

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, February 18th, 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, February 18th, 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

Project Review:

Recommended TYPE II Actions:

- A. Ratification of Recommendations for Legislative Resolutions Laid on the Table for February 3, 2009.
- B. Proposed Purchase of Replacement equipment at established tower sites, Capital Project # 3017 – GPS System.

Project Review:

Recommended TYPE II Actions:

- C. Proposed Storm Drain Pollution on various county roads – CP 8239 Phase III, Towns of Babylon, Islip and East Hampton.

Project Review:

Recommended Unlisted Actions:

- A. Proposed Acquisition for Open Space Preservation Purposes Known as the Clark’s Beach – Village of Greenport Property in the Town of Southold.
- B. Proposed Acquisition for Open Space Preservation Purposes Known as the Wickham Creek – Dawson & Holland Property in the Town of Southold.
- C. Proposed Stormwater Remediation to CR 80 Montauk Highway at Oceanview Road CP 8240, Town of Southampton.

Other Business:

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.**

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DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY
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ORIGINAL

February 18, 2009
9:30 a.m.

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

B E F O R E:

R. Lawrence Swanson, Chairperson
Michael Kaufman, Vice Chairperson

Reported by,
Melissa Powell

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

James Bagg, Chief Environmental Analyst

Hon. Jay H. Schneiderman

Eva Growney

Richard Machtay

Gloria R. Russo

Mary Ann Spencer

Joy Squires, CAC Reps

Richard Martin, Historic Society

N O T P R E S E N T

Thomas Gulbransen, CEQ

Daniel Pichney, CEQ

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

Lauretta Fischer, Warner Property

Mark Fisher, Lieutenant, Suffolk County Police Department

Rudolf Gedeon, GRC Consulting

Andrew Mikelinich, Technician

Eric Bergey, Department of Environment Energy

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MR. CHAIRMAN: We will call the meeting to order. Are there any comments on the minutes?

MR. MACHTAY: I gave my comments to Christine and with those changes, I will move them.

MR. CHAIRMAN: Very good. Is there a second?

MR. RUSSO: I second.

MR. CHAIRPERSON: Discussion?

(WHEREUPON, there was no response.)

MR. CHAIRMAN: All in favor?

THE COUNCIL: Aye.

MR. CHAIRMAN: Opposed?

(WHEREUPON, there was no response.)

MR. CHAIRMAN: Motion carries.

Jim, is there ^{Correspondence} ~~correspondents~~ that you want to make us aware of?

MR. BAGG: No.

MR. CHAIRMAN: Nobody writes to us anymore.

All right and Historic Trust, do you want to wait for Rich?

MS. SPENCER: Yes, please.

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2 MR. CHAIRMAN: You might end up at the
3 bottom of the menu again.

4 MS. SPENCER: I actually don't think
5 there is anything to report. He can amend
6 that.

7 MR. CHAIRMAN: Jim gets upset with us
8 when we go out of order. We don't want to
9 upset you, Jim.

10 MS. SPENCER: On the Historic Trust
11 Docket Directed Report, I believe there are
12 no updates.

13 MR. BAGG: If I might clarify that. We
14 type up the resolutions in order. If
15 something doesn't take a resolution by the
16 Council, then technically it doesn't upset
17 the order. The Historic Trust is
18 information that is usually --

19 MS. SPENCER: Usually.

20 MR. CHAIRMAN: Okay --

21 MR. MACHTAY: Does somebody have an
22 extra agenda because I don't seem to have
23 one?

24 MR. CHAIRMAN: Recommended Type Two
25 Actions Proposed Storm Drain Pollution on

1
2 various county roads -- CP 8239 Phase III,
3 Towns of Babylon, Islip, and East Hampton.
4 This is a big package.

5 MR. BAGG: You missed a page on
6 ratifications.

7 MR. CHAIRMAN: I did? Sorry about
8 that.

9 Ratification -- we will go back to
10 Ratification of Recommendations for
11 Legislative Resolutions. Anything to note?

12 MR. BAGG: It is fairly straight
13 forward. Everything is Type Two Actions.
14 SEQRA has been previously completed on the
15 projects.

16 MR. CHAIRMAN: I notice Resolution
17 1031, one of our members is seeking
18 reappointment.

19 MR. KAUFMAN: I think that should be a
20 positive declaration. I will defer to Jim
21 on that.

22 MR. CHAIRPERSON: Does everybody here
23 know what their reappointment dates are so
24 they can work on them?

25 THE COUNCIL: No.

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2 MR. CHAIRMAN: I would inquire from Jim
3 because while you stay a member until you
4 get kicked off, it is important to keep the
5 process rolling. I think that is the way it
6 is supposed to be.

7 MR. MACHTAY: Five year appointment?

8 MR. CHAIRMAN: It depends on whether
9 you replace somebody -- that kind of thing.
10 If you're a new appointment because somebody
11 had retired and there was three years left
12 on the term, your appointment would have
13 been for three years. So, Jim, maybe next
14 month --

15 MR. BAGG: We will e-mail the CEQ list,
16 and next to each individuals name is your
17 reappointment date. Michael is the only
18 individual who is up for reappointment this
19 year. I think next year there is two or
20 three reappointments.

21 MR. KAUFMAN: Just to let everyone
22 know, it is generally about a three month
23 process to get your legislator to sponsor
24 you or whoever its been. You have to,
25 generally, go the legislature to do all of

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2 this and there is committee meetings. For
3 example, I have one on the 23rd where I have
4 to show up before a EPA which is led by
5 Legislator Schneiderman. You have to get
6 your resume typed up and submitted again.
7 They generally have it, but they like to
8 have an updated one. Because of the
9 procedures over there, they have to lay it
10 on the table -- there could be a month gap
11 or something like that. They don't always
12 get to it. So when it happens, I would,
13 generally, try to look at it about three
14 months before.

15 MR. CHAIRMAN: Anything else?

16 (WHEREUPON, there was no response.)

17 MR. CHAIRMAN: Jim, you want to call
18 your attention?

19 MR. BAGG: No.

20 MR. CHAIRMAN: The other one that I
21 inadvertently skipped was the Proposed
22 Purchase of Replacement Equipment at
23 established --

24 MR. BAGG: There is a motion on the --

25 MR. CHAIRMAN: Motion to approve

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2 Legislative Recommendations that were layed
3 on the table.

4 MS. SPENCER: So moved.

5 MR. MACHTAY: Second.

6 MR. CHAIRMAN: All in favor?

7 THE COUNCIL: Aye.

8 MR. CHAIRMAN: Opposed?

9 (WHEREUPON, there was no response.)

10 MR. CHAIRMAN: Motion carries.

11 (WHEREUPON, the Board voted.)

12 MR. CHAIRMAN: Proposed Purchase of
13 Replacement Equipment at established tower
14 sites. This is Capital Project 3017. It is
15 a GPS system.

16 MR. MACHTAY: Type II Action?

17 MR. CHAIRMAN: It is a Recommended Type
18 II Action.

19 MR. MACHTAY: I will make a motion.

20 MR. BAGG: We have a police officer
21 here.

22 MR. CHAIRMAN: Since he made the
23 trouble to come, we may as well give him a
24 few minutes. Would you care to comment on
25 the project?

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MR. FISHER: Well, the item itself is a replacement item --

MR. CHAIRMAN: Sir, if you could stand up and give us your name -- boy, this fun -- telling a policeman what to do.

(WHEREUPON, there was laughter.)

MR. CHAIRMAN: Welcome to CEQ.

MR. FISHER: It is my pleasure to be here.

MR. CHAIRMAN: So, if you a could just tell us a little bit about the proposed program or replaced equipment. As I understand it, it is about a decade or more old?

MR. FISHER: Yes, that is correct. First I would like to give my name. My name is Mark Fisher. I am Lieutenant for the Suffolk County Police Department, and I am working in the Bureau Records -- Communication and Records Bureau.

Yes, the equipment is approximately ten years old. It is electronic equipment. If we need any specifics on it, I have -- I refer to him as the brains of the operation,

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2 Andy, one of our technicians. From a layman
3 point of view, it is a ten year old
4 electronic equipment. If we can think of
5 our computer systems in our house, they
6 don't last that long. This is 24/7 stuff.
7 It is communications and it directly effects
8 communications.

9 We have problems now with getting parts
10 for it, if it does break. Things are made
11 modular. It isn't like the old days when
12 some of us might remember when you went to
13 the pharmacy and checked the tubes on the
14 television set. Right now, everything is
15 pretty much replacement components, and it
16 is very expensive.

17 Our concern -- our major concern is if
18 this apparatus fails and depending on how it
19 fails, it could be catastrophic to the
20 County. It could take down an entire
21 communication system. At best, it would
22 take down a partial system and having
23 partial communications could be devastating
24 depending on what was happening at the
25 particular time. So we don't want to chance

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it. As you said, it is over ten years old
and it is -- it is at the end of its life.

MR. CHAIRMAN: You want to say anything
about the technical issues?

MR. MACHTAY: No.

MR. FISHER: I will say one thing. It
is a replacement item so, I believe, there
is no affect or impact on the environment.
It is a -- I guess, taking out the unit and
sliding the unit in to be simplified.

MR. CHAIRMAN: So, is the area of
coverage or the detail of coverage going to
be improved by the new equipment?

MR. MIKELINICH: That does not affect
that. Like he said, it is direct
replacement for equipment that is likely
aging, and it will perform the same function
as the replacement.

MR. CHAIRMAN: Okay, very good.

THE REPORTER: State your name, please.

MR. MIKELINICH: My name is Andrew
Mikelinich, M-I-K-E-L-I-N-I-C-H.

MR. CHAIRMAN: Would you like to make a
motion?

2 MR. MACHTAY: Type II Action.

3 MS. KAUFMAN: Second.

4 MR. CHAIRMAN: We have a motion and a
5 second. It is a Type **II** Action.

6 Any further discussions?

7 (WHEREUPON, there was no response.)

8 MR. CHAIRMAN: All in favor?

9 THE COUNCIL: Aye.

10 MR. CHAIRMAN: Opposed?

11 (WHEREUPON, there was no response.)

12 MR. CHAIRMAN: Motion carries.

13 (WHEREUPON, the Council voted.)

14 MR. CHAIRMAN: Thank you for taking the
15 time to come over and see us.

16 MR. FISHER: Thank you, sir, my
17 pleasure.

18 MR. CHAIRMAN: Now, the one that I am
19 so anxious to get to is the Proposed Storm
20 Drain Pollution on various county roads --
21 CP 8239, Phase III, Towns of Babylon, Islip,
22 and East Hampton.

23 Anybody here to speak to that?

24 MR. BERGEY: I am, sir.

25 MR. CHAIRMAN: Please, identify

1
2 yourself for the Stenographer.

3 MR. BERGEY: My name is Eric Bergey. I
4 am with the Department of Environment Energy
5 and the Vision of Water Quality Improvement.

6 First, I would like to thank the
7 Council for reviewing this tremendous
8 package that we submitted a couple of weeks
9 ago. I realize there is more paperwork than
10 is normally submitted for one of our typical
11 projects. This is not a typical project.
12 It is 16 locations that are all currently
13 directed discharges of untreated storm water
14 into surface water body.

15 Our proposal is to redirect or actually
16 make a minor modification in the existing
17 drainage system, install a new treatment
18 system, and I have several examples of
19 typical treatment systems that we have been
20 using recently which I am going to pass
21 around. You can take a look at them.

22 We're not decided on which models are
23 exactly going in which spot yet. That
24 requires further design work. We're still
25 in the initial stages. We selected

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2 locations, obviously, and once we move
3 forward through the DEC permitting process,
4 then we will get to the point where we are
5 selecting the actual models that will be
6 used.

7 MR. CHAIRMAN: So will you be coming
8 back to -- when you're actually doing the
9 projects?

10 MR. BERGEY: I don't -- I am not sure.
11 Maybe you can help me out with that. Do we
12 need to come back or once there is that Type
13 **II** --

14 MR. BAGG: I mean, we reviewed CR50.
15 Basically, this is almost like the
16 ~~insulation~~ ^{installation} of equipment at the end of the
17 discharge area. Council said on CR50 that
18 they thought it was a Type II Action because
19 it wouldn't physically alter more than 4,000
20 square feet **and involve the purchase of**
21 equipment at those particular sites. It
22 does conform to the Council policy which, for
23 many years, even before the storm water
24 regulations and Council wanted to eliminate
25 direct discharge to surface waters wherever

1 possible and the DPW has been trying to
2 adhere to that and pursue that. In this
3 particular instance, with respect to so many
4 locations, I don't know if the entire
5 project would be considered a Type II Action
6 or on an individual basis probably Type II,
7 but taken collectively might be considered
8 an Unlisted Action with a Negative
9 Declaration, but the equipment, if I
10 understand, has to be approved by DEC and it
11 has to be in conformance with the storm
12 water regulation.
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14 MR. BERGEY: Correct and the models
15 that are being passed around are all
16 currently on the DEC -- in the DEC Storm
17 Water Manual as acceptable units, and that
18 is something that we will be able to get a
19 permit for.

20 MR. BAGG: And, also, it might be
21 pointed out that before anything can be
22 installed, the DPW has to get DEC permits
23 for wetlands, as well as, the storm water
24 discharge permits in conformance with the
25 State.

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2 MR. BERGEY: Our next step in the
3 process here is to actually meet with DEC
4 because it is such a large project, and to
5 go over all the locations with them and show
6 them photos of all the locations. If not,
7 meet them on-site, if they decide ^{what} ~~that~~ is
8 the best course of action and they will
9 hopefully give us some guidance with the
10 best way to move forward with the permit
11 process and try to expedite it.

12 MR. MACHTAY: DEC hasn't issued any
13 permits for this yet?

14 MR. BERGEY: Not this particular
15 project, but they have permitted very
16 similar projects.

17 MR. MACHTAY: I am concerned about this
18 project.

19 MR. BERGEY: This project, no.

20 MR. KAUFMAN: A question for Jim. I
21 agree given the way this is bubbled together
22 takes it out of the general Type **II**. I
23 would feel safer doing an Unlisted Negative
24 Declaration on this, if that is what the
25 Council agrees to. I don't see any

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2 procedural difference. I think we have the
3 information before us that we need. We have
4 enough pictures, diagrams, and a good level
5 of engineering understanding. So I would
6 not feel uncomfortable doing it as an
7 Unlisted. Is there any procedural impact if
8 we did do it as Unlisted?

9 MR. BAGG: No. I mean, review the
10 whole program and the installation of all
11 the locations in terms of the environmental
12 impact. Another thing that has to be
13 considered is one of the requirements here
14 that are part and parcel to the project is
15 that, DPW has to get DEC permits. That is
16 part of the process for the project.

17 MR. KAUFMAN: So we'll get a full
18 review. I am not worried about that.

19 MR. BAGG: That's a given.

20 MR. MACHTAY: It appears that we have
21 had projects bundled together. Jim, you
22 told us that the Legislature wants separate
23 resolutions on each project. Is that the
24 case here?

25 MR. BAGG: No, I mean, in this

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2 particular instance, this is one Capitol
3 Program item; am I correct?

4 MR. BERGEY: Right.

5 MR. BAGG: So in essence, if they have
6 separate Capitol Program items, they would
7 like separate resolutions because the Bond
8 Council reviews everything from a SEQRA
9 point of view to make sure that SEQRA has
10 been complied with, otherwise, you won't
11 release any money which is probably why the
12 County pays due diligence to making sure
13 SEQRA is complied with but in this
14 particular instance, because it is one
15 Capitol Project, you could do the Negative
16 Declaration for everything that has been
17 presented to you.

18 MR. KAUFMAN: Also, Rich, just to let
19 you know, some of the -- if my understanding
20 is correct -- these projects were supposed
21 to have been done last year in terms of
22 doing the environmental analysis, et cetera
23 and because it was the end of the year, some
24 cracks opened up and these particular
25 projects fell through. We're now getting it

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2 in a recast form as one cap project. So the
3 County Legislature, from what I understand,
4 wants to see this as a bundle so that is why
5 it is in a single cap number, et cetera.

6 MR. CHAIRMAN: One of my concerns is
7 that, I think, I heard people from Suffolk
8 County say that the existing vortex systems
9 are not working up to expectations and yet
10 this is what you're proposing to put in.

11 MR. BERGEY: These are individuals from
12 DPW or from the general public?

13 MR. CHAIRMAN: No, from professional
14 people in the County.

15 MR. BERGEY: Oh, okay.

16 MR. CHAIRMAN: The sponge system --

17 MR. BAGG: The sponge --

18 MR. BERGEY: As long as those are
19 maintained properly, they work beautifully.

20 MR. BAGG: I don't think it is vortex
21 which is more or less a similar process.
22 The County and the Suffolk County Water
23 Authority had been installing the sponge
24 filters in parking areas and everything
25 else, and they accumulate a lot and the

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sponge gets clogged up with sediment and dirt and some pollutants, but most of it is probably sediment and dirt and that they're finding that they do not work as well and they require a large amount of maintenance.

The vortex system is not a sponge system and DPW has gone out and purchased equipment. They open up the system and then they take all sediment out of the chamber and everything else and clean it and then, you know, close it back up. But it is not the sponge system where they have to pull out an actual filtering device, and change it over and then dispose of that contaminated sponge.

MR. BERGEY: Actually, one of the first initial phases of this capitol program was installing a drain below the grate filters and we found that -- essentially what the Water Authority found is that they do not work up to expectations just because the main demand on them is so high, that flow -- once you start installing large numbers to these, it becomes a main headache. Where as

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2 this, this needs to be maintained. The
3 maintenance intervals varies on it but six
4 months to a year and-a-half depending on
5 flow and the debris load and sediment load
6 that these -- but we're also tracking that
7 information.

8 We have GIS map and database set up to
9 track the current installations, and then
10 once these are installed, they will be added
11 to that database -- you know, where we can
12 kind of see, "Ok, it needed to me maintained
13 after six months after eight months and
14 there was this much debris in it." You
15 know, that kind of information.

16 MR. CHAIRMAN: And what is going to
17 happen with your maintenance program and the
18 budget situation?

19 MR. BERGEY: The maintenance program is
20 pretty much budgeted independently. Like
21 Mr. Bagg referenced, we all ready purchased
22 the equipment. As long as the equipment
23 remains functional, we will be fine as far
24 as maintenance.

25 MR. CHAIRMAN: What about the personnel

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that goes around cleaning these systems out?

MR. BERGEY: So, meaning, God for bid there is no layoffs -- assuming the staff remains intact, we should be okay. It only takes, I believe, two individuals to run the machine so --

MR. CHAIRMAN: That is all you have for the entire County?

MR. BERGEY: Oh, no, for each machine there is three machines. One for each maintenance zone.

MR. CHAIRMAN: Do you see that as an issue, Jim?

MR. BAGG: No, I -- put it this way, if they put these systems in at the end, they're going to add capabilities which will improve the situation that actually, if we get to the point where we have budgetary problems and they have to lay people off, I think there is a big problem all the way around and it is just not for the maintenance of these systems. It is going to be the maintenance for the road and everything around it.

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2 MR. BERGEY: Right, the very worst that
3 could happen with these is if they start
4 getting too full -- up to their storage
5 capacity, they go into bypass mode. So they
6 will, basically, be bypassing water -- it
7 wont cause a flooding situation.

8 MR. KAUFMAN: Larry, also, given the
9 fact that these are essentially point source
10 discharges -- each of the sites that we're
11 looking at and putting in something over
12 there, even if it has a reduced maintenance
13 cycle. If you have seen the pictures that
14 we were given, I mean, these are just
15 straight out point discharge sources. We
16 have to do something.

17 MR. BERGEY: And if better technology
18 comes along down the road, we can always go
19 back and retrofit these somehow -- if we
20 have to try and improve them even further.

21 MR. KAUFMAN: First off, I would like
22 to compliment you on whoever put this packet
23 together. These pictures really, really,
24 really, help. You can see what is going on.
25 The presentations normally are very, very

1 good. I don't have a problem with them.

2 This one was just very, very -- much better.

3 MR. BERGEY: Thank you, sir.

4 MR. KAUFMAN: Question on it.

5 Essential you're going to be putting these
6 vortex systems at the end of an interceptor
7 system plus as individual pre-standing
8 structures at the point source of discharge.

9 MR. BERGEY: Right.

10 MR. KAUFMAN: That is essentially the
11 plan as I understand it.

12 MR. BERGEY: Correct.

13 MR. KAUFMAN: How much of the
14 pollutants do you think that you will be
15 able to, basically, catch assuming these
16 systems are working on a percentage basis?
17 Do you think 50 percent, 70 percent?

18 MR. BERGEY: It varies based on the
19 flow rate and what pollutant you're
20 targeting. Really these systems, honestly,
21 are not great at targeting dissolved
22 pollutants. So pollutants in the water
23 column itself, but anything that is absorbed
24 to the sediment particles, it is very good
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2 at settling that out. So, given a typical
3 flow rate which is about 1.3 inch of rain
4 over the water shed area -- these can handle
5 around 80 percent of the total suspended
6 solids, and pretty much all the flow will
7 stay the same and it will capture that.

8 MR. KAUFMAN: I also noticed that there
9 was some replacements of some of the catch
10 basins in there so that may be able to
11 handle some of the pollutants assuming they
12 settle out?

13 MR. BERGEY: Yes, if we put a sump on
14 the bottom of the catch basins, it will act
15 as a low retreatment so the flow won't be as
16 high to the treatment system.

17 MR. MACHTAY: Just one comment, yes,
18 this was a impressive package you put
19 together but not everything was labeled.
20 Attachment 7, it was put in there without a
21 label.

22 MR. BERGEY: Yes, I realized that after
23 the fact, yes.

24 MR. MACHTAY: I was calling up and
25 accusing people of all sorts of things, but

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it turned out that it was really in there.

MR. BERGEY: I will take the blame for that. I apologize.

MR. CHAIRMAN: Any there any other questions?

(WHEREUPON, there was no response.)

I have one trivial technical question. Looking at one of the drawings, there was a notation of fifteen, and then next to it there was like the foot symbol -- you know, 1 slash. Except there were three. Is that now a symbol -- an excepted symbol for cubic feet?

MR. BERGEY: Not to my knowledge. It was probably a typo.

MR. CHAIRMAN: I was just wondering if I had missed something.

MR. KAUFMAN: You are seeing things, Mr. Chairman.

MR. MACHTAY: There is a typo on the first page on two of these letters -- her title.

MR. BERGEY: Maybe you should come review some plans for us.

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2 MR. CHAIRMAN: This has been dropped on
3 us, Jim.

4 MR. BAGG: If you could explain that.
5 This is actually, Rich, in reviewing it
6 Attachment Number 7, was a letter to the
7 National Heritage Program asking if there
8 are any rare endangered species on the site,
9 and I kind of thought that normally
10 applicants send letters to them and this is
11 their response. They said they did not find
12 any rare endangered species, so this really
13 completes Attachment Number 7, which I was
14 amazed.

15 MR. MACHTAY: I must say, you know, as
16 someone who has worked in the environmental
17 field for 30 years not finding anything rare
18 or unusual in an aquatic environment is --

19 MR. KAUFMAN: Rare and unusual?

20 MR. MACHTAY: (Continuing) -- rare and
21 unusual. I would suspect that probably
22 something is hidden there someplace, but I
23 don't think --

24 MR. KAUFMAN: These areas have been
25 sub-butchered.

2 MR. BERGEY: There are a few locations
3 where we come close -- we're very close to
4 areas that they have identified as sensitive
5 habitats, but as long as we stay inside our
6 right-of-way, we should be fine.

7 MR. BAGG: An interesting point to
8 point -- to make is that when you talk about
9 rare and endangered species, most of the
10 species are rare and endangered because they
11 only occupy a niche in the successional
12 evolution of a site, and very often they
13 become out competed by other species that
14 are moving in and in the next stages of
15 succession.

16 MR. MACHTAY: The other thing is rare
17 and endangered here is not rare and
18 endangered someplace else. If you go down
19 south, salamanders are -- it is live bait
20 and here, it is a subject to stop any
21 project that comes along.

22 MR. CHAIRMAN: Okay, so essentially,
23 these all say that there are no rare and
24 endangered species at these various
25 locations; is that correct?

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MR. BERGEY: That is correct.

MR. CHAIRMAN: All right. Couldn't the DEC have given us this before?

MR. BERGEY: I think we actually received that the day after we submitted the EAF. The timing was --

MR. CHAIRMAN: All right, do we have a motion?

MR. KAUFMAN: I will make a motion that this is an Unlisted Negative Declaration.

MR. MACHTAY: Second.

MR. CHAIRMAN: We have a motion and a second. Any further discussion?

(WHEREUPON, there was no response.)

MR. CHAIRMAN: All in favor?

THE COUNCIL: Aye.

MR. CHAIRMAN: All opposed?

(WHEREUPON there was no response.)

MR. CHAIRMAN: Motion carries. Thank you very much.

(WHEREUPON, the Council voted.)

MR. CHAIRMAN: Has everybody sorted through their stuff and got their next project? These are Recommended Unlisted

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Actions, Proposed Acquisition of Open Space
Preservation known as the Clark's Beach --
Village of Greenport Property in the Town of
Southold.

Lauretta?

MS. FISCHER: Good morning. I am
Lauretta Fischer, Principal Environmental
Analyst, Department of Planning.

Before you today is the Clark Beach
Acquisition. The County is looking to
acquire 6.12 acres of a 15.3 acre parcel
owned by the Village of Greenport. We're
taking the eastern most triangular portion
of the property which is adjacent to inlet
Pond County Park.

The property, in whole, actually is
owned by the Village of Greenport. Also
contains a sewage outflow pipe of which we
are not acquiring. Also, the other western
portion of it, is being considered by the
Town of Southold for acquisition.

At this point in time they have not
come to an agreement as far as acquisition
between the Town and the Village. So this

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is what is set up as a separate acquisition. One part being the County acquisition adjacent to the County park to the east, and a separate acquisition of the western portion of it with the Town of Southold.

We are, again, acquiring 6.12 acres. There are trails connecting our property to the east with this property. Actually, you can see it on the aerial near the northern portion of the property. There are some dirt roads that preexist there, and there is a trail that leads into the County property, so access through the property will be from our existing holding to the east.

The easement for the sewage treatment pipe actually follows a linear line just immediately to the west of the County proposed acquisition. It follows from North Road all the way to the sound, and that will stay in Village ownership without any kind of acquisition as part of that area.

There is a little cut out on the map, and that is part of the operation of the pipe, and so that will not be part of the

1
2 acquisition itself. There is a structure on
3 it for maintenance of the pipe and so that
4 was cut out and will not be acquired as part
5 of our acquisition. It is under the new
6 Drinking Water Protection Program for open
7 space preservation.

8 MR. KAUFMAN: *Lauretta*, question? The
9 outflow pipe, how far out does it go? I
10 hope it doesn't just end at the beach.

11 MS. FISCHER: I don't know the
12 specifics of it. My understanding is it is
13 -- there is length out there as far as my
14 understanding of it is. I don't know how
15 far out it is.

16 MR. KAUFMAN: Even though it is treated
17 water, it is not going to necessarily impact
18 the parcel itself that the County is
19 proposing purchasing?

20 MS. FISCHER: No, that has been there
21 for many years -- that pipe. So I don't
22 think it has adversely effected the local
23 habitat in that area, to my knowledge.

24 MR. KAUFMAN: One other question on it
25 just because I am trying -- worrying myself

1
2 with the map -- the lines don't make any
3 sense to me. Immediately to the east of the
4 parcel, there is land bordered by green
5 lines which appears to be Suffolk County
6 lines, and then there is a large pond or
7 lake or whatever seems to be part of that
8 parcel; is that County owned right now?

9 MS. FISCHER: Yes, and there is a small
10 piece of land that is owned by the Town of
11 Southold in purple also there. (Indicating)
12 but that whole parcel is County owned, and
13 that Inlet Pond County park.

14 MR. RUSSO: One other question,
15 **Lauretta?** Just out of curiosity -- general
16 information -- is it unusual for the County
17 to be purchasing land open space from
18 another municipality?

19 MS. FISCHER: Yes, it is.

20 MR. RUSSO: I thought it was kind of
21 odd, and I was just wondering what the
22 reasoning was behind it?

23 MS. FISCHER: Well, according to the
24 Village of Greenport their interest is
25 financial. They want to exercise this

1
2 property for balancing their budget. They
3 had budgetary problems. This property
4 itself is actually outside the Incorporated
5 Village boundaries but, obviously, was
6 bought many, many years ago for the sewage
7 pipe, and has been informally used over the
8 years for scuba diving activities and alike.
9 Right now, there is chain linked fence at
10 the entrance so access has been limited over
11 the last few years, but this was proposed by
12 the Village.

13 There's pros and cons with this. It is
14 adjacent to our county holdings which is a
15 plus. We don't like to acquire property
16 necessarily from another municipality in
17 general because it opens up that issue of
18 "Well, anyone -- any municipality can come
19 to the County and say, "Well, I cannot
20 afford it anymore." What do we do? So it
21 opens up those types of issues. But, in
22 general, I feel we were supportive of it
23 because of our interest adjacent to it.
24 Their feeling that has been expressed to the
25 County is that they would be selling this

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privately if the County and or Village -- I mean, and or Town of Southold was not going to acquire this.

MR. RUSSO: But the Town of Southold has expressed interest in the solid red areas?

MS. FISCHER: They have made offers. I don't think they have been accepted. I don't know anymore then that at this point. Obviously, that showed an interest but that negotiation is between the Town and the Village.

MR. MACHTAY: It seems that this parcel of land is landlocked for all intentional purposes especially --

MS. FISCHER: It will be --

MR. MACHTAY: (Continuing) -- especially with the pipe coming down -- I guess the west side?

MS. FISCHER: Correct.

MR. MACHTAY: What would they sell it for? For private --

MS. FISCHER: The property itself includes the solid red area and the outlined

2 red area. The property is being subdivided.

3 MR. MACHTAY: But the County is not
4 buying the solid red area?

5 MS. FISCHER: No, the Town -- we're in
6 negotiation with the Town and then --

7 MR. MACHTAY: So just excise the
8 triangular parcel it sort of --

9 MR. BAGG: We own the green area, Rich.
10 This all County Park next to it?

11 MR. MACHTAY: Yes, but if a private
12 party came and bought the triangular parcel,
13 it is landlocked. They cannot do anything
14 with it.

15 MR. BAGG: No, we're only buying a
16 portion of the site. The whole site is
17 adjacent to the road up here. (Indicating.)

18 MR. MACHTAY: I understand that, but if
19 that is public property -- if the solid
20 portion is public property, and then you
21 have the County property on the other side,
22 the triangular portion is landlocked; a
23 private party cannot get to it.

24 MR. KAUFMAN: Yes, but you're talking
25 about in terms of how the compensation is

1
2 set up. I understand the zoning aspect, but
3 if you're looking at it in terms of
4 subdivision, et cetera, the triangular
5 portion that the County is buying is
6 essentially being added over here. So, yes,
7 maybe we can get a deal. (Indicating.)

8 MR. MACHTAY: I understand that, but if
9 they wanted to sell that parcel of land to a
10 private party, the private party has hardly
11 anything they could do with it.

12 MR. KAUFMAN: And it would be a much
13 lower purchase price. Unfortunately, there
14 is municipal that is the issue. I think we
15 should leave that to the greater God for the
16 appraisal department.

17 MR. MACHTAY: Well, it is up to the
18 Legislature to decide what they want to do.

19 MS. FISCHER: Right.

20 MR. CHAIRMAN: Any other comments?

21 (WHEREUPON, there was no response.)

22 MR. CHAIRMAN: Anyone to make a motion?

23 MR. KAUFMAN: Motion Unlisted Negative
24 Declaration.

25 MS. GROWNEY: Second.

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MR. CHAIRMAN: We have a second.

Any further discussions?

(WHEREUPON, there was no response.)

MR. CHAIRMAN: All in favor?

THE COUNCIL: Aye.

(WHEREUPON, the Council voted.)

MR. CHAIRMAN: Are we being held
hostage price wise by threats to the Village
to sell it privately?

MS. FISCHER: Um --

MR. KAUFMAN: Don't answer that,
I **Lauretta**, take the fifth.

MS. FISCHER: I am going to defer. I
can't speak officially to that.

MR. CHAIRMAN: All right, moving onto
the next piece that is the Proposed
Acquisition For Open Space Preservation.
This time it is the Wickham Creek, Dawson
and Hollow Property in the Town of Southold.

MS. FISCHER: This is a property of
primary titled wetland along Wickham Creek
in the Town of Southold. It is a 3.2 acre
lot in an area that we hold other properties
to the west on Wickham Farm. We own the

1 farm land development right to those
2 properties outlined in green. (Indicating)
3 so there is various interest going on here.
4 It is a very unique area with regards to
5 extensive farming activities going on here,
6 and then we have a creek that has
7 environmental conditions including extensive
8 title wetlands in there.
9

10 You can look at the map with regard to
11 the diagonal black lines. Those are other
12 parcels, in addition, to this parcel that
13 we're looking to acquire to protect this
14 watershed of Wickham creek. This would be
15 our first acquisition in the area. We're
16 buying this under the new drinking water for
17 freshwater and title wetland protection for
18 past recreation use.

19 MR. CHAIRPERSON: We maintain Wickham
20 Creek by dredging -- the County, I mean.

21 MS. FISCHER: The County? I don't know
22 for sure.

23 MR. KAUFMAN: There is a dredge scar
24 there. (Indicating.)

25 MS. FISCHER: There is a dredge scar

1
2 there. There are other residential homes
3 interior, and there is a marina that is
4 situated south of there, so I don't know if
5 it is either the County dredging operation
6 or private, but it is dredged.

7 MR. CHAIRMAN: Has this property every
8 been used for dredge disposal?

9 MS. FISCHER: This site?

10 MR. CHAIRMAN: Yes.

11 MS FISCHER: Not to my knowledge. It
12 hasn't shown with dredge spoil on the title
13 wetland map. It might be that --

14 MR. MACHTAY: I am curious. Is this
15 residentially zoned?

16 MS. FISCHER: I believe so, yes.

17 MR. MACHTAY: Could they build houses
18 on this?

19 MS. FISCHER: There is some up land
20 portion of this. I would have to go back
21 and look at the -- let me see --

22 MR. MACHTAY: Because I notice that
23 we're not taking anything offered for the
24 purpose of workforce housing, and I guess it
25 must be under developed or developable in

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2 some fashion that it doesn't yield.

3 MS. FISHER: Right, exactly. I believe
4 it would be very difficult to develop it. I
5 feel under existing conditions with existing
6 zoning, it would not be developable but
7 variances, of course, can always be applied
8 and properties like these, ultimately, can
9 be developed if the owner is so inclined.

10 MR. KAUFMAN: Question? I know we have
11 be given Master Lists One and Two. I have
12 never seen three and four; are those recent?

13 MS. FISCHER: No, three was immediately
14 after two and included just a few lots in
15 including the North Fork Preserve, and the
16 Boys and Girls Harbor out in East Hampton.
17 Number 4, was primarily presented by
18 Legislator Romaine, and for the North Fork
19 property, we worked with Legislator Romaine
20 to include other partials to improve the
21 protection of certain habitats that were
22 initially identified by him, so it was a
23 working cooperative working effort.

24 MR. KAUFMAN: One other thing is, if
25 you look at the points of land above the

1
2 Cutchogue Harbor, it looks like that may be
3 a spoil disposal area. It is on the Master
4 List. It is not part of the purchase or
5 anything like that, but you can see a dredge
6 scar in there and, again, it looks as there
7 is a swimming to the north of there. I
8 don't they're putting spoil over there. It
9 looks like it is to the south -- looks up
10 land and looks like it is filled marshes.
11 It is interesting, if nothing else.

12 MR. CHAIRMAN: Do we have a motion?

13 MR. KAUFMAN: Unlisted negative
14 declaration.

15 MR. CHAIRMAN: Second.

16 MR. RUSSO: Second.

17 MR. CHAIRMAN: Any further discussions?

18 (WHEREUPON, there was no response.)

19 MR. CHAIRMAN: All in favor?

20 THE COUNCIL: Aye.

21 MR. CHAIRMAN: All opposed?

22 (WHEREUPON, there was no response.)

23 MR. CHAIRMAN: Motions carries.

24 MS. FISCHER: Thank you.

25 MR. CHAIRMAN: Purposed Storm water

1
2 Remediation to County Road 80, Montauk
3 Highway at Oceanview.

4 MR. DAWSON: Good morning. My name is
5 Jeff Dawson. I am a senior Civil Engineer
6 With the Department of Public Works of
7 Suffolk County, and I am here to introduce
8 our consultant, GRC Gedeon Consulting
9 Engineering.

10 We have been progressing a project on
11 Montauk Highway just east of Shinnecock
12 Canal for, approximately, the last ten years
13 and we're finally in the home stretch, and
14 are now ready to sprint towards the finish
15 line.

16 So where we're at right now is the
17 design is, approximately, 75 percent
18 complete, and we're before you guys today to
19 get the SEQRA approval after which we intend
20 on going to DEC for their approval. DEC did
21 provide comment on a smaller scale project
22 in the same area, however, we found an
23 opportunity to obtain additional funding so
24 we decided to increase the scope and
25 effectiveness of the project which is

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basically geared towards improving the water quality of the Shinnecock Bay by installing a drainage system and some storm water treatment structure. So, without further ado, I would like introduce Rudy Gedeon of Gedeon Engineer Consulting.

MR. GEDEON: Good morning. My name is Rudy Gedeon from Gedeon GRC Consulting.

Again, thank you for allowing me to make the presentation today. The project is actually along Montauk Highway from Maidstone Lane to West Hillover Street. It is along County Road 80, which is a full lane. You have one lane in each direction and you have lined shoulders on both sides.

Now, there is some significant drainage problems along that segment of County Road 80. Basically, there is no inlet basin catching water, so we have recurring flooding problems along the segment. In addition to this, we basically have no water quality system before we discharge into the Shinnecock Bay. There are two outfalls, basically, two systems. One to the west

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2 picks up water basically to the east of
3 Oceanview and discharges water through a 50
4 inch pipe into the bay. There is a system
5 to the west actually that has another
6 outfall. They're twin pipes -- two 12 inch
7 pipes that discharge water into the bay.

8 When you look at the photographs, this
9 is actually the west outfall and the
10 bulkhead -- both outfalls actually go
11 through a private property to drainage
12 easement. Now, we're looking at the west
13 outfall and we're looking at the existing
14 bulkhead. The photograph is actually
15 showing the pipe that is, I would say, 90
16 percent buried and it happens -- most of
17 them -- any time that Suffolk County will go
18 out there and drain it, basically, it is in
19 high tide which brings -- blocks the outfall
20 to make -- basically, rendering the existing
21 system nonfunctional.

22 On the east side, we have a twin pipe
23 system. Again, they are always 80 to 90
24 percent buried. So the objective of the
25 project, basically, is two-fold. One is to

1
2 mitigate the flooding, and the second one is
3 also to provide water quality before we
4 discharge into the bay.

5 So we came up with a system -- a closed
6 drainage system where we provide a number of
7 basins -- leeching basins throughout the
8 project limits on each side of the shoulder
9 and then create a conveyance system where we
10 discharge into the bay at the same location,
11 but using new pipes. One thing that we are
12 proposing is to raise the input of the
13 outlet so that in high tide, we don't flood
14 the system.

15 Before we discharge into the bay, we
16 are proposing to install the vortex system
17 similar to what the other gentleman
18 mentioned before. Suffolk County has been
19 using this system from a maintenance
20 standpoint and from a performance
21 standpoint, and Suffolk County -- DPW is
22 actually happy with this system.

23 One thing, I think, was a discussion in
24 terms of clogging. The vortex system has
25 four chambers and, I think, one of the

1
2 beauty of the vortex system is that the
3 first chamber which is, basically, the great
4 chamber -- the soul chamber allows sediments
5 to settle and the third chamber which is the
6 flow control chamber rejuvenates the flow to
7 allow the suspended sediment not to reflood
8 again. I think that is the beauty of the
9 vortex system. It has been used -- they go
10 up to 89 percent in terms of performance, in
11 terms of production of sediment.

12 There are some other issues along the
13 project, in addition, to drainage. Some
14 pavement items that we are actually
15 proposing resurfacing the waterway and
16 repairing some of the existing concrete
17 pavement at localized areas. As far as
18 impact, there is no widening. We are not
19 removing existing trees. We're providing
20 water quality and at the same time, we are
21 not increasing the watershed. In a nut
22 shell, that is what we're proposing.

23 MR. KAUFMAN: Question for you, sir? I
24 was looking at the water table in the area
25 and I was also looking at the project design

1 in terms of where these things would go.

2 The first thing is it looks like the vortex
3 is sometimes at the bottom of them -- are
4 sitting below the water table, and I know
5 the water table probably moves up and down
6 in that area under the influence of the high
7 tide. Are we going to have any backing up
8 occurring because of that?
9

10 MR. GEDEON: One thing that we actually
11 -- we have different numbers in terms of the
12 high water tide level, and that is one thing
13 we're looking at. When we raise it, we're
14 looking to provide tide flood gates that
15 allows water to come out and not go back and
16 that is something that we're looking at and
17 discussing with Suffolk County right now.
18 But the idea is not to allow backing up into
19 the system and preventing high pressure --
20 preventing the water from discharging.

21 MR. KAUFMAN: Essentially, you would be
22 dealing with a hyperstatic pressure in that
23 situation?

24 MR. GEDEON: Yes.

25 MR. KAUFMANN: In the areas with the

1
2 vortex where you're not going to be using
3 tide gates, are any of the vortex systems,
4 at the bottom of them, going to be sitting
5 inside the water table?

6 MR. GEDEON: Yes, the one we are using,
7 basically, we have high -- the one thing
8 with this system is that when you look at
9 County Road 80, it is basically at the
10 bottom of a hill. So we have a very high --
11 a very big watershed area. Now, we're using
12 the biggest vortex system which is 60,000 --
13 I think it is about 13 by 9, and it is about
14 eight foot deep. So we're going into the
15 water table, but since it is an enclosed
16 chamber, there will be some de-watering
17 doing construction but it will sit into --

18 MR. KAUFMANN: The final question I
19 have is, it looks as if you were putting --
20 reconstructing on both sides of the road,
21 and I was looking at the topography of the
22 area. Would it make -- I am curious why you
23 have it on both sides? If I were designing
24 the project, I would have had most
25 everything on the north side of the road to

1
2 try and stay a little bit away from the --
3 from the saltwater intrusion. You're only
4 talking about 30 feet or something like
5 that.

6 MR. GEDEON: Right, a couple of items.
7 We looked at similar locations with Suffolk
8 County Public Works. At one time we wanted
9 to use twin pipes but, again, in terms of
10 costing and terms of construction of the
11 shoulder, it is an expensive venture.

12 The second thing is that we have a high
13 pressure water gap on the north side of the
14 shoulder which makes it difficult. They
15 made a smaller water -- gas main on the
16 south shore. One of biggest items for us is
17 that it is a crowded -- it is a crowded
18 roadway. What happens is that when water
19 comes at sheet flow, it goes into the
20 properties on the south side because we
21 can't catch it. So what we're proposing to
22 do is by having catch basins on the south
23 shore and running the pipe, is to come up
24 with a type of shoulder to allow -- to
25 direct the flow into the catch basin because

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2 if not, it goes straight into the property
3 down there.

4 MR. KAUFMANN: Basically, you're saying
5 you have a very, very crowded area in there;
6 not too much to work with?

7 MR. GEDEON: Yes.

8 MR. CHAIRMAN: Are you going to rebuild
9 the bulkhead?

10 MR. GEDEON: Well, the bulkhead --
11 there will be some work done. For instance,
12 once we remove this pipe, we're debating
13 whether we are going to in-fill it or remove
14 it and backfill it. Definitely there is
15 going to be some construction done here, but
16 as far as rebuilding the entire bulkhead,
17 no. We would basically provide a space to
18 allow the pipe to come out and seal it. But
19 there won't be a full reconstruction of the
20 bulkhead. It will be partial as required.

21 MR. CHAIRMAN: The bulkhead is in
22 private ownership?

23 MR. GEDEON: It is, yes. Actually both
24 discharges, basically, are the outfalls into
25 private property and then you have easement

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2 -- Suffolk County and DPW have easement with
3 the owners.

4 MR. CHAIRMAN: So you will replace the
5 type of material in time?

6 MR. GEDEON: In time, yes.

7 MR. CHAIRMAN: Any questions?

8 MS. SPENCER: Just an observation.
9 There is an article in this mornings Newsday
10 that all of this may be moot in the near
11 future.

12 MR. KAUFMAN: Why?

13 MS. SPENCER: We're going to flood out.

14 MR. KAUFMANN: We're all going to flood
15 out. Well, for the next thirty years, I
16 think we should try and -- well, if they're
17 all wrong, which they usually are. They're
18 probably economist -- the next five years.

19 Motion --

20 MS RUSSO: I had a quick question,
21 Rudy. How many new basins do you propose to
22 install? How many exist now? Just curious.

23 MR. GEDEON: We're talking about 20
24 maybe 25 to 30 new. We have only, I would
25 say, four right now and that is only --

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2 water keeps flowing -- sheet flow and is not
3 picked up and that's why sometimes we have
4 flooding in the area.

5 MR. CHAIRMAN: Did you make the motion

6 --

7 MR. KAUFMAN: Motion for an Unlisted
8 Action Negative Declaration.

9 MS. RUSSO: I second that.

10 MR. CHAIRMAN: Okay, there is a motion
11 and there is a second. Any further
12 discussions, comments?

13 (WHEREUPON, there was no response.)

14 MR. CHAIRMAN: All in favor?

15 THE COUNCIL: Aye.

16 MR. CHAIRMAN: All opposed?

17 (WHEREUPON, there was no response.)

18 MR. CHAIRMAN: Motion carries.

19 Thank you.

20 MR. KAUFMAN: You read Newsday?

21 MS. SPENCER: Yes.

22 MR. KAUFMAN: Obviously, it is just a
23 fountain of scientific knowledge and it
24 knows everything and it will -- always will
25 be perfect, but they said there are new sea

1 level rising issues coming up or something?

2 I have not read Newsday. I was reading my
3 CEQ packet a second time.

4 MS. RUSSO: It is an article regarding
5 the predictions of sea level rising issues
6 and several different scenarios and in how
7 many years.

8 MS. SPENCER: Right, how high and how
9 many years.

10 MS. RUSSO: And they had a conference
11 something like a week ago and they didn't
12 have much participation but the DEC is
13 planning for it and discussing it.

14 MS. SPENCER: I have a question. We
15 were talking about the proposed storm drain
16 pollution on various county roads, and there
17 was a question of rare and endangered
18 species. I would just like to point out
19 that the flying foxes of Australia are rare,
20 and if they're in your home, they're
21 endangered. Just for the record.

22 (WHEREUPON, there was laughter.)

23 MR. KAUFMAN: Mary Ann, if I see an
24 Australian flying fox, I am definitely
25

1 taking it down.

2 MR. CHAIRMAN: Historic services?

3 MR. MARTIN: Just a brief update. The
4 Babylon Town Historical Society has signed
5 their contract with the Van Bourgondien
6 House. So, hopefully, they will be moving
7 in there soon. We do have a meeting with
8 the Housing Committee. I don't know if Mary
9 Ann mentioned this. It is tomorrow at ten
10 in o'clock which we will be reviewing more
11 of our residential sites for possible
12 adjustments of the rents so we can get them
13 all occupied. As I reported before, working
14 out very well.

15 Also, the Commission and I will be
16 giving a presentation to the Parks Committee
17 next Wednesday on the building survey that
18 we handed out at the last meeting. They
19 have some questions on that. So we will
20 both be attending that to give a brief
21 presentation and to answer any of their
22 questions. That is all I have.

23 MR. CHAIRMAN: Several months ago, we
24 discussed the possibility of holding a CEQ
25

1 meeting at one of the historical sites --
2
3 have you given any thought to that?

4 MR. MARTIN: Yes, at the time I thought
5 Scully House might be a good site. If
6 anyone can offer us any ideas that are
7 environmental centers for the County. We're
8 finishing up, at this point, Phase 2 of the
9 renovation of the building, and we might be
10 interested in doing that.

11 MS. SPENCER: Or Isaac Mills?

12 MR. MARTIN: Or Isaac Mills is a
13 possibility. That is in St. James.

14 MS. RUSSO: Earl Hubbard?

15 MR. MARTIN: Hubbard. I don't know,
16 what, at this point -- what your interest
17 would be in the sense of the historic site
18 -- so your priority would be?

19 MR. CHAIRMAN: I don't have any
20 particular priority. This has, in the past,
21 been a very nice way for the Committee to
22 become familiar with some of the sites that,
23 in all likelihood, most of us haven't seen.

24 MR. MARTIN: Do you want us to discuss
25 it further and get back to you?

1
2 MS. SPENCER: I think you should talk
3 to Mr. Chairman and the two of you should
4 agree upon the site. I said Isaac Mills
5 because that is the one that we will be
6 coming forward to the CEQ at some point, and
7 it is on the next register. It has been
8 recently acquired County property, but I
9 think it should be the two of you that
10 should determine where we will meet. I like
11 the idea of meeting in a historical
12 location.

13 MR. KAUFMAN: By the way, I think you
14 should add Blydenberg to that. It is
15 relatively close in terms of staff time. It
16 is also one of the few complexes that we
17 have in the area that --

18 MS. SPENCER: And it was our very
19 first.

20 MR. KAUFMAN: (Continuing) -- and ~~it~~^{that} was
21 our very first.

22 MR. CHAIRMAN: Considering the weather
23 that I remember right after Deep Wells
24 (Phonetic) purchased land -- excitedly took
25 CEQ over there, and it is now the middle of

1
2 Winter and there was no heat -- middle of
3 Winter in November and it was a different
4 experience.

5 MS. SPENCER: We won't do this before
6 April.

7 MR. CHAIRMAN: Okay.

8 Any other questions?

9 MR. KAUFMAN: One thing. This goes
10 back maybe one month, possibly two. Richard
11 raised a question as to the reconstruction
12 that was going on, on Property 17, which is
13 Carlton Avenue -- Central Islip High School,
14 et cetera. You had raised the issue of
15 bicycle paths, et cetera. Looking at the
16 bikeway and trail ways map, and there is
17 nothing marked on there. There is something
18 on Joshua's Path, and Islip Avenue which is
19 Route 111 and is about a half-a-mile to the
20 west, but there is nothing on 17, so we make
21 the correct decision that way.

22 MR. MACHTAY: The problem I wanted to
23 point out was -- Rich made a good point as
24 to -- it is in the planning code that a
25 municipality, if they are considering any

1 project, has to consider the local master
2 plan. Huntington now has passed a section
3 of their master plan for the bikeways to
4 acknowledge -- made a copy of it as well to
5 New York State Planning, and I am trying to
6 find out public bikeway plans in other
7 municipalities.

8
9 I would like to prepare a letter from
10 the Chairman to DPW quoting the Planning Law
11 and stating that there are bike plans -- you
12 know, have been adopted and that the
13 Department of Public Works should consider a
14 bike alternative. As a part of their
15 review, they don't have to necessarily go
16 with it, but they have to consider their
17 municipalities planning, and they should be
18 altered to that so that when they come to
19 CEQ, you're going to have questions.

20 MR. CHAIRMAN: Joy?

21 MS. SQUIRES: Thank you so much. I
22 think that is excellent, and I think that
23 evolves very nice from several of our
24 somewhat impassioned discussions.

25 MR. BAGG: You make a good point. Now

1
2 you got a bike plan, so take it to the
3 planner.

4 MR. MACHTAY: I think, also, if -- you
5 know, I use to keep one file cabinet in my
6 office full of case law, and any time
7 anything came up that I wasn't sure of, I
8 would go through the case law and there was
9 plenty of case law on what it means -- what
10 does the word "environment" mean to man?
11 Because the manmade environment is as
12 important to man as the forest is to the
13 trees and the trees are to birds and so on
14 and so forth, and when DPW comes and says,
15 "It is not the environment," because all
16 we're doing is working on a road, it most
17 certainly is the environment and effects the
18 people that live adjacent to it and the
19 surrounding area and in many different ways.
20 If not drainage, then air quality, traffic,
21 and so on and so forth. So, if you're going
22 to change the manmade environment, that is
23 environment also and that really -- I don't
24 mean to put their feet to the fire every
25 time they come here, but certainly it has to

1
2 be taken under consideration.

3 MR. KAUFMANN: You actually open a very
4 old wound. This Commission, figure 15 years
5 ago, was asked to look at the reconstruction
6 of Vanderbilt Parkway from Dix Hills east
7 and west and it was going to be very, very
8 expensive. They considered the highway to
9 be somewhat unsafe. They were going to
10 start taking off the tops of hills and
11 basically making the sidelines better and
12 doing the taking of property. If you know
13 the highway, it is actually a very, very
14 picturesque highway especially in your town
15 and I remember they arranged a bus trip for
16 all of us. I was very, very unhappy --
17 nothing happened to the Commission -- I was
18 very, very unhappy with the attitude that I
19 was seeing from some of the engineers at
20 that time. "It is a road, let us do what we
21 want," and you know, fortunately, the
22 project didn't go forward but it is
23 something to consider teaching when we talk
24 about reconstruction of the road. Sometimes
25 a road may not just be a road.

1
2 MR. CHAIRMAN: Wasn't it declared
3 historic?

4 MR. KAUFMAN: Yes, it was but they
5 didn't care.

6 MS. SQUIRES: In addition, Mike, that
7 portion goes -- designates a path and has
8 been worked on -- is being worked in.

9 MR. KAUFMANN: Well, this was 15 years
10 ago --

11 MS. SQUIRES: Yes, I am talking about
12 right now.

13 MR. CHAIRMAN: Are they destroying what
14 we tried to protect 15 years ago?

15 MS. SQUIRES: No, they're identifying
16 and mapping.

17 MR. CHAIRMAN: Any other comments?

18 Joy, it is your turn.

19 MS. SQUIRES: I have something I am
20 going to try, and maybe you're going to jump
21 at me, but I am doing it on behalf of the
22 Town.

23 This is a request, if you as the
24 Commission of CEQ, might consider writing a
25 letter of support of a project and this

1
2 comes via David and Margo Miles (Phonetic)
3 -- that is the name. This is the scrap
4 metal watershed project and we're trying to
5 get a grant. It is a Crab Meadow Hydro
6 Geological Study and it is a planning study
7 to see if restoration should be considered.
8 This is a large marshland and we have been
9 concerned by the preservation of marshland.
10 This is kind of a very simple letter that
11 would support it to Senator Gilderbrandt.

12 MR. CHAIRMAN: Well, I won't say no,
13 but let me just mention that I would like to
14 discuss it with Jim because, originally, I
15 had worked with the Town of Huntington to
16 develop a proposal in which I was going to
17 work on it, and I want to make sure there is
18 no conflict of interest because of that
19 previous interaction.

20 MS. SQUIRE: Perhaps you would write a
21 letter in support with your Stony Brook tile
22 if you cannot do CEQ.

23 MR. KAUFMAN: Question? What kind of
24 reconstruction are you talking about?

25 MS. SQUIRES: Oh, no, it is not

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reconstruction.

MR. KAUFMANN: What kind of water shed management?

MS. SQUIRE: It is a Hydro Geological Study of Crab Meadow because there have been issues there in terms of road issues. This is long term -- this has been something that we wanted to do for a long time but without a grant.

MR. KAUFMAN: You're looking more at the watershed as opposed to the marsh itself? Is that what you're talking about?

MS. SQUIRES: It is the whole marsh.

MR. CHAIRMAN: As I recall, there were times when people can't even get to their homes or out of their homes because of flooding and the whole --

MS. SQUIRES: But, of course, as he just pointed out, it will be a mood point in the wild.

Anyway, it is a study. It is not doing anything.

MR. KAUFMAN: I am, frankly, thinking about it in terms of what recently happened

1
2 with the County Wide Management Program and
3 the control. I know that there were issues
4 with Crab Meadow that did come up. It is
5 not high enough priority to support doing
6 any kind of restoration efforts or anything
7 like that. I am just curious.

8 MS. SQUIRES: This is just a grant for
9 a study.

10 MR. MACHTAY: Who is supposed to do the
11 study? Do you know or just --

12 MS. SQUIRES: Well, the study is all
13 planned. We were trying to get a grant on
14 it for maybe -- how long? Like 5 years.

15 MR. CHAIRMAN: At least.

16 MR. MACHTAY: No, I understand that,
17 but who will conduct the study? Is the
18 County going to do that on their own or are
19 they --

20 MS. SQUIRES: David Bonte (Phonetic)
21 from Stony Brook.

22 MR. CHAIRMAN: Any other business?

23 (WHEREUPON, there was no response.)

24 MR. CHAIRMAN: Do we have another
25 motion -- well, let me say, Katherine, thank

1
2 you for attending. You came in very quietly
3 but thank you for --

4 **MS. STARK:** There was a mistake in
5 the building.

6 **MR. CHAIRMAN:** By mistake?

7 **MS. STARK:** Yes.

8 **MR. CHAIRMAN:** Your office does that
9 regularly. We all do that, so don't feel
10 badly and thank you for attending.

11 All right, do we have a motion to
12 adjourn?

13 **MR. MACHTAY:** Motion.

14 **MR. CHAIRMAN:** Second?

15 **MS. RUSSO:** Second.

16 **MR. CHAIRMAN:** All in favor?

17 **THE COUNCIL:** Aye.

18 **MR. CHAIRMAN:** Motion carries.

19 (WHEREUPON, the Council voted.)

20 **MR. CHAIRMAN:** Another mission
21 successfully carried out.

22 (WHEREUPON, this meeting was adjourned
23 at 11:40 a.m.)

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

STATE OF NEW YORK)

:ss

COUNTY OF SUFFOLK)

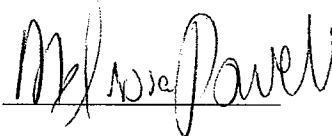
I, MELISSA POWELL, a Shorthand Reporter and Notary Public of the State of New York, do hereby certify:

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

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