

COUNTY OF SUFFOLK



STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

R. Lawrence Swanson
CHAIRPERSON

James Bagg
CHIEF ENVIRONMENTAL ANALYST

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Council of Environmental Quality will convene a regular public meeting at 9:30 a.m. on Wednesday, April 15th, 2009 in the Arthur Kunz Library, H. Lee Dennison Building, Fourth Floor, Veterans Memorial Highway, Hauppauge, NY 11788. Pursuant to the Citizens Public Participation Act, all citizens are invited to submit testimony, either orally or in writing at the meeting. Written comments can also be submitted prior to the meeting to the attention of:

**James Bagg, Chief Environmental Analyst
Council on Environmental Quality
Suffolk County Planning Department
P.O. Box 6100
Hauppauge, NY 11788**

**Council of Environmental Quality
R. Lawrence Swanson, Chairperson**

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AGENDA

MEETING NOTIFICATION

Wednesday, April 15th, 2009 9:30 a.m.
Arthur Kunz Library
H. Lee Dennison Bldg. - 4th Floor
Veterans Memorial Highway, Hauppauge

Call to Order:

Minutes - check the web at

<http://www.co.suffolk.ny.us/departments/planning/minutes.aspx#ceq>

Correspondence:

Public Portion:

Historic Trust Docket:

Director's Report: Updates on Housing Program for Historic Trust Sites
Updates on Historic Trust Custodial Agreements
Minutes from February 3, 2009 Historic Trust Committee Meeting

Project Review:

Recommended TYPE II Actions:

- A. Ratification of Recommendations for Legislative Resolutions Laid on the Table for March 24, 2009.
- B. Proposed Construction of Highway Maintenance Facilities, Salt Storage Building, Hampton Bays, Town of Southampton CP 5048.

Other Business:

Suffolk County Stormwater Management Program Annual Report 2009

CAC Concerns:

*****CAC MEMBERS:** The above information has been forwarded to your local Legislators, Supervisors and DEC personnel. Please check with them prior to the meeting to see if they have any comments or concerns regarding these projects that they would like brought to the CEQ's attention.

*****MEMBERS – PLEASE NOTIFY THIS OFFICE AS SOON AS POSSIBLE IF YOU WILL BE UNABLE TO ATTEND.**

*****ALSO FOLLOWING THE MEETING PLEASE LEAVE BEHIND ALL MATERIALS OF PROJECTS THAT YOU DO NOT WANT OR NEED AS WE CAN RECYCLE THESE MATERIALS LATER ON.**

ORIGINAL

RECEIVED
S.C. PLANNING DEPT.

1 -----HENRY 27 (HNS-21)-----X

2 DEPARTMENT OF PLANNING.

3 COUNCIL ON ENVIRONMENTAL QUALITY

4 -----X

5

6 April 15, 2009
7 9:30 a.m.

8

9 Arthur Kunz Library
10 H. Lee Dennison Building
11 100 Veterans Memorial Highway
12 Hauppauge, New York

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B E F O R E:

18

19 R. Lawrence Swanson, Chairperson

20 Michael Kaufman, Vice Chairperson

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22

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24

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Reported by,
Melissa Powell

26

27

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

2 James Bagg, Chief Environmental Analyst

3 Eva Growney

4 Richard Machtay

5 Gloria R. Russo

6 Mary Ann Spencer

7 Joy Squires, CAC Reps

8 Richard Martin, Historic Society

9 Michael Pitcher, From Presiding Officer Lindsay's Office

10 Thomas Gulbransen, CEQ

11 Daniel Pichney, CEQ

12

13 A L S O P R E S E N T:

14 Jeff Dawson,

15 Emerson Hasbrouck,

16 Matt Sclafani, Cornell Cooperative

17 Mark Cappelino, Cornell Cooperative

18 Angel Dybas, Cornell Cooperative

19 Lorne Brousseau,

20

21

22

23

24

25

1 CHAIRMAN SWANSON: I would like to
2 call the meeting to order.

3 Dan, welcome back. Good to see
4 you.

5 MR. PICHNEY: Good to see you too
6 and the Members.

7 CHAIRMAN SWANSON: Were there any
8 minutes -- minutes we should be
9 checking? I don't recall any.

10 THE SECRETARY: No, the March one's
11 are not in yet.

12 CHAIRMAN SWANSON: We will move
13 ahead.

14 Jim, is there ^{correspondence}~~correspondents~~ you
15 want to call our attention to?

16 MR. BAGG: Not really. I was sent
17 this -- we received this from the
18 Executive Office of the President -- the
19 White House Council on Environmental
20 Quality.

21 CHAIRMAN SWANSON: We haven't heard
22 from them for years.

23 MR. BAGG: Because I am moving up
24 to the White House CEQ.

25 (WHEREUPON, there was laughter.)

1 MR. BAGG: It says,
2 "Congratulations, on receiving a Costal
3 America 2008 Spirit Award for the
4 Carman's River Fish Ladder Partnership.
5 I thought that was interesting. The
6 award recognized outstanding projects
7 that demonstrate the Costal American
8 Spirit of teamwork." Then it goes on to
9 say that, "Hopefully, this will help
10 restore some of the anadromous fish
11 population in the area."

12 CHAIRMAN SWANSON: Anything else?

13 MR. BAGG: That's all.

14 CHAIRMAN SWANSON: Historic Trust
15 -- before we get going too far, I
16 noticed that my envelope was thickened
17 considerably by minutes from the
18 Historic Trust. I would suggest that we
19 not send these out to everybody -- save
20 a tree, and if Mary Ann is willing to
21 provide us a copy that can be circulated
22 while we're at the meeting, it would
23 save a lot paperwork.

24 MS. SPENCER: Not a problem.

25 MR. KAUFMAN: Larry?

1 CHAIRMAN SWANSON: Yes.

2 MR. KAUFMAN: I would disagree with
3 that. I actually have been an advocate
4 of seeing a little bit more of what the
5 Historic Trust Subcommittee has been
6 doing. I have not been seeing the
7 minutes previously of it, and I thought
8 the minutes that we just received were
9 very, very informative and enabled us to
10 keep track of what was going on. In
11 terms of distribution, is it just to the
12 CEQ members itself?

13 CHAIRMAN SWANSON: No, a copy --
14 you can always get a copy from Mary Ann
15 if you really want a copy. If she made
16 a copy available here, you can read it
17 here and ask questions. We get so much
18 paper, and I don't think everybody needs
19 to get a copy.

20 MR. KAUFMAN: I won't push the
21 point.

22 CHAIRMAN SWANSON: It is publicly
23 available. You can get it from Mary Ann
24 anytime you want and maybe -- I don't
25 know what the trouble there might be but

1 maybe we can put it online.

2 MS. SPENCER: There is not a
3 problem. If there is a Member of the
4 CEQ that wants a copy, all they have to
5 do is contact me.

6 CHAIRMAN SWANSON: Or you can put
7 it online.

8 MS. SPENCER: Right, we will work
9 on it. Thank you.

10 CHAIRMAN SWANSON: Alright, so
11 let's move ahead.

12 Michael, I would appreciate when
13 it's appropriate, if you would comment
14 on issues that you're are concerned
15 about that came up in the minutes --
16 that came up in the minutes of the
17 Historic Trust.

18 Mary Ann, go ahead.

19 MS. SPENCER: With the updates on
20 the housing or do you want to go on the
21 motion?

22 CHAIRMAN SWANSON: Whichever you
23 want to take first.

24 MR. MARTIN: I think with today's
25 time, we will go right to the motion we

1 need to discuss, and then I have another
2 short review of a project at this
3 Historic Trust site. I am going use the
4 time for that today.

5 MS. SPENCER: Go for it.

6 MR. MARTIN: I don't know if
7 everyone has the minutes with them
8 today, within the minutes is this
9 resolution that we passed. We don't
10 have the minutes numbered.

11 CHAIRMAN SWANSON: It is in the
12 packet, I think.

13 MR. MARTIN: Oh, it's separate?

14 MS. SPENCER: It's separate.

15 MR. MARTIN: That's good. So that
16 is what we're reviewing. This has been
17 in discussion for a number of meetings
18 of the Historic Trust Committee. They
19 are concerns that they have about the
20 County's Acquisition Program.
21 Obviously, especially because of the
22 historic properties, and they would like
23 to see some additional planning steps
24 added to the review when the County is
25 initially looking at these properties

1 and not to wait until after the fact --
2 after the closing to start taking the
3 additional cost into account. I don't
4 know if you want -- Jim, should I read
5 this into the minutes? Can everyone
6 just see or have any questions about
7 this?

8 (WHEREUPON, there was no response.)

9 MR. MARTIN: Mainly, it is trying
10 to ask to review the properties for
11 their historic significance and make
12 that decision beforehand in the sense
13 that they qualify. It is still up to
14 the CEQ, of course, to designate
15 historic properties and the full
16 legislature if this will be a County
17 landmark, but just a review of that
18 possibility and then also for the cost
19 that would be involved.

20 MR. KAUFMAN: I have one question.
21 I think the resolution is an excellent
22 step, and it really does take into
23 account the concerns that the Historic
24 Trust Subcommittee has had and also the
25 discussions we had around here. I am

1 just curious about one thing. The
2 appraisal cost, if you will, the cost
3 for security and stabilizing that we
4 want to have in here, does the County
5 have inhouse resources to give estimates
6 like that or are we going to have to go
7 outside to get these estimates before we
8 purchase it?

9 MR. MARTIN: The estimates we're
10 talking about can come within the
11 County. If you notice, the last
12 paragraph, we talk about involving a
13 division of real estate, Department of
14 Planning, Department of Public Works.
15 That's who Suffolk County Parks would
16 bring in to estimate jobs for us. We do
17 not do the estimating and then, of
18 course, the Parks Department would
19 involve the Division of Historic
20 Services and the Park Commission.

21 So we rely heavily on the
22 Department of Public Works to both
23 review the cost and for code enforcement
24 on what can the building be used for and
25 the use that is being proposed at the

1 time of acquisition. If not, what work
2 and cost needs to be incurred to bring
3 it to that code compliance.

4 MR. KAUFMAN: Thank you.

5 CHAIRPERSON SWANSON: Jim?

6 MR. BAGG: Yes. I would like to
7 point out -- I want to possibly qualify
8 this motion if it passes with the CEQ
9 with a couple whereas's.

10 Has the Council received a Historic
11 Structures Report on -- I believe, it
12 was like -- I believe we had done 49
13 structures out of 215?

14 MR. MARTIN: Yes.

15 MR. BAGG: And the proposed
16 restoration cost to bring the structures
17 we currently own up to par is
18 \$42,000,000?

19 MS. SPENCER: That is for 49 of
20 them.

21 MR. BAGG: Okay, for 49 of the 215
22 structures. The point of this is -- I
23 mean, very often the legislature or our
24 legislator proposes on purchasing
25 property and then says, "This is

1 historically significant," and the
2 County then proceeds to purchase the
3 property without knowing the true cost
4 because they are just considering the
5 appraised value, and then it turns
6 around that you can't use the structure
7 for anything until you bring it up to
8 New York State Building Code at the cost
9 of potentially millions of dollars more.
10 So then we end up with a property with a
11 historic structures on it that -- we've
12 had a number of these properties that
13 really collapse around our ears because
14 the County hasn't come up with the
15 money, and this should be identified as
16 a true clause before the County actually
17 gets into acquiring these assets and
18 say, "We have the money to really do
19 with this property what should be done."

20 CHAIRPERSON SWANSON: Yes, Rich?

21 MR. MACHTAY: The last paragraph in
22 this resolution -- the last sentence --
23 "This information shall be placed within
24 the environmental assessment form and
25 considered by CEQ when dealing with

1 SEQRA review and recommendations to the
2 Legislator and the County Executive."
3 Jim, they're saying that the cost of
4 rehabilitation repair and what have you,
5 shall be considered in the SEQRA review
6 which is under the -- part of the EAF
7 that says, "Historic significance." Is
8 that really a historic significance?
9 Nothing can be historic and falling down
10 around our ears and one thing have
11 nothing to do with other except that we
12 will never be able to restore it.

13 MS. RUSSO: The money issue to
14 restore it, is really not part of the
15 SEQRA review. It's having the economics
16 to do that.

17 MR. MACHTAY: It is really up to
18 the legislature to decide whether they
19 want to spend the money or not.

20 MR. BAGG: They have to be
21 appraised as to what it would cost.
22 That has to be done.

23 MR. MACHTAY: The resolution can
24 certainly say, "It is going to cost X,
25 Y, Z to restore this property," but to

1 consider it as part of the SEQRA review,
2 I wonder if that is --

3 MR. BAGG: But I think that CEQ
4 when a proposal is preserved as part of
5 the environmental assessment form that
6 we must -- we need to purchase it to
7 preserve it because it is historically
8 significant. That the Council has the
9 right to request, "Well, what state is
10 this property in and what will it take
11 to really preserve it?" As you're
12 saying, what the acquisition is going to
13 be.

14 MR. MACHTAY: Does SEQRA review
15 rise to the level of, "How much is it
16 going to cost to rehabilitate and
17 restore on a technical basis?"

18 MR. BAGG: Well, maybe not an exact
19 appraisal, but I would think that SEQRA
20 can request if the CEQ says, "What will
21 it cost or approximate cost to restore
22 this structure so that it can be used as
23 proposed by the legislature?"

24 MR. MACHTAY: Are you saying that
25 the SEQRA review either recommends or

1 fails based on what the cost is going to
2 be? One thing may not have anything to
3 do with the other.

4 MS. GROWNEY: I see them as
5 separate issues. I think the
6 information is important to know, but I
7 see them purely as separate issues
8 because historic value really has
9 nothing to do with the restoration
10 value, per se, but we also are getting
11 to know the financial cost of all the
12 other projects that we're reviewing. So
13 it seems to me that, that takes on
14 another protracted level of review. I
15 don't think the information should be
16 withheld. I think it's good to have the
17 information so that there is a bigger
18 picture in the finding. In addition,
19 Rich, there is something else about --
20 in my mind, about historic things when
21 we're reviewing them, the question in my
22 mind that have we -- how many of these
23 things have also been partnered and how
24 much is being -- how many projects in
25 the past have actually benefited or what

1 level of finances has been contributed
2 by the partner, and is there a
3 recommendation level that we would make
4 available for the County to consider
5 that names that we recommend that you
6 demand some sort of requirement of the
7 absolute finding partners to be put it
8 place. I don't know if we can do that
9 but --

10 MR. BAGG: That's part in parcel of
11 the acquisition program, whether or not
12 we have partners. We have been partners
13 with the Town of Huntington on a number
14 of projects with respect to some
15 restoration.

16 MS. GROWNEY: But with the funding
17 that we're talking about so far is, how
18 much of that -- what percentage or what
19 actually has been benefited by
20 partnering and does it offset some of
21 the expenses?

22 MR. BAGG: Well, I think that is
23 good but you have to understand what the
24 expenses are and if the proposed
25 legislation says, "We're purchasing this

1 for preservation," then the question
2 comes down to, what does it cost to
3 preserve this property? I think that is
4 a question of --

5 MR. MARTIN: But would this
6 information be used for the purpose of
7 making a declaration of let's say a pos
8 or neg declaration?

9 MR. BAGG: Basically, I think that
10 once the information is received --
11 you're probably right, Richard, that you
12 can't really use the environment value
13 because of monetary reasons but it can
14 be identified and the Council can say
15 that, "We feel this will not impact the
16 environment, however, the resolution
17 really doesn't preserve the structure
18 because you're not taking into account
19 the true cost."

20 MR. MARTIN: I understand that
21 completely.

22 MR. KAUFMAN: Guys, just a point of
23 clarification because you're both wrong
24 on something.

25 There are three issues going on

1 here. One, is SEQRA and that is New
2 York State -- remember that is one of
3 our charges and in SEQRA, you look at
4 the historical significance of what is
5 going on, but you're not necessarily
6 assessing the financial aspect of it.

7 Two, there is a review process
8 specific to Suffolk County in our EAF
9 which is our Suffolk County form, that
10 is, the CEQ and legislative purview
11 document. As such, we can alter that
12 document to suit our needs and to give
13 recommendations to the legislature, and
14 also alter the documents as needed to
15 look at areas that we need to have
16 review.

17 So, the split here and there is a
18 third part to this -- you're not
19 reviewing the cost factor under SEQRA,
20 you're reviewing it for Suffolk County
21 as part of the EAF. It can be a
22 separate document. We don't have to
23 mandate that the document itself be
24 changed. It is hard enough through the
25 various agencies of the County to alter

1 anything. We can simply have it as an
2 addition.

3 The third thing everybody is
4 forgetting, we're also the Historic
5 Trust. That's where a lot of the
6 recommendations are coming out of when
7 we are ruling or voting on matters for
8 the legislature. We usually do it as a
9 CEQ, technically, we should be doing it
10 as Historic Trust. Historic Trust --
11 that is part of the charter. If you
12 look at our documentation, that's where
13 a lot of these economic analysis can
14 come in. It is a little schizophrenic,
15 if you will. You're looking at it one
16 way verses another, but that's where we
17 have purview to ask for these documents,
18 to ask for these cost estimates, and to
19 pass on recommendations to the
20 legislature. You have to look at it in
21 three different ways.

22 MR. MARTIN: Michael, for the
23 purposes of SEQRA alone --

24 MR. KAUFMAN: Then it doesn't
25 matter.

1 MR. MARTIN: (Continuing) -- that
2 we're talking about banging it back and
3 forth. The purposes of SEQRA is for
4 informing the legislature that it may
5 not be worthwhile taking the property
6 because it is going to cost \$17,000,000
7 to restore, that's under other --

8 MR. KAUFMAN: If that's under two
9 other areas that we're looking at. The
10 SEQRA vote itself is pos dec, neg dec,
11 and you really -- the economic should
12 not consider it but as part of the EAF
13 and the part of our charge, that's where
14 it does kick in.

15 CHAIRPERSON SWANSON: So we should
16 ask Jim and the Historic Trust Committee
17 to revise this part of the motion to
18 make it --

19 MR. BAGG: If we go back to the EAF
20 form -- right in the front of that EAF
21 form, it says, what is the project and
22 what is the amount? It's part of the
23 EAF format and I think that -- but we
24 don't get the amount that --

25 MR. MARTIN: No, I understand that

1 but maybe --

2 MR. BAGG: Well, you have the right
3 to request it as part of SEQRA. SEQRA
4 says that it covers mostly impacts on
5 national lines, but it has the right to
6 include economics on it.

7 Also, I think that one of things
8 you have to say as part of your
9 recommendation can be that, yes, we feel
10 this property is historically
11 significant and that we recommend the
12 County proceed provided they spend the
13 necessary funds to restore the property
14 as part and parcel of the acquisition
15 clause. You can make that
16 recommendation, as well.

17 MR. MARTIN: There is other
18 recommendations. I mean, you can think
19 back in every which way provided that
20 they can find partners to do this and
21 provided that the funds are available
22 through other sources. You know, it
23 happens. You know, you should not kill
24 it all together if it really is a
25 significant part, and I would hope that

1 because it cost an amount of money to
2 restore the property that it would not
3 look to kill the project but maybe seek
4 out other areas to make it happen.

5 CHAIRPERSON SWANSON: Tom?

6 MR. GULBRANSEN: My question is
7 about the SEQRA processing and what we
8 would do with dollar signs in the review
9 primarily and even in the County because
10 ecological and ecosystems services are
11 now being stretched more often -- the
12 environmental review process allows for
13 ecosystem services to be assessed. Will
14 they be negatively impacted or favorably
15 benefited? Sometimes that is expressed
16 in dollar terms. I think as one of the
17 people who will be asked to make this
18 review or balance these areas of
19 potential impact, I would need more
20 guidance on how to juggle an ecosystem
21 service evaluation in contrast with
22 construction and maintenance calculation
23 cost dollar. I am not saying I know
24 what the relevant portion of them are
25 but we're inviting -- in this motion,

1 we're inviting the cost to be expressed,
2 and I would look forward to guidance on
3 how to juggle that cost with other kinds
4 of cost that are going to be expressed
5 also.

6 CHAIRMAN SWANSON: Dan?

7 MR. PICHNEY: I just had a question
8 for Michael and how the situation for
9 SEQRA review is -- what about if the
10 County was purchasing a brown field?
11 Would the cost of restoration of the
12 brown field be included?

13 MR. KAUFMAN: Generally, at state
14 level -- Tom brought up an interesting
15 point. At state level, I don't believe
16 the cost would be in the SEQRA analysis
17 itself. In terms of Suffolk County
18 language, it probably would be in the
19 EAF. It could be included in -- there
20 is a provision for that, but the vote
21 itself, most likely would be a positive
22 dec, neg dec which help see the
23 economics we are in at state level.

24 Tom was bringing up the need for
25 level where you are starting to see

1 that. I don't particularly like what I
2 have seen previously on some of those
3 analysis at the federal level, but that
4 is the old administration where they
5 started to do something like this.
6 There is good and bad to all of this,
7 but economic aspects, I don't think
8 heavily creep into the state SEQRA at
9 this point in time. According to the
10 cases that I have seen, I have not seen
11 any directly on point. Could it creep
12 in? Yes. Should it? I don't know.
13 For our purposes here though, I am
14 saying, I don't -- I am not particularly
15 worried about the SEQRA aspect. I am
16 worried about the historic aspect in the
17 three parts analysis that I was giving
18 you. I think all of these concerns can
19 be accommodated, if we're trying to be
20 pure to SEQRA.

21 MR. PICHNEY: Just put them in the
22 right place.

23 MR. KAUFMAN: Yes, put them in the
24 right place and do it as a correct body
25 making the recommendations.

1 MR. GULBRANSEN: The last sentence
2 currently reads, "When doing the SEQRA
3 review," should that word SEQRA be
4 replaced with, "When doing the historic
5 trust fiduciary?"

6 MR. KAUFMAN: Historic review might
7 be the right way to -- I will mess
8 around with the language for the next
9 couple of minutes, and I will try to
10 come up with something.

11 MR. PICHNEY: We want the numbers
12 to make it through to the legislature.
13 That is one intention here. The other
14 intention is how this body would juggle
15 that. I am not sure of the second part.

16 CHAIRPERSON SWANSON: One of the
17 things we want to do is call to the
18 attention of the legislature the
19 enormous costs that are being levied on
20 the taxpayer and the County. In many
21 cases, the County is not getting enough
22 black eye because they get these
23 properties and they cannot afford to do
24 anything with them. They sit and rot
25 and then people say, "What the hell is

1 wrong with the County?" And, you know,
2 that's not helping anything. So while
3 we may not be able to decide whether
4 they should purchase it or not, we at
5 least have the responsibility to say,
6 "Let's look at the real cost." I have
7 some language --

8 MR. MARTIN: I just want to make a
9 point relating to the partnership so
10 that everyone understands the contract
11 that we have. Historical sites do not
12 have any capital improvement
13 requirement. They are partnering with
14 them mainly to open a house up and
15 interpret it to the public that they do,
16 of course, have an interest and do raise
17 funds and get grants for us, but there
18 is no requirement. The only difference
19 to that is the Scully Estate where the
20 Sea Tuck group has been required to
21 invest a certain amount of capital
22 funds. Otherwise, it is just to work
23 with the County to raise funds but there
24 is no set annual requirement at all.

25 CHAIRPERSON SWANSON: Okay, before

1 you do that, I just want to correct some
2 English in the first part.

3 In the -- I guess the first
4 paragraph on cost there is a sentence
5 that begins with "Cost for securing."
6 It should be "Cost for securing and
7 stabilizing, as well as, restoring and
8 maintaining." I think it should be
9 estimated at that time.

10 MR. KAUFMAN: Here is some quick
11 fixes, if I can, that we can do in the
12 third paragraph.

13 Looking at the last sentence of the
14 third paragraph, "This information shall
15 be placed within the environmental
16 assessment form and any historic reviews
17 and considered by CEQ and the Historic
18 Trust when doing the SEQRA and historic
19 reviews." Just basic though in several
20 times and it would differentiate --
21 you're shaking your head.

22 MS. SPENCER: The CEQ is the
23 Historic Trust. The Historic Trust
24 Committee is a standing committee of
25 CEQ. I think to keep it simple, Mike,

1 just put Historic Trust; that is the
2 CEQ.

3 MR. KAUFMAN: I don't think we can
4 do that because we're looking at it in
5 an EAF. This is highly technical but
6 when you're -- Historic Trust can't do
7 an EAF. Believe it or not, we actually
8 -- there is differentiation between CEQ
9 and the Suffolk County Historic Trust
10 which we also are --

11 MR. CHAIRPERSON: Can I make
12 recommendation? I think this really
13 needs some time to think about a little
14 more clearly, and I would suggest that
15 Michael, you, and Mary Ann discuss
16 verbiage. Anybody else that wants to
17 weigh in, do so, and I would also then
18 recommend that before the next meeting
19 we get in an e-mail of what the new
20 resolution verbiage is so that we will
21 have some time to think about it and
22 vote the next meeting.

23 MS. GROWNEY: It is almost
24 unquestionable. I would like to see
25 maybe if there is some way the County

1 can be made involved with getting
2 partnerships on properties because the
3 value to me is really strong, and it my
4 personal opinion from sitting on this
5 Committee, it is important to us to try
6 and get as much as we can. So, I don't
7 know if there is some way that we can
8 put it in a proper thought process down
9 the road.

10 MR. CHAIRPERSON: Mary Ann, will
11 you consider that?

12 MS. SPENCER: Yes. Just for the
13 record, Larry, I would like to
14 reinforce what you said.

15 The purpose of this resolution is
16 to bring to the legislature's attention
17 the attending cost for securing,
18 stabilizing, and maintaining this
19 property and because that is an addition
20 to acquisition process, that is the
21 purpose of the resolution. So, we
22 should word it appropriately but that is
23 the point.

24 CHAIRPERSON SWANSON: Jim, I have
25 question. As you know, in the last year

1 or so the cost of purchase has been
2 blacked out and the information that we
3 get, will the legislature tell us we
4 have no right to know what the cost --
5 not the true purchase price but the cost
6 of maintaining and repairing and so
7 forth is also none of our business?

8 MR. BAGG: Well, I think, the
9 acquisition cost, Larry, is up to the
10 legislature for determining whether or
11 not it's realistic and should proceed.
12 However, when you're talking about the
13 restoration cost of historical landmark
14 structures, that has to be considered by
15 CEQ and Historic Trust. I mean, the
16 Historic Structures Report was submitted
17 to you for consideration and review with
18 those figures in, so they're not one and
19 the same.

20 Also, I might point out on the
21 resolution is the paragraph before the
22 final paragraph states that, "The
23 legislature should ~~ap~~prove these
24 expenses in their financial impact
25 statement as part of the property

1 acquisition cost." The legislature
2 said, "Every bill that goes before the
3 Suffolk County Legislature is supposed
4 to have a financial impact statement,"
5 and those things really usually gloss
6 over in terms of possibly -- this is
7 what the acquisition cost is but with
8 respect to the historic structures,
9 there could be a lot of other costs that
10 would have a bearing that the
11 legislature should really consider. As
12 you pointed and as Mary Ann pointed out,
13 the purpose of this recommendation from
14 CEQ is to say that before we acquire
15 historically significant properties,
16 that the County Legislature should know
17 the whole cost. We don't want to
18 acquire something and then find out --
19 because with the Mill House we said,
20 "Well, we're going to hold public
21 meetings in there and all kinds of
22 events in there," and then we acquire it
23 and DPW comes in and says, "Oh, no, it
24 doesn't meet State code, therefore, you
25 cannot hold public meetings in here.

1 You cannot hold those events of which
2 are part of the resolution for
3 acquisition because you have to spend
4 X, Y, and Z to bring it up to County
5 code." The only thing you can do is
6 lease it out to somebody for occupancy
7 purposes, if that, because some of these
8 structures, they won't even let anybody
9 in there.

10 MS. SPENCER: And, also, they
11 knocked out all potential partnerships
12 because they could not be used publicly.

13 MR. BAGG: So, I think, the whole
14 purpose of this is that as part of the
15 planning steps process that the County
16 goes through which the legislature has
17 required is that when we're going to
18 purchase potentially historically
19 significant properties, that they know
20 what the true cost is and that is the
21 point.

22 CHAIRPERSON SWANSON: I just hope
23 the legislature doesn't say, "Well,
24 that's none of your business."

25 MR. BAGG: Well, that is part of it

1 too. That is their prerogative and they
2 get to say thank you very much.

3 CHAIRPERSON SWANSON: But it is
4 their long term benefit to do these.

5 MR. BAGG: Yes, but we have a lot
6 of structures that are really falling
7 down around our ears, and the County
8 doesn't look good with these historic
9 structures going into disrepair and
10 decaying. Some of them are so bad off,
11 you cannot restore them anymore.

12 MR. MARTIN: As Jim mention that is
13 a publicly an acquisition that they're
14 not giving us enough information. They
15 just assume, as many people do, that
16 these buildings with the rooms large
17 enough, why can't the public come in
18 here? So this is giving them that
19 information up front instead of getting
20 it after closing cost and then they're
21 surprised when they hear they can't do
22 the ideas they have.

23 CHAIRPERSON SWANSON: So we will
24 look forward to a rewording of this.

25 Let's move on.

1 What's next, Richard?

2 MR. MARTIN: I just want to do a
3 quick review.

4 This is a maintenance road that
5 we're proposing at Sagtikos Manor, and I
6 have a very good aerial study done from
7 the Planning Department. I would like
8 to make two copies of that to take a
9 look at. I have some additional copies
10 of pictures of the roof that were taken.

11 What we're looking to do -- if you
12 look at the 1928, to start, you see
13 above the wall garden here and there is
14 a grove of tree. That is the area where
15 we're looking to put the access road in.
16 The photographs that are accompanying us
17 are numbered here. Jim, if we could
18 just take a look at -- they're numbered
19 starting from within the wall garden and
20 you will see this gate on Number 1, on
21 the left hand side, that is the vehicle
22 gate. You cannot access that gate at
23 this time. Earlier in 1928, that was a
24 farm complex entrance. I just have
25 photographs that are showing the roof

1 and then the basic route is going from
2 the west side of the garden between the
3 trees -- there is no tree removal.
4 There is just brush over to the estate
5 driveway near the Carriage House. The
6 need for this is the historic entrance
7 to this gate -- vehicle gate is now cut
8 off. The County did not purchase that.
9 That was subdivided and developed. We
10 need to have an access road to get that
11 point.

12 MR. KAUFMAN: Rich, the access
13 road, obviously, the purpose is to get
14 in there but, I think, a couple of years
15 ago there was some interest in people
16 doing gardening in this area.

17 MR. MARTIN: Yes, exactly.

18 MR. KAUFMANN: So that is the
19 purpose of all of this?

20 MR. MARTIN: Exactly. We did
21 receive a New York State grant to redo
22 all the irrigations in the wall garden,
23 but there will be no way to get into
24 that garden to do the work. Right now,
25 we have two pedestrian gates on the east

1 side and the south side, but you cannot
2 get across to do that. So this is for
3 that project and then ongoing
4 maintenance. It will run just north of
5 the garden house and the cemetery and
6 then, again, there is a series of
7 pictures to pass around. It, of course,
8 will be restored -- you can pass these
9 around -- and the proposed route is
10 going to an area that right now is
11 covered with vines and honeysuckle vines
12 and English Ivy, and we're not taking
13 down any trees; just that.

14 CHAIRPERSON SWANSON: Yes, Eva?

15 MS. GROWNEY: I have some questions
16 about what kind of gardening to the
17 extent of the soil testing -- on the
18 content of the soil in the garden?

19 MR. MARTIN: We will be doing a
20 historic landscape study once we receive
21 the grant; that is part of it. None of
22 that work will start until the grant --
23 the contract is signed. We are now
24 negotiating with the State to get the
25 contract signed.

1 MS. GROWNEY: So you will assess
2 what had been planted there before and
3 recreate that garden?

4 MR. MARTIN: Yes.

5 MS. GROWNEY: Does anybody know if
6 it was primarily flowers or vegetable
7 land?

8 MR. MARTIN: It was a mix but
9 primarily flowers. We're actually -- at
10 this site, some people are surprised
11 because in 1960, the wall garden -- the
12 wall itself was put up in 1933. The
13 garden existed at end of the 19th
14 Century and then with all the changes at
15 that point is what formalized it at that
16 point. So we're showing the whole life
17 of the estate up to the 1960's when
18 Mr. Gardiner opened it up to the public
19 and essentially the changes of the
20 design on the property top.

21 MS. GROWNEY: His name is Gardiner?

22 MR. MARTIN: Correct.

23 MS. GROWNEY: Is he related to the
24 Mr. A. Gardiner?

25 MR. KAUFMAN: One in the same.

1 MS. GROWNEY: One in the same.

2 MR. BAGG: This was his principal
3 life and then his East Hampton Estate
4 was his Summer home.

5 MS. GROWNEY: But this wasn't --

6 MR. BAGG: No. He owned Sagtikos
7 Manor, East Hampton Estate, and he was
8 in charge of Gardiners Island.

9 MS. GROWNEY: Oh, I didn't know
10 that.

11 MR. KAUFMAN: He also had a New
12 York apartment.

13 Rich, this question is for you.
14 Was there a user group associated with
15 this? I know several years ago --

16 MR. MARTIN: Definitely. The
17 Historic Society was involved in this
18 before the County's purchase. Within
19 that group, they have a garden committee
20 set up that will be maintaining that
21 garden, and they've already cleared the
22 garden that was overgrown when the
23 County purchased it and they're
24 maintaining now. They will also be
25 using the garden house and that is to be

1 restored, and they will be using that
2 for their tools and things. This is not
3 -- this will just be a park for
4 maintenance route. It will be ten feet
5 wide. No paving, of course. They don't
6 have any paving onsite. Just crushed
7 concrete and we have the drive. It is
8 about 350 feet long and a 3,500 feet
9 clearing clear and 10 foot wide one-way
10 access road just for maintenance. So
11 there will not be any public back and
12 forth -- back and forth drive or
13 anything like that, and will not take
14 any large -- it will be curb route just
15 to go around to any of the exits.

16 CHAIRPERSON SWANSON: So you're
17 asking us -- you're informing us of what
18 you're going to do or you're asking us
19 for our blessing?

20 MR. MARTIN: I am asking for your
21 blessing. I brought this to the
22 Committee. They did approve it, and now
23 I am bringing it to CEQ, as is, Historic
24 Trust to review this project.

25 CHAIRPERSON SWANSON: To me, and I

1 am going back to our previous -- this is
2 really one of the jewels of what Suffolk
3 County should be maintaining.

4 Just out of curiosity, what has the
5 County invested in it -- in this, not
6 including the purchasing price?

7 MR. MARTIN: Actually, this is a
8 very good example of a very successful
9 project. I can say a lot of it is
10 because we have a group from the
11 beginning that has been successful in
12 getting grants themselves and pressuring
13 the County through their local
14 legislator to also provide funds for
15 this site.

16 We have upgraded. We have a whole
17 new heating and air conditioning system
18 that was installed that the County paid
19 for. The Historic site received a
20 \$250,000 grant from New York State which
21 is to be used for the exterior of the
22 main house -- just finishing that now.
23 So, as for the partnership, there has
24 been an excellent example of what can be
25 done.

1 I just want to point out that
2 before they were not required to do
3 that. There is love of this site, so
4 they want to but that was not part of
5 any kind of contract required but that
6 group is very active and has jumped in
7 right from the beginning and the County,
8 I would say, is about an equal split on
9 the expenses on either side. The County
10 has probably spent maybe \$400,000 to
11 \$500,000 and so has the local historic
12 site.

13 CHAIRPERSON SWANSON: If I recall
14 correctly, there was not a heating
15 system existing in that house?

16 MR. MARTIN: No, it was not
17 existing.

18 CHAIRPERSON SWANSON: So he lived
19 there?

20 MR. MARTIN: Yes. Actually, the
21 reason, like I said, in the 60's, he
22 essentially shut down the house for a
23 year round use in 1962. He did not heat
24 the property until the County installed
25 the new system, and he stayed at his

1 East Hampton home at that time. Of
2 course, he did -- he was half owner of
3 the garden.

4 CHAIRPERSON SWANSON: The original
5 heating system was wood and coal?

6 MR. MARTIN: It was coal. I think
7 that was left at that point. Like I
8 said, it not had been used. That was
9 all -- it was not useable. We took all
10 of that out and installed a high
11 efficiency system in the house.

12 MS. GROWNEY: Just as a point of
13 reference, I actually worked on the East
14 Hampton residence recently. It might be
15 an interesting thing -- I would prefer
16 to see if they could give some link.
17 Like, if there is ever going to be any
18 kind of event happening, that there
19 could be --

20 MR. MARTIN: Is it privately owned?

21 MS. GROWNEY: Yes, but he is very
22 open to the historic thing; that is why
23 I am mentioning it. Because I found in
24 the house some historic artifacts and so
25 he does not know he could also use them

1 for the historic society in East Hampton
2 and that there might be some partnering
3 that might happen that way.

4 CHAIRPERSON SWANSON: So, it is my
5 understanding, that what we have to do
6 is vote on the Historic Trust
7 recommendation and the SEQRA
8 recommendation, if this project goes
9 forward.

10 Do we have a motion?

11 MR. KAUFMAN: I will make the
12 motion that this is a CEQ. This is a
13 negative declaration and as for the
14 Historic Trust, that this is -- I want
15 to say fine and dandy but I don't know
16 if that is proper.

17 (WHEREUPON, there was laughter.)

18 CHAIRPERSON SWANSON: We have a
19 motion. Do we have a second?

20 MS. GROWNEY: I will second that.

21 CHAIRPERSON SWANSON: Seconded by
22 Eva. Any discussion?

23 (WHEREUPON, there was no response.)

24 CHAIRPERSON SWANSON: No
25 discussion.

1 All in favor?

2 THE BOARD: Aye.

3 CHAIRPERSON SWANSON: Opposed?

4 (WHEREUPON, there was no response.)

5 CHAIRPERSON SWANSON: No

6 abstentions. Motion carries.

7 (WHEREUPON, the Board voted.)

8 MR. MARTIN: Thank you. That is

9 all I have today.

10 CHAIRPERSON SWANSON:

11 Recommendation Type Two Actions,

12 Ratifications of Recommendations For

13 Legislative Resolutions Laid on the

14 table.

15 Yes, Michael?

16 MR. KAUFMAN: Three quick comments.

17 I discussed some of with these Eva

18 beforehand. The 1239, authorizing a

19 cell tower at Vanderbilt. That is

20 actually planning steps according to Jim

21 to look into it. It is a Historic Trust

22 property dedicated to the Historic Trust

23 of the National Registry, et cetera. I

24 believe the entire property has been so

25 designate, so putting a cell tower on

1 there has historic issues but none the
2 less, looking at the planning steps for
3 Type Two looks okay to me.

4 MS. SPENCER: Michael, may I
5 correct you. It is on the National
6 Register, but it is not dedicated to the
7 Historic Trust in entirety.

8 MR. KAUFMAN: I stand corrected,
9 but the issue is still the same, right?

10 MS. SPENCER: Right, just to make
11 the record correct.

12 MR. KAUFMAN: The other one is
13 1265, which I can't figure out.

14 A resolution of the County --
15 rescinding a different resolution -- a
16 141,000. It is an actual plan of
17 restoration for the wetlands. What are
18 they doing? They appropriate it and now
19 they're taking it away?

20 MR. BAGG: Yes.

21 MR. KAUFMAN: What is that?

22 MR. BAGG: I have no idea.

23 MR. KAUFMAN: Finally, 1277,
24 donating decommissioned body armor vests
25 to the DOD. Those are Suffolk County's.

1 Actually, let me rephrase that; what is
2 that all about?

3 MR. BAGG: I think it speaks for
4 itself. Used body armor, they want to
5 donate it to --

6 MR. KAUFMAN: I make a motion to
7 accept staff recommendations.

8 MR. MACHTAY: Second.

9 CHAIRPERSON SWANSON: We have a
10 motion and a second.

11 Any discussion?

12 (WHEREUPON, there was no response.)

13 CHAIRPERSON SWANSON: All in favor?

14 THE BOARD: Aye.

15 CHAIRPERSON SWANSON: All opposed?

16 (WHEREUPON, there was no response.)

17 CHAIRPERSON SWANSON: Abstentions?

18 MR. KAUFMAN: I am going to abstain
19 abstain on 1277.

20 CHAIRPERSON SWANSON: Michael is
21 abstaining on 1277. Motion carries.

22 (WHEREUPON, the Board voted.)

23 CHAIRPERSON SWANSON: Jim, with
24 regard 1265. I am glad Michael called
25 it to our attention. Can you find what

1 the purpose of this and what is going on
2 with the 1265?

3 MR. BAGG: I think there was,
4 basically, a project that was funded by
5 the water quality money to the
6 municipality and the municipality never
7 came up with a proper plan and the
8 environmental review and, therefore,
9 they de-funded.

10 MR. KAUFMAN: Alright, I know which
11 one this is. This is the Stony Brook
12 Harbor. Administered through the Town
13 of Brookhaven as for West Meadow of
14 Stony Brook. That was the thing I was
15 talking about last week.

16 CHAIRPERSON SWANSON: So it has
17 nothing to do with the inspector control
18 plan?

19 MR. BAGG: No, no, no.

20 MR. KAUFMAN: This is a grant.

21 CHAIRPERSON SWANSON: I have enough
22 information. Thank you.

23 Proposed Construction of Highway
24 Maintenance Facilities, Salt Storage
25 Building, Hampton Bays, Town of

1 Southamptton.

2 Anybody here to speak on that?

3 MR. BAGG: Nobody here from DPW is
4 here?

5 MR. DAWSON: I am here to talk
6 about the next one.

7 MR. BAGG: Not the salt storage?

8 MR. DAWSON: No.

9 CHAIRPERSON SWANSON: The project
10 was in your packet. As I recall, the
11 salt is currently not covered or not
12 covered well, and they're proposing to
13 build a permanent structure that will
14 protect the salt from solution, et
15 cetera.

16 Yes?

17 MR. KAUFMAN: In reviewing this
18 project earlier, I noticed a similarity
19 to something that we reviewed in 2005,
20 which was nearly identical and we gave
21 it a neg declaration at that time. I
22 don't remember the location. Basically,
23 they were reconstructing a barn that was
24 falling apart. They were making --
25 putting a path door for loading, et

1 cetera, and to catch anything that fell
2 off of the trucks, et cetera, and SEQRA
3 granted that.

4 MR. BAGG: My question here is,
5 it's construction of a ancillary
6 facility of less than 2,000 square feet,
7 and it is in the best management
8 practices of New York State DEC in terms
9 of stormwater protection and runoff.
10 The question comes down to the fact of,
11 is it an unlisted neg declaration or is
12 it a Type Two Action because it is a
13 construction of a facility of less than
14 4,000 square feet on that existing site?

15 CHAIRPERSON SWANSON: So, with
16 that, do we have a motion?

17 MS. GROWNEY: I do have a question.
18 Because there is no topo here, I thought
19 the site had some major slope --

20 MR. BAGG: No, it's flat. I was
21 out there.

22 MS. GROWNEY: Okay.

23 MR. KAUFMAN: Question for Rich.
24 This purely seeks a technicality. Which
25 do you think, Unlisted or a Type Two

1 because it is under 4,000?

2 MR. MACHTAY: I would go with Type
3 Two. If you want to be safe, call it a
4 neg declaration.

5 MR. BAGG: Also on a
6 reconstruction, a Type Two --

7 MR. KAUFMAN: The thing from a
8 couple of years ago?

9 MR. MACHTAY: Yes.

10 MR. KAUFMAN: Well, that wasn't
11 reconstruction. It was done onsite. It
12 was rebuilding and reenforcing.

13 MR. MARTIN: Like Jim said, it is
14 under 4,000 square feet.

15 MS. GROWNEY: With six total
16 construction times in six months, that
17 seems like a lot to me.

18 MR. BAGG: To me, that's probably
19 because by the time they go to contract
20 and we get somebody on their site,
21 things are probably going to go up in
22 less than week.

23 MR. MACHTAY: This is filled land?

24 MR. BAGG: It is all paved. The
25 entire site is paved with asphalt. There

1 has been a reconstruction on it and the
2 salt tiles are outside next to the fence
3 and they want to --

4 MR. MACHTAY: This says, "Filled
5 land."

6 CHAIRMAN SWANSON: It was probably
7 filled when they built it.

8 Alright, now make a motion.

9 MR. KAUFMAN: I will just be on the
10 safe side. Motion, Unlisted Neg
11 Declaration.

12 MR. MACHTAY: Second.

13 CHAIRMAN SWANSON: We have a motion
14 that is Unlisted Neg Declaration. We
15 have a second by Mr. Machtay.

16 Any further discussion?

17 (WHEREUPON, there was no response.)

18 CHAIRMAN SWANSON: All in favor?

19 THE BOARD: Aye.

20 CHAIRMAN SWANSON: All opposed?

21 (WHEREUPON, there was no response.)

22 CHAIRMAN SWANSON: Abstentions?

23 (WHEREUPON, there was no response.)

24 CHAIRMAN SWANSON: Motion carries.

25 (WHEREUPON, the Board voted.)

1 MR. BAGG: I would like to point
2 out that we leave the paperwork behind
3 and we do recycle. We take all of the
4 project reviews, and we put them
5 together and we send them across the
6 street to the legislature and we have to
7 formally file them.

8 CHAIRMAN SWANSON: So, the jelly
9 that I have on this will actually go --
10 (WHEREUPON, there was laughter.)

11 MR. KAUFMAN: Be careful what you
12 put down --

13 MR. BAGG: Anything we can scrub
14 off of them or food from the minutes of
15 the meeting, we don't send out.

16 CHAIRMAN SWANSON: Now, the
17 highlight of the day.

18 Emerson Hasbrouck is here for his
19 annual report on Storm Water Management.

20 Thank you for your patience,
21 Emerson.

22 MR. HASBROUCK: No, thank you for
23 the opportunity.

24 Before I start, Jeff Dawson from
25 DPW wants to --

1 MR. DAWSON: My name is Jeff
2 Dawson. I am Senior Civil Engineer at
3 the Department of Public Works. I am
4 the Project Manager on the County side
5 for the EPA -- for the DEC and
6 Stormwater Phase 2 MS-4 General Permit.

7 We're in contact with Cornell. We
8 have been in contract with Cornell
9 Cooperative Extension for the last six
10 years -- five years -- depends on what
11 you ask, but they have been doing a
12 great job concerning that the County
13 remains in compliance with this permit,
14 and if you're at all familiar with the
15 permit, you know it is not a very easy
16 task to do.

17 One requirement is that
18 annually a progress report is submitted
19 to the DEC. Part of that submittal
20 requires public review and CEQ is a
21 perfect venue for providing that review.

22 So, let me introduce again, Emerson
23 Hasbrouck. He is the project manager on
24 the Cornell side. He is here to give us
25 a little update.

1 MR. HASBROUCK: Thank you, Jeff.

2 CHAIRMAN SWANSON: Emerson, what
3 does your pin mean?

4 MR. HASBROUCK: That is Stormy the
5 Stormwater Duck.

6 Actually, a little bit of the
7 history on that is we had a contest and
8 opened it up to all the schools in
9 Suffolk County to come up with a mascot
10 and then a mascot name. We did this, in
11 conjunction, with our Citizens Advisory
12 Committee. It was through a contest.
13 It was chosen that the duck was our logo
14 and that the duck's name was Stormy the
15 Duck; wasn't it, Mark?

16 MR. CAPPELINO: We had Stormy and
17 Stormy the Duck.

18 MR. HASBROUCK: We had two winners
19 from -- do you remember what the schools
20 where?

21 MR. CAPPELINO: Not off the top of
22 my head.

23 MR. HASBROUCK: Well that was
24 several years ago. So that is the
25 genesis of our logo. We put it on

1 buttons which is popular and when we go
2 to events the kids like to make buttons
3 and we also have them where the kids can
4 color in the logo and then make their
5 own button. We have the storm drain
6 markers that have our logo on it and
7 then all of our literatures as well we
8 try to incorporate somewhere on it our
9 duck logo. So that is an identifier for
10 the program and the website has the duck
11 logo and so forth. It is just an
12 identifier.

13 CHAIRMAN SWANSON: If we could go
14 off the record for a second.

15 (WHEREUPON, a discussion was held
16 off the record.)

17 CHAIRMAN SWANSON: We can go back
18 on the record.

19 MR. HASBROUCK: As Jeff said, as
20 part of the permit requirement for
21 Suffolk County Phase 2 Stormwater
22 Program, the County has to hold a public
23 hearing on stormwater -- its annual
24 stormwater management program annual
25 report to receive public comment.

1 I want to thank the CEQ and the
2 Chairman Swanson and Vice Chairman
3 Kaufman for allowing us to utilize this
4 venue again as a public hearing for our
5 annual report. This is our six annual
6 report. So, I think, this is the sixth
7 time we have come in front of this group
8 to present our annual report. It is
9 greatly appreciated.

10 As Jeff said, this is a program
11 where Cornell Cooperative Extension is
12 under contract with Suffolk County DPW
13 and Suffolk County Department of Energy
14 and Environment to implement this
15 program. So, thank you for the
16 opportunity, and I hope I live up to
17 Chairman Swanson's introduction as being
18 the highlight of the meeting. I don't
19 know because that is going to be quite a
20 reputation to live up to but we will
21 give it our best shot.

22 I wanted to introduce some of the
23 other Cornell Storm Water staff that are
24 here with me today. Matt Sclafani,
25 Lorne Brousseau, Angel Dybas, and Mark

1 Cappelino and the Jeff Dawson is our
2 point person in contact with that --
3 DPW.

4 I have some extra copies of our
5 annual report. If anybody would like
6 them. I think they were distributed but
7 we have some extra copies. I know that
8 Mike actually looked at the report. If
9 anybody else has looked at it, you can
10 see it is a different format this year.
11 The DEC has revised their format and the
12 information that they want in the
13 report. Some of the reason for the
14 revision, I think, is to make it a
15 little bit easier and for them to review
16 the report that they get from all the
17 municipalities.

18 I would also like to recognize and
19 thank Gloria Russo who is on our
20 Advisory Committee and has helped us
21 with a lot of the program -- the
22 implementation of that program. Thank
23 you.

24 What I would like to do is to give
25 a brief review of what we accomplished

1 in the past year for Suffolk County and
2 the storm water program, and then if
3 there is any comment, we would be happy
4 to take those comments.

5 In terms of general requirements,
6 the storm water management program plan
7 which details the program elements was
8 drafted and is available for the public
9 viewing at the DPW office in Yaphank.
10 It's an all comprehensive program plan
11 that includes all of the things that we
12 have done over the past six years.
13 Again, that is available at DPW office.

14 CHAIRMAN SWANSON: Is it also
15 available online?

16 MR. HASBROUCK: Not all of it. Not
17 yet, no. There has been some issues
18 recently with updating our website which
19 is off the County website, but we're
20 trying to resolve those issues and once
21 they are, a lot of that information can
22 be put on the website. It's a good
23 suggestion. Thank you.

24 Under Public Education and Outreach
25 Public participation, during the past

1 year, had a 149 youth classes which
2 reached 3,691 children enforcing civic
3 association meetings which reached 332
4 adults -- were conducted. It should be
5 noted that 60 percent of the youth
6 classes and 65 percent of the civic
7 group classes were conducted TMDL
8 watersheds. That is a new emphasis for
9 DEC. In fact, a lot of the activities
10 should be target to the TMDL watershed.

11 CHAIRMAN SWANSON: Could you define
12 TMDL?

13 MR. HASBROUCK: I'm sorry. Those
14 are watersheds where the formal total
15 maximum daily load has been calculated
16 being approved and for Long Island, the
17 TMDL's are relative mainly to bacteria
18 and nutrients and some with dissolved
19 oxygen, as well.

20 We modified some school
21 presentations to include information on
22 storm water best management practices
23 such as green roofs, rain barrels, and
24 rain gardens. In addition, we worked
25 with the school to construct a small

1 green roof on the school building as
2 part of a permanent teaching structure
3 on a roof adjacent to the science lab of
4 the school.

5 There were some updates made to the
6 storm water website including:
7 Homeowner BMP's such as, rain gardens
8 and car care; business BMP's such as,
9 automotive repairs, car washes, gas
10 stations, marinas and restaurants. In
11 addition, educational outreach
12 opportunity links and updated PSA's.

13 During 2008, we had at the website
14 11,506 visitors, and we're able to make
15 those updates before we had those
16 pictures that I mentioned to you before
17 to have some change in accessing the
18 website.

19 An additional 2,000 storm drain
20 markers were placed on catch basins on
21 County roads -- the markers as an
22 educational tool to alert people not to
23 dump anything down the drain. They say,
24 "No dumping drains to bay." We have
25 some that say, "No dumping drains to

1 lake," for areas, like, the watershed
2 and other lakes.

3 A new display at Atlantis Marine
4 World Aquarium in Riverhead was great
5 created for the, "Where does the rain
6 go," brochure. Also, an additional
7 7,000 copies of the brochure were sent
8 Suffolk County libraries, legislator's
9 office's and various Suffolk County
10 government buildings.

11 CHAIRMAN SWANSON: And these
12 flyers --

13 MR. HASBROUCK: We have those both
14 in English and in Spanish.

15 Storm water CAC met two times in
16 Year 6, in addition to corresponding
17 through phone calls and e-mails.

18 111 radio PSA's were aired on two
19 Long Island radio stations, and the
20 message is focused on the problem with
21 pet waste -- encouraging people to pick
22 up after their pets. A video PSA was
23 broadcasted on educational and
24 government stations in Southold and
25 Shelter Island.

1 Also, upgrades were made to the
2 stormwater demonstration site. The rain
3 garden at the site has also been
4 expanded with more plants that flower in
5 the Spring and Fall. The green roof has
6 filled in with new plants and flowered
7 during the growing season. That is at
8 the Suffolk County Farm and Education
9 Center in Yaphank. We have a building
10 with a green roof on it and rain barrels
11 and color things that visitors can see
12 kind of hands on -- things that can go
13 around their house.

14 Under the Illicit Discharge Section
15 and Elimination Section: 143 outfalls
16 were monitored for dry weather flow.
17 Each of those were examined three times
18 for dry weather flow. Information such
19 as flow volume color, odor, floatables,
20 deposits, turbidity, and vegetative
21 growth were obtained at all dry weather
22 flow outfalls. 22 of the outfall had
23 dry weather flow and 19 had standing
24 water. All the data on theses have
25 incorporated into our GIS system.

1 An additional 36 outfalls were
2 found on County roads. All the outfalls
3 were incorporated into GIS. It is 36
4 additional ones that we found this year
5 as the ones we found the previous years.

6 Under Construction and
7 Post-Construction Sites Runoff Control:
8 Template and sample Stormwater Pollution
9 Prevention Plans also known as SWPPP's.
10 They have been updated to comply with
11 the requirements set forth in the
12 speedy's permits that the County has for
13 the stormwater program. These documents
14 are available for projects conducted by
15 Suffolk County DPW, as well as projects
16 contracted out to consultants.

17 DPW engineers and other staff are
18 referred to best management practices
19 outlined in the New York Contractors
20 Erosion and Sediment Control Field
21 Notebook on Suffolk County construction
22 projects were applicable.

23 The New York State Corrosion
24 Contractors and Sediment Control Field
25 Notebook is also made available to all

1 construction staff for their use.

2 Then, finally, under Pollution
3 Prevention and Good Housekeeping: The
4 County maintained roads and bridges were
5 swept according to the annual rotating
6 shift schedule. Approximately, 3,000
7 cubic yards were removed. That is the
8 combined total including the parking
9 lots.

10 116 storm drains were inspected and
11 cleaned, and approximately 1500 linear
12 miles of roadways were swept by street
13 cleaners.

14 DPW has installed 214 catch basin
15 inserts in stormwater hot spots at
16 various County facilities. They're
17 designed to remove pollutants from
18 stormwater runoff.

19 Three new street sweepers and three
20 new vactors. They're are vacuum trucks
21 which were recently purchased by the
22 County and put into service.

23 The Department of Health Services
24 and the Suffolk County Legislature
25 enacted legislation to reduce fertilizer

1 and pesticide applications in the
2 County.

3 So that is a summary of our
4 activities this past year.

5 CHAIRPERSON SWANSON: Emerson,
6 going back to some of the maintenance
7 things that you identified -- that
8 cleaning sweeping and, what have you,
9 number of near miles of roadway that
10 they have swept. Just what percentage
11 of the total Suffolk County network is
12 actually able to be maintained in that
13 way each year, and does the County have
14 enough resources to get around to clean
15 these things often enough to maintain
16 facilities as effective?

17 MR. HASBROUCK: In terms of
18 percentage, I am going ^{to} defer it to --
19 maybe Lorne or Jeff have an answer for
20 that percentage of County road and catch
21 basins that are swept and inspected?

22 MR. BROUSSEAU: As far as County
23 roads, I believe the County roads are
24 swept at least once every year -- each
25 road -- each portion of the road is

1 swept at least once every year. In some
2 roads, high traffic areas like park and
3 rides are swept multiple times
4 throughout the year. So the every
5 County road is -- from what we have been
6 told every year. As far as catch
7 basins, I am not sure ^{what} percentage that
8 would be. There are a lot of catch
9 basins on County road. I am not sure --

10 CHAIRMAN SWANSON: My real question
11 is, are you able to keep up with the
12 loadings that are going into them in
13 order to keep them functional? Is there
14 enough resources available to you to do
15 that in terms of --

16 MR. DAWSON: We do what we can with
17 the staffing level that we have and the
18 equipment that we have. In addition to
19 the three vactor trucks that we just
20 purchased, it was a big help. There are
21 something like 9,000 or so catch basin
22 on County roads that are County
23 maintained and if you do the math, I
24 think, you need to do 300 a day in order
25 to keep up with that kind of loading.

1 Right now, as far as catch basin
2 cleaning anyway, it is a reactionary
3 methodology in cleaning those. We get
4 complaints. We get notified of what
5 consequences may happen because of a
6 clog catch basin like flooding in the
7 roadway. We will get the call, and then
8 based on that complaint, go out and
9 clean out the catch basins.

10 CHAIRMAN SWANSON: In your rain
11 folder, for example, is there a number
12 that people can call if there is a
13 problem with the drains and have that
14 taken care of?

15 MR. DAWSON: Yes, in fact, it's on
16 the website. When we printed the
17 brochures, the County had not set up yet
18 a contact person for those types of
19 calls. When we do a reprinting of this
20 we will include that phone number.

21 MR. BAGG: It might be more
22 appropriate to ask what percentage of
23 catch basins and roads are swept that
24 are actually do lead into the streams
25 like other bodies of water?

1 CHAIRMAN SWANSON: Could be.

2 MR. BAGG: For those that have
3 priority.

4 CHAIRMAN SWANSON: Yes, and I
5 imagine you do have a priority list. Do
6 you know ones that are in very sensitive
7 areas are ones that are collecting
8 materials at a much more rapid rate than
9 others?

10 MR. DAWSON: A priority list is one
11 of these specific requirements of this
12 relatively new permit. We're actually
13 leading -- Suffolk County has created a
14 work group internally to get the
15 requirements of the permit actually
16 acted upon and implemented. We're
17 looking at each line of permit and if
18 you looked at it, you would know it is
19 quite an extensive. So we're looking at
20 each line on the permit identifying what
21 department and which individual in that
22 department is going to be held
23 responsible for heading up that -- the
24 satisfaction of that permit requirement.
25 So the priority list is on one of those

1 -- ... permit
2 requirement that is on the agenda for an
3 upcoming meeting with that work group.
4 So, it has not yet been created but it
5 is on the agenda and it should be voted
6 before the end of this term which is
7 2010.

8 CHAIRMAN SWANSON: Tom?

9 MR. GULBRANSEN: Four questions.
10 One of them is about catch basin clean
11 out. The report says you did 40 last
12 year with three vectors. In the future,
13 are you thinking that cars will allow
14 you to do hundreds or do are you still
15 expecting that it will be on the
16 multiple dozens.

17 MR. DAWSON: I am not in the
18 maintenance division. That is the
19 Highway Design Division. I am not sure
20 exactly how they -- how they schedule
21 their catch basin clean outs.

22 MR. GULBRANSEN: Sounds like its
23 more labor for the equipment.

24 MR. DAWSON: Absolutely. There is
25 a labor shortage issue.

1 MR. GULBRANSEN: The other
2 questions I had -- well, the most
3 important one is, I am in at the Village
4 level doing one of these same reports
5 and trying to figure out line by line --
6 for the record I am kind of freaked out
7 but most the important question I wanted
8 to raise is your filing this year is at
9 the single level M. S. four I guess this
10 is for Jeff or for both of you. State
11 at these meetings talks more, more, and
12 more about the partnership and the
13 coalition and such. Now does Suffolk
14 County and their town of Brookhaven town
15 of Southold town of wherever do they
16 have programs in the villages like mine
17 and /HRAR in fact where we have MS-4 and
18 things you can do so there is at least
19 three layers. Was it a decision on the
20 part of the County to continue to
21 operate individually or did a coalition
22 approach something that we could
23 consider in future. It seems like the
24 state is promoting that.

25 MR. DAWSON: Well, the State

1 actually is because it is reportedly --
2 allegedly they make it their job in the
3 review easement, but I don't know if you
4 were guys were able to attend last weeks
5 meeting. It was terrifying and
6 throughout that meeting, I was glad that
7 from a reporting perspective anyway,
8 that we were not filing a joint permit.

9 CHAIRMAN SWANSON: Why would you
10 say it was terrifying?

11 MR. DAWSON: Why did I say it was
12 terrifying?

13 CHAIRMAN SWANSON: Yes.

14 MR. DAWSON: Because there were a
15 lot of questions being asked from the
16 audience of Village representatives and
17 town representatives who were not in the
18 coalition and had a great difficulty in
19 interpreting the new report. It's not
20 completely clear if you're a joint
21 coalition, and how they want you to
22 submit that. Not to mention,
23 considering when that program came
24 about, the County was under the gun to
25 get something implemented by March 10,

1 2003. The notice that we received did
2 not allow the luxury and welcoming of
3 processing intermunicipal agreement that
4 would have been necessary in identifying
5 the particular entities and their
6 responsibilities. It was just a lot of
7 -- it would have required a lot more
8 adverse than we had the time for at that
9 particular time. Do we have intention
10 of going forward with the coalition? I
11 am not certain. I don't think it is,
12 actually, from the County's perspective
13 a useful thing to do because we're
14 classified as a nontraditional non-land
15 use -- I am sorry -- we are considered a
16 traditional non-land use MS-4, which
17 means we don't have authority over town
18 and villages issuing building --
19 building application permits,
20 structural, or archeological assessments
21 or anything like that. We don't have an
22 jurisdiction over that. So to do a
23 joint report for a joint administration
24 with a permit, I think, it would be best
25 if like MS-4's were to do -- like, for

1 example, Brookhaven and Patchogue or
2 MS-4 is allowed the same jurisdictional
3 ability. It just flows better.

4 MR. GULBRANSEN: That answers the
5 question. It also gets to my second
6 question. That one being this notion
7 about non-land use, therefore, being
8 able to not fill out that part of the
9 form on inspections. Two parts to the
10 question. If you have SWPPP's that
11 you're reviewing, they do relate to
12 control measures and construction and so
13 it was kind of inconsistent if you were
14 not doing post-constant control, but you
15 would be doing SWPPP's review really for
16 the County review, and the question that
17 many of the MS-4's are facing are septic
18 failures and the State is now telling
19 MS-4 operators, "You will take care of
20 inspection and restoration for septic
21 systems." Now, villages and towns look
22 up and say, "Department of Health takes
23 care of that," and they do, right? So,
24 we, in the future, need to get those
25 things to lead better because the MS-4

1 operators permits are at the lower level
2 and are suffering without having to take
3 care of the septic systems. With regard
4 to this report, it seems like it is
5 compliant in that regard but, again, in
6 the future, globally what are we going
7 to do is get this permit in the future
8 and we look forward to talking about
9 that.

10 MR. DAWSON: That is going to be
11 one of the items of discussion on the
12 upcoming work group meeting. The Health
13 Department does have certain
14 responsibility and jurisdiction
15 concerning on-sight septic systems. The
16 whole question of how any municipality
17 on whatever level is going to require
18 that homeowners maintain and treat and
19 service their systems every three years
20 especially, when the permit, in which
21 this requirement is listed is only a
22 two-year permit. So there is a lot of
23 inconsistency like that, that are
24 interesting. But that topic is going to
25 be brought up and we are going to ask

1 that this work group meeting develop a
2 department making an interpretation on
3 what it is that the DEC is actually
4 asking of you.

5 MR. GULBRANSEN: With regard to the
6 things that we have to take care of and
7 the impact of trying to maybe avoid the
8 septic systems are an important
9 source -- are important to the DEC to
10 say there is discharge happening in
11 cases where they fail. In fact, the
12 report says, you didn't have any
13 findings -- not in the IDPE. I would
14 think you would have found --

15 MR. DAWSON: We inspect our MS-4
16 which, if you visualize the geography of
17 the County, there is little strips of
18 jurisdiction --

19 MR. GULBRANSEN: Within your own
20 properties.

21 MR. HASBROUCK: The IDPE that was
22 looked at and also the catch basins, and
23 discharges are relative, specifically,
24 to County roads and County properties.
25 Now, some cases there is some

1 interconnection between other
2 municipalities and MS-4's and the
3 County's but basically -- well, not
4 basically, we are looking at what is
5 discharges and then collection system
6 just for the County roads and County
7 properties.

8 MR. GULBRANSEN: We have asked for
9 various projects that have come before
10 us for road alterations, road
11 expansions. We have asked them that if
12 they checked in with the enjoining
13 MS-4's. I would say we got mediocre
14 comfort on this, but I think that is an
15 area where activity should continue as
16 DPW proceed but seems like MS-4 hand
17 scale.

18 MR. HASBROUCK: Important questions
19 to ask someone is, you know, in terms of
20 installing or expanding collection of --
21 stormwater collection systems is right
22 and how does that interact with other
23 municipalities and as this program goes
24 forward, I think, you're going to see
25 that issue -- the highlighted more, as

1 well as it should be so that each MS-4
2 knows what's connected to what and if
3 another municipality is now adding a
4 stormwater volume to somebody else's
5 MS-4 in some manner.

6 CHAIRMAN SWANSON: Eva?

7 MS. GROWNEY: Couple of questions.
8 I don't know what a MS-4 is and SWPPP's;
9 just those two things.

10 MR. GULBRANSEN: MS-4 is municipal
11 separate stormwater systems and SWPPP's
12 is stormwater pollution prevention that
13 particular activity would have. Then
14 there is a stormwater management plan
15 which is a little bit odd in trying to
16 find but we all now have them and added
17 to them as a --

18 MS. RUSSO: Your stormwater
19 management plan is basically your
20 municipality -- your MS-4 permitting
21 agency and how you're handling your
22 stormwater and how you're managing --
23 how you're implementing the best
24 management practices. So you're looking
25 at the whole big picture of your entity

1 and what you're doing for stormwater.

2 MS. GROWNEY: Thank you. I
3 appreciate that.

4 CHAIRMAN SWANSON: Another
5 question. As Jim and I were talking
6 before the meeting started about
7 stormwater issues in particular Montauk
8 Highway which raises the question of, is
9 the State doing what they're supposed to
10 be doing on their highways, to the best
11 of your knowledge?

12 MR. DAWSON: That is a great
13 question. To the of my knowledge, I
14 would assume that the State is doing
15 everything that they're required to do.

16 CHAIRMAN SWANSON: Do you know,
17 Emerson?

18 MR. HASBROUCK: I don't. I haven't
19 seen the States Stormwater Annual
20 report, and I haven't seen the DEC's
21 review of the State's Annual Report and
22 annual progress. So, no, I don't know.

23 CHAIRMAN SWANSON: The reason I ask
24 is that I can think of at least two
25 locations where I have some knowledge

1 and the State, in fact, has not touched
2 their stormwater and so, you know, why
3 is the County and the towns and villages
4 still having to jump through hoops for
5 the State, when the State doesn't
6 seemingly live up to --

7 MR. MACHTAY: So the State doesn't
8 find them, what do you think?

9 MR. BAGG: If we have a stormwater
10 system that has been discharging into a
11 local waterway and sediment build up in
12 the local waterway, is the County
13 responsible to clean up those sediment
14 discharges in the waterway?

15 MR. DAWSON: The big misconception
16 of the permit requirement is that direct
17 discharge needs to be removed from water
18 bodies.

19 MR. BAGG: I am not asking you
20 that. I am saying is the direct
21 discharge results in an environmental
22 consequence? Like they don't have the
23 proper systems on it and like in past we
24 have sediment -- added sediment in
25 certain waterways that the County and

1 Department of DPW is urging them to
2 remove those sediments because they're
3 causing now a problem in the local
4 waterway, does the SWPPP's program make
5 the entity responsible for cleaning up
6 those types of problems?

7 MR. DAWSON: Not under the
8 jurisdiction of this permit.

9 CHAIRMAN SWANSON: So we're
10 specifically talking about in a
11 situation in which the County may be
12 spending a lot of money to dredge
13 material that specifically comes from
14 the State system of drainage that goes
15 directly into a waterway and since the
16 County assumes responsibility for
17 maintaining the navigational waterways,
18 is that our little inlet in the water,
19 you know, that's quite a burden and it
20 seems to be me that we ought to be
21 applying pressure to the State to do
22 what they're supposed to be doing and
23 maybe you're the wrong guy to raise this
24 with.

25 MR. HASBROUCK: There may be other

1 areas within the Clean Water Act that
2 would allow the County to put pressure
3 or bring action against the State and to
4 address those issues. However, in terms
5 of specifically the stormwater program
6 component of that, what has to happen is
7 the responsible MS-4 should be
8 implementing programs that reduces the
9 pollutants that are in stormwater
10 including sediment. The State has a
11 system that is contributing a
12 significant amount of sediment into
13 their stormwater system which is then
14 discharging into a harbor and that
15 sediment is starting to build up the
16 State should be taking action and
17 activity to reduce and eliminate the
18 sediment input into their stormwater
19 system.

20 CHAIRMAN SWANSON: We just have to
21 get their attention.

22 Mike?

23 MR. KAUFMAN: It is interesting in
24 which language we use, "should." There
25 is a gap in the MS-4 legislation which I

1 had seen a while back about the specific
2 point. There is nothing in there about
3 cleaning up previous messes, and it's
4 not even clear about future messes. In
5 other words, if you have vortex system
6 at the end of a chain of stormwater
7 interceptors and that vortex fails and
8 it spills out into an area, the language
9 is very unclear as to whether it should
10 even be cleaned up or not. Should it
11 be? Obviously, yes. Must it be? The
12 language is not there.

13 Second off with the estate there is
14 something called sovereign immunity and
15 that is another gap in the legislation.
16 The State doesn't necessarily have to
17 clean up its messes.

18 CHAIRMAN SWANSON: With EPA
19 programs, doesn't the State have to
20 respond to it.

21 MR. HASBROUCK: Well that's what I
22 am saying, there may be some other
23 elements within the Clean water Act that
24 address what the language is lacking in
25 the stormwater's components.

1 CHAIRMAN SWANSON: Tom, you had
2 another question?

3 MR. GULBRANSEN: It's towards the
4 answer in the same question as I
5 understand the MS-4 enabling the
6 legislation and permits. They're
7 written with a downhill perspective.
8 The operators have to exam and inventory
9 and characterize their distribution and
10 connection point that their water goes
11 into somebody else's. To my knowledge,
12 it doesn't say what's coming into and
13 what are we receiving from somebody else
14 uphill of us which is the scenario that
15 you're talking about. So, to my
16 knowledge, the MS-4 doesn't give us any
17 teeth of hand other other than they need
18 the water quality report to --

19 MR. HASBROUCK: Again, all other
20 MS-4's should be taking action to reduce
21 and eliminate the pollutants that are in
22 their stormwater flow including
23 sediment.

24 MR. KAUFMAN: The problem comes
25 down to legislation from my ability and

1 that is one of the gaps that you have,
2 et cetera. The specific point that you
3 brought up, looking at it on a downhill
4 approach, theoretically, if there was a
5 liability created under those
6 regulations, if you as the State were
7 receiving waters from the Village of Old
8 Field that were filled with schmutz or
9 whatever you want to call it -- filled
10 with schmutz down into the State
11 water and if there was a liability
12 provided in the regulations, the State
13 could sue the municipality that
14 specifically not placed in there and
15 that is the problem that was talked
16 about when implementing the legislation
17 at a federal level was brought up, and a
18 lot of groups objected to the imposition
19 of liability which would cause exactly
20 the clean up that we would be incurred.

21 CHAIRMAN SWANSON: Actually, I
22 think, with regard to going into an
23 navigational waterway, the Corp of
24 Engineers who through their 1899 Act has
25 authority to make them clean it up.

1 MR. KAUFMAN: That just now --

2 MR. BAGG: It wasn't on the big
3 books for a year.

4 CHAIRMAN SWANSON: Joy?

5 MS. SQUIRES: I would like to
6 address a different issue. The issue of
7 education, but I don't want to inject
8 education if we're not finished with
9 stormwater.

10 CHAIRMAN SWANSON: Go ahead.

11 MS. SQUIRES: This is a good story
12 and maybe Matt would like to also speak
13 to it with me.

14 We purchased and Richard and Mary
15 Ann, you will so appreciate this. We
16 purchased with the County, the Fuchs
17 Nature Preserve some years ago, and we
18 purchased the house and the County
19 purchased the adjoining land. It was
20 this wonderful house. It isn't
21 designated, but it's this wonderful
22 house which is costing probably a
23 million dollars or upward of who knows
24 what to make it compliant with
25 everything and three floors which we, of

1 course, can't use the second and third
2 floor but with a long hard struggle,
3 Cornell is going to do an educational
4 program with -- at the Fuch's Nature
5 Preserve and we're very excited about
6 it. We got our handicapped accessible
7 bathroom without wrecking either the
8 library which was a very nice library or
9 some windows that were interesting. So
10 that is going to happen. I guess, in
11 June, the Town Board just passed the
12 resolution June 1, and through this
13 Summer and we're excited about that and
14 our educational organization working
15 with us. We couldn't be more happy with
16 Cornell Cooperative Extensions.

17 DEC has an officer living in the
18 apartment which provides security and so
19 I just wanted to share that in terms of
20 the education because it's way that
21 we're preserving and using property that
22 we have been really frustrated with. So
23 we're delighted to have Matt come to us.

24 CHAIRMAN SWANSON: I would just
25 like to -- if there is anybody here from

1 the public? Do you have questions?
2 Anybody has questions of stormwater
3 programs since this is really an
4 educational program that goes beyond the
5 CEQ, please feel free to ask.

6 MS. GROWNEY: With that educational
7 program that are being generated they go
8 through the State, County, and then
9 local municipalities; is that how?

10 MR. HASBROUCK: Well, the
11 educational programs that we provide,
12 specifically, for the Suffolk County
13 stormwater program are relative to the
14 requirements that the County has to meet
15 for public education. We conduct those
16 throughout Suffolk County primarily
17 through schools and service
18 argumentations. Mark Cappelino is our
19 stormwater educator. Him and some of
20 the other people that work with him are
21 available to go to schools and we
22 provide these programs free of cost to
23 schools within Suffolk County. Again,
24 we're trying to target those areas that
25 have TMDL set up for that.

1 MS. GROWNEY: What TMDL's?

2 MR. HASBROUCK: Total Maximum Daily
3 Loads. The facility has calculated the
4 amount -- the total amount of pollutants
5 that are acceptable to them.

6 CHAIRMAN SWANSON: Tom?

7 MR. GULBRANSEN: As an example of
8 that, the President of Pack's Pond
9 Organization, 5-1, C-3, posted a session
10 that Mark gave down the Village of Old
11 Field, so if the County and the Village
12 are not in the coalition in this regard,
13 you can bet I am going claim credit for
14 the Village of Old Field and help that
15 meeting happen with the expertise --
16 thank you, you did wonderful job and --

17 MS. GROWNEY: They give you an
18 entry .

19 MR. GULBRANSEN: Next year we call
20 on a coalition.

21 CHAIRMAN SWANSON: And that is for
22 organization whether it is a village or
23 a town that the County Or State is
24 required to have an educational
25 component and just like Emerson did each

1 level of government has to report
2 annually on what they have done with
3 regard to education.

4 MS. GROWNEY: These programs are
5 also -- it sounds like offered up to
6 nonprofit organizations as well and
7 community based organizations that want
8 to have something of an educational
9 program.

10 CHAIRMAN SWANSON: For example --

11 MR. HASBROUCK: Of stormwater, yes.

12 CHAIRMAN SWANSON: In Stony Brook
13 and Sag Harbor, we have an annual harbor
14 day and we usually have somebody from
15 the County or somebody from the State
16 come around and give a presentation of
17 harbor day about storm water some other
18 activity. So, I think, most communities
19 now are very much in tune with that kind
20 of thing and, you know, a lot of
21 education is going on. Whether it is
22 effective is another --

23 MR. KAUFMAN: A lot of education
24 but no learning.

25 CHAIRMAN SWANSON: Alright, so,

1 Emerson, I want to thank you once again
2 for your very informative report. Now,
3 how many more years do we have to look
4 forward to this coming?

5 (WHEREUPON, there was laughter.)

6 MR. KAUFMAN: He is trying tell you
7 something.

8 CHAIRMAN SWANSON: No, I always
9 look forward to it.

10 MR. HASBROUCK: Well, it depends on
11 what the DEC does with its permits.
12 What we're looking at -- this permit
13 term is two years and we know that
14 they're going to extend it to a third
15 year and then after that -- well, we
16 don't know -- but it will be extended
17 for at least 2013, and most likely
18 beyond that. I don't think that EPA nor
19 the State of New York is going to just
20 let this program expire. It is probably
21 going to be ongoing. So, hopefully, we
22 will be able to be here for many years
23 to come. Thank you again for the
24 opportunity.

25 CHAIRPERSON SWANSON: Thank you and

1 I thank the CEQ for the patience and for
2 listening to myself and Tom's questions
3 about the stormwater.

4 CAC concerns?

5 MS. SQUIRES: I have something to
6 do with distribution of the agenda that
7 I just wanted to quickly bring up.

8 Rich Machtay pointed out that the
9 requirements New York State Town Law has
10 for compliance review which is a
11 municipal comprehensive plan and what
12 department is overseeing these plans.
13 So, I just wonder if we should be sure
14 to include the Town Planning Department
15 in our distribution list. I don't know
16 if they go that way or -- now Christine
17 and I looked at the CEQ -- I am sorry,
18 the CAC list to make sure that it was
19 accurate and in so doing so, she gave me
20 -- she sent me the list which has the
21 town CAC environmental department and
22 also the village CAC. So I looked down
23 at it and under Huntington it lists me
24 "Absolute Huntington Town Administration
25 Board" accurately, but then it lists the

1 town Department of Environmental Waste
2 Management. I think primarily because
3 the word "environmental" was picked out
4 but it is actually the Town Department
5 of Planning and Environment which Rich
6 headed for many, many years so maybe --

7 MR. BAGG: We can tweak the list.

8 MS. SQUIRES: What I am talking
9 about is, it is easy to correct
10 Huntington, but I was just thinking
11 about the Planning Department which are
12 more than likely to act. I think you
13 get frustrated because towns don't
14 respond properly but sometimes if the
15 right department doesn't get it, they
16 think they don't --

17 MR. BAGG: We normally send it to
18 the supervisor number one. It goes down
19 to appropriate agencies and then usually
20 goes into a circular file.

21 MS. SQUIRES: I was just wondering
22 if the Planning Department might be a
23 more properly receptive to the kind of
24 agenda that we're looking at.

25 MR. BAGG: I don't have problem.

1 The only problem is we would request 25
2 copies with the Department and if the
3 project is not necessarily countywide, I
4 guess then leave it up the planning
5 department to find out for each town and
6 send it to them but the project is only
7 one municipal jurisdiction anyway.

8 MR. KAUFMAN: There may not
9 necessarily be a gap. It may be a good
10 idea to send it to 10 extra individuals.
11 I know from the experience of the Town
12 of Smithtown, which I am in, it goes to
13 the Department of Energy -- Department
14 of Environmental Waterways. I do know
15 that it is distributed to their Planning
16 Department, and they it do internally.
17 I know the people who do it, and I get
18 phone calls on this stuff. I know it is
19 internally distributed if the Department
20 is, you know, getting it which I know
21 they do.

22 MR. MACHTAY: It is really not all
23 that simple because in the Town of
24 Huntington, which is what I know. I
25 don't know Smithtown, Islip, but you

1 have the Department of Planning and
2 Environment. You also have a Department
3 of Maritime Services and you also have a
4 department that's getting it -- waste
5 management and have waste management
6 which is a governed department that
7 oversees the sewage treatment plants in
8 the sewer districts. So it's kind of
9 hard -- if you're just sending out a
10 mailing it's kind of hard of who should
11 get it, you know. I think Joy is right.
12 The Planning Departments are probably
13 more in tune to give you a response
14 answer or to give you a reponse.
15 Although Maritime Services might be
16 another good one to -- in other words,
17 something that has to do with waterways
18 and tidal wetlands and so forth.

19 MS. GROWNEY: There might be 20 or
20 30 names.

21 MR. MACHTAY: I think it becomes
22 very cumbersome of --

23 MR. BAGG: Well, we would revise --

24 MR. MACHTAY: I am sure that if the
25 planning and environment saw anything

1 that has to do with the waterfront, the
2 Maritime Service they would do that.

3 CHAIRMAN SWANSON: I would like to,
4 again, go to this business of how much
5 paper we generate just to start creating
6 lists wholesale. You have to remember
7 sometimes our packages are two or three
8 inches thick, and we need to be prudent
9 -- we need to be inclusive but we need
10 to be prudent, as well.

11 MS. SQUIRES: I wonder if you could
12 ask the County maybe if this is too
13 cumbersome. What is the appropriate
14 department so then you wouldn't have to
15 distribute more than what you're
16 distributing, but if you go directly to
17 the town -- now with Smithtown because,
18 of course, I have the advantage of
19 looking at what I was sent. So I know a
20 little bit about Smithtown. This seems
21 absolutely appropriate to send it to
22 Russell Barnett but in Huntington, I
23 know it is more appropriate to send it
24 to Tim Flanning, but here is Brookhaven
25 Environmental Protection, and it is

1 going to John Turner and we know that
2 John Turner would believe -- I believe
3 John Turner would send it appropriately.
4 So maybe it's an issue not of having to
5 distribute so much more but to
6 specifically say to the town, "Hey, who
7 is going to pay attention to what CEQ
8 says?"

9 CHAIRPERSON SWANSON: We can work
10 on it.

11 MR. BAGG: Yes, we will work on it
12 and we will try to refine the list. We
13 will change Huntington with the
14 Department of Planning and Environment,
15 and we will look at the other ones. I
16 know Islip has an Environmental
17 Department. Some of these departments
18 change over time and it is difficult to
19 find out.

20 CHAIRPERSON SWANSON: Eva?

21 MS. GROWNEY: We can also e-mail
22 it. When it went by e-mail maybe that
23 is --

24 MR. BAGG: We get hard copies.
25 We're not at the point that we e-mail

1 yet.

2 CHAIRPERSON SWANSON: We do handle
3 mail with the agendas.

4 MR. BAGG: Yes, we do that.

5 CHAIRPERSON SWANSON: Any other
6 business?

7 (WHEREUPON, there was no response.)

8 CHAIRPERSON SWANSON: Do we have a
9 motion?

10 MR. Motion to close.

11 MS. RUSSO: Second.

12 CHAIRPERSON SWANSON: Any
13 objection?

14 (WHEREUPON, there was no response.)

15 CHAIRPERSON SWANSON: We're
16 adjourned.

17 (WHEREUPON, this meeting of April
18 15, 2009, was adjourned until a further
19 date.)

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

STATE OF NEW YORK)

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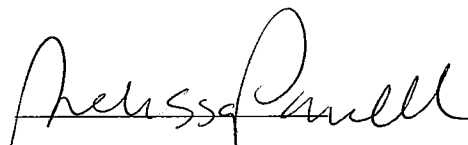
COUNTY OF SUFFOLK)

I, MELISSA POWELL, a Shorthand 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
_____ day of _____ 2009.


MELISSA POWELL