

The Sag-Harbor Express.

AUGUST 28 1997 • VOL 139 • NO 7

SINCE 1859

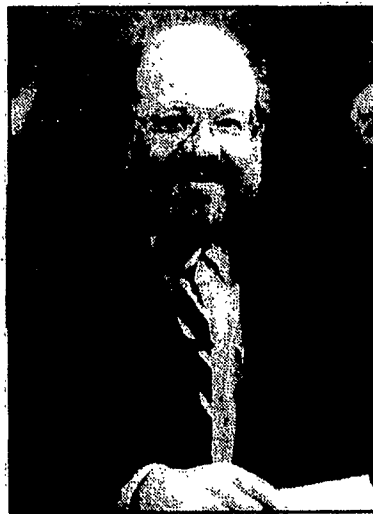
75 CENTS

JAY SEVERIN

"The fellow in the front car shrugged and said, to no one in particular, 'August.' He said it like it was a curse"

- OUR TOWN
PAGE 7

WARNING: NUKES IN SPACE



Journalist Karl Grossman takes on NASA and the federal government in his new book, "The Wrong Stuff," and will be at Canio's Friday night to talk about the nuclear dangers in the space program. The presentation begins at 6 p.m.

POW WOW WEEKEND

The Shinnecock Indian Reservation will be home once again for the tribe's annual pow wow which attracts Native Americans from across the country. The Pow Wow begins on Friday and continues through Sunday, 10 a.m. to 10 p.m. each day.

CLEANING UP THE SUMMER HOUSE?

Getting ready to clean the house after a busy summer? You're in luck, the Sag Harbor Transfer Station will be open on Monday, Labor Day, during its normal hours, 8 a.m. to 4 p.m. Please don't leave garbage outside the gate — or on the streets.

ON THE SCREEN

SAG HARBOR THEATRE
Phone #725-0010
Ponette - 7 p.m.
Mon Homme - 9 p.m.
Fri. - Thurs.

SOUTHAMPTON CINEMAS
Phone #287-2749
G.I. Jane
Conspiracy Theory
Event Horizon
Money Talks

EAST HAMPTON CINEMA
Phone #324-0448
The Full Monty
Copland
Excess Baggage
Air Force One
Leave it to Beaver
The Company of Men
A Smile Like Yours

WEEKEND WEATHER

THURSDAY AUGUST 28 Cloudy with showers, highs in mid 70s	FRIDAY AUGUST 29 Sun mixed with clouds, temps in high 70s
SATURDAY AUGUST 30 Mostly sunny skies, warmer in the 80s	SUNDAY AUGUST 31 Sunny and dry, temps in the mid 80s

Noyac Tower Developer Indicted Again

by Bryan Boyhan
Eric Ferrara, the Southampton businessman who has sought permission to build a 360-foot communications tower in Noyac, was re-indicted last week on federal charges that he attempted to bribe two town councilmen and Supervisor Vince Cannuscio. At the same time, Supervisor Cannuscio announced that the two councilmen will recuse themselves from further discussions on the controversial application, but that he will continue to participate when the application comes to a vote.

Ferrara and his company, Vertical Broadcasting, Inc., have proposed the tower that would be perched on the Ronkonkoma moraine and would presumably be home to hundreds of ant-

ennas and dishes, the owners of which would pay rent to the company. If the application, which seeks permission to change the zoning on the piece of residential property, is approved, the tower could make the company millions.

The most recent charges are only slightly different than those that were thrown out by federal district court judge Denis R. Hurley last month. At that time Judge Hurley said the three counts against Ferrara charged by U.S. Attorney Loretta Lynch, did not adequately prove that the federal government had jurisdiction in the case.

The charges stem from an alleged attempt by Ferrara to bribe Cannuscio, and town councilmen Patrick "Skip" Heaney and Steve Halsey to garner

their favor in approving the change of zone variance that would allow the tower. The three men had each individually contacted the U.S. attorney's office, which precipitated the federal investigation. At one point during the investigation Mr. Halsey wore a wire tap, and, according to court papers, was offered \$20,000 for his vote. He told investigators that he witnessed someone the size and build of Mr. Ferrara leave an envelope containing \$5,000 on the front seat of his vehicle, presumably a down payment on the full amount of the bribe.

Last month, Judge Hurley determined that the federal attorney did not articulate that the bribe would have affected federal or town funds directly.

"Simply alleging that 'a thing of value of \$5,000 or more' was involved is not enough," wrote Judge Hurley. "It must be alleged and ultimately proven, that the \$5,000 or more in value affected either 'the financial interests of the [Town or] federal funds directly.'"

"We hadn't alleged everything we needed to allege," conceded Ms. Lynch this week.

Principally, the changes in the new set of charges make clear that the town board acts upon, among other things, requests for zoning changes, and that changes in zoning can directly affect the town's finances.

"Zoning affects the finances of the town through its land values," said Ms. Lynch. "If the zoning change was

to go into effect, it could be worth more than \$5,000 in tax revenues to the town."

The \$5,000 is a minimum figure set by the federal statute. The federal government becomes involved also when the municipality is in receipt of at least \$10,000 in federal funds, as is the case in Southampton Town.

But Ferrara's attorney, Richard Miller, again contends that the charges are flawed and will move to dismiss them when his client is arraigned this Wednesday morning.

"There is no federal crime committed since there are no federal monies affected directly," argued Mr. Miller yesterday. "The statute was enacted to

continued on page 15

Rowe Ills Eyed

Feds will send physician to speak with neighbors

by Bryan Boyhan
Neighbors whose homes sit on top of the plume of contaminated ground water that emanates from the former Rowe Industries factory in Sag Harbor received some good news this week. Concerned about potential health risks and an alleged high cancer rate in their neighborhood, residents around Carroll Street can expect to see a federal physician within the next few weeks who will hear their concerns and possibly initiate a comprehensive health study, according to Congressman Michael Forbes who requested the meeting.

"Ever since the Rowe Industries property was designated an EPA Superfund site ten years ago, nearby residents have lived with the fear that contamination from the site might be linked to the high number of their neighbors diagnosed with cancer," said the congressman. "That is why I felt it was critically important that federal health specialists visit Sag Harbor, to assess these concerns and determine the appropriate course that should be taken to protect those living near the Rowe Industries property."

The source of the contamination probably dates back twenty-five years, when the company regularly dumped

solvents and degreasers into dry wells on the property. The problem was reportedly exacerbated when chemicals from a drum storage area leaked, and some say were buried, in the ground on the property, running into the groundwater that fed local neighbors' wells. When the contamination was first discovered a decade later, most of the residents around the plume were put on public water. A handful of those that were on the edge of the plume were connected two years ago.

But neighbors have persistently complained that potential carcinogenic gasses from the contaminated plume are rising up through the soil and into the basements of their homes, and a test at one home seems to bear out the presence of soil gasses. The federal Environmental Protection Agency has repeatedly denied that soil gasses are a concern at the site.

"We'll bring in people who have cancer," said resident John Distefano, who estimated that between 25 and 30 of his neighbors have shown evidence of the disease. Distefano has spoken with an epidemiologist who said there is evidence that the contaminants may have caused cancer.

During a heated meeting two weeks ago between the community, the EPA and a representative from the State Department of Health, Mr. Distefano lambasted the state for not adequately

continued on page 15

One Boat Sinks

Rocks prove to be perilous for two over weekend

by Dave Udoff
Late last week, a couple of boats were involved in accidents just outside Sag Harbor. Only one suffered permanent damage and no one was hurt in either mishap. Seatow, a national waterway servicing company, responded to both accidents from its office in Southold.

Last Thursday morning, at about 10:30, a 120-foot Morganstern vessel dragged anchor at the height of a raging storm and wound up on top of a large rock just outside the jetty south of Marker #11.

According to Seatow CEO Joseph Frohnhoefer, two of the company's boats responded to the endangered 120-foot vessel and were able to refloat it without causing any damage. This was a considerable accomplishment, Frohnhoefer said, considering the wind was blowing at 40 knots and the seas were four to five feet above normal. Seatow had to brave particu-

larly rough seas at South Ferry near Shelter Island to reach the vessel.

The other vessel, a 1982 38-foot Bayliner, was not so lucky. On Friday night at 6:30 P.M., it hit a rock just north of the sandspit red light outside the harbor (Marker #10). The impact tore a hole in the vessel, causing it to sink within five minutes. Seatow and the United States Coast Guard responded in about six or seven minutes, according to Frohnhoefer.

Harbor master Doug Beverly said he helped escort Seatow and the Coast Guard into the Long Wharf to retrieve the vessel. The boat was then extracted from the water with a crane and taken to the Ship Shore Marina on Redwood Road. Beverly said the vessel is now in the hands of the insurance companies and will have to decide whether to total or repair it.

Although no one was hurt, Frohnhoefer said the Bayliner's owner had suffered a bruised ego. Apparently he had been boating for 14 years and was kicking himself for being distracted by one of his shipmates before hitting the rock in the middle of a sandbar.



"Gray Sea" was hauled out of the water next to Long Wharf on Saturday night, after having struck a rock and sinking the night before. Denis Carr photo



Questions Answered School will open on September 8

by Dave Udoff

Barring any more unforeseen problems, school officials are now confident that the Sag Harbor Elementary building will be open for classes as currently scheduled.

The district held a public forum at Pierson High School Monday to address parents' concerns about the elementary building, which has been undergoing a massive renovation. Superintendent John Barnes and members of the Sag Harbor School Board — even those who were most skeptical of the construction's progress — assured parents that classes will start Monday, September 8, although the board has set up a contingency plan just in case. The board had voted three weeks ago to delay the first day of school from Wednesday, September 3.

Twenty-three classrooms will be available for use and morning program will be held in a tent outside the building while work is being done in the gymnasium (during inclement weather, gym class will held in the

classrooms and morning program will be eschewed). The gym will not be ready until October at the earliest but the contractors have received the 50-foot long, 20,000-lb. steel beams that will be erected there, and the heavy-duty machinery they had sought to lift those beams is now residing up-Island, in Bohemia.

There will be "cleanup and fixup" work outside the building around the sunken courtyard area and some of the office spaces will not be finished. Also, the cafeteria will probably not be used for the first couple

continued on page 15

The HistoricFest Returns

by Bryan Boyhan

For the seventh year in a row, Sag Harbor will recall its history in a three day festival next month that will feature contests, walking tours, food tastings and a sailing regatta.

More than a dozen different organizations will be involved putting up events for the Sag Harbor HistoricFest, held this year from Friday, September 19 to Sunday, September 21. Included will be an opening night clambake to benefit the Sag Harbor Whaling Museum, a benefit cocktail party for the Fire Museum, walking tours of the village's historic areas, whaleboat races, a concert by the Community Band and a clam shucking contest, all favorites from recent years.

But there is much new this year as well, including a Taste of Sag Harbor that will be set up at Long Wharf and feature foods from Sag Harbor's restaurants and caterers evoking the village's maritime heritage. Also new this year will be a marathon reading of John Steinbeck's *Travels With Charley* with the author's widow kicking the reading off, an "Anything-That-Floats-That-Isn't-A-Boat Race", a tour of the Old Burying Ground and a yacht race for the 110 year old Maycroft Cup.

According to Lillian Woudsma at Bayview Marine, the Taste of Sag Harbor food tasting will be held on the lawn at the foot of Long Wharf. Restaurants, she said, have been asked to

prepare something that evokes the local cuisine, and something for which the restaurant is best known.

And during Sunday's food tasting, the Fest will sponsor its first annual clam chowder contest. Restaurants or individuals are invited to participate, and can contact Ms. Woudsma at the store on Bay Street to enter.

This year, on the steps of the John Jermain Memorial Library, Elaine Steinbeck will introduce her husband's famous work that recounts his travels across the country with his dog Charley. The book, which actually begins in Sag Harbor, was largely written when Mr. Steinbeck lived here. Mrs. Steinbeck is expected to read the first two chapters, beginning at 12 noon on Saturday, according to Dale Scott of the library.

Adding a bit of whimsy to the weekend, the Fest introduces for the first time this year the "Anything-That-Floats-That-Isn't-A-Boat Race." Not your normal regatta, this event calls for enormous creativity and ingenuity in engineering the vessel. Entrants are invited to design and build their own craft, but are restricted to using only recycled material. And as far as propulsion is concerned, entrants are restricted from using anything normally found on a boat: no outboards, no sails, no oars. For information regarding the race, which will take place Sunday afternoon, call Scanlon's Fire-

place Showroom, 725-0636.

Walking tours have always been a part of the Fest, and visitors have learned about the town by visiting historic sites. One location that hasn't been included before is the Old Burying Ground adjacent to the First Presbyterian "Old Whalers" Church, which is home to the graves of 19 Revolutionary War soldiers. The cemetery will be the subject of a tour on Sunday afternoon.

And this year, reviving an event that started 110 years ago, the Sag Harbor Yacht Club will host the Maycroft Cup Race, a regatta for four classes for spinaker and cruising boats. Originated in 1887 by the Volunteer Boat Club of Sag Harbor, and carried over to the Sag Harbor Yacht Club at its founding, the cup will be the top prize in the first sailing regatta at the yacht club in years.

An unusual offering, the U.S. Postal Service will issue a special cancellation during the weekend. Visitors to the Fest will be able to purchase stamps from the post office's mobile truck and have them canceled with a special imprint created for the weekend, featuring a windmill drawn by noted Broadway stage designer, and Sag Harbor resident, Tony Walton.

Also new this year will be a viewing of the Sag Harbor Fire Department's antique fire trucks, a performance by the Long Island Banjo Society and a

continued on page 5