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DEPARTMENT OF PLANNING  
COUNCIL ON ENVIRONMENTAL QUALITY

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725 Veterans Memorial Highway  
Hauppauge, New York  
February 20, 2008  
9:30 a.m.

REPORTED BY:

SHALENA WEBER, Court Reporter

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- A P P E A R A N C E S:
- R. LAWRENCE SWANSON, Chairperson
  - MICHAEL KAUFMAN, Vice Chairperson
  - JAMES BAGG, Chief Environmental Analyst
  - RICHARD MACHTAY
  - MARY ANN SPENCER
  - CHRISTINA ~~DELACY~~ Delisi
  - EVA GROWNEY
  - GLORIA G. RUSSO
  - JOY SQUIRES
  - RICHARD MARTIN

1 THE CHAIRMAN: Today is the first  
2 meeting of 2008. I'd like to wish everybody  
3 a Happy New Year. We have minutes that  
4 we can review.

5 I know Mr. Machtay has. I'd  
6 just thank Rich for being instantaneous  
7 to go through all these minutes.

8 Does anybody have any  
9 additions or corrections other than  
10 Mr. Machtay?

11 MR. KAUFMAN: Yes, Mr. Chairman,  
12 I gave Christine a couple of corrections.  
13 Also, Rich picked up a bunch of them,  
14 too.

15 CHAIRMAN: Very good.

16 Anybody else?

17 (WHEREUPON, there was no  
18 response.)

19 CHAIRMAN: Do we have a motion to  
20 approve the October minutes?

21 MR. KAUFMAN: Motion.

22 MS. RUSSO: Second.

23 CHAIRMAN: We have a second by  
24 Ms. Russo.

25 All in favor?

1 All opposed?

2 Motion carried. Now we have minutes  
3 from the 21st of November.

4 MR. KAUFMAN: Motion.

5 MR. CHAIRMAN: Do we have a second?

6 MS. RUSSO: Second.

7 CHAIRMAN: We have a second by Ms.  
8 Russo. I'd just like to make a point  
9 of clarification in the notes; it says  
10 page 132, NOAA. It could very well be  
11 that that was meant to be the National  
12 Oceanic and Atmospheric Administration.  
13 And if so, if it's NOAA -- I just want  
14 to check to see if that's correct. So  
15 I have a motion and a second. All in  
16 favor? Motion carried. And also a  
17 December 12, 2007 --

18 MS. SPENCER: Motion.

19 CHAIRMAN: We have a motion. Do we  
20 have a second?

21 MR. MACHTAY: Second.

22 CHAIRMAN: Second by Mr. Machtay. Any  
23 discussion?

24 (No response).

25 CHAIRMAN: All in favor? Motion

1 carried. Historic Trust. Mary Ann, is  
2 there anything that you wanted to start  
3 out with?

4 MS. SPENCER: Rich is going to give the  
5 report. I'm very pleased that there  
6 will be an update at each meeting of  
7 these things, such as, the rentals that  
8 are ongoing, and I appreciate that.

9 CHAIRMAN: Very good.

10 MR. ~~MACHRAY~~<sup>Martin</sup>: Good morning. The  
11 housing situation I'm going to discuss  
12 first, and we're still having people  
13 move out of the homes and County  
14 housing as the rents increase. There's  
15 another rent increase plan, at this  
16 time, for March 1st. The final  
17 increase is September 1st, which will  
18 bring all units to the full market  
19 rating. At this point, as of today, we  
20 have 13 vacancies and 15 of what we  
21 call units or apartments, and houses  
22 are full out of a total of 28. So  
23 we're approaching the half-way mark for  
24 the number of vacancies.

25 CHAIRMAN: And it's getting worse.

1                   MR. ~~MACHTAY~~<sup>Martin</sup>: It's getting worse. I  
2                   checked. To report on, there are two  
3                   additional vacancies since the last  
4                   report. And the Commissioner of Parks  
5                   John Pavacic is very well aware of the  
6                   situation, and he is discussing it  
7                   right now with the County's Executive  
8                   Office to see what can be done about  
9                   this.

10                  CHAIRMAN: Rich, before the meeting we  
11                  were discussing this issue with Mr.  
12                  Machtay, and, I think, he had some very  
13                  good suggestions. And if he doesn't  
14                  mind, would you share them with us so  
15                  that, maybe, you can pass them on to  
16                  the Commission of Parks.

17                  MR. ~~MACHTAY~~<sup>Martin</sup>: Sure.

18                  MR. KAUFMAN: Not only the Commissioner  
19                  of Parks, but the Economic Development.  
20                  With all the talk today about  
21                  affordable housing, pricing people out  
22                  of housing that the County owns, seems  
23                  a little eschewed. And if they're  
24                  worried about corruption or conflicts,  
25                  and they don't want to give it to

1 County employees or relatives of County  
2 employees, they can do a lottery  
3 through a neutral agency which has been  
4 done before and it's been done  
5 successfully.

6 And I don't say they should give the  
7 housing away for free, but, nevertheless,  
8 to keep people in it so it's, sort of,  
9 maintained and also to provide a housing  
10 opportunity for people who can't afford  
11 housing. May be it should be brought to  
12 Legislature's attention that they're talking  
13 out of both sides of their mouth and they  
14 should do something a little more  
15 creative.

16 <sup>Mr. Martin!</sup>  
~~CHAIRMAN:~~ I'll bring the ideas to the  
17 Commissioner. I know his point of view  
18 is that part of running the County  
19 Parks Departments is to have people at  
20 these parks, provide for them a sense  
21 of security, and he's pushing that  
22 point. The Legislative Resolution that  
23 we now work under requires that  
24 everyone be a County employee, so that  
25 would have to be changed.

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*Mackley:*  
MR. MARTIN: I understand that, but you have Jim Morgo in the Executive's Office now. Lisa Brown is in Economic Development. And Lisa used to be my Economic Development Director under my supervision. And I know these people, what they're talking about, and I know what they'd like to accomplish. And here's an opportunity, not only now for the Parks Commissioner to go to the Legislature and for you to go to the Legislature, but for the Economic Development people to go to the Legislature and say "hey, what are we doing?" Here's an opportunity.

MS. GROWNEY: Rich, I know you've been working very diligently since I've known you over the past few years on this matter. And I know it's a very sore point because so many of the historic buildings have been brutally vandalized. And I know that we're working with you, the DIA, with the Parks, with the Commissioner.

One of the Parks tried to come up



1 with some possible ideas, but what occurs  
2 to me is that there must be other  
3 partnering that could happen or that, I  
4 think, needs to be explored. And these  
5 are our treasures, and so many of them --  
6 they did take me on a tour, several of  
7 them, a couple of years ago. So many of  
8 them have been horribly vandalized. So I do  
9 think that there needs to be some other  
10 dialogue for partnering and other kinds of  
11 venues; specifically, the Economic  
12 Developing aspect and opening up to other  
13 people. I think it has to be looked at  
14 first.

15 MS. SPENCER: I think it's important to  
16 reiterate that the issue here is of the  
17 County owned properties. The ones that  
18 are dedicated to the Historic Trust,  
19 are the ones that Richard is pointing  
20 out now. And the manual stipulates  
21 that these properties not be left  
22 vacant, that's primary for security.

23 And the problem that's been ongoing,  
24 because of the way the Legislature has  
25 stipulated this, is that they have to be

1 market rents. And our argument on the  
2 Trust, for several years now, has been  
3 because of the importance of these  
4 properties. That is a mitigating factor  
5 because of the importance of security for  
6 these properties. We have been asking  
7 that this idea of market rent be  
8 revisited.

9 MS. SQUIRES: Isn't the core problem  
10 that it still has to be County  
11 employees? And --

12 MR. MARTIN: I don't see that, to be  
13 honest, as a problem.

14 MS. SQUIRES: It's not? Oh --

15 MR. MARTIN: Well, some of these rents  
16 are quite high. We have some rents now  
17 that are based on \$3,000 --

18 MS. GROWNEY: -- plus utilities.

19 MR. MARTIN: -- and they can only be  
20 given to County employees. Most County  
21 employees can't afford that.

22 MS. GROWNEY: I think that it's  
23 something that needs to be completely  
24 looked at again, and there has to be  
25 relief there in some capacity. I don't

1 know in what way, but I think that --  
2 you know. I live out on the East end,  
3 and rates out there, you know -- you  
4 kind of expect to see that maybe out  
5 there, but not on the rest of the  
6 Island.

7 MR. MACHTAY: We do have housing at  
8 Cedar Point County Park in East  
9 Hampton. And all thought it is market  
10 rate, it does relate to the areas the  
11 houses are in. And the Parks  
12 Department's point of view is that we  
13 need a park staff person on site to  
14 just take care of the everyday needs  
15 that might arise since we don't have  
16 regular staff at these parks on a 24  
17 hour basis.

18 MS. GROWNEY: I completely support that  
19 idea that there's somebody in the  
20 buildings, because that's the only way  
21 that there is protection. I witnessed  
22 it, so I agree with that.

23 CHAIRMAN: Rich, I think you've got the  
24 way of the land from this Committee, so I  
25 want to move on. But I do want to ask,

1 we have a representative from  
2 Legislator Schneiderman here today. Would  
3 you say your name.

4 MS. ~~DELAHY~~<sup>Delisi</sup>: Christina ~~Delacy~~<sup>Delisi</sup>.

5 CHAIRMAN: Thank you. Christina, would  
6 you also bring this to the attention of  
7 Legislator Schneiderman so, maybe, he can  
8 begin to address the problem in a  
9 Legislature's point of view?

10 MS. ~~DELAHY~~<sup>Delisi</sup>: Yes, and I know he also  
11 has a lot of interest in the Workforce  
12 Housing or Affordable Housing; so  
13 that's one of the things I was going to  
14 bring up to him.

15 CHAIRMAN: Okay. Richard, next.

16 MR. MARTIN: The status of the contacts  
17 that we've been working on for our  
18 Historic Society to move into these  
19 sites and start giving towards the  
20 programs. The contract for the  
21 Farmingville Schoolhouse -- which it is  
22 being worked -- the elevation there.  
23 The Farmingville Historical Society,  
24 that was sent over to the County  
25 Attorney's office January 30th for

1 their review.

2 The contract for <sup>Brookdale</sup> ~~Bookdale~~ County  
3 Park, which the ~~state~~ there would be the  
4 Great South Bay Audubon Society, was also  
5 sent over to the County Attorney's office  
6 January 30th for their review.

7 The Babylon Town Historical Society  
8 contract, which is for the Van Bourgondien  
9 House in Babylon, was also sent over to  
10 the County Attorney's office for their  
11 review.

12 So those three contracts have been  
13 completed by the Parks Department and our  
14 County Attorney's office. The <sup>Scully</sup> ~~skully~~  
15 <sup>Estate</sup> ~~state~~ contracts, which is with the Seatuck  
16 Association, there's additional  
17 legislative res~~s~~olution that's needed for  
18 that contract. That is a unique contract  
19 that is for all of our sites to establish  
20 an enterprise fund, which will be funds  
21 for all the program fees and fundraising  
22 from that site, would go into and then be  
23 supervised for the County and then be  
24 given out for the expenses at that  
25 location. So these are the unique

1 situations that a resolution should come  
2 up in the legislative review in the end of  
3 March.

4 MR. KAUFMAN: Rich, if I may.  
5 Regarding Seatuck, do they have a  
6 contract in place right now for the  
7 group itself?

8 MR. MARTIN: No, this is part of what's  
9 needed to finalize and sign the  
10 contract to establish this fund. That  
11 was part of the enabling resolution  
12 that the Legislature passed to approve  
13 Seatuck that went into the site.

14 MR. KAUFMAN: Is there any sense of  
15 urgency on this one?

16 MR. MARTIN: Yes, I have independent  
17 knowledge that Seatuck has been worried  
18 about the lack of a contract for quite  
19 a long period of time. The last I  
20 spoke to Enrico -- and this was months  
21 ago -- they were saying where's the  
22 contract? Where's the contract? They  
23 need a contract. And it's just  
24 worrisome that this issue has come up,  
25 and also it's worrisome that it

1           couldn't have been handled, maybe, in a  
2           separate aspect for the separate  
3           contract. But, hopefully, it will get  
4           done. Like I said it is a unique  
5           contract. And it's been held up for  
6           quite some time, and they are very  
7           eager to have a contract signed so they  
8           can go ahead with their programing and  
9           their fundraising on site.

10           CHAIRMAN: Richard, I'd like to bring  
11           up a slight variation of those that  
12           we've been talking about, and that is  
13           maintenance of our properties. I  
14           think, in addition to not having people  
15           living in all of them, that there's  
16           just a plain lack of maintenance,  
17           resources to keep properties, that we  
18           do have, up. I'm wondering, is there a  
19           way that when a property is purchased,  
20           that there also be some provisions made  
21           that maintenance funds be appropriated  
22           to keep them up? In some  
23           cases, we're probably buying properties  
24           that are already protected in other  
25           ways, either through zoning, and so

1           forth. And if that's the case, then  
2           it's probably just a waste of County  
3           resources. I know we are not supposed  
4           to be concerned what it costs to do  
5           these things, but if we're concerned  
6           with preservation, we need to be first  
7           concerned about are the resources truly  
8           available to maintain them.

9           MR. MARTIN: That has been discussed in  
10          part at our Structural Committee  
11          meetings. And it is a concern, as the  
12          County continues to buy historic  
13          properties, that we do have the funding  
14          necessary to maintain. I don't have  
15          the answer to that, but it is a growing  
16          concern.

17          MS. SPENCER: I think that this is the  
18          most pressing issue for these  
19          properties. There isn't enough funding  
20          or staff for the properties that the  
21          County currently owns. The other thing  
22          that we need to bear in mind is, very  
23          often when one of these properties is  
24          acquired, it's acquired in order to  
25          save it and it's acquired -- it's not



1 in particularly good shape. Every now  
2 and then, our properties acquire that  
3 it is in good shape. Even if it's in  
4 good shape, the maintenance of a  
5 historic property, at the time, is  
6 extremely expensive.

7 I couldn't do anything more. I  
8 really wish that the County would make  
9 that ~~committee~~<sup>Commitment</sup> to the properties that they  
10 already own -- the historic properties  
11 that are already dedicated to the Trust  
12 and going forward. You know, the FEDS do  
13 that. If the FEDS put some -- if they  
14 accept a gift or acquire a historic  
15 property, they also put the funding aside  
16 to maintain it.

17 CHAIRMAN: So we should seek to do  
18 something like that. So when Laretta  
19 comes to us with a proposal for  
20 purchase of these properties, there  
21 ought to be -- or, maybe, at least the  
22 County ought to consider, that they are  
23 some add-on that would say -- an early  
24 continuing commitment, of a certain  
25 percentage, of the cost to maintain it.

1                   MR. BAGG:  If I may point out, every  
2                   resolution is supposed to have a  
3                   Financial Impact Statement with it.  
4                   And, technically, that Financial Impact  
5                   Statement should clearly identify the  
6                   cost of maintenance of those  
7                   structures because they are buying a  
8                   piece of property to preserve; in some  
9                   instances, a historic structure.  And  
10                  the financial impact says no cost to  
11                  us.  That's not really true.  If you're  
12                  going to buy an existing historic  
13                  structure, then, technically, there  
14                  will be a maintained cost to ensure  
15                  that that property stays in a good  
16                  state.  And I think the legislature, up  
17                  to this point, really hasn't discussed  
18                  those Financial Impact Statements and  
19                  what the costs of maintenance are.

20                 MS. GROWNEY:  Has there been any  
21                 discussion of a study to see what each  
22                 property needs?

23                 MR. MARTIN:  Yes.  In the past two  
24                 years, we've been working on a study  
25                 that's shown us what -- actually a time

1 period of ten years -- to maintain the  
2 buildings in their current state and  
3 also to fully resolve them.

4 MR. KAUFMAN: That study, has it been  
5 presented to the County Legislature and  
6 County Executive?

7 MR. MARTIN: Presented to County  
8 Executive's Office. We're actually  
9 meeting with them next Tuesday to go  
10 over the funding in the report and to  
11 explain it further.

12 MR. KAUFMAN: One of the reasons I  
13 asked that question, is to the extent  
14 that the Legislature is the allocating  
15 body, in terms of funds. Once you got  
16 this coordinated with the County  
17 Executive, it might be an intelligent  
18 way to go to bring this kind of stuff  
19 before the legislation itself. And,  
20 specifically, for example, rather than  
21 a letter from CEQ, an apparent sponsor  
22 may be head of the Historic Trust; may  
23 be sitting right next to you, for all I  
24 know.

25 And, you know, someone going into the

1 Parks Trustees and lobbying, somebody  
2 appearing before the Parks Committee at  
3 the Legislature and lobbying and saying  
4 this is what we need done. This is what  
5 we need allocated. We can get some  
6 support from the Exec, but we also have to  
7 carry the ball here. To the extent that  
8 we are the Historic Trust of the County of  
9 Suffolk; it's within our preview and  
10 within our responsibility to try and push  
11 these kinds of things. These kinds of  
12 issues and whatever conclusions you have.

13 Obviously, you have to respond first  
14 to the County Executive -- your  
15 Executive branch. But once that's done  
16 and once a coherent plan is, possible --  
17 established -- I think maybe it would be a  
18 good idea to bring some of that back to us  
19 and then we can start, maybe, our own  
20 lobbying. We've talked about this kind of  
21 stuff in the past. The Legislature is the  
22 key to all of this, if you will -- or one  
23 of two keys, to getting anything done.

24 CHAIRMAN: Rich, is this report going  
25 to be presented to the Historic Trust

1 as well?

2 MR. BAGG: I've talked -- well, we've  
3 gone over just the buildings that were  
4 surveyed with the Structural Committee  
5 but they haven't gotten a full report  
6 at this time. We have talked with the  
7 Commissioner about doing that, and I'll  
8 bring also a suggestion of distributing  
9 reports of the county legislature.

10 MS. SPENCER: Richard's brought all of  
11 this forward at the -- this all started  
12 under Commissioner Foley, and has been  
13 ongoing for several years. And as each  
14 portion of the survey was completed, it  
15 came forward to the Trust. Richard  
16 also presented to the Trust, the issues  
17 as they unfold. And I think all of us  
18 are very aware of how deep the need is.  
19 It's -- you start to react because  
20 another property is purchased, it's in  
21 bad shape, and where are you going to  
22 get the money for that?

23 But, it goes back to all the  
24 dedicated property. The original --  
25 correct me if I'm wrong -- ~~Brightenburg.~~ <sup>Blydenburgh</sup>

1                   And when you look at the needs of that  
2                   original property -- the very first  
3                   property in the Trust, the financial needs  
4                   on that property alone are staggering and  
5                   are unmet. It has never been restored,  
6                   it's barely maintained, parts of it are  
7                   falling down; and that was the first of  
8                   over the sixty and the County is still  
9                   buying more property, and some of them are  
10                  also in terrible shape.

11                 So, Michael's right. There's a deep  
12                 need and we should be helping Richard, and  
13                 we should figure out how to help Richard.  
14                 We have a new Parks Commissioner whose  
15                 both attuned and sympathetic, and he is  
16                 going to the Executive Office. But, it  
17                 may well be that a subset of us and myself  
18                 and Richard -- whatever -- go forward to the  
19                 Legislature to present some of this.

20                 CHAIRMAN: I think it would be good.  
21                 Also, Mary Ann, I would recommend that  
22                 some time in the relatively near  
23                 future, if you and Richard can get Mr.  
24                 Pavacic to come to a CEQ meeting and we  
25                 can get -- let him know how serious the

1           CEQ takes its duty and  
2           responsibilities with regard to the  
3           Historic Trust and try to start a  
4           dialogue with him. I think it could be  
5           helpful.

6           MS. SPENCER: I have begun that  
7           dialogue, and I think John would  
8           welcome the opportunity to come up and  
9           meet all the rest of you and understand  
10          that it's not just Richard and I.

11          MS. SQUIRES: I just wanted to go back  
12          to something that you said  
13          (indicating). You said there were a  
14          lot of things -- of properties we  
15          should look at. Where is the  
16          maintenance going to come from? And I  
17          think Laretta can address it better  
18          than I currently can, but that's a  
19          problem because the funding is  
20          allocated. It is for acquisition, and  
21          it is not for maintenance.  
22          And that is true in the towns, also. I  
23          think -- I only speak for Huntington,  
24          but we have the same problem and we  
25          have agony over everything we purchase.

1 And as you look at a bond and people  
2 say to you "you're buying more, but how  
3 are you maintaining?" All you can say  
4 is "in my best judgment, if we don't  
5 acquire now, it is lost forever". But  
6 we almost have to have something  
7 separate. Wouldn't it be lovely to  
8 have a bond dedicated to the  
9 maintenance of what we have purchased.  
10 And I think it is very separate. And  
11 the money has to come from some place,  
12 and I think it's going to be a big  
13 chunk of money that comes from a very  
14 large place.

15 CHAIRMAN: Thank you, Joy. Jim, you  
16 had a comment that I think would be  
17 helpful.

18 MR. BAGG: Well, when a Councilman  
19 reviews, you know, both acquisitions  
20 with Historic Properties and buildings  
21 and -- historic structures and  
22 properties are considered part of  
23 SEQRA's process. And I assume that the  
24 Council for the ~~contemplate,~~ <sup>completeness</sup>  
25 Recommending a Negative Declaration, ~~we~~



1           As part of the Negative Declaration,  
2           you could stipulate that you would want  
3           these buildings maintained and restored  
4           in order to mitigate impact on the  
5           environment. Because Historic  
6           Structures are considered part of the  
7           SEQRA's process and the Environment.

8           MS. SQUIRES: But where is the money  
9           going to come from?

10          MR. BAGG: I think that's up to the  
11          Legislature and County Executive.

12          CHAIRMAN: So are you saying that we  
13          could reject a purchase until  
14          maintenance funds have been somehow  
15          identified?

16          MR. BAGG: I wouldn't say reject it.  
17          Basically, you put in a Negative  
18          Declaration. And, you know, these  
19          buildings have been maintained -- the  
20          structure has to be maintained, and the  
21          County should allocate maintenance from  
22          over the life of the structure. And  
23          that, technically, if the County  
24          doesn't do that and they acquire it,  
25          then, in essence, they're in violation

1 of the Negative Declaration.

2 I mean, you're simply making a  
3 recommendation. The Legislature could  
4 chose to ignore that and not put it in  
5 when they adopt it. However, at least the  
6 conflict goes on record.

7 MR. MACHTAY: Some of these organizations  
8 that want contracts with the County to  
9 use these properties and other  
10 buildings, do they have a  
11 responsibility to do the maintenance or  
12 to raise money to maintain the  
13 structures?

14 MR. MARTIN: Yes, that's part of the  
15 contract. Traditionally, it breaks  
16 down that the County does maintain the  
17 exterior of the building, and heating,  
18 air conditioning, electric, plumbing,  
19 the basics to run the building. But  
20 the organizations raise additional  
21 funds to do the interior restoration.

22 Deepwells is a good example. Their  
23 contract was signed. They have raised  
24 funds and now refinished all the floors in  
25 the first floor and are now restoring all

1 the original shutters.

2 MR. MACHTAY: So money could come from  
3 the organizations?

4 MR. MARTIN: Oh, definitely. It does  
5 on a regular basis. Also, they're  
6 eligible for State plans for  
7 restoration purposes that the County is  
8 not eligible for. The Sagtikos Manor  
9 Historic Society has been working with  
10 them, around \$250,000 they planned and  
11 that they acquired; and while I say,  
12 traditionally, the County maintains the  
13 exterior, the majority of those funds  
14 are going to the exterior of the main  
15 house at Sagtikos Manor. It's not that  
16 they won't raise funds for the  
17 exterior, but that, traditionally, the  
18 County at least maintains the exterior.

19 MR. MACHTAY: So then there is another  
20 source of funds that we're not talking  
21 about here now.

22 MR. MARTIN: Yes, that's, of course,  
23 the issue with holding up the contracts  
24 for all these sites, because we're  
25 actually holding up the restoration

1 funds and the fundraising to be  
2 started. And some of these are over a  
3 year old and --

4 MR. MACHTAY: And that's another reason  
5 to light a fire under the County  
6 Attorney's Office and the County  
7 Legislature to make these things happen  
8 a little quickly.

9 MS. SPENCER: That's why it's a running  
10 item on the agenda because of these  
11 custodial agreements. Given the  
12 quantity of funds and staff, these  
13 funds for particular Historic  
14 properties are a real boom. They  
15 provide security, they ensure use, and  
16 in many cases they help fund or restore  
17 that property.

18 MR. MARTIN: Just to explain, we do not  
19 have any county park staff to open  
20 these historic sites to the public.  
21 That is all done by the volunteer  
22 organization. Our staff all resides at  
23 the Timber Point office and we just  
24 supervise what the volunteer  
25 organizations do at the County Historic

1 Sites, but we do not provide the tours  
2 or the programming at these Historic  
3 Sites. We rely on these volunteer  
4 organizations to do that.

5 CHAIRMAN: Thank you, Rich. Can you give  
6 us a brief status report on the Bavarian  
7 Inn?

8 MR. MARTIN: I don't know the status.  
9 Maybe Laretta can speak to that.

10 CHAIRMAN: We'll move on. Just to  
11 remind everybody that it is a public  
12 meeting and if anybody is here that  
13 would like to speak, they should let us  
14 know and they're certainly welcome to  
15 do so.

16 Jim, what do you have for us under  
17 the Recommended TYPE II Action?

18 MR. BAGGS: Basically, the list -- the two  
19 packets before you -- one of January 2,  
20 2008 and February 5, 2008. They're all  
21 either Type II Actions or SEQRA --  
22 instantaneously completed and the  
23 projects are on the way.

24 CHAIRMAN: Do we have any questions for  
25 Jim? Do we have a motion to accept

1 staff recommendations?

2 MR. KAUFMAN: I'll make a  
3 recommendation to accept staff  
4 recommendations.

5 MR. MACHTAY: Second.

6 CHAIRMAN: Any further discussions?  
7 All in favor? Motion carried.

8 Unlisted Actions, proposed  
9 acquisition for open preservation purposes  
10 known as the Carlls River County Park  
11 addition. Laretta, Happy New Year.

12 MS. FISCHER: I have one acquisition  
13 before you today. The Carlls River  
14 County Park Addition and the Napoli  
15 Construction Property. It's two  
16 parcels consisting of approximately a  
17 third of an acre to the west of the  
18 headwaters, actually, of the Carlls  
19 River and the hamlet of Deer Park and  
20 the Town of Babylon.

21 As you can see we're trying to  
22 acquire a number of low-lying wetland  
23 parcels in this watershed and Masterlists,  
24 too. However, these two were put in by  
25 separate resolution, by a local

1 legislator, Horsley. And I'm before you  
2 to review this and wish your acceptance or  
3 rejection.

4 CHAIRMAN: Any questions?

5 MR. KAUFMAN: Laretta, first off, good  
6 morning.

7 MS. FISCHER: Good morning.

8 MR. KAUFMAN: The corridor seems to  
9 appear on there on the north-south  
10 axis, that's the headwaters itself?

11 MS. FISCHER: Yes.

12 MR. KAUFMAN: And they stop right at  
13 the -- whatever road that is over  
14 there.

15 MS. FISCHER: Pretty much. It's  
16 intermittent wetland along that north  
17 south property that's outlined in  
18 green.

19 MS. RUSSO: Good morning, Laretta.

20 MS. FISCHER: Good morning.

21 MS. RUSSO: On the photo, it looks like  
22 a very small parcel outlined in grey  
23 has structures on it?

24 MS. FISCHER: It doesn't have  
25 structures, it's just a little off. If

1           you pole the boundaries of the yellow  
2           lines -- just a little south -- it will  
3           show that it doesn't include the  
4           structures.

5           MS. RUSSO: And then the long corridor  
6           wooded area that runs parallel to the  
7           long axis, that, I'm assuming, is like  
8           a PAPER <sup>Road</sup> ~~ROLL~~ 2344.

9           MS. FISCHER: Yes, so once we acquire  
10          this and we own the properties on the  
11          other side, to the East, then we can  
12          merge that and abandon the road.

13          CHAIRMAN: My question is should we be  
14          buying properties that aren't  
15          identified on Masterlists two? And my  
16          second question is, since this was  
17          owned by an apparent -- a construction  
18          company, what was it used for and what  
19          was the environmental conditions that  
20          may be a problem on the property?

21          MS. FISCHER: It's a vacant wooded lot  
22          at this time, so as to uses in the past,  
23          you know -- I don't know how far back  
24          we want to go -- but, obviously, the  
25          woodland has been there at least 20 to



1           30 years. I would imagine that it was  
2           disturbed some time before that. I  
3           wouldn't know, specifically when that  
4           had occurred, but it is a low lying  
5           area. And I'm sure that there are  
6           issues with its development -- I don't  
7           know what they are, particularly, with  
8           this specific site, but it's low lying  
9           and wet enough that it would be part of  
10          this watershed.

11                 My recommendation would be to acquire  
12           it so that we don't see any further  
13           development in these watersheds. We do  
14           have issues with other watersheds and  
15           flooding of residential homes near and  
16           around those watersheds, so it is part and  
17           parcel of our effort to protect this  
18           watershed as best we can. And, obviously,  
19           we have sites in and around here that  
20           we're trying to acquire as well. So it  
21           fits into our goals to protect this  
22           watershed, this specific property.

23                 CHAIRMAN: I don't want to belabor the  
24           point too much, but I find it very  
25           interesting that that piece of property

1 was excluded from the Masterlists; but  
2 yet if you go to the north and the east  
3 -- in the area that's outlined in  
4 yellow -- there is a smaller place and  
5 the fact is. So I'm curious as to why  
6 the fact is and this isn't.

7 MS. FISCHER: Actually, that's a  
8 problem that we've come across when we  
9 put the list together. Subsequently,  
10 they develop and they'll be taken off our  
11 acquisition list. That's part and  
12 parcel of what we do when we do our  
13 initial review of the property.  
14 Obviously, that property would be  
15 omitted from further acquisition.

16 MS. GROWNEY: The question I have has  
17 to do with test holes; are test holes  
18 ever done on these properties to see  
19 what there might be?

20 MS. FISCHER: Not that I'm aware of.  
21 It could be part of our environmental  
22 assessments, but I don't know if it was  
23 actually, specifically done on this  
24 site.

25 MS. GROWNEY: I think it's something to

1 be considered.

2 CHAIRMAN: Certainly, I think we have  
3 a series of environmental reviews on some  
4 properties. I'm not sure we've ever  
5 gone through the extent of having to  
6 drill, but Jim feels that, I think,  
7 that this property has not been  
8 disturbed in quite some time, so it's  
9 probably problematic.

10 MR. BAGG: I reviewed the assessment.  
11 And, basically, when the Environmental  
12 Assessment for potential contamination  
13 and toxic and hazardous substances comes  
14 in, properties get reviewed and evaluated.  
15 There is a 50-year aerial photograph  
16 reconnaissance. Technically, if any - what  
17 is termed - environmental conditions are noted  
18 at the site that is when you go to a phase two  
19 for something of that nature. But just looking  
20 at this particular site, wetness of this site,  
21 and the proximity to the, you know, river or  
22 whatever, stream and it hasn't been  
23  
24  
25

1 developed probably because it is  
2 constrained from the wetlands point of  
3 view and, technically, couldn't be  
4 developed. And it's probably been in  
5 that state for forever. I don't know  
6 how some construction company came  
7 to own it, but that's not ours to  
8 reason why. It's clearly in a  
9 residential section, so, therefore,  
10 being owned by a construction company  
11 doesn't necessarily mean they're going  
12 to develop it for commercial or any  
13 other reason.

14 MR. KAUFMAN: Just to let you know, the  
15 name of a corporation usually doesn't  
16 mean anything. I've dealt with a  
17 number of corporations, and I've got  
18 crazy names on properties that are  
19 owned by these corporations. You know,  
20 you can name a corporation anything you  
21 want to. If somebody has a  
22 construction business and sees a piece  
23 of property that they want to buy and  
24 just hold on to for a while, they'll  
25 often use the corporate entity that's

1 out there and maybe later on they'll  
2 change the name or form a separate  
3 entity beyond that to preserve or  
4 perform certain corporate purposes.

5 CHAIRMAN: Any other questions? Any  
6 motions?

7 MR. KAUFMAN: Motion.

8 MR. MACHTAY: Second.

9 CHAIRMAN: Second by Mr. Machtay. All  
10 in favor? Opposed.

11 CHAIRMAN: You have a comment on the  
12 Bavarian Inn status?

13 MS. FISCHER: I believe it was approved  
14 by the Legislature as an override to  
15 County Executive Levy's veto of last  
16 year. That indicates that we can move  
17 forward doing appraisals and reaching  
18 out to see if we have a willing seller.  
19 So, it's in the process.

20 CHAIRMAN: This piece of property, I  
21 think illustrates extremely well the  
22 concerns that we have been talking  
23 about earlier in the program.  
24 Apparently the basement is under water,  
25 for all practical purposes, and the

1 question is how are we going to deal  
2 with it? Are we going to tear it down?

3 MS. FISCHER: Well, our recommendation  
4 to the Legislature was to acquire this,  
5 actually, as a restoration site. And  
6 what we suggested is that the buildings  
7 be demolished, and the cost of the  
8 demolition of those buildings would be  
9 part of the cost of the property. So,  
10 that will be taken into consideration  
11 with the value of the -- and the offer  
12 to the owner.

13 MR. KAUFMAN: Just to add on to  
14 something that Laretta was talking  
15 about. Legislator Kennedy has been  
16 talking about, I think, forming some  
17 sort of task force or looking into the  
18 planning process to do exactly what  
19 you're talking about, Laretta, in a  
20 little more detail. I know there's a  
21 lot of specific interest in the area in  
22 terms of restoring it possibly to a more  
23 natural condition.

24 MS. FISCHER: That's what we suggested  
25 to them, and they supported that.

1           Initially they were thinking of using  
2           the building for some community center.  
3           We felt that was not appropriate based  
4           on the condition of those buildings and  
5           the cost associated with that, and  
6           because of its strategic location  
7           between the extensive wetland to the  
8           north of the lake and its location  
9           directly on the lake and adjacent to  
10          all the County properties, we felt that  
11          restoring the structure to a more  
12          natural state was the best  
13          recommendation we can make for that  
14          property.

15                 MR. KAUFMAN: One further question:  
16                 Has anyone done any recognizance over  
17                 there to see what might be on the  
18                 property?

19                 MS. FISCHER: I mean, yes, we've gone  
20                 over there with the Parks Department,  
21                 with the Department of Public Works,  
22                 and with the Health Department.

23                 MR. KAUFMAN: Have you seen  
24                 environmental issues in terms of clean  
25                 up or anything like that? Obviously,

1                   there's septic systems on the property?

2                   MS. FISCHER: Yes, there are two septic  
3                   systems there. They will have to be  
4                   addressed and remedied. And we'll have  
5                   our Department of Health Services  
6                   overseeing that. We've had them  
7                   involved -- already involved in  
8                   assessing the property and if we move  
9                   forward -- first, we have to see if we  
10                  have a willing seller. So, if we don't  
11                  have a moving seller, then we're not  
12                  moving forward. If we do have a  
13                  willing seller and this process moves  
14                  forward, they will become part and  
15                  parcel of the review of this as well as  
16                  doing our phase one and, most probably,  
17                  a phase two of our process of the  
18                  property.

19                  MR. SWANSON: This is one of those  
20                  properties where you definitely want to  
21                  see some sort of toxic and hazardous  
22                  materials review. Issues with the  
23                  septic systems -- you know, they  
24                  probably use degreasers and all sorts  
25                  of things like that.



1 MS. FISCHER: Yes.

2 MR. SWANSON: So it could be a  
3 potential hazard, I would suspect.

4 MS. FISCHER: Yes, we're aware of one  
5 of their septic systems deals with the  
6 kitchen waste, specifically. So those  
7 issues are already on our radar.

8 MR. SWANSON: Thank you.

9 MS. FISCHER: Thank you.

10 CHAIRMAN: Now, moving on to other  
11 business. We were supposed to have  
12 elections of officers last month. That  
13 was postponed because of the meeting.  
14 Those were postponed or cancelled, so  
15 if you'd like to speak, we'll do it  
16 now. Do we have any motions for  
17 officers this year? Anybody want to --  
18 desire to run?

19 MS. RUSSO: I would like to make a  
20 motion to nominate Larry for Chairman,  
21 again, and Mr. Kaufman for Vice  
22 Chairman.

23 MR. KAUFMAN: I second that.

24 MR. CHAIRMAN: Anybody else that wants  
25 to take nominations? All in favor?

1 Motion carried. Thank you for your  
2 vote of confidence.

3 Jim, do you want to comment on what  
4 we've been talking about where you were  
5 appreciating some of our past members?

6 MR. BAGG: Well, you have discussed  
7 with me possibly getting a certificate  
8 of appreciation for the people that  
9 have served on the Council for many,  
10 many years. Two of them; Terry  
11 Elkowitz who was Chairperson for the  
12 CEQ for over 10 years; Thomas Cramer  
13 has been around, again, for over 15  
14 years. And when we check the records,  
15 Nancy Manfrandonia was on the CEQ for  
16 many, many years -- probably for as  
17 long as Tom. So, we'll bring it before  
18 the CEQ -- if it's what you desire to have --  
19 the necessary Certificates of  
20 Appreciation drawn up, and you can,  
21 possibly, invite these people to the  
22 CEQ to present them their certificates.

23 MS. SPENCER: That's a good idea.

24 CHAIRMAN: Any other discussions? I  
25 might have to say, having served on the

1 Board with all three of these people  
2 for a number of years, they were  
3 completely devoted to the CEO. They  
4 did an outstanding job, and -- you  
5 know, with the County's loss. And in  
6 fact, they all decided that their time  
7 had come to leave the Board. So I  
8 formally believe we owe them gratitude.  
9 Do we have a motion to --

10 MR. KAUFMAN: I'll make a motion.

11 MR. MACHTAY: Second.

12 CHAIRMAN: We have a second. All in  
13 favor? All opposed? Motion carried.

14 Now this is probably a record. I  
15 forgot Joy.

16 MS. SQUIRES: I don't really have  
17 anything to say, but interesting enough  
18 Nancy Manfredonia is now Chair of Islip  
19 Conservation Board. So, she could, in  
20 fact, if we can talk her into it, come  
21 back and sit here. I don't think she  
22 will, but -- unless it happens to  
23 involve something regarding Islip. But  
24 -- no, I don't have anything specific.

25 CHAIRMAN: We have a motion to adjourn?

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Do we have a second? All in favor?

Meeting is adjourned.

(Whereupon the meeting was  
concluded at 10:37 a.m.)

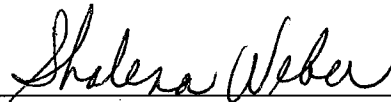
**C E R T I F I C A T I O N**

I, SHALENA WEBER, Court Reporter and Notary Public of the State of New York, do hereby certify:

That the within transcript was prepared by me and is a true and accurate record of this hearing, to the best of my ability.

I further certify that I am not related to any of the parties to this action by blood or by marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of March, 2008.



SHALENA WEBER