

12/02/2003minutes

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, December 2, 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 at 7:06 p.m.)

Supervisor Kozakiewicz: "Barbara, are you ready?"

Barbara Grattan: "Ready."

Supervisor Kozakiewicz: "I'd like to call tonight's meeting to order, the time of 7:06 p.m. having arrived.

Dawn, since you're up, do you want to lead us in the Pledge of Allegiance?"

Dawn Thomas: "Sure."

(At this time, the Pledge of Allegiance was recited, led by Dawn Thomas, Attorney at Law.)

Supervisor Kozakiewicz: "All right. Thank you, Dawn Thomas. All right. All right, before we get into taking care of the minutes of the Board meetings, I do want to give my congratulations to Riverhead High School football team."

Councilman Lull: "Here, here."

Supervisor Kozakiewicz: "What a great season and as probably all of you know, they basically did a clean sweep last night with Coach of the Year, Rutgers Cup, Boomer Esiason award went to Crazy Legs Ed Wanser (phonetic), (inaudible) Zelner Award (phonetic) to

12/02/2003minutes

Mike (inaudible), Defensive MVP St. Louis, and Schmitt for Offensive MVP. So they did very, very well in the Riverhead High School football team, justly deserve the recognition. Now I also understand they'll be joining the Lions Club Sunday at the Christmas Parade. They're making the arrangements to be there and anyone who wants to cheer on this great football team should be there. The Riverhead Lions has the annual holiday parade Sunday at 1:00 and I am told the football team will be joining it. So congratulations Riverhead High.

Anybody wants to move the- approving the minutes of the 5th of November, the 18th of November, and the special board meeting of November 20th, all of 2003?"

Councilman Densieski: "I'll move the minutes."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Lull: "Second."

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

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

Supervisor Kozakiewicz: "The minutes are approved. Reports, please."

REPORTS:

Town Clerk	Monthly report for November, total collected was \$8258.56
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Building Department	Monthly reports for October and November, total monies collected was \$147,159.41
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Recreation Department	Monthly report for June, total collected was \$27,712.00
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Open Bid Report	Prefabricated restroom build- ing opened on 11/24 at 11:00 one bid was received from Walsh Construction. Bid
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price

12/02/2003minutes

was \$45,000.00

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Thank you. Applications."

APPLICATIONS:

Fireworks Permit

Riverhead Business
Improvement
District on December 31, 2003
at 7:00 p.m.

Site Plan

Amended Fleet Bank,
Northville
Turnpike

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Thank you. Okay, and
Correspondence."

CORRESPONDENCE:

Greater Calverton Civic
Association

Senior center renovations at
Epcal Guardhouse

Jane Suglia

Regarding the adult care
program

William Kelly, Riverhead
Town Fire Chief's Council

Regarding Chapter 90,
requesting action be taken as
soon as possible

Marine Helicopter Squadron
361 Veterans Assoc. Inc.

Thanking the Town Board for
the assistance during the
past
two years

Richard Redican _____ Letter of resignation from
the _____

Farmland Select & Open Space
Committee

Barbara Grattan: "That concludes Correspondence."

Supervisor Kozakiewicz: "All right. We have three public

12/02/2003minutes

hearings on tonight. The first one was scheduled for 7:05 p.m. The time has arrived of 7:10 p.m., Barbara, would you read the affidavit of publishing and posting for- what's that? Oh, I'm sorry. Committee Reports. Yes."

Councilman Densieski: "Just a reminder that December 13th, Saturday, is the 4th Annual Riverhead Town Holiday Barn Fire and holiday celebration. I'd like to invite everybody to come out and see Santa Claus. That was it."

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

Councilwoman Blass: "Just two announcements. These are- it's in connection with a couple of pamphlets that you would probably find useful.

One has to do with the comprehensive plan. There was a pamphlet that was put together by the Planning Department. Rick and Eric did a great job. It's called What's Next and these are the most frequently asked questions about the process and what happens upon the adoption of a master plan or comprehensive plan. They're available in the Planning Department.

And this other pamphlet comes from the Emergency Services at the County level. And this has to do with driving tips for individuals who come upon an accident scene and how to deal with emergency vehicles that are responding to an accident. These are things that we don't normally think of but it's a very useful tip- or information that's available at Verna's desk, at the front switchboard. These pamphlets are there. Thanks."

Supervisor Kozakiewicz: "And Rose."

Councilwoman Sanders: "Yes. I have two topics, Mr. Supervisor. One is that regarding the East Creek Marina. Unfortunately we missed the opportunity to contact as many as the boaters who rented slips at the marina for the season so we missed the opportunity to notify them to get us the information regarding their name, addresses and how we can contact them so that we can send them the new contracts for this up and coming season. So, hopefully, using the media, we can get the information out that anyone out there who had a slip at the East Creek Marina this past season, to please notify either myself or Councilwoman Blass. Either send us something in writing saying that you're interested in returning next year or sending us- contacting us by telephone and leaving a message on our

12/02/2003minutes

voice mails and we will make sure that you get the information for the up and coming season. That's number one.

Number two, my second topic is at our last Town Board meeting we talked about the Christmas concert that's going to be given by the high school. The four groups that will be performing that night are the Chamber Orchestra, the Jazz Ensemble, the Chamber Singers and the Show Choir. The performance starts at 7:30, but the door open at 7. I promise you, you will not be disappointed. They are wonderful-wonderful performance at Christmas time. They do an outstanding job, and we will have refreshments after the performance. So I just wanted to get that out there. Thank you."

Supervisor Kozakiewicz: "Any other reports?"

Councilwoman Sanders: "December 9th. December 9th at 7:30. Tuesday at 7:30."

Supervisor Kozakiewicz: "Any other Reports?"

Councilwoman Sanders: "Where? At Vail Leavitt."

Supervisor Kozakiewicz: "Vail Leavitt. Okay."

Councilwoman Sanders: "I didn't say Vail Leavitt? I'm sorry."

Supervisor Kozakiewicz: "Okay. All right. The time now being 7:13 p.m., Barbara, would you read the affidavit of publishing and posting for tonight's first public hearing?"

Public Hearing opened: 7:13 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 December 2, 2003, at 7:05 p.m. regarding the consideration of an amendment to Chapter 62 of the town code entitled Excavation. Section 62-2 Application of Chapter. Section 62-11 Fees. Section 62-13 Penalties for Offenses."

Supervisor Kozakiewicz: "Okay. This is part of the code change in order to allow for an increase in fee. This particular chapter is Chapter 62 which deals with the excavation of materials. We're calling for a \$2.00 per cubic yard fee to be charged for materials that's being removed from commercial, industrial subdivisions, site plans and grading plans.

12/02/2003minutes

The- also providing for additional penalties and we're looking to hear your comment on whether we're doing the right thing here, increasing the fee to a \$2.00 per cubic yard charge or not.

Anybody who wishes to address the Board either for or against the changes proposed to Chapter 62? Not seeing anybody wish to address us, declare the public hearing closed, the time being 6- 7:14 p.m."

Public Hearing closed: 7:14 p.m.

Public Hearing opened: 7:14 p.m.

Supervisor Kozakiewicz: "The time still being 7:14, open up- declare the second public hearing open and ask you to read the affidavits of publishing and posting, Barbara."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on December 2, 2003, at 7:10 p.m. regarding the consideration of an amendment to Chapter 12 of the town code entitled "Coastal Erosion Hazardous Areas", Section 12-27 Fees for Permits and Appeals."

Supervisor Kozakiewicz: "Essentially the same thing. We're looking to change the fee structure. In this particular instance, it's with respect to Chapter 12 entitled Coastal Erosion Hazardous Areas.

Looking to hear your comments whether the fee structure as proposed or as we have set forth in the public notice, is something that makes sense. So, looking to hear from the town residence, those in attendance today whether it makes sense or does not. Now is your chance.

Okay? Nobody? Going once; going twice. The time being 7:15 p.m., declare the public hearing closed."

Public Hearing closed: 7:15 p.m.

Public Hearing opened: 7:15 p.m.

12/02/2003minutes

Supervisor Kozakiewicz: "And it's perfect. 7:15 p.m. still being here, I open the- declare the third public hearing open and ask you to read the affidavit of publishing and posting, Barbara."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on December 2, 2003, at 7:15 p.m. regarding the consideration of an exemption of NF Management from Local Law #22 of 2003, Moratorium Upon Residential Development" to allow for the construction of 4 multi-family units upon property located at Lincoln Street."

Supervisor Kozakiewicz: "Okay. Marty, are you making presentation on behalf of the applicant? Why don't you come on up and state your name and address and your appearance for the record?"

Martin Sendlewski: "Martin Sendlewski, architect for the applicant. The applicant is also here and just provided the affidavit."

The hearing tonight is for an exemption to the residential moratorium. We've been working on our project on a piece of property on Lincoln Street for approximately three or four months. We've gone through all of the necessary processes and steps including Architectural Review Board, review by the Town's consulting engineer, and the Planning Department. We've completed the review.

At the final stage of the review when we're ready for site plan approval, it was recognized that this type of project, I believe inadvertently, falls under the guidelines of the residential moratorium and we were told that it does meet all the criteria to gain an exemption from the moratorium for site plan approval and that's why we're here.

If there are any questions, we'd be more than happy to answer them."

Supervisor Kozakiewicz: "Okay. Is there anybody who would like to address the Board either for or against? Madelyn Sendlewski."

Madelyn Sendlewski: "Madelyn Sendlewski. I live at 418 Lincoln Street, Riverhead, also known as Polish Town."

I just would like to preface my comments by saying that when the

12/02/2003minutes

zoning was changed for our area, changing it to Business D was beneficial for many people including myself, as I'm currently converting a garage to a small apartment to help secure my retirement years. And I think it's also been beneficial to people like Mr. and Mrs. Dickhoff who were very honest in coming to me with what they wanted to do next door.

I think it's been somewhat not beneficial to many people who have bought homes in Polish Town and have now- are now housing 15, 16 immigrant folks who deserve to live but are being taken advantage of and there seems to be absolutely no controls coming from our town government.

I am fighting for several years to save the community of Polish Town and it is being destroyed before my eyes. We have one woman who has bought four houses. There are people living in the attic, etc., etc. I would like to point that out to be on record that I am looking for help and I will be in code enforcement on Thursday because tomorrow I will be in Hartford, Ct., at the hospital.

I would like to say that Mr. Dickhoff was very polite in coming to my office and discussing the structure with me. Not to sound biased, I happen to like the structure. I did ask for two colors and they did satisfy me with that. And I think the structure is going to be beautiful. They are going to be affordable rent for maybe people with the new courthouses, things like that.

He has proposed covenants for these structures and I have no reason to believe that he's not going to enforce the covenants, such as I think, Ray, you said the number of people living there, the number of automobiles they have, etc., etc. I do not think it's going to be a problem.

I think that Natalie and Ray are great people and, also, I would like to say that I think it will be nice to have a nice structure go up in Polish Town that's going to rent to good people and will help us save or community.

There's only one requirement, however, I have to tell Ray. I mentioned it to his wife. Yeah, they're required to rent one of those structures to a retired individual, male, that is well- just financially well off, who's looking for a woman who just got a new (inaudible). I'm sorry, I just couldn't resist."

Supervisor Kozakiewicz: "In favor of it."

12/02/2003minutes

Madelyn Sendlewski: "I think it's going to be gorgeous. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Marty, I have a question. This is four separate units that are being proposed, but they're attached?"

Martin Sendlewski: "Correct. That's correct."

Supervisor Kozakiewicz: "I mean they're four units, but they're attached. And the number of bedrooms in each that are proposed?"

Martin Sendlewski: "Two."

Supervisor Kozakiewicz: "Two bedrooms. You may have said that, but I may have drifted off at that point."

Martin Sendlewski: "They are each two bedrooms."

Supervisor Kozakiewicz: "Okay. All right. Anybody else?"

Councilwoman Blass: "Just to put on the record that there are five criteria that an application is supposed to meet with and demonstrate that they can comply with these criteria in order to be granted the exemption. And I believe that this application meets those criteria and I think that's really the purpose of tonight's hearing. We'll discuss the merits of the application itself at a later date but the exemption hearing is to determine whether the criteria for consideration- an exemption from the moratorium is that, and I believe that this application does meet the criteria."

Supervisor Kozakiewicz: "You raised another question which is the current zoning we know. Where did we determine the proposed zoning to be under the master plan? I'm not sure if we put that on the record. Because I think that is important to know."

Martin Sendlewski: "The proposed zoning under the master plan is R-40 which- and it's directly adjacent to the- I think it's the Village Business- I forget the-"

Councilwoman Blass: "VC."

Martin Sendlewski: "VC, Village Center, which runs down Osborne Avenue and across Pulaski Street and it's just off of that, one of the first or second lots off of the Village Center, off of the main stretch which is, I believe, designated R-40."

12/02/2003minutes

Supervisor Kozakiewicz: "Okay. And the R-40 does allow for this- "

Martin Sendlewski: "I believe it's an adjacent to the Village Center which allows it."

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

Okay, not seeing anybody wish to do so, declare the public hearing closed, the time of 7:22 p.m. having arrived."

Public Hearing closed: 7:22 p.m.

Supervisor Kozakiewicz: "At this point in time, we open up to comments on the resolutions. I will note for the record there is the possibility that a resolution which was tabled at the November 18th meeting, specifically Resolution #1243 dealing with the establishment of Calverton sewer rent, pursuant to Town Code Section 89-46 which is the sewer rent we establish on an annual basis, may be taken off the floor. We do have the calculations provided for by Gary Pendzick and I think, Barbara, you have Resolutions for everybody, correct?"

Barbara Grattan: "You've got it."

Supervisor Kozakiewicz: "Okay. Jill Lewis."

Jill Lewis: "Hi. Jill Lewis, Wading River, New York. I just have a few questions. There are two agenda items, 1311 and 1312. I was actually in Town Hall earlier today speaking to a few council members about Resolution 1312 which approves a site plan for Crown Recycling.

It seems to me that the process usually works where site plans are reviewed during a public work session and before they get to this level in which you're going to approve a site plan, and I don't understand why- is this a new policy change or is this something- I just don't- I'm trying to understand. If this something that happened in December, why would it be that all of a sudden, a site plan approval is before the Town Board before it was at a public work session."

Supervisor Kozakiewicz: "It was discussed at the work session

12/02/2003minutes

as opposed to the question of whether it should be a public hearing or not given the light of the resolution which calls for non-residential site plans being- so it was discussed."

Jill Lewis: "But the site plan was not at the work session for review and actually it wasn't even available until I think today, and the community wasn't aware of it before this time. And it's unfortunate and I'm not saying anything about the application because I haven't had an opportunity to look at it, but it's unfortunate that an approval shows up on an agenda before the community does have an opportunity to review the application and then comments on that particular site plan.

The other resolution approves application of Sound Housing to be exempt from the moratorium. When reviewing the resolution, it does not appear to speak to the criteria and which is set forth in town law and I'm wondering how that works."

Supervisor Kozakiewicz: "Okay. Specifically?"

Jill Lewis: "If you look in town law there are four or five pieces of- within the legislation there are criteria in which the applicant- just so we can understand, is it in conformance with the master plan. There are several things that say this application meets that.

What I see in the resolution appears to be a findings statement and is not, in fact, an explanation on how this does meet the exemption criteria."

Supervisor Kozakiewicz: "Well, I know that under the master plan that was adopted on the- November, the proposed land in question remains recreationally zoned. So to answer that question, it would be in conformance."

Jill Lewis: "But it's not part of the resolution. And I think that- "

Supervisor Kozakiewicz: "Okay."

Jill Lewis: "-- I think that both of these items, you have another work session, I assume, before your next Town Board meeting in December."

Supervisor Kozakiewicz: "We have at least two."

12/02/2003minutes

Jill Lewis: "Okay. So it just seems to me that this is something that can be- both of these items should be discussed during a work session and brought up again at a further- at a later date at another Town Board meeting.

I just think that you've always had a process that seems to work where you allow for public input and it's unfortunate that these things come on in a last minute procedure."

Supervisor Kozakiewicz: "Okay."

Jill Lewis: "Thank you."

Supervisor Kozakiewicz: "Thank you. Rex Farr."

Rex Farr: "Rex Farr, Greater Calverton Civic Association. Regarding Resolution 1312. I can't believe I'm standing here in front of you talking about it. We were given no notice that you even had a public hearing on this matter. Why not? We were given no- also, I have a question as to whether or not it is legal for them to put up that 6,700 square foot parking lot on Ag land."

Supervisor Kozakiewicz: "It's 108-60H."

Rex Farr: "What is it?"

Supervisor Kozakiewicz: "108-60H."

Rex Farr: "So legally allowed to have a parking lot paving over farm land. Is that correct?"

Supervisor Kozakiewicz: "108-60H allows for a parking area on an adjacent lot not more than 200 feet from the property line, which this is no more than 110 feet. So the code does allow it."

Rex Farr: "Okay, is there any doubt- okay. Is there any doubt in your mind how the community feels about this project?"

Supervisor Kozakiewicz: "We know you're not in favor of it. (Inaudible)"

Rex Farr: "Because I'm standing up here doesn't mean that I don't have 2,000 people waiting to come down here. Had we been given more notice, I promise you, this house would have been packed. But I'm speaking for 2,000 people. We are opposed to this project."

12/02/2003minutes

Supervisor Kozakiewicz: "Thank you. Sal Mastropolo. Didn't quite catch the hand, Sal. Wasn't sure if it was you."

Sal Mastropolo: "Sal Mastropolo, Calverton. 1277, you're changing the size of the new building at Riverhead Auto Mall?"

Supervisor Kozakiewicz: "Correct."

Sal Mastropolo: "Don't we have a problem on that piece of property with them parking on the grass?"

Supervisor Kozakiewicz: "Not recently."

Sal Mastropolo: "Not recently?"

Supervisor Kozakiewicz: "No. They have been abiding by the terms and conditions."

Sal Mastropolo: "Okay."

Supervisor Kozakiewicz: "As a matter of fact, I think all the car dealerships have been very good for about the last month to six weeks."

Sal Mastropolo: "1281. What happens if they don't go forward with the theater. Is there any reverter clause on the sale of that piece of property to them, for the expansion in the back? We had a reverter- "

Supervisor Kozakiewicz: "Dawn."

Sal Mastropolo: "There is?"

Supervisor Kozakiewicz: "I'll ask Dawn to respond."

Dawn Thomas: "The- there would not be any closing on that property until they have all their necessary permits and approvals in place. So until and unless that happens and unless that project is in furtherance of our urban renewal plan, it won't go forward."

Sal Mastropolo: "Okay."

Supervisor Kozakiewicz: "It's a condition of the closing on the property itself."

Sal Mastropolo: "Okay. 1286. Is that a right date, are you

12/02/2003minutes

having a public hearing on a Thursday at 11:00?"

Councilwoman Sanders: "What number is that?"

Sal Mastropolo: "1286."

Supervisor Kozakiewicz: "1286. Yes, because that's a Chapter 54 proceeding which we do as part of our work session day."

Sal Mastropolo: "Okay. 1289. Do we have any parking meters left in town?"

Supervisor Kozakiewicz: "No."

Sal Mastropolo: "So then why do we have- why are we taking away one position and not both of them? Why do we even need a parking meter person if we don't have any parking meters?"

Councilman Lull: "The parking meter person- yeah, the parking meter person, that's the title but she is involved- they have been enforcing the entire parking code for downtown."

Sal Mastropolo: "Oh, so they're enforcing the two hour parking- "

Councilman Lull: "They're hired by the parking district."

Sal Mastropolo: "Okay, 1295. The heading on it is Community Preservation Fund. Can somebody explain what that means?"

Supervisor Kozakiewicz: "Yes. This is a CPF transfer in order to pay general fund debt service for farm purchases."

Sal Mastropolo: "Oh. I'm glad you said farm purchases. I thought farm purchases came out of bond money. Why is it coming out of- "

Supervisor Kozakiewicz: "Bond money that use the CPF as the source of payment. In other words, the bond resolution that was done by the Board was linked to a debt service being paid through Community Preservation Funds that are received from the town- by the town. So we're using the CPF monies- the idea very simply was we knew that there was going to be a useful life or a life over which CPF funds would come in and we knew what we could anticipate the annual amount of those CPF funds to be and what we did was we then authorized a bond issuance anticipating that that period of time would be, in fact, the case which has been extended as you know

12/02/2003minutes

because of the vote by the voters, and that's what this is. This is for a transfer to allow for that debt service to be paid from the CPF monies."

Sal Mastropolo: "So then why aren't we transferring from the bond fund rather than departmental income? That's what struck me funny. Departmental income- "

Supervisor Kozakiewicz: "Jack- Jack does this stuff and this is the way he sets up the different funds. So- but it's the CPF monies."

Sal Mastropolo: "Okay. That's all I have."

Supervisor Kozakiewicz: "I can- I'll read what the comment was. This is to authorize the continuance of Community Preservation Funds being placed in general fund debt service. That's the accompanying- "

Sal Mastropolo: "It just seems strange that it's coming out of departmental income. Okay? I could see if it came out of bond fund, receipts, okay."

Supervisor Kozakiewicz: "Well, it wouldn't be out of bond fund because it's not the bond fund. It's CPF fund. But- "

Sal Mastropolo: "Here, for example, on 1297 it's coming from serial bond proceeds for land acquisition. That makes sense to me. But it doesn't make sense when you take three-quarters of a million dollars out of departmental income and transfer it to general fund debt service."

Supervisor Kozakiewicz: "There's different transfers occurring here. The money that's coming out of serial bond proceeds is the serial bond amount that's been set aside and that we're going out for and then we take that money to pay for the purchases. The other transfer is to take the CPF monies in order to pay the debt service for the serial bond that we've used to borrow from. There's- I'm not sure if I'm making myself clear- "

Sal Mastropolo: "Okay, but I think I just caught you. I think I just caught what you said. So in other words, this isn't the transfer to pay for the land. This is the transfer to pay the bonds."

Supervisor Kozakiewicz: "No, the debt service on the bonds."

12/02/2003minutes

Sal Mastropolo: "Okay."

Supervisor Kozakiewicz: "Yes."

Sal Mastropolo: "Got you. It just seemed strange."

Supervisor Kozakiewicz: "Okay."

Sal Mastropolo: "Thank you."

Supervisor Kozakiewicz: "Thank you. Hand in the back. Come on up."

Joan Griffin: "Good evening. Joan Griffin, Baiting Hollow."

Supervisor Kozakiewicz: "Good evening."

Joan Griffin: "Resolution 1312. If I just understood you right, you told Jill Lewis that this was discussed at a work session?"

Supervisor Kozakiewicz: "Just in the sense that it was discussed whether we should have a public hearing or not under the non-residential moratorium- no, not moratorium. It's not a moratorium. On residential site plan process."

Joan Griffin: "Okay. And a vote was taken to- "

Supervisor Kozakiewicz: "I don't think we ever reached an agreement."

Joan Griffin: "Okay. Because in your right to know issue by New York State open government laws, it says an open meeting or the Sunshine Law was put into effect in October of 1979 and what happens and this meetings. A meeting is defined to mean the official convening of a public body for the purpose of conducting public business. What is covered by the law? A public body is defined to cover entities consisting of two or more people that the public business and perform governmental function of the state for the agencies of the state or for public corporations including cities, counties, towns, villages and districts.

Then it goes on to say after the meeting, there's minutes. The open meeting law requires that the minutes of both open meetings and executive sessions must be compiled and made available. Minutes of an open meeting must consist of record or summary of motions, proposals, resolutions, and any matters formally voted upon and the

12/02/2003minutes
vote thereon.

So if this was discussed at a work session, there should be minutes to it and we have the right to see those minutes. But from what I understand, you didn't discuss it, you didn't take minutes on it so how can this be going on as a resolution right now? It should never have gotten a resolution number."

Supervisor Kozakiewicz: "A lot of resolutions that are in here that weren't discussed at the work session which we take action upon. This is an open meeting upon which you have an opportunity to comment. In fact, you are making comment."

Joan Griffin: "But at the work session- "

Supervisor Kozakiewicz: "If there's particular questions you wish to know, we can, hopefully, address them. Are you asking that the Board table this and reconsider it at a later meeting?"

Joan Griffin: "Yes."

Supervisor Kozakiewicz: "Okay. And the problems with the application in particular?"

Joan Griffin: "Okay. There's discrepancies in the first half of it. The resolution part, I guess, you call it. Number 9 which continues out to the third page is correct. It says out to Youngs Avenue and to premises at the Youngs Avenue Baiting Hollow entrance. But in the declaration and covenants part that's also attached to this resolution, it's number 8 and it refers to Old Country Road. Old Country Road never gets down to the Crown area. They're on Youngs Avenue. So the declaration and covenants is incorrect.

And does that have to be dated and signed? Because the one I just got from the Clerk's Office at 4:15 today is not dated or signed."

Supervisor Kozakiewicz: "They never are. What happens is we grant the site plan approval, then the applicant is required to file the covenants and restrictions and if they're- sometimes they're just attached, but the bottom line is it then goes to the applicant. The applicant's counsel or the applicant themselves, they prepare the covenants and restrictions. They fill them out, they go to the Suffolk County Clerk's Office, they record them, they get a duly certified copy. They return it, file it with the Town Clerk's Office. They must do that.

12/02/2003minutes

That process happens subsequent, not prior to, a site plan approval process being given. That's always been the case and it shall be the case. That's not inconsistent in any way, shape or form with respect to this particular application."

Joan Griffin: "Okay. So they just have to correct Old Country Road over to Youngs Avenue?"

Supervisor Kozakiewicz: "That's correct. Right."

Joan Griffin: "Number- in the resolution, number 7, it says drainage. Will the drainage problem be taken care of on Youngs Avenue since those berms went up?"

Supervisor Kozakiewicz: "The matter has been looked by our engineering consultant. There are memos in the file that address the issues regarding this. One is dated November 4, 2003, the second one is November 17, 2003 in which at the- Vincent Gordiello (phonetic), who is the architect- the consultant, found everything to be copasetic.

The Architectural Review Board looked at the application on October 22, 2003, and recommended approval of the application."

Joan Griffin: "Okay. And item number 10 in the resolution that any and all landscape and paved areas shall be regularly maintained and so on and so forth. Does that include the berms?"

Supervisor Kozakiewicz: "That includes the area that would- the berms, we can have the applicant address that and I think they're here to address that. The prospect, the plan itself proposed to put a fence around the entire operation and put arborvitae four feet off center and around the entire perimeter of the site as well which will provide a good screening for the process. That clearly will need to be kept up and maintained.

As far as the berm, I think that's something that if the residents want it to be removed, that's something that we should make it a condition of."

Joan Griffin: "Okay, thank you. And I would appreciate it if you would consider tabling this tonight."

Supervisor Kozakiewicz: "Thank you."

Joan Griffin: "Thank you."

12/02/2003minutes

Supervisor Kozakiewicz: "Ann Moroh."

Ann Moroh: "Ann Moroh (phonetic), Baiting Hollow. Ladies and gentlemen, I am baffled at what is going on here tonight because you've clearly got an issue that is a touch point within the community. We've now had- I'm-- to back it up a little bit, Mr. Supervisor, I'm concerned that you said there are a whole lot of resolutions here that were never discussed at a work session. I don't understand that part. I don't- "

Supervisor Kozakiewicz: "It's- we have a lot of budget resolutions that come up because- "

Ann Moroh: "Only the budget? They're only budget resolutions that were not discussed at a work session?"

Supervisor Kozakiewicz: "We've had resolutions brought off the floor. I mean, it's not something that hasn't occurred- "

Ann Moroh: "I'm just concerned about tonight's meeting because and this is a hot button, because for Crown to appear all of a sudden as an issue for a vote when we know the site plan was not discussed at a work session, I have clear evidence, I mean just from body language, that you've got at least two Council members that were not privy to- "

Supervisor Kozakiewicz: "Let me ask a question of you- "

Ann Moroh: "-- these discussions about berms and fences. You know, who would know?"

Supervisor Kozakiewicz: "The plan complies with zoning in that they do not exceed 30% lot coverage. It's 29.9%. It would improve the site. I mean if there's- I guess the question I have is what's wrong with the application?"

Ann Moroh: "Well, I don't know. We've never had it discussed."

Supervisor Kozakiewicz: "All right. Okay."

Ann Moroh: "I mean this is a clear issue of you're making pronouncements and judgments about the site plan which may, in fact, be the case. But the problem is this community- and particularly the Calverton community, that is agonized over the issues surrounding

12/02/2003minutes

Crown, deserves, I think, a little bit fairer treatment. God knows at this late date, to have a full discussion of this at a public work session, a full examination of all the issues, and then a vote by the Board. But not at this late date with no notice even to all of the Board members until this afternoon, is imminently not fair to the community. It's not fair to the Board, and it's certainly not fair to the process. And it's a bad way for this to go along.

I would offer also, I'm concerned in the same breath about the Willow Ponds deal. Where is that- I mean, I read the resolution this afternoon. I mean I don't get where all these declarations- "

Supervisor Kozakiewicz: "That one has been sitting since October 15, 2002 when we had the public hearing."

Ann Moroh: "Okay. Am I correct in the documents that I saw here this afternoon, that part of the SEQRA application is blank?"

Supervisor Kozakiewicz: "On which one?"

Ann Moroh: "On Willow Ponds."

Supervisor Kozakiewicz: "SEQRA application is blank?"

Ann Moroh: "Uh-uh."

Supervisor Kozakiewicz: "Rick?"

Rick Hanley: "The specific line in the resolution?"

Supervisor Kozakiewicz: "I don't know what the speaker is referring to."

Ann Moroh: "Show me- let me see the application."

Rick Hanley: (Inaudible)

Ann Moroh: "Yeah, I can- "

Supervisor Kozakiewicz: "Okay."

Ann Moroh: "I think it is fair to this community, God knows at this point, it is fair to this community to table both of these resolutions. They are important. They deserve due consideration and input from the community and not just- "

12/02/2003minutes

Supervisor Kozakiewicz: "Well, there will be input on the Willow Ponds, there's a public hearing, Ann."

Ann Moroh: "Okay. But my point is that Crown absolutely should be tabled. This is- it should not be approved in this cavalier fashion."

Supervisor Kozakiewicz: "Thank you. Anybody else who hasn't had a chance to speak? Hand in the back."

Lawrence Michael Rehm: "Good evening. Lawrence Michael Rehm (phonetic), Baiting Hollow. In reference to 1312, are we discussing a site plan for any of the 14 acres on Youngs Avenue?"

Supervisor Kozakiewicz: "The site plan uses the lot coverages and the calculations from the industrially zoned parcel which will stay that way, in which the master plan envisions as staying industrially zoned."

Lawrence Michael Rehm: "Okay. So we're talking some part of the 14 acres?"

Supervisor Kozakiewicz: "There is- 108-60 as I indicated which is off street parking provisions in the code. There is parking being utilized on the adjoining parcel."

Lawrence Michael Rehm: "Okay. How can we possibly discuss site plans on a piece of property that is arrear in taxes, back taxes have not been paid."

Supervisor Kozakiewicz: "The bottom line is that, you know, we can still move forward. That would not be a bar to the application being granted."

Lawrence Michael Rehm: "But- "

Supervisor Kozakiewicz: "It doesn't- it's not a bar. All right?"

Lawrence Michael Rehm: "I just wanted to put that on record. They're-- "

Supervisor Kozakiewicz: "Thank you."

Lawrence Michael Rehm: "-- arrear in their taxes on the property."

12/02/2003minutes

Supervisor Kozakiewicz: "The applicant is here. I'd like to hear what they'd like to say about the tax payment. Anybody else? Yes, Gene Greaves."

Gene Greaves: "Gene Greaves, Calverton. I just wanted to be on record for saying that I really strongly believe that the Board should table this tonight. It's been mentioned earlier, we do have two more work sessions before the end of the month is up. There's no reason why the public is not entitled- I mean don't need to go through letter by letter but it's been a long arduous process on both sides.

If everything is dotted and crossed. Let's get it reviewed; make sure everybody has a chance to look at it. You obviously are speaking fairly informed about it. We just want an equal opportunity. That's all we're asking for and I think that's part of what your responsibility as local government is to provide. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Bill Kasperovich. On resolutions, Bill. We're on resolutions still."

William Kasperovich: "William Kasperovich from Wading River. I've not been able to peruse through the resolutions by misunderstanding with the Town Clerk on getting a copy."

Barbara Grattan: "Bill, there's a copy in the black book out there, on the desk as you walked in."

William Kasperovich: "a circle is round."

Barbara Grattan: "Oh, okay."

William Kasperovich: "Is that what you're telling me?"

Barbara Grattan: "But there is a book there."

William Kasperovich: "And circled around. Resolution 1285. For the first time in my recollection in resolutions it's written that notified by certified mail return receipt and this is what I'm bringing forth, by regular mail in a plain unmarked wrapper. I never saw that in a resolution in all the years I've come here. Now, the party being addressed is a PO Box number, same as I do in Wading River. Aquebogue is not that far away. If it's so important to remove the trash, rubbish from the site that we have a police

12/02/2003minutes

department that could knock on a door and present a notice or you could have a process server get them to notify them. If it's so important that you have to send them an unmarked wrapper, then it's just not consistent with the relevancy of the resolution.

Another resolution is 1309 wherein one document refers to a restroom, another document refers to a bathroom. Now if the engineering department doesn't know the difference between a restroom and a bathroom, as sure as hell we can't pay much credence in what they have prepared for the bidder to give us a price on it.

These might be trivial matters but when they come to doing something, then the legal department gets out all the "p's" and "q's" and the what have you.

Although this is towards the end of the term of the Supervisor, I do think that more serious attention has to be paid to the writing of the resolutions. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else for resolutions? Hal Lindstrom. Who hasn't had a chance to speak."

Hal Lindstrom: "Hal Lindstrom. I just wanted to ask you about this 1274, Craig's Oak."

Supervisor Kozakiewicz: "Craig's Oak and More."

Hal Lindstrom: "There was a site plan change in that. What was the site plan change?"

Supervisor Kozakiewicz: "There was a need to allow for a change on the easterly boundary line to change the fence. The chain link fence is- that's currently there is in bad shape and we're asking them to replace that chain link fence. All sides. Yeah, well, I know that we asked them to do all but it was the east side that caused the problem to arise."

Hal Lindstrom: "It was just the change- "

Supervisor Kozakiewicz: "Right."

Hal Lindstrom: "-- changing the fence?"

Supervisor Kozakiewicz: "Yeah. Because it's in very bad condition and it's not doing what the purpose of fences do plus it's very aesthetically unpleasant."

12/02/2003minutes

Hal Lindstrom: "Okay, thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else who hasn't had a chance? Ann, you want to come up again?"

Ann Moroh: "Just as a follow up to my question about the blank. I was referring to the EAF and Rick and I talked about it in terms of where it appears in terms of in the special permit process. However, I would like the question on that Willow Ponds resolution. In reading the resolution, it goes through a number of points that would be determined by this Board to be a finding in order to declare it exempt from the moratorium. It refers to the flora and the fauna. It refers to, you know, all the- the impact on that environment. Would not a positive vote by this Board mean that you are declaring those things to be true which would then tie your hands for subsequent approval of those very same arguments?"

Supervisor Kozakiewicz: "If we don't reach that argument, we're in a circular box, are we not? Because we don't make the findings as set forth in the local law, then we can't take it out. I don't think it hamstring us because the process still allows for the further discussion and input. Some of these things, there can be an issue taken. I mean, I'm not sure if I'm following you, Ann."

Ann Moroh: "What I'm saying, if you read the- and I apologize, I don't have the resolution because it's in the notebook up here in front of me- "

Supervisor Kozakiewicz: "Right."

Ann Moroh: "-- but the item particularly that relates to the flora and the fauna."

Supervisor Kozakiewicz: "Right. Because I think the proposal- "

Ann Moroh: "Okay, would not the Board by voting affirmatively in that regard be making a finding that it does not impact?"

Supervisor Kozakiewicz: "We're making a finding which is made in connection with taking it out from the moratorium and moving forward. The special permit considerations which are distinct and (inaudible) are other issues that the Board's got to make and adjudicate a finding on."

Ann Moroh: "Well, with all- "

12/02/2003minutes

Supervisor Kozakiewicz: "They're still separate issues that have to be addressed at that hearing."

Ann Moroh: "Yeah, but if I'm- with all due respect, if I'm a developer's attorney, I'm certainly going to argue that the Board has already made that finding by voting on this."

Supervisor Kozakiewicz: "I think the developer's attorney is going to make that argument whether we refuse to act on it or not but, you know."

Councilwoman Blass: "Mr. Supervisor, I was going to make some comments when we got to the point of actually voting on this resolution, but I think clearly there's an issue here that maybe someone in an effort to cut and paste a resolution may have inadvertently included what essentially are findings statement that speak to special permit criteria, there is not one recitation of the five criteria that by law Chapter 109, the Town Board must consider when we're including an exemption application."

The findings that we're talking about here are special permit findings."

Supervisor Kozakiewicz: "Are special permit."

Councilwoman Blass: "They are. They are. We in the- we had one similar application and that was in connection with Mountain Brook Homes that made- "

Supervisor Kozakiewicz: "That was (inaudible)."

Councilwoman Blass: "Yes, that's correct. And I have in the matter of that application the response that we had in connection with the resolution approving that, that articulated, it was very thoroughly done by the town attorney, each and every criteria that we are required to analyze under Chapter 109, and there are five of them. And you speak to this application as it is analyzed against those criteria."

There is not one resolution or not one Whereas that speaks to those individual criteria. The findings that are recited in this, I would feel- I would expect to find in connection with a special permit application. When you recite what the current zoning is and all of the other things that it is in compliance with this and that, whatever, the five criteria that we are required to address in an

12/02/2003minutes

exemption application are not even mentioned in this resolution.

And I would agree that the SEQRA- that it would be my opinion that adopting language that talks about how this does not have significant impacts on environment, that it's consistent with ground water management plans and the like, are all things that come at the end of a SEQRA process, not when we're considering the five exemption criteria that are outlined in Chapter 109."

Rick Hanley: "Okay. The first couple of findings may appear to be nothing more than findings of fact, but there are others there that are right out of the local law."

Councilwoman Blass: "Compatibility, the proposed development with the recommendations of the comprehensive planning studies. In a prior application, we went so far as to- "

Rick Hanley: "But that comes right out of my reading of the local law."

Councilwoman Blass: "-- but, but it doesn't demonstrate how it's in compliance with- "

Rick Hanley: "Oh, well, that's a different matter."

Councilwoman Blass: "-- but that's the- that's the- those are the eligibility for granting an exemption and that's what we should- "

Rick Hanley: "Right. But these were not meant to be special permit criteria findings of fact. They were meant to be findings of fact with respect to the local law."

Councilwoman Blass: "But there are five criteria that are addressed- that are identified- "

Rick Hanley: "Yes."

Councilwoman Blass: "-- that we need to analyze this particular application against. One of- "

Rick Hanley: "That's correct."

Councilwoman Blass: "-- then is the compatibility of the plan with the proposed- well, at this point the adopted comprehensive plan."

12/02/2003minutes

Rick Hanley: "Correct."

Councilwoman Blass: "And, again, referring to our prior application and approval resolution, we actually went so far as to say, yes, we would grant the application for an exemption on the condition that it would purchase a specified number of development rights in order to bring it into compliance with the at that time proposed plan."

Rick Hanley: "We're getting into very complex matters here. I'm not so sure this is the appropriate- "

Councilwoman Blass: "It's a complex issue and we never had an opportunity to- "

Rick Hanley: "-- forum to do this."

Councilwoman Blass: "You're exactly right. You're exactly right, which is why I was going to make the motion to table this resolution so that we could have an opportunity to discuss the exemption criteria that we need to demonstrate compliance with in order to grant an exemption application. We've never done that as a Board."

Ann Moroh: "I would hope you would do that at the least."

Supervisor Kozakiewicz: "Bob Pike."

Robert Pike: "Rob Pike, 138 Ostrander Avenue. We've hearing- on Crown Sanitation, we're hearing a number of legal arguments and I want to take you back to an odd place for a lawyer, a moral argument."

This is the flip side of the reason I very strongly encouraged you to pass the master plan before election day. And there has historically been, and I don't even know where the phrase lame duck came from. I usually know the routes of words like throwing the baby out with the bath water or threshold or things like that. I don't know where that one came from but I think I know where it's going to be attached.

The fundamental problem here is that it's not something that we would have planned for. It is about to become an expanding pre-existing non-conforming use. It is clearly something that the neighborhood does not want.

The reason we do master plans is to raise the entire value of

12/02/2003minutes

the whole community and the reason we make them such an open process and I dare anyone to contest the fact that the master plan was an open process, it was, is to invite people whose interest might be affected negatively to participate and convince the community that their expansion plans are a good idea. And failing that, to be discouraged from moving forward with the plans.

Clearly, they have not carried the day to get the expansion of their operations, for all of the good that recycling can do, for all of what might be a good industry for the town of Riverhead in the right spot, but clearly they have not met that burden. And, so I would ask the two of you who are in your final days of bearing the mantle of your office, to look at the moral question of whether or not you really do have the moral authority. I know you have the legal authority, but do you have now the moral authority to pass this hastily conceived resolution on behalf of a non-taxpayer in the town of Riverhead. I suggest you do not have that moral authority, that you should table it and let the new administration handle this."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? Okay. Is Andrea here to take up the Community Development Agency resolution? Okay. Well- the time being 8:00, we'll adjourn the Town Board portion."

Meeting adjourned: 8:00 p.m.

Meeting reconvened: 8:02 p.m.

Supervisor Kozakiewicz: "Time being 8:02 p.m. and reconvene the Town Board portion."

Resolution #1267

Councilwoman Blass: "This resolution adopts a local law to repeal and replace Chapter 90 entitled Special Events of the Riverhead Town Code. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

Councilman Densieski: "Discussion. Yes."

Councilman Lull: "Discussion here."

Supervisor Kozakiewicz: "I knew there was going to be."

12/02/2003minutes

Councilman Lull: "The only discussion that I have, the other questions we've dealt with, we've answered, the only question I have is it does not indicate when this Chapter is taking effect. We've had quite a bit of discussion about that."

Supervisor Kozakiewicz: "In absence there, it would take effect upon filing with the Secretary of State."

Councilwoman Blass: "Filing with the Secretary of State."

Barbara Grattan: "Ten days."

Councilman Lull: "Okay."

Councilman Densieski: "Also, under application fees, there's no fee schedule in here that I can see."

Supervisor Kozakiewicz: "That's because the fees have to be approved by resolution of the Town Board. What the proposal was, to try and reach an accord because there was differences of opinion what the appropriate fee should be, so it's going to be set by resolution."

Councilman Lull: "In the January meeting?"

Supervisor Kozakiewicz: "That's correct."

Councilman Lull: "Yes."

Supervisor Kozakiewicz: "Any other discussion? Vote."

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

Councilman Densieski: "I think a lot of this for the big gatherings is probably a good thing. I think it's a little too restrictive for smaller operations and I personally think when we adopt this, the price that we're going to charge, and I'm telling you right now, is going to be high. It should be in here. I'm going to vote no."

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

Councilman Lull: "I see as Eddie mentioned, that this is a-- this is going to be a long, drawn out process. Chapter 90 special events code is not going-- is not the one that's here. The one

12/02/2003minutes

that's finally going to be in motion over the next five years will develop because this has been basically developed in a vacuum with certainly significant changes to the old code which were necessary. No question about that.

But I also know that there are some things that are going to change and that's pretty much probably the way any law should be. It should be dynamic enough to accept changes but I don't believe that this is going to be the final iteration of this and as of right now to move forward is a good idea. Yes."

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

Supervisor Kozakiewicz: "Yeah. This thing's been-- I'm not sure if I agree it's been in a vacuum because it certainly has been discussed amongst the Town Board, Fire Marshal, Fire Services, the Town Attorney's office, a lot. We've gone around and around and around on this, in fact, that's the reason why we're getting the letters from the Fire Chief saying, please, take action finally.

So as far as the fees, I'm, sure they'll be-- it will engender a lot more discussion. As far as the application, I'm sure as we move forward and start getting input from people making application, they'll say, well, this maybe needs to be changed. This needs to be modified.

But I vote to adopt the change to Chapter 90, get it to the Secretary of State, make it effective. Get everybody out there aware of the fact that they've got a new process to follow when they come in for special events. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1268

Councilwoman Blass: "This resolution adopts a local law amending Chapter 98 entitled Littering of the Riverhead Town Code. 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."

12/02/2003minutes

Resolution #1269

Councilman Lull: "Adopts a local law amending Chapter 46 entitled Architectural Review of the Riverhead Town Code to coordinate compliance with other ordinances in relation to dumpster enclosures. 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 #1270

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

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Mr. Supervisor, I can pass, is that correct? And then come back."

Supervisor Kozakiewicz: "Well, we've never done that."

Councilwoman Sanders: "Can it be?"

Supervisor Kozakiewicz: "I guess there's no reason if you want to make that request."

Councilwoman Sanders: "I'd like to pass."

The Vote: "Blass, yes; Densieski."

Councilman Densieski: "Yeah. This is doubling most of the fees but-- and I think it's going to be a little restrictive and make it harder for business to survive, but the price of doing business has gone up and certainly the town employees, their insurances and wages have all gone up. It costs more for us to do business. I hate to pass this on, but we do have to adopt it. Yes."

12/02/2003minutes

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

Councilman Lull: "Yeah, a fee must be passed along. It must relate to the price of doing business. Yes."

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

Barbara Grattan: "The resolution is- oh, Sanders."

Councilwoman Sanders: "Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1271

Councilman Lull: "1271, okay, adopts a local law amending Chapter 52 entitled Building Permit Fees of the Riverhead Town Code. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yes. These also go up but these aren't quite as bad as the other ones. The cost of business is going up. Yes."

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

Resolution #1272

Councilman Densieski: "Classifies action of a special permit for Hollow Properties, Inc. and refers the petition to the Planning Board. 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 #1273

12/02/2003minutes

Councilman Densieski: "Amends Resolution #572 for 2002 for a special permit of the Riverhead Center LLC. 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 #1274

Councilman Densieski: "Approves the amended site plan of Craig's Oak and More WIN Properties. 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 #1275

Councilman Densieski: "Approves a special permit application of the Little Flower Children's Services. 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 #1276

Councilman Lull: "Amends the site plan of Sunken Pond Estates, Inc. with the change of the word- the spelling of the word dining in the first- second Whereas clause. 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."

12/02/2003minutes

Resolution #1277

Councilwoman Sanders: "Approves the site plan of TRW Realty Corp., Riverhead Auto Mall expansion. 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 #1278

Councilwoman Sanders: "Order calling for a public hearing for a lease agreement with Sprint and the Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1279

Councilwoman Blass: "This is another order calling for a public hearing in connection with the lease agreement between the water district and Sprint. 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 #1280

Barbara Grattan: "Councilwoman Sanders."

Councilman Densieski: "I've got my name on that one."

Barbara Grattan: "What?"

12/02/2003minutes

Councilwoman Sanders: "You can go."

Councilman Densieski: "I had my name- I don't- "

Councilwoman Sanders: "Go."

Barbara Grattan: "1280, Councilman Densieski."

Councilman Densieski: "Yeah, I have it. My name's on it. I don't know if you want me to read it or not."

Supervisor Kozakiewicz: "Yup. Go."

Councilwoman Blass: "Unless you have a different resolution."

Supervisor Kozakiewicz: "What happened was Barbara said Councilwoman Sanders- "

Councilwoman Blass: "Does yours say-"

Supervisor Kozakiewicz: (Inaudible)

Barbara Grattan: "I have Councilman Densieski and Councilman Lull."

Supervisor Kozakiewicz: "Right."

Councilwoman Sanders: "Oh. You said Sanders."

Councilwoman Blass: "Oh, I thought you said Sanders."

Barbara Grattan: "Did I say? I'm sorry."

Councilwoman Sanders: "That's okay."

Supervisor Kozakiewicz: "Yes, yes."

Councilwoman Sanders: "It's okay with me."

Barbara Grattan: "Whoever wants it, take it."

Councilman Densieski: "Thank you, Barbara. Authorize the Town Clerk, that's Barbara over there, republish a notice of a public hearing for a site plan of East Suffolk Shoppes. So moved."

12/02/2003minutes

Councilman Lull: "And seconded."

Councilwoman Blass: "Just a- "

Supervisor Kozakiewicz: "It should be publish, not republish."

Councilwoman Blass: "Okay."

Councilman Densieski: "Okay."

Supervisor Kozakiewicz: "Okay. Publish. Okay?"

Barbara Grattan: "It should be publish?"

Supervisor Kozakiewicz: "Publish, not republish."

Barbara Grattan: "Okay. Did you second it, Lull?"

Supervisor Kozakiewicz: "Not yet."

Councilwoman Sanders: "Yes, he did."

Supervisor Kozakiewicz: "Oh, he did? Okay."

Councilwoman Sanders: "Yes, he did."

Supervisor Kozakiewicz: "Good. Moved and seconded."

Barbara Grattan: "We need to vote?"

Supervisor Kozakiewicz: "Yes. We're ready."

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

Resolution #1281

Councilman Densieski: "Authorizing the sale of a portion of the Town of Riverhead Public Parking District No. 1 to Suffolk Theater Enterprises, Inc. pursuant to the Town of Riverhead's East Main Street Urban Renewal Plan adopted October 19, 1993 and the petition of Suffolk Theater Enterprises, Inc. So moved."

Councilman Lull: "Second."

12/02/2003minutes

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1282

Councilwoman Sanders: "Authorizes the Supervisor to release petty cash monies to the Receiver of Taxes. 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 #1283

Councilwoman Sanders: "Approves temporary sign permit of Curves. 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 #1284

Councilman Densieski: "Awards a bid for the renovations to structure located at 201 Howell Avenue, Riverhead. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I don't think separating town offices if a very efficient way to do business. I vote no."

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

12/02/2003minutes

Resolution #1285

Councilwoman Blass: "Authorizes the town of Riverhead to remove rubbish, debris and the cutting of grass and weeds from property pursuant to Chapter 96 entitled Trash, Rubbish and Refuse Removal of the Riverhead Town Code. Property is located at 102 Shade Tree Lane in Aquebogue. 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 #1286

Councilwoman Blass: "This resolution authorizes the Town Clerk to publish and post public hearing notice to consider the demolition of buildings owned by Alton Vaughn, Jr. pursuant to Chapter 54 of the Code of the town of Riverhead entitled Unsafe Buildings and Collapsed Structures. This property is located at 205 Horton Avenue in Riverhead. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1287

Councilman Lull: "Cancels arrears of water bill for Riverhead Water District for property located on Columbus Avenue, Riverhead, which is occupied by the Roanoke Nursery School, Inc. 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 #1288

12/02/2003minutes

Councilman Lull: "Accepts resignation of Richard Redican of the Farmland Select and Open Space Committee. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "It is regrettable to have to vote on this particular resolution but being as it may, I'd like to thank Mr. Redican for his years of service on the Farmland Select Committee. I know he was very dedicated and an active participant. With that, I vote yes."

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

Councilwoman Blass: "Yes. Similarly, I served with Mr. Redican on the Committee and do accept his resignation with regret. He was a very active member and was very committed to his responsibilities. I vote yes."

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

Councilman Densieski: "I'd also like to thank him and vote yes."

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

Councilman Lull: "As sometimes happens, you've got a hole to fill. I hope it's filled well. Yes."

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

Supervisor Kozakiewicz: "I know Mr. Redican for a while and, in fact, when the vacancy had been created by Mr. Hanley's passing, I know for a while the Committee suffered. A search was made and I know that he was very dedicated to the process like everything he does. And I, too, regret his resignation coming. I, too, accept same and vote yes."

Barbara Grattan: "The resolution is adopted."

Resolution #1289

Councilman Lull: "Abolishes the position of parking meter

12/02/2003minutes
officer. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "I'm kind of torn in this one. I really think we need the presence down there. It's kind of a cost effective way to have a uniform down there and not only do they create their own salary through the parking tickets, but they control things like handicapped violations and fire districts and they also help tourists and guide them along.

I could see getting rid of both of these and putting a full time officer down there, like the BID suggested many times. But I think having only one brown uniform down there probably isn't going to be enough. So, I'm going to vote no."

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

Councilman Lull: "The parking meter officers are employed by and paid for by the parking district. The parking district voted to terminate one of the parking meter officers. I vote yes."

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

Supervisor Kozakiewicz: "This one was part of the reason why I wrestled with the whole budget vote. I'm not sure I agreed with this particular recommendation and I, too, am somewhat unconvinced.

I could do the simple thing which would be to abstain but I'll vote no."

Barbara Grattan: "You'll vote no?"

Supervisor Kozakiewicz: "Yeah."

Barbara Grattan: "What have we got here, one, two, three. We got resolution is adopted."

Resolution #1290

Councilman Lull: "Accepts the retirement of Terry Maher as secretarial assistant. So moved."

12/02/2003minutes

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Yeah, I'd also like to wish her a job well done and thanks for all the years of service that-- she did a great job down there. Thank you. Yes."

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

Councilman Lull: "Yes. Many years of service and well done. Yes."

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

Supervisor Kozakiewicz: "Yeah, Terry was definitely someone who could keep those guys in line down there. She'll probably be missed; maybe no. I accept her retirement and wish her the best. Yes."

Barbara Grattan: "That resolution is adopted."

Resolution #1291

Councilwoman Blass: "This resolution appoints temporary Clerks to the Tax Receiver's office. 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 #1292

Councilwoman Blass: "Mr. Supervisor, I believe we had come to an agreement that we were not going to act upon filling any terms which were expiring on December 31st of this year and that we would leave those decisions for filling those positions to the new town board, and to that extent- "

Supervisor Kozakiewicz: "I know there was a discussion. I don't know if there was an agreement but if there's a desire to

12/02/2003minutes

table- "

Councilwoman Blass: "Can I make a motion at this time to table?"

Councilwoman Sanders: "I second it."

Supervisor Kozakiewicz: "All right. Moved and seconded to table. Vote."

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

Supervisor Kozakiewicz: "I guess I'm looking for assistance. You've got any problem with Judy Jacunski, Phil? Kind of putting you on the spot."

(Inaudible - from the audience)

Supervisor Kozakiewicz: "That wasn't the question."

Councilman Lull: "Answered like the Supervisor."

Supervisor Kozakiewicz: "I know there was discussion. Yeah."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "I don't know if this one is worthwhile to belabor over. I'll vote no to table."

Barbara Grattan: "2 no's and 2 yes's."

Supervisor Kozakiewicz: "So we take up the resolution. It's been moved and seconded. So vote on the resolution."

The Vote: "Sanders."

Councilwoman Sanders: "Well, we have to vote on it now."

Supervisor Kozakiewicz: "It was moved, right? It was moved and then it was moved to table, so-- "

Barbara Grattan: "It was only-- to table. There's 2 yes and 3 no's to table."

Supervisor Kozakiewicz: "Right."

12/02/2003minutes

Barbara Grattan: "It's not tabled."

Supervisor Kozakiewicz: "It's not tabled. So it's still on the floor."

Barbara Grattan: "It's still on the floor."

Supervisor Kozakiewicz: "It's still on for a vote."

Barbara Grattan: "So now we're calling Sanders' vote."

Councilwoman Sanders: "I still believe that a better decision here would have been to table this resolution so that it can be addressed in January for all the members, but if we insist on doing this this evening, I don't have any particular issue with the individual- has served on the board for quite some time and does a very good job. So, I would vote yes."

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

Councilwoman Blass: "I know Judy to be very responsible. She's very conscientious. I have no reason to believe that she would not continue in that same vein on another term as a member of the Architectural Review Board. But for purposes of policy, I am not comfortable with appointing someone to- whose term is expiring at the end of this year. I'm going to abstain on this vote."

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

Councilman Densieski: "She's doing a great job. Yes."

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

Supervisor Kozakiewicz: "All the money that this position bring with it, yes."

Barbara Grattan: "Okay, that resolution is adopted."

Resolution #1293

Councilwoman Sanders: "Accepts irrevocable letter of credit from 31 Main Road Riverhead Corp. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

12/02/2003minutes

The Vote: "Sanders."

Supervisor Kozakiewicz: "We need to table this one. There are mistakes on this resolution."

Councilman Densieski: "1293, Bob?"

Supervisor Kozakiewicz: "Yes. Is there a motion to table?"

Councilman Densieski: "Well, it's already been moved."

Councilwoman Sanders: "I didn't know there was a- I didn't know there was mistakes."

Supervisor Kozakiewicz: "Yeah, there is. I have a note there were some factually incorrect."

Councilman Densieski: "Motion to table 1293."

Councilman Lull: "I'll second."

Supervisor Kozakiewicz: "Moved and seconded to table."

Barbara Grattan: "Densieski and Lull?"

The Vote: "Sanders."

Supervisor Kozakiewicz: "Well, the issue, Dawn, on this one?"

Dawn Thomas: "We haven't gotten the documents to review."

Supervisor Kozakiewicz: "Okay. Okay."

Dawn Thomas: (Inaudible)

Supervisor Kozakiewicz: "Okay, okay. Vote on the tabling it."

Barbara Grattan: "So we're tabling this. And now, Sanders."

Supervisor Kozakiewicz: "Well, we have to take a vote on it."

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

Resolution #1294

12/02/2003minutes

Councilman Densieski: "Accepts irrevocable letter of credit of J. Douglas and Agnes Stark Family Partnership, LP (Stark Mobile Homes, Inc.) So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1295

Councilman Lull: "Community Preservation 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."

Supervisor Kozakiewicz: "Yes. But I want to just make a comment. Next time, Jack, we've got to come up with a different name for departmental income. It caused all kinds of questions to be raised earlier. But I vote yes for the reasons recited in the accompanying memorandum."

Barbara Grattan: "The resolution is adopted."

Resolution #1296

Councilwoman Blass: "This is a budget adjustment in connection with a Chapter 96 proceeding, 852 Roanoke Avenue in Riverhead. 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 #1297

12/02/2003minutes

Councilwoman Sanders: "Pisacano farmland preservation project 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 #1298

Councilwoman Blass: "It's a budget adjustment in connection with a Chapter 54 project in Zion Street 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 #1299

Councilman Lull: "Is also a budget adjustment for the revolving loan 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 #1300

Councilwoman Sanders: "Riverhead Human Services Center project 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 #1301

12/02/2003minutes

Councilwoman Blass: "This is a CDBG 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 #1302

Councilwoman Sanders: "Authorizes the Town Supervisor to execute a change order for Stotzky Park basketball court. 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 #1303

Councilman Densieski: "Authorizes the Supervisor to execute a change order for municipal garage maintenance facility electrical - Hawkeye Construction, 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 #1304

Councilwoman Sanders: "Authorizes the Supervisor to execute a public safety answering points agency agreement under the Enhanced 911 program for a grant from the County of Suffolk."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

12/02/2003minutes

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

Resolution #1305

Councilman Lull: "Authorizes attendance of a police officer to training - Ethical Awareness Instructor Level Course. 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 #1306

Councilman Densieski: "Approves the attendance at the Empire State Development Zone Conference. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Can we strike 11/20/2003 from above the Town of Riverhead on the top of the page?"

Supervisor Kozakiewicz: "Absolutely. Done."

Councilwoman Sanders: "Thank you."

Supervisor Kozakiewicz: "Vote."

Councilwoman Sanders: "I'm just- coming. Yes."

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

Resolution #1307

Councilwoman Blass: "This resolution authorizes the retention of the law firm of L'Abbate, Balkan, Colavita & Cotini, LLP in connection with Supreme Court litigation entitled Lorraine Melk Vyas a/k/a Tonya Reins v. Town Justice, Allen M. Smith. So moved."

12/02/2003minutes

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Just a discussion- amendment, in the second Resolve, take out the- strike the word "attached" because the retainer is not attached."

Supervisor Kozakiewicz: "Right."

Councilwoman Sanders: "Thank you."

Supervisor Kozakiewicz: "And we've got information on (inaudible)."

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "Good."

Councilwoman Sanders: "Thank you."

Supervisor Kozakiewicz: "Okay?"

Councilwoman Sanders: "Yes."

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

Resolution #1308

Councilman Lull: "Budget adoption for the 201 Howell Avenue Town Hall annex. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1309

Councilwoman Blass: "This resolution rejects the bid for prefabricated restroom building and authorizes the Town Clerk to

12/02/2003minutes

repost and republish the attached notice to bidders. 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 #1310

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

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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

Resolution #1311

Councilman Densieski: "Approves a site plan of Crown Recycling, Peter Rossano. So moved."

Supervisor Kozakiewicz: "You're one ahead of yourself."

Councilman Densieski: "1312?"

Supervisor Kozakiewicz: "1311."

Councilman Densieski: "Approves the application of Sound Housing, LLC to be exempted from local law Moratorium on Residential Development. So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilwoman Sanders: "I'll second it."

Supervisor Kozakiewicz: "Okay. Discussion?"

Councilwoman Blass: "Mr. Supervisor, I would like to make a motion to table this resolution. This clearly does not demonstrate based upon the criteria that's in Chapter 109 that this application should be exempted from the moratorium.

I don't believe that- I am concerned that by adopting a finding

12/02/2003minutes

that says something like or not something like, exactly, the proposed development will not adversely impact the premises or the surrounding area, the subject property does not contain any significant natural features which could adverse- be (inaudible) affected, I don't know how we make a finding like that without having gone through a SEQRA process.

This is an exemption on a moratorium application that's supposed to address very specific criteria. I am very concerned that if this resolution gets vote on and adopted, it would be- we would be hard pressed to then have a SEQRA record that may contradict these and not have the opportunity to adequately and appropriately defend ourselves. These are SEQRA findings, I don't believe we should be entertaining this resolution as worded.

If the resolution addressed the exemption criteria, I think we'd be in a better position to move this application forward. We talk about the proposed development being in conformance with plans, Long Island Comprehensive Wastewater Treatment Management plan. I haven't even seen anything along those lines let alone how that is relevant to the exemption criteria that are clearly our charge to ensure that the application complies with those.

I would strongly urge this Board to do the appropriate thing. Table this resolution so that we would have an opportunity as a Board to appropriately discuss what we need to discuss and that's exemption criteria, not findings statement.

I make a motion to table this resolution."

Councilwoman Sanders: "I second it."

Supervisor Kozakiewicz: "Moved and seconded to table. Vote."

The Vote: "Sanders."

Councilwoman Sanders: "Before I vote to table, I just-- there's two things. There's one very interesting comment that was made before about this is much too complicated issue for us to be discussing here, sorry, much too complicated an issue for us to be discussing here and I think that we should afford ourselves the opportunity to bring it to another work session so there are some of these issues that we can address at that point.

Secondly, I don't know why we would ask another application and this is the application of Mountain Brook Homes, to go through the

12/02/2003minutes

hoops and meet the criteria that we have set as policy and for another application, we would not. I think if we set the policy, this is what we would like to adhere to for all applications, I think all applicants then should be mandated that they all meet the same eligibility criteria. So with that, I vote yes to table."

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

Councilwoman Blass: "Yes, to table."

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

Councilman Densieski: "This is a disturbed site. It's sewerred, watered, and they're not obligated to give us one TDR right, but yet they're going to give us 110 TDR rights. We're going to save 110 acres of farmland by building on a disturbed site. I'm going to vote no to table."

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

Councilman Lull: "Also (inaudible)."

Barbara Grattan: "Is that a no, Jim?"

Councilman Lull: "Yes."

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

Supervisor Kozakiewicz: "Yeah, I understand that the applicant made an appearance before the Planning Board at their last work session and offered to deposit monies in order to acquire development rights from an equivalent amount of 110 acres I believe was the number.

If we can make some recitation to that fact in the resolution--
"

Councilman Densieski: "Sure."

Supervisor Kozakiewicz: "-- in order to bring it in conformance with the local law, I would prefer to do that, allow for a public hearing, hear what the public has to say. Maybe the number is not enough. Maybe they should offer more money. Maybe we can require more from them and, of course, choose not to act.

If there's language that's objectionable, let's strike it and it

12/02/2003minutes

is calling for a public hearing. It's not calling for an approval. If there's questions whether this opens up problems with the special permit criteria, let's make them clear that notwithstanding the foregoing, any findings herein are made solely with respect to the moratorium, Local Law #22-2003 and not with respect to any special permit criteria set forth in that separate provision.

So I vote no to table and, hopefully, can agree upon certain language in the last Therefore Be It Resolved to at least move forward."

Barbara Grattan: "Okay, the resolution is not tabled."

Councilman Densieski: "Do you want to include the 110 TDR rights in that last Resolve?"

Supervisor Kozakiewicz: "What was the exact proposal? I would ask Rick if you would come forward please and just make a representation on the record. Because I understand there was a formal meeting with the Planning Board at the 20th of November work session."

Rick Hanley: "Yeah. He appeared in front of the Planning Board informally, presented the entire project to the Board, and made a representation that they would be willing to make either a cash payment to the CPF fund to the equivalent of 110 acres of 110 development rights. Did not discuss any real property specifically, but did explain to the Planning Board that that would be a mitigation measure that would be made part of the special permit application.

He was clear though that this was not to be in his view or definition, not to be a transfer of development right necessarily. His view is that the densities that we are talking to he's entitled to and that he would offer as part of the application this mitigation measure. The intent was to remove or to avoid the development of 110 lots within the APZ and by doing so remove all the traffic associated with 110 lots, school children associated with 110 lots, and all the fragmentation of agricultural land with respect to development in the APZ. So that was his offer to the Planning Board."

Councilwoman Blass: "With all due respect, Mr. Hanley, I actually attended that informal meeting and we should not be discussing criteria under which his special permit application would be- should- could be considered. We don't have an EAF. This application clearly talks about environmental impacts. The EAF has not even been submitted.

12/02/2003minutes

What we are supposed to be doing is demonstrating compliance with the five criteria- "

Rick Hanley: "I agree with you. I agree with you."

Councilwoman Blass: "-- and there is no reference. And to the extent that he is not acting upon this application- or presenting this application as a transfer of development rights, I believe that in and of itself makes it inconsistent with what we intended for properties such as this.

There is a reason that when this- "

Rick Hanley: "I guess we're debating this?. Are we debating this?"

Councilwoman Blass: "-- it's unfortunate but we have no other opportunity to do this."

Rick Hanley: "The application in front of the Planning Board was not for the special- was not for the exemption."

Councilwoman Blass: "That's correct. And that's why-- "

Rick Hanley: "It was for the special- there's nothing in that local law that says that an applicant has to go to the Planning Board for an exemption."

Councilwoman Blass: "That's correct. That's correct."

Rick Hanley: "He goes to this Board. There was a hearing held- "

Councilwoman Blass: "That's correct. So why should we be including- "

Rick Hanley: "-- there was a hearing held. He came to the Board, made his application for an exemption. He was in abeyance for some time, and here we are. We have an adopted comprehensive plan. The property that we're talking about was designated by the Planning Board and by this Board when you approved this plan to remain in this particular land use. I mean it's very clear."

Councilwoman Blass: "Mr. Hanley, can I ask- well, first I would like to say that there was a reason that the application did not proceed back when we had the hearing for the exemption

12/02/2003minutes

originally. There was a reason it did not proceed because he was claiming a hardship situation at the time."

Rick Hanley: "I don't- I can't comment on that."

Councilwoman Blass: "I can."

Rick Hanley: "I just know that this Board did not act on the exemption."

Councilwoman Blass: "That's correct. This Board- "

Rick Hanley: "That's all I know."

Councilwoman Blass: "This Town Board did not- "

Rick Hanley: "That's correct."

Councilwoman Blass: "-- because they were clearly- "

Rick Hanley: "I don't know the reasons for it."

Councilwoman Blass: "-- the argument- well, I can tell you because I was part of the decision making process there. He could not demonstrate compliance with the exemption criteria at the time. There is nothing that has changed about that application to my knowledge. I hear mitigation fees, I hear all this other stuff. That is irrelevant to the exemption criteria that we have before us.

If we adopted this resolution, there is a statement that it doesn't contain any significant natural features which could be adversely affected. How do we make that statement in this resolution? That's a statement that comes as a result of a SEQRA determination, a SEQRA process that hasn't happened yet."

Rick Hanley: "Okay. So are we talking about modifying the language of this resolution to avoid any references to environmental conditions and only deal with whatever exemption criteria are in a local law? Is that what we're talking about?"

Councilwoman Blass: "There are- that is correct. There are five exemption criteria that we need to meet and if we're going to sit here and- "

Rick Hanley: "So, let's try and do that."

Councilwoman Blass: "-- offer this, I think that's very

12/02/2003minutes

unfair. I don't understand the thinking of this Board in light of I might add this prior application where we did indeed- "

Rick Hanley: "Yes, you suggested that."

Councilwoman Blass: "-- demonstrate compliance and they went ahead and purchased development rights or are currently in negotiations to do that."

Rick Hanley: "Yes, they are."

Councilwoman Blass: "This application actually passed by a vote of four to one. We had one no vote from Mr. Desieski for reasons that I don't understand why this one wouldn't have gone forward, but this one that we've never discussed and clearly demonstrated several months ago when we did have the opportunity to have a hearing, that they couldn't comply then."

So I am urging this Board to do the- to examine their conscience and to reconsider doing the appropriate thing in this case and that would be to table this resolution so that we could appropriately and adequately go through the criteria that we are supposed to use in order to grant an exemption.

It may very well be that he at the end of the day gets an exemption from the moratorium. The fact of the matter is, this resolution doesn't speak to that at all in my mind and I would urge the Board to reconsider the motion that's on the table or that was- excuse me, was voted down. I would urge the Board to reconsider that."

Supervisor Kozakiewicz: "I want to make one comment. The hearing was October 19, 2002 and I don't believe there was ever a statement from this Board that he did meet the criteria. This is the first time it's been discussed."

My question that I raise and apparently we don't believe we can achieve it here today, is whether there's provisions we can strike to move forward. I sense that there's no desire to do that.

Just to allow it to be heard for the special permit. That's all, you know, I don't think anyone's asking for anything monumental here. Apparently there is a feeling that we are setting ourselves into a dangerous area. I mean, I would offer to sit down and re-write it. I don't know what the answer is at this point. Rick, I mean, you feel that you don't- this thing doesn't address or you feel

12/02/2003minutes
that it does address the criteria?"

Rick Hanley: (Inaudible - not at the microphone)

Supervisor Kozakiewicz: "Okay. Is there a- can we strike the provision that's objectionable? That the subject property- I would move- I mean let's do it this way. Let me move to strike Subsection 5 since- that's what I was going to do. I was going to make a motion to strike Subsection 5 which makes an adjudication- "

Councilwoman Blass: "We have a report from the Planning Board on this application- "

Rick Hanley: "That there's no- "

Councilwoman Blass: "-- that there isn't any."

Rick Hanley: "Not for an exemption. Is there anything in the law that requires that you have an exemption prior to a public hearing?"

Councilwoman Blass: "You mean a public hearing prior to an exemption."

Supervisor Kozakiewicz: "I don't know how you call a public hearing without exempting it out."

Rick Hanley: "That's my question."

Supervisor Kozakiewicz: "I mean that's the problem."

Rick Hanley: "Is there something in- is there a way that you could notice the public hearing without exemption the- is there- my recollection of this local law is it's a moratorium on residential development which instructs the Planning Board not to act on certain land subdivisions in certain zones. Talks about special permit for multi family. I don't know that it restricts the Board- and you can talk to your lawyer about it- but I don't know that you're restricted from holding a public hearing prior to an exemption. Maybe the public hearing process is-"

Councilwoman Blass: "When does the clock start ticking on the special permit application then? If they don't have an exemption to proceed and we start the process, when does that clock start? When does the SEQRA clock-- "

12/02/2003minutes

Supervisor Kozakiewicz: "I think it creates problems."

Councilwoman Blass: "It creates a significant problem."

Rick Hanley: "Well, I'm- I don't want to debate it. I'm just trying to think of a way to move the thing forward. We're in- to a certain extent, we're in a (inaudible) situation here with the moratorium."

Councilwoman Blass: "Clearly the appropriate thing to do would be for this Board to sit around and talk about these very issues in light of verbatim from prior resolution that was offered by the town attorney with regard to determining whether an exemption from a moratorium is warranted. Town code Chapter 109, the Town Board must consider (a) through (e) and we have not considered (a) through (e). I can't- I don't even understand why we have to belabor this point. It's clearly not ready to be acted upon tonight. We have not adequately discussed the merits of this application as it meets or does not meet the exemption criteria.

I'm urging this Board to do the appropriate thing here and reconsider to table this resolution so that we can talk about it, openly and freely with all of the stakeholders if you will involved, so that we can iron out the issues. This is not the time. This is not fair to the public here at this point either."

Supervisor Kozakiewicz: "Well, the bottom line is we have a public hearing so the public will be (inaudible) address the special permit."

Councilwoman Blass: "That's the merits of the special permit."

Supervisor Kozakiewicz: "I would move to strike the provision which is Subsection 5 which is the one that seems to be objectionable which is talking about the subject real property does not contain any significant natural features which could be adversely affected including prime agricultural soils, pine barrens, fresh water wetlands or endangered fauna- flora and fauna. I mean, if- I'm just looking for a way to get past this impasse.

I mean the fact of the matter is that it is currently zoned recreational in the master plan- I mean the first four recitations are factual recitations that I don't think there's issues with."

Councilwoman Blass: "Mr. Supervisor, I'd like to know what language which could be included at this stage since we have no

12/02/2003minutes

environmental information on the new application, how do we address criteria (c) which is the environmental significance, if any, of the applicant's parcel and the proposed development's impacts on the environment, how do we do that? How do we demonstrate that this application meets that particular criteria when we have no environmental information? How do we do that?"

Supervisor Kozakiewicz: "I was of the belief we had that."

Councilwoman Blass: "We do not even- I went to the Clerk's Office. There is no EAF. It has not been submitted. The Planning Board does not have it. It was being rewritten. We do not have the EAF. Is that not correct, Mr. Hanley?"

Supervisor Kozakiewicz: "I was told the EAF was delivered."

Councilwoman Blass: "It's not here."

Rick Hanley: (Inaudible)

Councilwoman Blass: "With the original. That does not address this application."

Supervisor Kozakiewicz: "Okay. So the other EAF never arrived."

Councilwoman Blass: "That's correct. I know that for a fact. I was told by the individual preparing it that it was not here. It is still being printed."

Supervisor Kozakiewicz: "That is a problem."

Councilwoman Blass: "Thank you."

Supervisor Kozakiewicz: "I was told it was here. Okay. Vote. No, I was told it was here. Vote."

Councilwoman Blass: "May I respectfully request that the motion be tabled or the application- rather the resolution be tabled?"

Supervisor Kozakiewicz: "We're in a- "

Councilwoman Blass: "Okay."

Supervisor Kozakiewicz: "-- the middle of a vote. Let's just and- "

12/02/2003minutes

Barbara Grattan: "All right. You're taking a vote."

The Vote: "Sanders, no; Blass."

Councilwoman Blass: "No. This is a vote on the resolution. No."

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

Councilman Densieski: "I know this piece of property pretty good and I don't believe there's any environmental impacts that are going to take place. It's completely bulldozed over. I think this is where development should be, it's sewerred, it's already completely disturbed and it's water. My fear is this, that we'll bog this down in red tape, they'll sue, they have rights. They're going to win and we'll lose the development rights that they don't owe us anyway. We're going to lose 110 acres of farmland by bogging us down in red tape. So I'm going to vote yes."

(Some inaudible remarks from the audience)

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

Councilman Lull: "The last statement by Mr. Hanley is the sole important one as far as I'm concerned and I can tell that I am as Eddie much in favor of this. I was ready to vote for it tonight. The paperwork hasn't been delivered; the paperwork hasn't been delivered. I'm sorry. No."

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

Supervisor Kozakiewicz: "The reason I was trying to salvage this to move forward to have a public hearing and allow people to be heard. You know. My belief was we could have fashioned this so that it could not cause the town undue hardship by setting forth findings that would then be used against it as far as the special permit is concerned.

Part of the reason of moving it forward, however, was to at least have the EAF here and there was representations made that it was here, that it was delivered, and it was part of the package so that we could make a determination in accordance with the local law. And the-- in light of the point or the fact that we don't have the EAF, I think it's extremely difficult to move forward, if not impossible to move forward. It's problematic and perhaps, well,

12/02/2003minutes
illegal.

Be that as it may, it's gone down. I think I have to vote no for the reason that Councilman Lull voted no, i.e., there is no EAF. It's unfortunate but that's the fact of the matter. I apologize for belaboring the discussion. I was led to believe or under the belief there was an EAF. And I apologize to the audience for that."

Barbara Grattan: "And your vote is-- "

Supervisor Kozakiewicz: "No."

Barbara Grattan: "The resolution is not adopted.

Resolution #1312

Councilman Lull: "1312 approves the site plan of Crown Recycling, Peter Rossano. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "Discussion. I make a request based on comments that we've heard this evening that we table this resolution for further discussion."

Councilwoman Blass: "I second that motion to table."

Supervisor Kozakiewicz: "Moved and seconded to table."

The Vote: "Sanders."

Councilwoman Sanders: "And I'm sorry. The reason I did that was because I recall very clearly that at our last work session, we specifically spoke and made reference to the fact of whether we needed another public hearing and we did not to my recollection come to a decision on that and I think we need the opportunity to do that. So that is my reason for suggesting that we table this resolution. I think that it is critical at this point in time. Sorry, Barbara. Yes."

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

12/02/2003minutes

Councilwoman Blass: "Yes. I'm voting to table this resolution for a very specific reason as well. When the application did appear at a work session or I should say the proposal appeared at a work session, it was very clear that the individual was looking for a policy as to whether we were going for a public hearing or what we were going to do in light of the new procedures that we had recently put in place for non-residential site plans.

When I asked a specific question about the site plan itself, the comment was and this is where I wish we actually had minutes from work sessions, because the comment was we're not here to talk- I'm not here to talk about the merits of this site plan. I'm here to get direction what kind of resolution do I prepare. Are we going for a hearing on this or not? So that ended the discussion about the merits of the site plan. We never did come to a consensus about how we were going to proceed thereafter.

So I'm particularly troubled with a resolution that has in the third Whereas, the statement: Whereas, the Town Board has carefully considered the merits of the site plan application. I'd like to know when we did that. I was not part of any discussion that talked about the merits of that site plan application and I think we need to do that. So I'm voting to table so we have the opportunity to discuss the merits of the site plan."

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

Councilman Lull: "Mr. Pike, a lame duck is one that has escaped from the hunter and he found his way free and now he's able to act on his own. Ever since I announced I was retiring in May, I haven't made a political decision up here and it's been very interesting.

This fits into the same category. Again, it's something that both the guys there know I'm in favor of. However, it can't move forward at this point. It's got to be tabled."

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

Councilman Lull: "Yes."

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

Supervisor Kozakiewicz: "No, to table."

Barbara Grattan: "No to table? Okay, we have one, two, three. Resolution is tabled."

12/02/2003minutes

Supervisor Kozakiewicz: "Any other business?"

Councilman Densieski: "Yeah, you've got a tabled one."

Supervisor Kozakiewicz: "Oh, yes, we've got a tabled one. I'm sorry."

Barbara Grattan: "We've got to pay bills first."

Supervisor Kozakiewicz: "Oh, that's right. Okay."

Resolution #1313

Barbara Grattan: "1313, pay bills."

Supervisor Kozakiewicz: "1313, pay bills."

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Is there a second to pay bills?"

Councilman Densieski: "Second."

Councilwoman Sanders: "Yes."

Councilwoman Blass: "Second."

Barbara Grattan: "Oh, cool."

Supervisor Kozakiewicz: "We've got all- we've got three seconds."

Councilwoman Blass: "By acclimation."

Barbara Grattan: "I took Sanders."

Councilwoman Sanders: "That's because I'm your favorite tonight."

Supervisor Kozakiewicz: "Vote, please."

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

Barbara Grattan: "Bills are paid. Now we have the tabled

12/02/2003minutes
resolution."

Resolution #1243

Supervisor Kozakiewicz: "Yes, Resolution 1243."

Barbara Grattan: "Who's taking it off the table?"

Councilwoman Sanders: "I will. Yes, I will. Shall I? Ready?"

Establishing Calverton sewer rent pursuant to town code Section 89-46 in the Calverton Sewer District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

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

Councilman Densieski: "Are these rates the same as last year?"

Barbara Grattan: "You're just taking it off the table."

Supervisor Kozakiewicz: "This is to take it off the table."

Councilman Densieski: "Yes, to take it off the table."

The Vote: "Lull, sure; Kozakiewicz, yes."

Barbara Grattan: "Okay, 5 yes to take it off the table."

Supervisor Kozakiewicz: "No. These are not the same rates as last year. These are the rates that have been established by Gary to bring it up to date. It's based upon water usage and calculations provided to the water district. We charge our sewer rent based upon- "

Councilman Densieski: "Yes, I understand that. Okay."

Supervisor Kozakiewicz: "All right? Okay. It is now off the table. Is there a motion to move Resolution 1243 for a vote?"

Councilwoman Sanders: "So moved."

Supervisor Kozakiewicz: "Is there a second? Come on."

12/02/2003minutes

Councilman Lull: "Second."

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "We've got Lull."

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

Supervisor Kozakiewicz: "That's all. Open discussion. I've got one card from Bill Kasperovich. I'm not sure if there were any other cards that came up but I know I have his. So you're first on the docket. All right. Bill, I have a few members who asked if we could do a little bit of a brief break to take care of, you know, things, so would you be very upset if we adjourned at this point and can bring you back up. Because I know you like to have all of us here with our- and I'm told that maybe a few may not have their undivided attention as a result of their condition."

William Kasperovich: "If you leave now, not all of you are going to come back."

Supervisor Kozakiewicz: "Oh, they will. I promise. Adjournment 9:00. Can we come back in 10 minutes, folks?"

Barbara Grattan: "In five."

Supervisor Kozakiewicz: "I don't know if they'll make it in five. All right. Make it in five."

Meeting adjourned: 9:00 p.m.

Meeting reconvened: 9:05 p.m.

Supervisor Kozakiewicz: "I'm going to reconvene, the time being 9:05. Bill Kasperovich, thank you for indulging us."

Councilwoman Blass: "Thank you."

William Kasperovich: "William Kasperovich from Wading River. Please bear with me because I had a major decision to make that's having a legal consultation which I paid dearly. I was informed to pursue the proof and indication in court that the Board of Appeals created a fraudulent situation. Legal fees would cost me in four figures and all I would accomplish is to show that the Board of Appeals are either incompetent or inexperienced or just not concerned

12/02/2003minutes
with the position they hold.

So this is my last appeal to you gentlemen and whoever is in the audience that Mr. Keller, Mr. Fox, Mr. Stuke, Mr. Wittmeier, and Mr. McLaughlin was absent as of the writing of this determination are not worthy of the position they are holding. And although I know that this Board don't- wouldn't chose to act before the new Board sits on January 1st, I still want it on record that three pages of the determination are some places incorrect, some places improper, some places false, and just a jumble of facts and figures that don't meet any intelligent or reasonable explanation of the problem.

Consequently as I brought up in a previous meeting, that this together with Mr. Peter Danowski, their attorney- Mrs. Mosley's attorney, have perpetuated a fraud, a fake. And what good is our new master plan with the new zoning when we have zoning and we cannot conform at the inception of zoning in Riverhead, we are zoned B but in no way can we appeal to meet the requirements of B, and now we're labeled Zone A, there's no way that this area can meet the requirements of Zone A.

And a statement of- that this property- where are we, the subject property existed in its current state at the time of-- the zoning code was enacted. Absolutely false. Now, I was building my house at the time Mr. Ofrias who was the owner's deceased father, Ofrias, I don't recall his first name- the elderly gentleman is retired and enjoyed his retirement, but there were various changes and subdivisions and requiring changes in the property and other conditions before the zoning, during the zoning, and after the zoning.

And this means that the zoning doesn't mean anything because if we permit something of this order, it comes before the Board of Appeals which is the taxpayers' last resort without reaching into his pocket and going to the courts of law. The new master plan is shot full of holes. If anybody can get away with this kind of fake that Mr. Danowski is permitting as the attorney for the applicant, the applicant being Bessie Lamb Mosley, we're getting no place in this township."

Supervisor Kozakiewicz: "All right, Bill, thank you so much and thank you for indulging the Board members to take a little break. Have a good evening.

I assume, Rita, you want to get right up there. That's why you're standing in queue, correct?"

12/02/2003minutes

Rita Hodun: (Inaudible)

Supervisor Kozakiewicz: "Oh, okay."

William Kasperovich: "Well- "

Supervisor Kozakiewicz: "So, Bill, if you could sum up. Thank you."

William Kasperovich: "I've lived next- on the same street with this applicant's father and I've seen this growth and period because I grew it in the same period and had to meet the requirements of the township. And I'm well aware, fully aware, of the conditions and- "

Supervisor Kozakiewicz: "All right."

William Kasperovich: "-- this- "

Supervisor Kozakiewicz: "Bill, I understand that you're taking issue with the findings of fact. You're bringing it to the attention. It's duly noted on the record. As you pointed out, I think the Board will have to deal with the question of the Zoning Board of Appeals application- I mean Zoning Board of Appeals appointments come 2004, January of, and duly noted. We appreciate it. I would like to ask you to sum and I'm going to ask Rita Hodun to come up to the podium."

William Kasperovich: "To sum up, this is five men who are appointed and that come up periodically for either reappointment or replacement, is waiting for things to happen which I've been waiting now for 40 years or more and they still don't happen. That we are setting a precedent to the new master plan that the zoning is- can be broken in Riverhead."

Supervisor Kozakiewicz: "I understand. I understand. I have to ask you to sum up. It's now 10 minutes, Bill."

William Kasperovich: "In addition to my personal disfavor or dislike of having this thing occur on the street I live on, I started to build my house 50 years ago."

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

William Kasperovich: "I can see the effect it can have on a new master plan with a new zoning and we can't wait four years to

12/02/2003minutes

vote for a new president. If he fouls up, we know how to throw him out of office. Now if these people can be reviewed by personnel evaluation, they, too, should be able to be removed."

Supervisor Kozakiewicz: "What do you want me to do, Councilman Densieski? Manually remove him from the podium?"

Councilman Densieski: "I would like him to abide by the- "

Supervisor Kozakiewicz: "I have asked him to give up the podium. I've asked him to sum up. What do you want me to do?"

William Kasperovich: "I'm summing up. I'm summing up. Apparently you're not listening. That's quite obvious you weren't listening- "

Supervisor Kozakiewicz: "You said the same thing repeatedly. One, it's causing a problem with conformance with the master plan. You've said that at least a half dozen times. Two, that they committed a fraud because of findings that you believe are not accurate and in fact fraudulent. That's the word you used, fraud. Three, so we heard that."

William Kasperovich: "I know-- I know for a fact that- "

Supervisor Kozakiewicz: "Mr. Kasperovich, we have it. We have a record and it's duly recorded. We meet- we read the minutes. As you noted a couple meetings ago, we didn't vote on the minutes because we couldn't read them. This Board reads the minutes, we peruse the minutes, and we're aware of the minutes. Now, it's been- "

William Kasperovich: "What minutes?"

Supervisor Kozakiewicz: "The minutes of the Town Board meetings."

William Kasperovich: "Okay, I- "

Supervisor Kozakiewicz: "And you're on those. It's being recorded. That's what that CD does right there."

William Kasperovich: "A citizen gets up here and- "

Supervisor Kozakiewicz: "It's been five minutes. Everyone else- I mean, we do this every meeting. We have a five minute rule

12/02/2003minutes

and everybody abides by it, everybody who comes to this Town Board meeting abides by it with the exception of one person."

William Kasperovich: "Well, if you hoodwinked the Board with the people- "

Supervisor Kozakiewicz: "It's a procedure that's called for. The Board has agreed to adopt it as a procedure. The fact that you don't agree with it doesn't give you the right to ignore it. I'm asking you to please give up the podium, allow Mrs. Hodun who's been standing so patiently behind you, an opportunity to address the Board."

William Kasperovich: "Mr. Kozakiewicz- "

Supervisor Kozakiewicz: "There's never a simple answer, is there?"

William Kasperovich: "You've got another month to go and I guess- "

Supervisor Kozakiewicz: "Thank God."

William Kasperovich: "-- I could be patient to see you go. That you're- my five minutes seem to be less important than your five minutes and yet I'm talking for a subject that's a very serious matter to the entire township and you have to get it down to the bone where it's only five minutes no matter what you say. And the fact that I repeat it, all you pay attention is how many times I repeated it, but what I said in the repeating apparently means nothing to you.

That's the same nonsense from the chairman of the board of variances and appeals and yet he writes a report that everybody that wanted to be heard was heard. A fake, a fraud and yet you people sit here and all you concern yourself with is the five minutes I've taken or five minutes too much."

Rita Hodun: "Rita Hodun, Calverton. This letter is addressed to the Riverhead Town Board and the Riverhead Police Department. I have lived and been at a homeowner at the above address for 40 years.

As you are well aware the Calverton area is currently going through a major building and construction phase. All this means increase in the use of our roads by heavy trucks and construction equipment. It is common knowledge that West Middle Road has been a bypass for those wanting to avoid the heavy traffic through

12/02/2003minutes

Riverhead. Based on these facts and the ongoing problems I see, I request that some action be taken from the town of Riverhead- from the Town Board and the Police Department.

Speed signs. There is a need for those to be posted from the intersection of Deep Hole Road and Middle Road heading west. There are speed signs in front of Foxwood Village, 30 miles per hour, and one on the curve 20 miles per hour, that's Middle Road and Deep Hole Road. There are a need for Deep Hole Road to Manor Road heading west and in the same area heading east.

Number two, a speed machine placed on West Middle Road. There continue to be trucks and cars going much too fast on this road. I also have people passing on the double yellow line due to being in such a hurry.

Police Presence. Close attention has to be paid to the off loading and on loading of construction equipment. It is almost always done in the same time frame we have school buses picking up and dropping off. I continue to see trailers parked in the road for this process. To tell me to call the police when I see this does not help due to the time and the location of the police units as well listing of important calls. I have yet to see this being done with someone flagging. This must- it must be stressed that in order to do this, there should be flagging. Without someone there, the driver is forced to make a judgment without being- to see the whole picture. There's construction going on Deep Hole Road. If you're coming over that hill, you've got to go around those trucks. You can't see what's coming over that hill. These trucks, the construction trucks take up half of the road. They go right to the yellow line and they're in areas where when you've got to go around them, the East Winds right across from Foxwood, did it. Construction on Deep Hole Road and the Greek Orthodox right next to me on Middle Road, they all park these trucks out in the road. They take half of the road and you've got to go around them. And you can't see. It's putting us in danger and I would request, you know, that if something could be done, that you have a machine up there.

And these people- twice I almost got hit. They pass you on a double yellow line. I come up off of Manor Road, I can't get the arrow to get into my driveway. They pass me on the double yellow line."

Supervisor Kozakiewicz: "You made my point exactly. A lot of times, people say well, we need all these traffic control devices. All of them aren't worth a hoot of beans if people don't obey the

12/02/2003minutes

vehicle and traffic law. Because the problem is not traffic control devices. The problem is the driver."

Rita Hodun: "Yeah. These people- they don't realize these are back roads and want to slow down. They, you know."

Supervisor Kozakiewicz: "I know. We have all these new gadgets to save time and we're still in a rush."

Connie Farr: "Connie Farr, Calverton. You know what I'm here about. This is the fourth time I've asked for a street light on the corner of Osborne and Horton. It's still not up. Not a traffic light. A street light. Now, I know you- "

Supervisor Kozakiewicz: "I know I asked Mark to look into it. I just don't remember what he said. Okay? I asked the Highway Superintendent. Have you called the Highway Superintendent to ask for it?"

Connie Farr: "No."

Supervisor Kozakiewicz: "Okay."

Connie Farr: "Should I?"

Supervisor Kozakiewicz: "Please. 228. All right. But I will do it, too. Okay?"

Connie Farr: "And the other thing I want to ask about is now I know that dog pound, I think has been there since 1955 unchanged. I know Mr. Lull was working on something and I thought that a few, I don't know how many years ago, we passed for money to actually improve that dog pound and they are doing something. But it's been- I mean, they've been working on it for years, I think."

Supervisor Kozakiewicz: "Donation money."

Connie Farr: "But what was- what did we pass, the money we passed several years ago- "

Councilman Lull: "Several years we did some heating- a new heating plant, we did new roofing-- "

Supervisor Kozakiewicz: "Washer and dryer."

Councilman Lull: "Yeah, washer and dryer, and that kind of

12/02/2003minutes

thing that needed to be done just to bring it up to standards. The thing that's being done now, the work that's being done now, is being done by private donation and it's basically to keep the pound viable over the next two winters until we can get the new project underway."

Connie Farr: "Can't we do some fund raisers or something to get more donations going because I think it's a crime because, I mean, 1955, almost everyone owns a dog or a- they don't take cats, but there's a jillion dogs in this town and I think that a town this size we should be able to do something better for the animals."

Councilman Lull: "I didn't mention this and probably I shouldn't have mentioned this as part of the Committee report, but we had our third meeting today. Each of us in the Town Board individually with the architect we have hired to build a new dog shelter, a new actually animal shelter, dog and cat shelter.

That facility that exists there is no longer able to be rerouted to any kind of modern use. It's just not going to work. And what we have done is we have at this point approved a blueprint and we will be having a new package of elevations and that type of thing within a month or so from him and at that point, that will come before a work session so that everybody can see what is happening."

Connie Farr: "Will that be on the same location?"

Councilman Lull: "No. It's on the Grumman property."

Connie Farr: "Well, because, you know, with that park going to be across the street, it would seem like a good spot for people to adopt a dog and take them for a walk across the street."

Councilman Lull: "Well- "

Connie Farr: "No? Okay."

Councilman Lull: "The piece of property is so small, the property that we have set aside is four acres for it and that piece of property is too small. I am seriously hoping that what will happen when we get a new facility underway, that the town will be able to lease that old facility to a rescue group or somebody like that who will make use of it because they don't have a place- their own homes to do their foster."

Connie Farr: "Okay, thank you."

Supervisor Kozakiewicz: "Thank you."

12/02/2003minutes

Dawn Greaves: "Hi, Dawn Greaves, Calverton. My question is what are- "

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

Supervisor Kozakiewicz: "Dawn Greaves."

Dawn Greaves: "Dawn Greaves, Calverton. What are the current operating hours of Long Island Skydive?"

Supervisor Kozakiewicz: "7 to 7."

Dawn Greaves: "Weekdays, weekends, holidays?"

Supervisor Kozakiewicz: "I don't know."

Dawn Greaves: "Okay, how could I find that out?"

Supervisor Kozakiewicz: "They should have it advertised on their website as well as if you call the number- and I can't remember what the number is for Long Island Skydive."

Dawn Greaves: "Is there anything in their lease that talks about- "

Supervisor Kozakiewicz: "It's in the runway use agreement, too, the hours. Yeah."

Dawn Greaves: "I'm sorry. What?"

Supervisor Kozakiewicz: "It's in the runway use agreement the hours of operation, I think. I'm guessing."

Dawn Greaves: "Okay. Is there anything in their lease talking about the height at which they're supposed to fly or- above residential housing. There's plenty of land there."

Supervisor Kozakiewicz: "The Federal Aviation Administration, the FAA, dictates how they must operate. If they do things that are contrary to the FAA rules, they can be cited and have their operation either stopped, suspended, limited and I'm not aware of anything that's- I know that they've had some issues initially, but I haven't heard of anything recently."

Dawn Greaves: "Okay, thank you."

12/02/2003minutes

Supervisor Kozakiewicz: "You're welcome."

Marilyn Zabo: "Marilyn Zabo and I live in Willow Ponds. Is anyone familiar with the land that is on the same side of Sound Avenue and east of Willow Ponds with respect to what- "

Supervisor Kozakiewicz: "Yes."

Marilyn Zabo: "-- what is the intent of that land. Right now it's a beautiful sort of meadow."

Supervisor Kozakiewicz: "Is this the one that has the sign out in front of Schneider Vineyards?"

Marilyn Zabo: "Correct."

Supervisor Kozakiewicz: "Um- "

Marilyn Zabo: "And that's a sign that sort of tells you to go to the vineyards. One (inaudible) but that's not the case."

Supervisor Kozakiewicz: "Right. Right. I can't recall who the property owner was. I'm kind of picturing who the attorney was who was representing the property owner at one time. I think it was Mr. Mooney."

Marilyn Zabo: "But the reason I asked, west of us, we have private homes."

Supervisor Kozakiewicz: "Right."

Marilyn Zabo: "Willow Ponds, I think phase 1, 2 and 3 will have 200- "

Supervisor Kozakiewicz: "222."

Marilyn Zazo: "And so is the intent to have condos on the other side or is that to be then a high density area or is this- "

Supervisor Kozakiewicz: "That property is zoned Ag I believe, or I think under the master plan it is, RA, that's correct, RA, which would be 80,000 square foot lot, minimum lot size. Two acre."

Marilyn Zabo: "Two acre- "

Supervisor Kozakiewicz: "For a single family."

12/02/2003minutes

Marilyn Zabo: "Okay. Thank you."

Supervisor Kozakiewicz: "You're welcome. Anybody else who would like to address the Board? Sal Mastropolo."

Sal Mastropolo: "Sal Mastropolo, Calverton. I'd like to request that we get a public hearing on whether the town should spend money on a new pound and use four acres at Calverton for a new pound. We have public hearings for everything else. I think before we start- "

Supervisor Kozakiewicz: "Well, we're putting the cart before the horse."

Councilman Densieski: (Inaudible)

Sal Mastropolo: "Well, I heard tonight that we're already spending money on an architect."

Supervisor Kozakiewicz: "Well, we did that by resolution which was done previously. That was authorized by town- "

Sal Mastropolo: "How far back?"

Supervisor Kozakiewicz: "Oh, God, it's got to be about three months."

Sal Mastropolo: "Three months?"

Supervisor Kozakiewicz: "Yeah."

Sal Mastropolo: "I've got to go through my paperwork."

Supervisor Kozakiewicz: "It was there. We got one by you, Sal."

Sal Mastropolo: "I'll have to look. Okay, thank you."

Supervisor Kozakiewicz: "Anybody else? I hope you all had a nice Thanksgiving. Have a good evening. Anybody make a motion to adjourn?"

Councilwoman Blass: "Motion to adjourn."

Supervisor Kozakiewicz: "Very good."

12/02/2003minutes

Meeting adjourned: 9:30 p.m.