

ORIGINAL

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

RECEIVED  
S.C. PLANNING DEPT.  
DEPARTMENT OF PLANNING  
COUNCIL ON ENVIRONMENTAL QUALITY

Arthur Kunz Library  
H. Lee Dennison Building  
4th Floor  
100 Veterans Memorial Highway  
Hauppauge, New York

December 10, 2008  
9:30 a.m.

BEFORE:

R. LAWRENCE SWANSON, Chairperson

REPORTED BY:

THERESA PAPE, Court Reporter/Notary Public

FIVE STAR REPORTING, INC., 631-224-5054

Five Star Reporting, Inc.  
\*\*\*\*\* Suites in all Boroughs \*\*\*\*\*  
(631) 224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S:

- THOMAS GULBRANSEN
- RICHARD MACHTAY
- GLORIA G. RUSSO
- MARY ANN SPENCER

HISTORIC SOCIETY MEMBERS:

- RICHARD MARTIN

ALSO PRESENT:

- JAMES BAGG, Chief Environmental Analyst
- CHRISTINA DELISI, Legislative Aide to  
Legislator Jay H. Schneiderman
- MICHAEL PITCHER, Legislative Aide to  
Presiding Officer Lindsey
- NICK GIBBONS, Parks
- KENNETH PHALEN, Department of Public Works
- CHRISTINE DESALVO, CEQ Staff

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL ON ENVIRONMENTAL QUALITY

3

CHAIRPERSON SWANSON: Okay. We'll call the meeting to order, and then -- let me just call to your attention that the staff has been very kind and put a proposed schedule of meeting dates for 2009 in your packet. We'll have to decide next month on whether these are okay. Basically, the third Wednesday with the exception of --

MR. BAGG: December.

CHAIRPERSON SWANSON: -- December.

MR. BAGG: In addition to that, Larry, the next meeting will be held here. It's in the Planning Conference Room because we have no idea what the schedule is of the Legislature at this point in time, so we're just going to say the meeting's here.

CHAIRPERSON SWANSON: Okay. Well, that's always -- makes me feel good.

The other thing is that the staff also put in the news release concerning a judge's decision on the Vector Control Program. This is very interesting

2 because -- for those of us that lived  
3 through that experience.

4 Any other correspondence that  
5 you're aware of?

6 MR. BAGG: No, that's all.

7 CHAIRPERSON SWANSON: Okay. How  
8 about minutes, anybody check the  
9 minutes?

10 MR. MACHTAY: (Indicating)

11 CHAIRPERSON SWANSON: Yes.

12 MR. MACHTAY: I e-mailed Christine  
13 some changes --

14 CHAIRPERSON SWANSON: For which --  
15 which set of minutes?

16 MR. MACHTAY: For --

17 MS. DESALVO: October.

18 MACHTAY: -- October.

19 MS. SPENCER: It was October.

20 Yeah, because November didn't --

21 CHAIRPERSON SWANSON: Anybody else,  
22 comments?

23 MR. MACHTAY: And I think the only  
24 thing I really found was, in two places,  
25 someone else was credited with Jim's

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL ON ENVIRONMENTAL QUALITY 5  
comments. So --  
CHAIRPERSON SWANSON: Very good.  
Do we have a motion to accept the  
minutes?  
MR. MACHTAY: I'll make the motion.  
CHAIRPERSON SWANSON: A motion  
to --  
MS. RUSSO: Second.  
CHAIRPERSON SWANSON: -- second.  
A second by Gloria.  
All in favor?  
(WHEREUPON, the Members voted.)  
CHAIRPERSON SWANSON: Motion  
passes.  
Historic Trust.  
Mary Ann?  
MS. SPENCER: We had a meeting of  
the new -- what's the name of it?  
MR. MARTIN: Housing Committee.  
MS. SPENCER: Housing Committee.  
We had a meeting of the Housing  
Committee to start following the new  
legislation and reviewing the  
county-owned sites and their grants.

2 And that is ongoing. We will continue  
3 to meet until we have looked at all of  
4 the sites that have been requested. In  
5 other words, if a tenant or a member of  
6 parks wants us to -- or a member of the  
7 committee wants us to look at a house,  
8 we will look at it. And I think, my own  
9 personal opinion, that it's going very  
10 well.

11 Richard?

12 MR. MARTIN: Yes. There's a  
13 formula worked out. We've been taking a  
14 look at the properties, and there's  
15 different issues -- there are locations,  
16 conditions of the building, utility  
17 expenses that the committee can  
18 recommend a reduction in the rent. And  
19 we went through a number of the sites --  
20 the problem sites, actually, at the last  
21 meeting, and I think it did work very  
22 well. I think the county's come up with  
23 a way to deal with our historic sites  
24 and keep them occupied.

25 CHAIRPERSON SWANSON: Good.

FIVE STAR REPORTING, INC., 631-224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Anything else?

MR. MARTIN: I would just like to add as part of that, that we now have ten vacancies within the program. Two new vacancies from last time and, of course, we have tenants that move out and things change over time. There's just a 30-day license agreement, so within every -- within a month we can have changes there. And we've asked from the last committee meeting for the appraiser to look at two vacant historic structures that we're concerned that they should be occupied as soon as possible, which is the Isaac Mills house in St. James, which we've met with the appraiser already, we'll be waiting for his report, and also the Simpson house in West Hills. That's been vacant through this whole process, and we're hoping to get it so we can settle that.

CHAIRPERSON SWANSON: I thought the Mills house was going to be occupied by the Smithtown Township Arts Council.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. MARTIN: There was some interest from the Arts Council, but we do not use the building for public assembly, at this point, until we upgrade the building. According to public works inspection for code review, they will only allow us to continue to use it for the existing uses, which is the residential. So we're actually looking -- we came up with different options. It's a large home that we could have -- instead of the duplex setup where the tenant will get the use of the kitchen and the living space on the second floor, and still retain for public use the other half of the building once we get that working for you.

CHAIRPERSON SWANSON: Just another question out of curiosity: That house has a pond in front of it, and it is used most every winter for ice hockey. What's our liability?

MR. MARTIN: Nick Gibbons is here



2 and I -- he has been over to the site;  
3 can you comment on that?

4 MR. GIBBONS: Not really.

5 Is that something you want to see  
6 continue, Larry?

7 CHAIRPERSON SWANSON: It's all  
8 right with me if they play ice hockey.  
9 I'm just concerned with -- one day  
10 there's going to be an accident and then  
11 we're liable, and I was wondering what  
12 the county's going to do about it.

13 MR. MARTIN: Well, I don't think --

14 MR. GIBBONS: Well, I'm sure we'll  
15 hang a sign up at our earliest  
16 convenience. Aside from that, parks  
17 does not allow ice skating --

18 MR. MARTIN: We don't.

19 MR. GIBBONS: No. No. Obviously,  
20 there's no supervision at the site. A  
21 tenent could bring such supervision, so  
22 we can --

23 CHAIRPERSON SWANSON: I'd hate to  
24 see the kids deprived, it's a great  
25 little pond for ice hockey there.

1 COUNCIL ON ENVIRONMENTAL QUALITY 10  
2 MR. MARTIN: Right. But parks --  
3 MR. GIBBONS: Then don't ask.  
4 MR. MARTIN: -- parks rules  
5 prohibit ice skating.  
6 CHAIRPERSON SWANSON: I had  
7 another -- Mary Ann, I got a call asking  
8 me if it was all right with me if you  
9 serve on some sort of committee. And my  
10 response and sort of applaud was it's  
11 all right with me if it's all right with  
12 you. What was that about?  
13 MS. SPENCER: That's a quandra  
14 (sic) call --  
15 MR. MARTIN: Request for proposals.  
16 MS. SPENCER: -- for a -- request  
17 for proposals for a caterer. And I have  
18 agreed to do that.  
19 CHAIRPERSON SWANSON: All right.  
20 MS. SPENCER: We meet next Monday.  
21 CHAIRPERSON SWANSON: And one last  
22 question --  
23 MS. SPENCER: Yes.  
24 CHAIRPERSON SWANSON: Are we  
25 getting sufficient funds for maintenance

FIVE STAR REPORTING, INC., 631-224-5054

2 of our houses. Are we getting --

3 MS. SPENCER: I am so --

4 CHAIRPERSON SWANSON: -- any  
5 funds --

6 MS. SPENCER: -- glad you asked.

7 I'm going to turn it over to  
8 Richard, but I would like to take the  
9 opportunity to state for the record that  
10 historic preservation continues in this  
11 county, as in most counties and most  
12 cities and most states, to be a very low  
13 priority, and we don't begin to have the  
14 funds to care for our properties. We  
15 have some beautiful properties,  
16 wonderful properties, and we don't have  
17 the resources, we don't have the staff,  
18 we don't have the funds. And thanks to  
19 Richard and his two henchman, I think --  
20 I think they do a fabulous job given the  
21 resources they have.

22 Now you may comment.

23 MR. MARTIN: This year, many of our  
24 capitol requests were not moved forward  
25 to be appropriated. I've been told that

FIVE STAR REPORTING, INC., 631-224-5054

1 COUNCIL ON ENVIRONMENTAL QUALITY 12  
2 our -- you know, since our general  
3 funds, which is our 7510 account which  
4 is distributed over a number of historic  
5 building, as of now, it's just not going  
6 to be funded in 2008; and that was about  
7 \$1,600,000 that we used for various  
8 historic sites. So this year,  
9 especially, there's a concern over the  
10 funding that we did not receive in a  
11 capital program.

12 CHAIRPERSON SWANSON: But yet we  
13 still (inaudible) buildings --

14 MS. SPENCER: Yes --

15 CHAIRPERSON SWANSON: -- right?

16 MS. SPENCER: -- we do. And those  
17 acquisitions include only funds for  
18 acquisitions. There are no funds for  
19 restorations, there are no funds for  
20 maintenance, there are -- they're  
21 acquisition only. And --

22 CHAIRPERSON SWANSON: But you're  
23 going to look into sort of trying to  
24 do -- sort of restructure the way we do  
25 that so that maintenance, in some way,

FIVE STAR REPORTING, INC., 631-224-5054

2 would have to be included --

3 MS. SPENCER: Well, we are the  
4 trust, Larry. I think the next time a  
5 historic property comes before us for  
6 acquisition, it would be this Council's  
7 opportunity to say to the Legislature,  
8 it -- it -- it behoves us to look down  
9 the road. I mean, every -- the -- the  
10 Isaac Mills house is -- is a good  
11 example. It's not in great shape. It's  
12 on the national register, it's a  
13 historic property, but it's not in great  
14 shape.

15 And, Richard, you did get a heating  
16 system put in --

17 MR. MARTIN: Yeah.

18 MS. SPENCER: -- with some  
19 assistance from --

20 MR. MARTIN: Well, National Grid  
21 has a program --

22 MS. SPENCER: Right.

23 MR. MARTIN: -- we converted from  
24 oil to gas. We only had to pay for the  
25 furnace a nominal amount of \$200. And

FIVE STAR REPORTING, INC., 631-224-5054

2 so we put a new gas line in and a new  
3 furnace --

4 MS. SPENCER: But even to put --  
5 you know, the -- we talk about the  
6 problems with vacancy in historic  
7 buildings, and even to get a tenant into  
8 that house is going to cost the county  
9 money that he doesn't have.

10 MR. MARTIN: And the purpose -- you  
11 were right that -- Larry, that the  
12 purpose for the acquisition was for  
13 public use, and we can't use it for that  
14 until the building is repaired and  
15 upgraded to -- to code for public  
16 assembly.

17 MS. SPENCER: And there's no money  
18 to do that.

19 MR. MARTIN: We don't have the  
20 funds to do that, no. Which includes  
21 structural work. It's not just handicap  
22 accessibility, there's structural work  
23 that has to be done to the building to  
24 accommodate the numbers of public  
25 assembly to the (inaudible).

FIVE STAR REPORTING, INC., 631-224-5054

2 CHAIRPERSON SWANSON: And so  
3 shouldn't those question have been asked  
4 up front?

5 MR. MARTIN: Yes.

6 CHAIRPERSON SWANSON: They're not?

7 MR. MARTIN: Not -- not to our  
8 knowledge.

9 MS. SPENCER: But I -- I -- I think  
10 it's our opportunity to start asking  
11 those questions.

12 CHAIRPERSON SWANSON: Okay.

13 Any other questions?

14 MR. MARTIN: Just also, there's a  
15 parlor report on the contract. There's  
16 no -- nothing new. No movement, no  
17 additional contracts have been signed  
18 since last month.

19 CHAIRPERSON SWANSON: All right.  
20 Thank you.

21 All right. Now we have Recommended  
22 Unlisted Actions. And -- let's see --  
23 the first one is Acquisition of Land for  
24 Open Space Purposes known as Lake  
25 Ronkonkoma County Park Addition,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

McDonnell Property.

MS. FISCHER: Laretta Fischer,  
Fiscal Environmental Analyst for the  
Suffolk County Planning Department.

Before you today is a small  
1.8 acre parcel adjacent to the Lake  
Ronkonkoma County Park in the Town of  
Smithtown. This parcel is adjacent to  
extensive wetlands in a bog area north  
of the lake -- lake itself. It's an  
extensive -- over a hundred acres of bog  
that is connected to the lake to the  
south.

This one small piece does have a  
residential structure on it at this  
point in time. However, that property  
will be removed before the county  
acquires it. It is, at this point,  
uninhabitable. The property was flooded  
in 2006 I believe. And with its  
increasing groundwater in this area,  
it's been a problem for various  
residences. This one happens to be  
the -- the most impacted of those



2 residences in that residential area to  
3 the east of the bog.

4 We're looking to acquire this under  
5 the new Drinking Water Protection Plan  
6 for Wetland Protection.

7 Chris Kent is here from our -- from  
8 the Real Estate and Acquisitions  
9 Division. And if you have any questions  
10 regarding the structure that -- how  
11 we're going to perceive this -- the  
12 demolition of the property, Chris can  
13 answer those questions for you.

14 CHAIRPERSON SWANSON: The picture  
15 in your packet of the house that is  
16 discussed, and I think --

17 MS. FISCHER: I have some more --

18 CHAIRPERSON SWANSON: -- you said  
19 1.8 acres, it's .1 acres --

20 MS. FISCHER: .1 -- I'm sorry, yes,  
21 thank you for correcting me.

22 I have some other pictures here for  
23 you as well that we took last week, just  
24 to give you an update on the -- the  
25 condition of the property.

FIVE STAR REPORTING, INC., 631-224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

The aerial does show that there's water surrounding it and going up the road, actually. But at this point today, we went out there last Friday, the water has subsided, but there's a lot of debris on the property and the house has been closed, obviously, with mold conditions and the like surrounding it. You can see from the second and third picture how close it is actually to the wetland boundary.

This one parcel is actually in lower elevation than its immediate adjacent lots and structures surrounding it. So there is a -- a level at -- you know, it really is very close to the level of the wetland, whereas the other properties nearby have the elevation at least five -- five to ten feet in some areas of elevation from the wetland. But this one really sits very -- within the same level of the wetland to the -- to the west.

MS. SPENCER: (Indicating)

FIVE STAR REPORTING, INC., 631-224-5054

2 CHAIRPERSON SWANSON: Yes.

3 MS. SPENCER: Who -- who will pay  
4 the cost of the demolition?

5 MS. FISCHER: The owner.

6 CHAIRPERSON SWANSON: And that  
7 includes the cesspool?

8 MS. FISCHER: Yes. Chris can speak  
9 on -- on that if you have any questions.

10 MR. KENT: Good morning.

11 CHAIRPERSON SWANSON: Good morning.

12 MR. KENT: Christopher Kent, I'm  
13 the Director of the Division of Real  
14 Property, Acquisition and Management.

15 By contract, the seller has to pay  
16 for the demolition of the structure,  
17 removal of the cesspool, any tanks that  
18 may be on -- on the site. The removal  
19 of the water service, whether it's a  
20 public water service or a private well,  
21 I'm not sure, but it's their  
22 responsibility to remove it. Also, the  
23 removal of the asphalt driveway and  
24 foundation removal.

25 CHAIRPERSON SWANSON: Any other

1 COUNCIL ON ENVIRONMENTAL QUALITY 20  
2 questions?  
3 (WHEREUPON, there was no response.)  
4 CHAIRPERSON SWANSON: Do we have a  
5 motion?  
6 MR. MACHTAY: (Indicating)  
7 CHAIRPERSON SWANSON: Yes, motion.  
8 MR. MACHTAY: Unlisted Type II.  
9 MR. BAGG: Unlisted Neg. Dec.  
10 MR. MACHTAY: Probably a Neg. Dec.  
11 CHAIRPERSON SWANSON: We have a  
12 motion.  
13 Do we have a second.  
14 MR. MACHTAY: I think it's --  
15 MS. SPENCER: It's Neg. Dec.  
16 MR. MACHTAY: -- Type II.  
17 MS. RUSSO: (Indicating)  
18 CHAIRPERSON SWANSON: And seconded  
19 by -- and any further discussion?  
20 (WHEREUPON, there was no response.)  
21 CHAIRPERSON SWANSON: All in favor?  
22 (WHEREUPON, the Members voted.)  
23 CHAIRPERSON SWANSON: Opposed?  
24 (WHEREUPON, there was no response.)  
25 CHAIRPERSON SWANSON: Motion

FIVE STAR REPORTING, INC., 631-224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

carries.

Thank you --

MS. FISCHER: Thank you.

CHAIRPERSON SWANSON: -- very much  
for your time.

Okay. Ratification of  
Recommendations for Resolutions Laid on  
the Table.

Jim, you have any comments?

MR. BAGG: No, it's pretty  
straightforward. These are the projects  
that have been previously reviewed for  
our Type IIs. And three of them,  
including this one, are before you  
today. So they'll be going before the  
Legislature before the end of the  
year so that that money is not lost, you  
know, it has to be appropriated.

MR. GULBRANSEN: A question on  
the -- Articles 455 to 2158. Those are  
environmental actions which will have  
favorable impacts; they will have  
impacts, they'll be favorable impacts.  
That's -- we could just call it -- I was

2 thinking about the negative impacts --

3 THE REPORTER: I can't hear you,  
4 sir.

5 MR. GULBRANSEN: It's a question  
6 about whether there's a need for us to  
7 recognize the favorable, the positive  
8 impacts of actions that are proposed.

9 MR. BAGG: 2155?

10 MR. GULBRANSEN: Well, I'm thinking  
11 in particular about 156, for example.  
12 The purchase of street sweeper and  
13 (inaudible), those are very helpful in  
14 the storm water runoff programs and  
15 maintenance. It's a good thing. It a  
16 positive impact.

17 MR. BAGG: No, I understand that,  
18 but --

19 MR. GULBRANSEN: I just want to  
20 make sure that technically --

21 MR. BAGG: Yes, but technically the  
22 purchase of equipment is a Type II  
23 Action. Now --

24 MR. GULBRANSEN: But we don't have  
25 to recognize that.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. BAGG: No. I mean, basically, SEQRA requires you to identify adverse environmental impacts. It really doesn't --

MR. GULBRANSEN: Sometimes it doesn't say the words "adverse impacts."

MR. BAGG: Well, I think that there's -- the -- the -- the significant adverse environmental impacts is what the terminology --

MR. GULBRANSEN: Right.

MR. BAGG: We try to counter that with beneficial impacts with the -- you know, the EAF or an impact statement because it tends to offset possible adverse impacts; however, in this case, there is a positive impact, but it is the purchase of equipment, so there's (inaudible).

MR. GULBRANSEN: Thank you.

CHAIRPERSON SWANSON: Okay. Do we have a motion to accept the staff recommendation for a Type II Action?

MR. MACHTAY: So moved.

2 MS. RUSSO: I make a motion.

3 CHAIRPERSON SWANSON: Okay. Gloria  
4 makes the motion and Mr. Machtay  
5 seconds it.

6 Any further decision?

7 (WHEREUPON, there was no response.)

8 CHAIRPERSON SWANSON: All in favor?

9 (WHEREUPON, the Members voted.)

10 CHAIRPERSON SWANSON: Opposed?

11 (WHEREUPON, there was no response.)

12 CHAIRPERSON SWANSON: Motion  
13 carries.

14 Now, there has been a proposal that  
15 we group Items B through I as one  
16 motion, and this is all involving  
17 improvements in campgrounds.

18 Do you want to tell us a little bit  
19 about what you're --

20 MR. GIBBONS: Sure.

21 CHAIRPERSON SWANSON: --  
22 proposing --

23 MR. BAGG: Larry, if I --

24 CHAIRPERSON SWANSON: -- to do?

25 MR. BAGG: -- if I might --

FIVE STAR REPORTING, INC., 631-224-5054



2 CHAIRPERSON SWANSON: Yeah.

3 MR. BAGG: -- clarify that, is --  
4 because this is before the Legislature  
5 as one resolution for one capital  
6 project -- all these projects, I'd like  
7 to kind of go through them and actually  
8 identify them and list how they are  
9 Type II Actions, and then in one  
10 resolution from the council, we can list  
11 them all as Type IIs and they can go  
12 over across the street as one  
13 resolution. Which is consistent with  
14 what's before the Legislature now, which  
15 is all of these projects in one capital  
16 project. They're all discrete projects.

17 CHAIRPERSON SWANSON: Okay.

18 Nick.

19 MR. GIBBONS: Good morning.

20 May I sit?

21 CHAIRPERSON SWANSON: Yes, you may.

22 They didn't give you a chair?

23 MR. GIBBONS: And I'm just like

24 Rich. I need a nameplate, Mary Ann.

25 In years past, in our capital

2 program, this whole thing -- this whole  
3 package has gone over, as Jim explained,  
4 as kind of a patchwork of a lot of  
5 different projects at a lot of different  
6 sites. And that used to be okay with  
7 Budget, but they actually kicked it back  
8 to us and asked us for specifics on each  
9 element within that capital project.  
10 Which I did, I -- I went through and  
11 pigeonholed each of these into  
12 appropriate Type II categories. And  
13 I -- Jim, did they get copies of those  
14 memos?

15 MR. BAGG: Yes, they've gotten  
16 copies --

17 MR. GIBBONS: Okay.

18 MR. BAGG: -- of those.

19 MR. GIBBONS: So we can run through  
20 those, if there's any questions -- I  
21 don't really have any backup materials,  
22 except that I'm happy to answer any  
23 questions that you might have on any of  
24 these elements. I'm pretty well  
25 familiar with all of them, and I'm

FIVE STAR REPORTING, INC., 631-224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

confident that they're all appropriately categorized as Type II Actions. Unless there's, you know, a difference of opinion around the table, we can discuss that.

MR. MACHTAY: Do any of these projects involve any new construction and it's not rehabilitation --

MR. GIBBONS: Yes.

MR. MACHTAY: -- rebuilding the same thing?

And that new construction, which project is it and --

MR. GIBBONS: Yes. Yeah, we can do that.

Do you want to take them out of turn or do you want to go through -- either way.

MR. MACHTAY: It's up to you.

CHAIRPERSON SWANSON: Let's just go quickly through them, and I think you're building several restrooms.

MR. GIBBONS: Yes, that's true.

MR. BAGG: Larry, also if I might

2 say that, this went to the Legislature  
3 saying SEQRA is complete with CE- --  
4 previous resolutions from CEQ as well as  
5 the Legislature on similar projects;  
6 however, they did -- they were not these  
7 projects. So SEQRA was not applicable  
8 and the Bond Council won't accept that.  
9 It has to be for these projects, not  
10 similar projects that have had Type II  
11 Actions.

12 CHAIRPERSON SWANSON: Let's just  
13 quickly go through them --

14 MR. GIBBONS: Sure.

15 CHAIRPERSON SWANSON: -- and as the  
16 new construction comes up --

17 MR. GIBBONS: Yeah.

18 CHAIRPERSON SWANSON: -- make sure  
19 you point it out.

20 MR. GIBBONS: Okay.

21 So Item B on your agenda is the  
22 Resurfacing of Existing Roadways at  
23 Southaven County Park, Cathedral Pines  
24 County Park, and Smith Point County  
25 Park, all within the Town of Brookhaven.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

This has to do with either paving or the purchasing of crushed stone to resurface existing roadways within these parks. This does not involve any new road construction, and it's all within the existing footprint of those roads.

Any questions on that one in particular?

MR. BAGG: I want to point out also that the rules and regs, in addition to maintenance, clearly point out that they're really paving an existing highway -- or roadway, not involving additional new travel lanes to these Type II Actions. So four might apply with respect to that (inaudible).

MR. GIBBONS: Right. I -- I didn't -- I don't think it's -- I hope it's not necessary to read into the record each of the -- or would you prefer that from these memos?

MR. BAGG: No, I mean --

MR. GIBBONS: Okay.

MR. BAGG: -- because I'm -- you

1 COUNCIL ON ENVIRONMENTAL QUALITY 30  
2 know, we will take out of the memos what  
3 is --  
4 MR. GIBBONS: For your resolution.  
5 Right. Okay.  
6 So is that -- is that sufficient  
7 for Item B?  
8 CHAIRPERSON SWANSON: Uh-huh.  
9 MR. GIBBONS: C, Upgrades to  
10 Existing Utilities at Southaven County  
11 Park, Cathedral Pines County Park, and  
12 Smith Point County Park, all within the  
13 Town of Brookhaven.  
14 This has to do with our existing  
15 campgrounds. The upgrading of utilities  
16 at these sites, including water hookups  
17 and electric is an ongoing program  
18 within this capital project. Believe it  
19 or not, hookups of 30 amp seem to be no  
20 longer sufficient. We're going to  
21 50 amp in some places. If you've seen  
22 some of these campers, you can see why.  
23 And I think we've talked about that  
24 before.  
25 But more than that, this is also

FIVE STAR REPORTING, INC., 631-224-5054

Five Star Reporting, Inc.  
\*\*\*\*\* Suites in all Boroughs \*\*\*\*\*  
(631) 224-5054

2 for extension of waterlines within the  
3 campground areas.

4 Any questions on that project?

5 MS. RUSSO: Just one question,  
6 Nick. These waterlines, you know, below  
7 the frost line, are they typical water  
8 mains?

9 MR. GIBBONS: Yes, we do them --  
10 yeah, we have -- now we are down to  
11 really two, if not, three campsites that  
12 we leave open year round; one is Smith  
13 Point, the other is Indian Island, and  
14 intermittently, Cathedral Pines. All  
15 the others get blown out for the winter.  
16 But, typically, when we're replacing  
17 stuff, we're doing it for all the frost  
18 lines. Yeah.

19 Anything else?

20 MS. RUSSO: (Head gesture)

21 MR. GIBBONS: Okay.

22 Item D, Handicapped Access  
23 Improvements at Lakeland County Park in  
24 the Town of Islip.

25 Lakeland, for those of you that are

2 familiar with it, there -- pretty much,  
3 the headwaters of the Connetquot River.  
4 It's Johnson Avenue in the Islandia  
5 area. That park, in the early '80s, was  
6 the site of a major capital project to  
7 provide handicap accessibility  
8 throughout the entire park. It was the  
9 first of its kind in the county and,  
10 perhaps, in the state. Significant  
11 boardwalks were built there. You had --  
12 you have -- ballpark patrons have  
13 experience of the wetlands. It's really  
14 quite a nice place given the location  
15 and the size of it. But over the years,  
16 some of these amenities have  
17 deteriorated. This -- this portion of  
18 the capital funding would be used for  
19 improvements at the site, including  
20 upgrading to existing codes to make  
21 existences through it handicap  
22 accessible.

23 We do have a park building there.  
24 It's housed with a -- we have a seasonal  
25 employee there for the summer months.

FIVE STAR REPORTING, INC., 631-224-5054



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

We -- we put a handicap accessible playground there a number of years ago, but all that stuff requires routine maintenance. And, in this case, it's going to go towards handicap accessibility.

MR. BAGG: Also, with respect to this memo, I think that No. 2, a Type II Action, because it's replacing three and four region constructions, they'll bring it up to building code. So the -- handicap accessibility is required by the federal government, so it's bringing it up to code.

MR. GIBBONS: Any other questions on that?

(WHEREUPON, there was no response.)

MR. GIBBONS: Item E, Planning and Construction of a Park Police Substation at Indian Island County Park, Town of Riverhead.

So this is a new construction -- one of those new construction projects. The existing police substation is a

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL ON ENVIRONMENTAL QUALITY 34

former residence at the Riverhead Golf Course. Indian Island is on the north side of Riverside Drive, the west side of County Road 105. It's inadequate in size. The park police have requested that we earmark some capital funding to add to their capacity for staff there. I'm happy to report that we have more park police now than we've had in about 25 years. It's a matter of keeping them within the county, park police, that's the hard part. But at least for the time being, we've somewhat reached our capacity at Indian Island.

The Indian Island substation serves our eastern zone the way we have parks arranged. So that extends to Orient on the north fork and Montauk on the south fork. That's quite a bit of ground to cover. So this capital funding would go towards satisfying some of their needs.

The new construction would be less than 4,000 square foot, and, as such, it qualifies as a Type II Action.

FIVE STAR REPORTING, INC., 631-224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL ON ENVIRONMENTAL QUALITY

35

CHAIRPERSON SWANSON: Questions?

(WHEREUPON, there was no response.)

CHAIRPERSON SWANSON: Okay.

MR. GIBBONS: Item F, Sanitary Facility at Blydenburgh County Park, Town of Smithtown.

This is on the north side within the historic district. There's an existing sanitary facility there. It's very much inadequate, anybody familiar with it knows that this -- anything we do there would be an improvement as to what's there now. So this is -- it would be demolition of existing, replacement with new structure. It may or may not involve historical services in terms of some treat -- exterior treatments to the building to -- to make it a little more appropriate for the historic district. It certainly is not now. Typical parks block construction. The structure's approximately 30 years old. Also, this structure is less than 4,000 square feet.

FIVE STAR REPORTING, INC., 631-224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. MARTIN: (Indicating)

MR. GIBBONS: Yeah.

MR. MARTIN: Nick, I just wanted to point out, I think it's just beyond the official boundary --

MR. GIBBONS: That's -- but within sight of --

MR. MARTIN: Yes.

MR. GIBBONS: -- right?

MR. MARTIN: Yeah.

MR. GIBBONS: Yeah.

MR. MARTIN: Within the view shed of the historic district, but it's out quite a bit.

MR. GIBBONS: Right. When that's -- that comes -- that saves us as a Type II in that it's outside the historic district. Yeah, I got that. So -- but we would work with -- or I would work with Rich anyway because the impacts to the -- the building could have impacts on the district. So we could do a better job at -- at making it a little more appropriate for the site.

2 All right. Any other comments on  
3 that one?

4 (WHEREUPON, there was no response.)

5 CHAIRPERSON SWANSON: Okay. G.

6 MR. GIBBONS: G, thank you.

7 Replenishment -- I should say G,  
8 Replenishment at Meschutt Beach County  
9 Park, Town of Southampton.

10 Meschutt is located on the eastern  
11 side of the ~~Shinnecock~~<sup>Shinnecock</sup> Canal. It fronts  
12 Peconic Bay. It's really -- canoe  
13 place, Hampton Bays area. Every year  
14 we -- we -- we're permitted by DEC to  
15 put, I believe it's 10,000 yards -- I --  
16 I have a tenure permit from DEC to do  
17 that. We -- we purchase Upland sand in  
18 the winter and we deposit it on the  
19 beach. It's a -- it's an ongoing  
20 routine maintenance of -- of this  
21 facility. At one point in time we did  
22 have a permit in place to dredge --  
23 bypass dredge from the west side of the  
24 inlet back over to the east side; that  
25 drift is reversed there. And that was a

FIVE STAR REPORTING, INC., 631-224-5054

2 one-shot deal, we'd have to go back to  
3 DEC for a new permit. So, in the  
4 meantime, we're going to continue with  
5 the program to purchase Upland -- beach  
6 compatible Upland sand for deposition on  
7 the beach.

8 CHAIRPERSON SWANSON: So your  
9 permit is from the county, the state,  
10 and the core of engineers?

11 MR. GIBBONS: No, it's from the  
12 state and the core -- no, not the core.  
13 It doesn't -- it doesn't extend below  
14 knee-high water. So the core is out of  
15 it.

16 It's simply a placement of Upland  
17 fill beach compatible sand from DEC on a  
18 regulated title wetland.

19 MR. MACHTAY: And the state has  
20 issued a right-and-proper permit?

21 MR. GIBBONS: Yeah, we had --

22 MR. MACHTAY: And they've done  
23 SEQRA on the permit; right?

24 MR. GIBBONS: Who, the state? You  
25 sound like Jerry.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. MACHTAY: Just a question.

MR. BAGG: They -- they -- most everything from the state is sent through (inaudible).

MR. MACHTAY: Well, that's SEQRA; right?

MR. BAGG: Yes.

CHAIRPERSON SWANSON: But just, you're somewhere along in this tenure permit that you have?

MR. GIBBONS: Yes. Yeah, I think we have maybe six years left on this.

MR. GULBRANSEN: One question. Just to clarify, the sand that you're planning to purchase is coming from Upland.

MR. GIBBONS: Right.

MR. GULBRANSEN: And when you place it, it's well up from the entire area?

MR. GIBBONS: Not well up, it's -- it's right above knee-high water.

MR. GULBRANSEN: I guess my question then becomes, do we have any sense to whether bringing material in

2 from the outside is altering or  
3 compounding or contributing to the  
4 circulation that might be changing  
5 because of the settlement? Dredging was  
6 a good idea once, you're not doing  
7 dredging now, is there's a change in  
8 circulation that's building up because  
9 that other material is not being  
10 (inaudible)

11 MR. GIBBONS: The two primary  
12 reasons we're not dredging are money and  
13 permits. It's -- the existing permit  
14 limits us, the volume is not very much.  
15 If I said 10,000, it's -- I -- I'm  
16 pretty sure it's 2,000; ten years, 2,000  
17 a year, at a cost of about, I think,  
18 \$40,000 for us.

19 MR. GULBRANSEN: So that the  
20 dredging, when it was done, was simply  
21 the graph supply, it wasn't -- it wasn't  
22 to address --

23 MR. GIBBONS: Yes, it was. No, it  
24 was a bypass essentially to the canal,  
25 down drift. Because all that sand was

FIVE STAR REPORTING, INC., 631-224-5054



2 building up on the west side of the  
3 canal. And there -- there is a surplus  
4 there, definitely.

5 MR. GULBRANSEN: Do we know whether  
6 that surplus is impacting the adjoining  
7 habitat and the water --

8 MR. GIBBONS: No, it's --

9 MR. GULBRANSEN: -- circulation  
10 that -- that --

11 MR. GIBBONS: Like anywhere else  
12 that you have a -- a maintained inlet,  
13 the down drift side is starved of sand.  
14 And in the bay, it goes the reverse of  
15 the ocean. So it's going from west to  
16 east in that spot. So on the west side  
17 of the inlet there's a surplus --  
18 actually, that -- that portion of it is  
19 also a county park, but DEC at one time  
20 permitted us to bypass sand from that  
21 west side to the east, actually, at a  
22 lot -- a much larger volume. That  
23 project lasted maybe two days and then  
24 it was shut down for weather, and then  
25 the environmental window stick in (sic),

FIVE STAR REPORTING, INC., 631-224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

and then we killed the project.

MR. GULBRANSEN: Okay. Thank you.

MR. GIBBONS: Okay. Okay.

CHAIRPERSON SWANSON: Okay.

MR. GIBBONS: All right. H,  
Sanitary Facility at Meschutt Beach  
County Park, Town of Southampton.

At Meschutt, at one time, we had a  
very informal concession that -- that  
sold the real basics. Since that time,  
we had a new concessionaire come in.  
Did a great job at revitalizing the  
existing building, but we did lose  
some -- some space that had been part  
of -- of bathrooms and staff -- not  
office space but storage space  
primarily. And the popularity of the  
beach is such that the existing sanitary  
facility, which I think includes two  
fixtures for men and two of women, is  
terribly inadequate. So this -- this  
funding would seek to replace that  
building. Again, it wouldn't be a -- it  
would replace the sanitary amenities,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL ON ENVIRONMENTAL QUALITY 43  
but it would not -- we would keep the  
existing structure. This would be an  
entirely new structure on the site, it  
would be less than the 4,000 square  
feet, and it would -- as -- as in the  
case with any of these. And, you know,  
DEC permitting what's required and,  
certainly, we would have to get permits  
from both health and DPW. Parks will  
secure all those.

Questions on that?

(WHEREUPON, there was no response.)

MR. GIBBONS: Item I,  
Lifeguard/Emergency Medical Technician  
Station at Sears Bellows County Park,  
Town of Southampton.

The existing EMT building, if you  
can call it that, is a shared space with  
our rowboat rentals that we run out of  
a -- out of a log cabin that's probably  
close to 40 years old. It's -- it's not  
adequate given the popularity of the  
campground there now, and the -- the  
needs of the park patrons.

FIVE STAR REPORTING, INC., 631-224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

This -- this project would be, again, less than 4,000 square feet. It would be in an existing cleared area within Sears Bellows. And, again, given it's proximity to, in this case, Bellows Pond, it may or may not require DEC permitting. I'll determine that in-house and then, if need be, I'll secure all necessary permits.

CHAIRPERSON SWANSON: Okay. Thank you very much.

MR. GIBBONS: All right. Thank you.

MR. GULBRANSEN: Could I just ask a question on that one?

It's a DEC station but you won't have any radio communications? Or is that just -- maybe we don't need to emphasize the microwave transmission facility on as a --

MR. GIBBONS: We --

MR. GULBRANSEN: -- provision that you're stating and explaining. I mean, certainly, they'll be communications,

2 there's just not going to be a tower;  
3 right?

4 MR. GIBBONS: No, we have our own  
5 two-way radio system already in place,  
6 and this facility would be served by  
7 that existing infrastructure. But  
8 nothing is needed on site. Okay?

9 CHAIRPERSON SWANSON: Okay.

10 Jim, review for us how you want the  
11 motion made so the existing --

12 MR. BAGG: Just simply say that the  
13 motion reviewed -- that the Council  
14 reviewed the following projects and find  
15 them to be Type II Actions as so  
16 indicated -- each individual action or  
17 each individual Type II site, and then  
18 just say that the Legislature should  
19 pass Legislation that -- that they --  
20 these are Type II Actions.

21 MR. MACHTAY: I'll make that  
22 motion.

23 CHAIRPERSON SWANSON: Okay. So  
24 Rich just made the motion that Jim so  
25 eloquently phrased.

1 COUNCIL ON ENVIRONMENTAL QUALITY 46  
2 Do we have a second?  
3 MS. SPENCER: (Indicating)  
4 MS. RUSSO: I second.  
5 CHAIRPERSON SWANSON: Okay. I  
6 think Mary Ann had her hand up, so we'll  
7 let her get on the record.  
8 Any further discussion?  
9 (WHEREUPON, there was no response.)  
10 CHAIRPERSON SWANSON: Hold a  
11 motion, all in favor?  
12 (WHEREUPON, the Members voted.)  
13 CHAIRPERSON SWANSON: Opposed?  
14 (WHEREUPON, there was no response.)  
15 CHAIRPERSON SWANSON: Motion  
16 carries.  
17 MR. GIBBONS: Thank you. Have a  
18 nice holiday.  
19 CHAIRPERSON SWANSON: You too,  
20 Nick. You too.  
21 Okay. Next is the Interim Backup  
22 Facility for the Fire Rescue Emergency  
23 Services in Coram, Town of Brookhaven.  
24 MR. PHALEN: (Indicating)  
25 CHAIRPERSON SWANSON: Yes.

FIVE STAR REPORTING, INC., 631-224-5054

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. PHALEN: Ken Phalen from DPW.

CHAIRPERSON SWANSON: Welcome.

MR. PHALEN: I brought plans in case anybody was interested in seeing what the space was. Just to explain, this is an existing space. It is the basement of the former 6th Precinct. And right now it's only utilized in one small area behind probation, it's a staff meeting space. The county does not have a backup facility in case the 9-1-1 Emergency Center, located in Yaphank, goes down. They've been looking at various facilities and sites over the years.

The county having a new 6th Precinct, probation may -- does occupy the first floor, this would be -- the basement would be for the -- a backup emergency center would be primarily utilized by fire rescue and emergency services, but there would also be a desk there for probation and for the sheriff's office for a backup emergency

2 for them as well.

3 The space, as I said, is already  
4 there, but it needs some modifications  
5 to it, and the majority of the work  
6 would be, basically, bringing equipment  
7 into that space.

8 MR. MACHTAY: (Indicating)

9 CHAIRPERSON SWANSON: Yes.

10 MR. MACHTAY: So it's existing  
11 space that will be modified or  
12 rehabilitated or renovated to serve a  
13 new need.

14 MR. PHALEN: Yes.

15 MR. MACHTAY: All right.

16 Type II Action?

17 CHAIRPERSON SWANSON: Okay. We  
18 have a motion, Type II --

19 MS. RUSSO: Second.

20 CHAIRPERSON SWANSON: -- second  
21 from Gloria.

22 Any further discussion?

23 MR. GULBRANSEN: In the previous  
24 motion there was a citation of -- a  
25 provision where, I guess,

FIVE STAR REPORTING, INC., 631-224-5054



1 COUNCIL ON ENVIRONMENTAL QUALITY 49  
2 transmissions -- microwave stuff was not  
3 involved. In this case, it is --  
4 MR. PHALEN: Yes --  
5 MR. GULBRANSEN: -- involved --  
6 MR. PHALEN: -- they'll be bringing  
7 backup radios so when Yaphank --  
8 MR. GULBRANSEN: Is there anything  
9 there now?  
10 MR. BAGG: Yes, there's already  
11 communications at that facility.  
12 MR. GULBRANSEN: So we're not  
13 looking at a --  
14 MR. BAGG: No.  
15 MR. GULBRANSEN: -- change, it's  
16 just additional phone use.  
17 MR. PHALEN: It would be new  
18 equipment.  
19 CHAIRPERSON SWANSON: Okay. We  
20 have a motion, it was seconded.  
21 All in favor?  
22 (WHEREUPON, the Members voted.)  
23 CHAIRPERSON SWANSON: Opposed?  
24 (WHEREUPON, there was no response.)  
25 CHAIRPERSON SWANSON: Motion

FIVE STAR REPORTING, INC., 631-224-5054

2 carries.

3 MR. PHALEN: Thank you.

4 CHAIRPERSON SWANSON: Thank you  
5 very much.

6 All right. That brings us almost  
7 to the end -- I lost my agenda.

8 There's nobody here from the  
9 public -- general public.

10 Any other business?

11 (WHEREUPON, there was no response.)

12 CHAIRPERSON SWANSON: And no CAC  
13 representatives.

14 Do I have a motion to adjourn?

15 MR. MACHTAY: I make a motion  
16 wishing everybody a Merry Christmas and  
17 a Happy New Year, and I'll see you all  
18 next year.

19 MR. GULBRANSEN: That said by the  
20 man with the red suspenders on.

21 CHAIRPERSON SWANSON: Do I have a  
22 second?

23 MR. MACHTAY: You know, my beard  
24 used to be a lot longer.

25 MS. RUSSO: (Indicating)

FIVE STAR REPORTING, INC., 631-224-5054

1 COUNCIL ON ENVIRONMENTAL QUALITY 51  
2 CHAIRPERSON SWANSON: Gloria,  
3 second.  
4 MR. MACHTAY: Do you remember, Jim?  
5 MR. BAGG: Yup.  
6 CHAIRPERSON SWANSON: All in favor?  
7 (WHEREUPON, the Members voted.)  
8 (WHEREUPON, the December 10, 2008  
9 Meeting of the Department of Planning  
10 Council on Environmental Quality  
11 adjourned at 10:18 a.m.)  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

I, THERESA PAPE, a Shorthand Reporter and Notary Public of the State of New York, do hereby certify:

That the foregoing is a true and accurate transcription of the stenographic notes taken herein.

I further certify that I am not related to any of the parties to this action by blood or 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 10th day of December, 2008.

  
\_\_\_\_\_  
THERESA PAPE