearing on a revised definition and as a result of commentary, I'm sure we will likely consider a code amendment that will provide for a scaled down version of country inn with limited accessory uses as well as perhaps a new category of accommodations to provide for moderate size hotels but in more appropriate zoning use districts.

But because of my ongoing objection to the definition and because it is inconsistent with the recommendations of the pending master plan, not only in the Business Element section but also in our Economic Development element section, I am forced at this point to vote no."

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

Councilman Densieski: "Barbara's right. The Town Board is probably going to look at amending the amount of rooms in a country inn and the whole definition of country inn but from quite a few people I talked to in that industry, there's no way that a country inn is probably going to survive at 20 rooms. Also, this application is probably in probably about a year before we had the- for the public hearing.

And the other point that I think we're missing here is the fact that I personally think that East Wind Catering, the entire facility, is beautiful. I mean it may be big, I think we can probably argue that but I appreciate when a businessman comes into town and does it better than he has to, when he does he right, when he does it with the landscaping and the architecture. I think it's a nice project and I think this project is going to be about half the size of that.

I think it's a good thing for Wading River. I think it's a good thing for Riverhead. I think it's a good thing for the area and I think Ken Barra is a good businessman. And I want to vote yes."

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

Councilman Lull: "I agree that Mr. Barra is a good businessman and I agree that he's done a very good job with East Wind up to this point and I don't think anybody would disagree with the fact that he has done a particularly good job with that project.

I agree with Barbara, this is not in keeping with the definition

of country inn that we have talked about recently. It is also inconsistent with the master plan which has been yet to be approved by the Town Board. The key to me is a very simple legal situation, that is, I believe this application was in under the old rule so the old rule does, in fact, hold. Yes."

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

Supervisor Kozakiewicz: "Kind of sensing that there was going to be this debate, I went on the old trusty internet, Gugal (phonetic) I think was the search engine and put in country inn and country inn ranger anywhere from 4, 5, 6 rooms to as many as 77 rooms depending upon where you looked around the country. So to suggest that 50 rooms means it can't be a country inn for those of you who are doubters, plug it in on Gugal and you will see for yourselves."

We always talk about trying to judge a particular application or it comes up all the time. I agree with Barbara. There has been a request from the Planning Board to revisit this issue for a while and was recently revisited by the Town Board. That's true. However, what's also true is that as a Board member and as one member of this body, I can't judge an application by what may occur. I can't say I'm denying this application because maybe, even if it's 100% likely, 99% likely, 87% likely, it's going to change, that's not the right standard to judge an application by. You have to judge it by the law, the statute that's on the books today and what's pending before us.

This application has been pending for a year. This is going to be 40% the size of the previous application. It has been done attractively in the past. Mr. Barra has proven himself to do what he's- what's been stated publicly, a nice quality job for the Town of Riverhead. He has been a good partner with the Town of Riverhead in the past with respect to the roadway that separates his structure from (inaudible). Again, he has proven himself to do what he says he's going to do. Therefore, I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1181

Councilman Lull: "Before I even introduce 1181, it needs an amendment or a change, rather than doing it and amending it. The first Resolve clause doesn't have- it doesn't say anything."

Councilman Densieski: "There's the English teacher coming out in him."

Councilman Lull: "Sorry. It doesn't have a verb; it doesn't go anywhere."

Supervisor Kozakiewicz: "Okay. Resolve, that the Riverhead Town Board pursuant to 6 NY CRR Part 617.9 determines- "

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "Is that the word? Determines that should be in there, Rick? Okay. It goes from that to that- I mean it goes from 6 NY CRR Part 617 and that. The determines is missing. It's determines. Okay. Well, it wouldn't have picked up the missing words. So it should be determines. Okay. Any other- "

Councilwoman Blass: "I believe in that same paragraph we were looking to use the words in connection with as opposed to in support of."

Supervisor Kozakiewicz: "Correct."

Councilwoman Blass: "Thank you."

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "Okay. Now with those changes, is there a motion to move Resolution 1181?"

Councilman Lull: "Yes. 1181 accepts the final environmental impact statement of Reliance Leasing, Inc. So moved."

Councilman Densieski: "Second the motion."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "All right, why don't we- I- okay, discussion or vote? Because it was moved. I was unclear. Okay. Vote, please."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "Yes. I just wanted to acknowledge on the

record that there were some pages that were missing from the FEIS but the applicant provided them today, time date, stamped, at the Clerk's Office. So I wanted to go on record saying that those items that we thought should be included and were not originally in this document are now made a part of the document and needed to be there before it was circulated."

Supervisor Kozakiewicz: "Yeah. Just to- well, I'll make my comments when I vote. I just was going to add onto that, that what was missing was the solid waste management plan, not necessarily the narrative prepared by the individuals in response. It was a copy of our solid waste management plan."

Councilwoman Blass: "There's also something else that was missing and that was a request that I had made that other C&D processing facilities that are currently registered by the DEC were to be included and I made that comment during the DEIS hearing and that information was also supplied today. So I'm acknowledging that everything that I had concerns with are now in this document and I believe it's complete for circulation."

Supervisor Kozakiewicz: "Okay."

Councilwoman Blass: "My vote is yes."

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

Resolution #1182

Councilman Densieski: "Approves the application of the African American Educational and Cultural Festival, Inc. That's on September 13th with a rain date of September 20th. 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 #1183

Councilman Lull: "Support proposed change in State of New York's Civil Procedure Laws and Regulations. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I missed the work session when this was discussed. I don't know enough about it to vote yes or no so I'll abstain."

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

Supervisor Kozakiewicz: "Yes. And I'll explain- and one change in the title. It should say the Civil Practice Law and Rules as opposed to Civil Procedure Laws and Rules."

What we've been asked is to support a measure which would put municipalities on the same footing as private employers when it comes to lawsuits under the CPLR which is the Civil Practice Laws and Rules. So that if a let's take a case, a firefighter or a police officer gets injured and brings a lawsuit against a municipality, the municipality in such case would be entitled to, just like any private employer would be entitled to, get an offset or some money back if they're collecting any one of the usual things that occur as a result of someone getting injured, i.e., disability, compensation, or other insurance benefits. So that's what we've been asked to support and that's what this resolution does. We're lending our support to that change in the State law."

Barbara Grattan: "Is that a yes?"

Supervisor Kozakiewicz: "I vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1184

Councilman Lull: "Is a resolution authorizing the issuance of \$402,000 of serial bonds on the Town of Riverhead, Suffolk County, New York, to pay the cost of the increase and improvement of the facilities of the Riverhead Parking District No. 1 in said Town. 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 #1185

Councilwoman Blass: "This resolution denies the temporary sign permit of Massab Bros. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded. And there should be one change in the one, two, third Whereas so that it's not 1997, it's 1977."

Barbara Grattan: "1977?"

Supervisor Kozakiewicz: "Yes."

Barbara Grattan: "Okay. Are you ready to vote?"

Supervisor Kozakiewicz: "Ready to go. Moved as amended, I guess. Right? Okay. Okay, good."

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

Councilman Densieski: "I usually disagree with some of my Board members on temporary signs for businesses, but I'm happy to agree with this one because this is promoting a business in Southampton. So, I'll vote yes."

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

Supervisor Kozakiewicz: "Not to get into the issue of which town it's promoting. The change that I referenced was in 1977. The Town Board, those of you who recall, went on a campaign against billboards and we enacted legislation to remove all the billboards or outdoor advertising as they were called in the Town of Riverhead.

This particular temporary sign is not all that much unlike a billboard because it's on a vacant piece of property, unimproved,

where they're looking to advertise a business in another township. So based upon that, we're looking to deny it. And I agree with my colleagues that this is the right thing to do. I also agree, yes, on the denial."

Barbara Grattan: "The resolution is adopted."

Resolution #1186

Councilman Densieski: "Thank you, Barbara. Releases irrevocable letters of credit in connection with the subdivision entitled Deer Run Estates (Water District key money and park and recreation fees). So moved. Thanks, Barbara."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "We discovered Councilman Densieski's Achilles Heel. Everything we have a resolution irrevocable letters of credit, we're going to give it to him. Anyway, moved and seconded."

Councilman Densieski: "Thanks, pal. I knew there was a conspiracy."

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

Resolution #1187

Councilwoman Blass: "This resolution appoints Public Safety Dispatcher I for the police department. So moved."

Councilman Lull: "And second."

Barbara Grattan: "Could we have her name, Barbara. Oh, excuse me."

Councilwoman Blass: "Oh, thanks a lot. Deborah."

Councilman Lull: "Her name is Deborah Buyukdeniz."

Councilman Densieski: "Irrevocable."

Supervisor Kozakiewicz: "Vote, please."

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

Kozakiewicz, yes. The resolution is adopted."

Resolution #1188

Councilman Lull: "Accepts the resignation of Joan Rogers from the Architectural Review Board. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "I would just like to thank her for her commitment, dedication and consciousness serving on the Board."

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

Councilwoman Blass: "Yes. Thank you, Joan, and we wish you well."

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

Councilman Densieski: "Yes. Best of luck, Joan."

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

Councilman Lull: "Joan served for many years on the Architectural Review Board, then was off it for a while, came back when we were short very recently. Now she has finished her term, we wish her well. Yes."

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

Supervisor Kozakiewicz: "Thank you for everything, Joan. And sorry to see you go but yes on the resolution."

Barbara Grattan: "Resolution is adopted."

Resolution #1189

Councilwoman Sanders: "Ratifies appointment of a part time recreation aide to the Riverhead Recreation Department. So moved."

Councilman Densieski: "That person is Kevin Murphy. Seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1190

Councilman Lull: "Authorizes the attendance of Lt. Patrick Mulcahy and Sgt. Sean Egan at a seminar- training seminar entitled Property and Evidence Room Management. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "In considering our quasi-unofficial policy, will be expecting to hear from both these individuals shortly after their return from the seminar?"

Councilman Lull: "Yes."

The Vote (Cont'd.): "Blass, yes; Densieski."

Councilman Densieski: "Sounds like a big time. Yes."

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

Resolution #1191

Councilwoman Sanders: "This resolution is authorizing the attendance of Police Officer Timothy Buckley at a D.A.R.E. training course from December 2nd through December 13th. So moved."

Councilman Densieski: "Second the motion."

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

Councilman Densieski: "Yes. I know Tim Buckley personally and they could not have gotten a better person to have a one on one level with the children. Yes."

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

Supervisor Kozakiewicz: "Are you saying something about him? Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1192

Councilwoman Blass: "This resolution is a General Fund budget adjustment. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1193

Councilwoman Sanders: "This is a budget adjustment for the municipal garage building improvement. 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 #1194

Councilwoman Sanders: "This is a budget adjustment for Community Preservation Fund. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1195

Councilwoman Sanders: "This is a budget adjustment for the Calverton Park CDA. I would like to before we move and second, can e suggest that we table this resolution?"

Supervisor Kozakiewicz: "Yeah. I- is there a second and- "

Councilman Densieski: "I'll second it."

Supervisor Kozakiewicz: "Okay."

Councilwoman Blass: "Motion to table."

Supervisor Kozakiewicz: "Moved and seconded."

Councilwoman Blass: "To table."

Supervisor Kozakiewicz: "To table."

The Vote: "Sanders."

Councilwoman Sanders: "Yes, to table."

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

Councilwoman Blass: "Yes, to table."

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

Councilman Lull: "No, to table."

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

Supervisor Kozakiewicz: "Yes, to table."

Barbara Grattan: "That resolution is tabled."

Resolution #1196

Councilman Densieski: "Highway fund budget adjustment. 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 #1197

Councilman Lull: "Budget adjustment in the Ambulance District. 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 #1198

Councilwoman Sanders: "Fresh Pond schoolhouse 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 #1199

Councilman Lull: "A budget adoption for Calverton Sewer District interim improvements 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 #1200

Councilwoman Blass: "This resolution awards a bid for a tractor backhoe for use in the Riverhead Water District. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yeah, I'm glad to see the bid's awarded to a local company. Yes."

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

Resolution #1201

Councilwoman Sanders: "Awards bid for food. 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 #1202

Councilman Densieski: "Accepts performance bond of Target Corporation Risk Management. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1203

Councilman Lull: "Authorizes the reduction of performance bond for Wading River Woods Associates, 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 #1204

Councilman Densieski: "Authorizes the release of performance bond for Mac Communications, Inc. (Budget Beepers). 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 #1205

Councilwoman Sanders: "Accepts the 5% performance bond of Omnipoint Facilities Network 2, LLC. 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 #1206

Barbara Grattan: "Resolution #1206, Councilman Densieski."

Councilman Lull: "Oh, 1206, sorry, I skipped one."

Councilman Densieski: "Okay. Can I read it?"

Councilman Lull: "Go ahead."

Councilman Densieski: "Authorizes the release of security bond for Front and Center Properties for the cottage only. 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 #1207

Councilman Lull: "Mr. Supervisor, I believe the best appropriate procedure right now is to table."

Supervisor Kozakiewicz: "1207?"

Councilman Lull: "1207 is the resolution adopts the Town of Riverhead 2003 annual budget. Because of activities that happened today, we are in the position of moving forward with the budget but not having the total figures."

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

Councilwoman Sanders: "Second to table."

Supervisor Kozakiewicz: "Vote, please."

The Vote: "Sanders."

Councilwoman Sanders: "Yes, to table."

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

Councilwoman Blass: "Yes, to table."

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

Councilman Lull: "Mr. Supervisor, I understand that we have to vote on the budget before November 20th. That's quite upon us."

Supervisor Kozakiewicz: "That's tomorrow."

Councilman Lull: "I'll vote yes on this and ask you to tell us about it- if you would like to call a meeting."

Supervisor Kozakiewicz: "Yes on the motion to table and as

those of you who have been watching, there was a lot to do about certain monies that were coming from the County and a last ditch argument was made to suggest that they reconsider that decision and we found out late today that the County Legislators in the issue of the five hundred thirty something and change thousand dollars that was coming to the Town of Riverhead had not enough votes to override. So the veto that was put in place by the County Executive yesterday to allow those monies to come back to the Town of Riverhead stood up or held up so that the monies are coming back to the Town of Riverhead.

Needless to say we were juggling a whole mess of different scenarios around based upon what was going on and now that we know what has taken place at the County Legislative level, we need to print out a budget so that all of us can go through it rather than trying to summarize it which I think would be unfair to the residents.

So I've asked my colleagues and I'll make the announcement now and we'll certainly send a fax around in the morning first thing, hold a special session to take up the budget and we'll reconsider perhaps the other matter that was tabled earlier tomorrow, 4:00, in this Town Board Room to deal with the budget.

And saying that, is there any other business before this Board?"

Councilman Densieski: "Motion to pay bills."

Resolution #1208

Barbara Grattan: "Pay bills."

Supervisor Kozakiewicz: "Oh, yes. Is there a second?"

Councilman Densieski: "Moved it."

Councilman Lull: "Yes."

Barbara Grattan: "Okay. Moved and second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Barbara Grattan: "The bills are paid."

Supervisor Kozakiewicz: "Any other business before the Board?"

Councilman Densieski: "Motion to adjourn."

Supervisor Kozakiewicz: "Thank you. Second."

Meeting adjourned: 8:41 p.m.