

# 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, January 20<sup>th</sup>, 2010 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, January 20<sup>th</sup>, 9:30 a.m.**  
**Arthur Kunz Library**  
**H. Lee Dennison Bldg. - 4<sup>th</sup> Floor**  
**Veterans Memorial Highway, Hauppauge**

#### **Call to Order:**

**Minutes - check the web at**

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

**The December 2009 minutes are available on line for review.**

#### **Correspondence:**

**Vector Control Pesticide Management Committee 2009 Annual Report**  
**E-mail to CEQ Members on 12-22-09**

#### **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 December 15<sup>th</sup>, 2009 and January 4, 2010.

**Project Review:**

**Recommended Unlisted Actions:**

- A. Proposed Acquisition for Open Space Preservation Purposes Known as the Lake Panamoka County Park Addition – Ashley Builders Corp. in the Town of Brookhaven.
- B. Proposed Acquisition for Open Space Preservation Purposes Known as the Reeves Bay – Penney Estate Property in the Town of Southampton.
- C. Sewer District No. 3 –Southwest Bergen Point Wastewater Treatment Plant Expansion. CP 8183. Town of Babylon.
- D. Proposed Improvements at CR 48, Middle Road and Cox Neck Road, CP 5571. Town of Southold.
- E. Proposed Construction of Parking Facilities on CR 80, Montauk Highway from CR 46, William Floyd Park to Mastic Road in the Town of Brookhaven.

**Suffolk County Parks:**

Updates on County Parks

**Other Business:**

Elections of CEQ Officers

**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**<sup>1</sup>

1 -----X

2 DEPARTMENT OF PLANNING.

3 COUNCIL ON ENVIRONMENTAL QUALITY

4 -----X

5

6 January 20, 2010  
10:30 a.m.

7

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

10

11

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13

14

B E F O R E:

15

16 R. Lawrence Swanson, Chairperson

17 Michael Kaufman, Vice Chairperson

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19

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21

22

Reported by,  
Melissa Powell

23

24

25

2010 MAR 15 PM 1:13  
S.O. PLANNING DEPT.

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

2 James Bagg, Chief Environmental Analyst

3 Eva Growney, CEQ Member

4 Richard Machtay, CEQ Member

5 Gloria R. Russo, CEQ Member

6 Mary Ann Spencer, CEQ Member

7 Joy Squires, CAC Reps

8 Richard Martin, Historic Society

9 Daniel Pichney, Historic Society

10 **Hon. Viloría-Fisher**, CEQ Member

11 Joy Squires

12

13 Thomas Gulbransen, CEQ Member

14

15

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

17

Lauretta Fischer, Acquisitions of Properties

18

Russ Mackey, Civil Engineer, DPW, Suffolk County

19

Gregory Greene, Cashin Associates, P.C.

20

Nick Gibbons, Parks Department

21

Ben Wright, Sewer District

22

23

24

25

25

1 (Time Noted: 10:30 a.m.)

2 THE CHAIRMAN: I would like to call  
3 the meeting to order. We have the  
4 minutes posted for the December 9, 2009  
5 meeting. I am surprised there enough  
6 computer capacity to handle it. Anybody  
7 have any comments on the Minutes of the  
8 December 9.

9 MR. MACHTAY: I did not read the  
10 December minutes.

11 MS. SPENCER: I didn't either. I  
12 haven't read all of them -- September,  
13 October, November.

14 MR. MACHTAY: September, October,  
15 and November -- I sent Jim all three.

16 MS. RUSSO: You can't access  
17 December.

18 MR. CHAIRMAN: Did you get that,  
19 Christine?

20 MS. DE SALVO: Yes.

21 MR. MACHTAY: I would be willing to  
22 move September, October, and November  
23 Minutes.

24 MR. CHAIRMAN: We have a motion to  
25 move the September, October, and

1 November Minutes of CEQ.

2 Do we have a second?

3 MS. RUSSO: Second.

4 MR. CHAIRMAN: All in favor?

5 (WHEREUPON, the Board voted.)

6 MR. CHAIRMAN: Opposed?

7 (WHEREUPON, there was no response.)

8 MR. CHAIRMAN: Motion carries.

9 Correspondence, Jim?

10 MR. BAGG: Nothing. We did send  
11 out a coordination letter with respect  
12 to seeking lead agency for the Legacy  
13 Village Project. The County Executive  
14 is going to move forward with a positive  
15 declaration. The cutoff to it was  
16 yesterday, and we have not received  
17 anything to date in terms of challenging  
18 the County to be lead agency. So at  
19 this point, we are lead agency unless  
20 something comes in, in the next couple  
21 of days.

22 MR. CHAIRMAN: Just for my  
23 clarification, review what has happened  
24 since December -- the December CEQ  
25 meeting?

1 MR. BAGG: Since the December CEQ  
2 memo and the Council's recommendation  
3 for an EIS or a DEIS, the County  
4 Executive's office has decided to move  
5 forward with a DGIS because they don't  
6 know the total details of the project at  
7 this point in time.

8 The Planning Department sent out a  
9 SEQRA coordination letter in January --  
10 early January. The cutoff period was  
11 December -- late December -- it was  
12 yesterday. We have not received any  
13 comments back challenging the County as  
14 lead agency, so the County Executive,  
15 it's my understanding, is going to  
16 submit a CN, a Certificate of Necessity,  
17 resolution next Tuesday for a positive  
18 declaration requiring preparation of the  
19 DGIS and the scoping.

20 They're also going to go to a  
21 consultant for preparation of this, and  
22 the Department of Public Works will be  
23 responsible for soliciting a consultant  
24 to go out to BID.

25 MR. CHAIRMAN: For the DGIS?



1 MR. BAGG: Yes.

2 MR. CHAIRMAN: Will we do the  
3 scoping?

4 MR. BAGG: We will hold a scoping  
5 meeting in conjunction with the Planning  
6 Department, and then the final scoping  
7 will be done -- in addition, the  
8 consultant will aide in the scope. Then  
9 the final scoping will be done, adopted,  
10 and the DGIS will be prepared. Then it  
11 comes back to CEQ for approval of  
12 completeness compared to the scoping  
13 thing, and then it will proceed with a  
14 normal course for the public hearing and  
15 comments for that DGIS.

16 MR. CHAIRMAN: When do you  
17 anticipate the consultant will be  
18 selected so we can move forward with the  
19 scope?

20 MR. BAGG: Well, I believe in the  
21 next few days the Department of Public  
22 Works is going to solicit a list for  
23 consultant services, and send out a  
24 scope of services and probably within  
25 two to three weeks they will have a

1 consultants on board.

2 MR. CHAIRMAN: Michael?

3 MR. KAUFMAN: What is happening  
4 with the coordination request through  
5 the Town of Brookhaven about the lead  
6 agency?

7 MR. BAGG: Nothing.

8 MR. KAUFMAN: So we received no  
9 answer?

10 MR. BAGG: No answers from anybody.

11 MR. KAUFMAN: So have we passed the  
12 30 day countdown?

13 MR. BAGG: Yes, that was yesterday.

14 MR. KAUFMAN: So now essentially we  
15 are lead agency if we want to --

16 MR. BAGG: Yes, however, I am going  
17 to wait a couple of days to see if there  
18 is something that was postmarked in the  
19 mail last minute. Other than that, at  
20 this point in time, we received nothing.

21 MR. KAUFMAN: Okay.

22 MR. CHAIRMAN: Any other comments?

23 (WHEREUPON, there was no response.)

24 MR. CHAIRMAN: Director's Report on  
25 Historic Trust.

1 MR. MARTIN: Good morning.

2 MR. CHAIRMAN: Good morning.

3 MR. MARTIN: As for our housing  
4 program, we have moved the tenant into  
5 the Isaac Mills House in St. James.  
6 That was in the beginning of the month,  
7 so that building is occupied. The new  
8 roof is completed on that, so we're  
9 starting to turn that building around.

10 We still need to meet with the our  
11 committee for additional review on some  
12 of the properties and also send out  
13 canvas letter to County employees to try  
14 to occupy the building but we did reduce  
15 the rents so hopefully that will happen  
16 soon.

17 We are working over at the  
18 Wellington Duck Pond. There is two  
19 houses there that are in the housing  
20 program. There is actually a Federal  
21 Stimulus Program for labor. That's  
22 going to the Suffolk County Labor  
23 Department so we will have a full crew  
24 there painting the interior of one of  
25 the houses -- speeding it up and we're

1 going to get it ready for rental, and we  
2 have put a new roof on the second house  
3 at that site, so those two should be  
4 rented out this year.

5 With our Historic Trust Custodial  
6 Agreement, we have signed a contract  
7 with the Town of Huntington for the use  
8 of our boathouse, and also our classroom  
9 space in the main building. We have met  
10 with them, and they will be using that  
11 for a number of years and they will do  
12 Kayak programs and other educational and  
13 arts related programs in the main house.

14 We are initiating a contract with  
15 the Long Island Lighthouse Society for  
16 the restoration of the Cedar Point  
17 Lighthouse. We have just a basic  
18 agreement with them for that site, and  
19 now we're doing a full contract because  
20 they're very interested to start  
21 fundraising for the full restoration of  
22 that building. That is a new  
23 initiative.

24 MR. CHAIRMAN: Good.

25 Michael?

1           MR. KAUFMAN: On the Isaac Mills  
2           House, as I would say, the Mills Pond  
3           House, I don't need the name of the  
4           occupant, but what type of person is  
5           this? Is it a County employee?

6           MR. MARTIN: It is a County  
7           employee. It is a park police person  
8           who has actually been in the program for  
9           a number of years. He has moved from  
10          the cottage we had at Yaphank to this  
11          house. So he knows the parks very well.

12          MR. KAUFMAN: But he came off the  
13          list basically?

14          MR. MARTIN: Well, the number one  
15          choice for the program is the park  
16          police or county police for security at  
17          the site. So they get in since they are  
18          the first ones on the list.

19          MR. KAUFMAN: That's great. I am  
20          really glad that somebody finally moved  
21          in there.

22          MR. CHAIRMAN: This is why we don't  
23          see any ice hockey being played on the  
24          pond.

25          MR. MARTIN: Well, the pond is not

1 frozen.

2 MR. CHAIRMAN: It was frozen.

3 MR. MARTIN: We do have signs up  
4 that it is County property, and they  
5 can't skate there but we don't have full  
6 patrol.

7 MR. CHAIRMAN: Any other questions?  
8 Yes?

9 MS. SPENCER: In the September  
10 minutes, you said something about  
11 wanting to meet -- have the CEQ meet on  
12 the historic site.

13 MR. CHAIRMAN: Yes.

14 MS. SPENCER: I have not yet  
15 discussed this with Richard, but I would  
16 like the CEQ to meet at the Isaac Mills  
17 House either in April or May.

18 MR. MARTIN: We have to see because  
19 they have turned the heat off. We put  
20 two zones of heat in the house at this  
21 point. One zone for the apartment and  
22 one zone for the public space.

23 MS. SPENCER: It may be in May, but  
24 I would like the CEQ to meet at the  
25 Isaac Mills House. I would very much

1           like -- I think that's an exciting site,  
2           and I would like to meet there.

3           MR. CHAIRMAN: So let's make a plan  
4           to do that. I do agree that we wait  
5           until May because we held a meeting at  
6           one of the sites -- the site across the  
7           street -- I forget the name but it was  
8           in the Winter and we had to sit there  
9           with our overcoats and gloves on. It  
10          was quite an experience.

11          MS. SPENCER: May it is.

12          MR. CHAIRMAN: Recommended Type Two  
13          Actions, Ratifications of  
14          Recommendations from the Legislature's  
15          Unit.

16          Jim?

17          MR. BAGG: Yes, I would like to  
18          point out a couple of resolutions in the  
19          packet that deal with the Council.

20          One is 1037 of 2010. It's a  
21          Charter Law to expand the functions of  
22          the Council on environmental quality to  
23          include a vibrant Suffolk County bike  
24          route. That was submitted by Legislator  
25          Schneiderman.

1           Another resolution in the packet is  
2           Number 252 of 2010 also submitted by  
3           Legislator Schneiderman which is a  
4           Charter Law to provide flexibility in  
5           the membership of the Council on  
6           Environmental Quality. Mr. Schneiderman  
7           wanted the ability to point a  
8           representative on his behalf to come to  
9           the CEQ if he could not attend. I don't  
10          know what the status of these two  
11          resolutions are in the legislature. I  
12          guess Mr. Kaufman has indicated that  
13          possibly the resolution of allowing the  
14          legislator to appoint a representative  
15          in their place is not looked at  
16          favorably. I know they had a change in  
17          the EPA Committee and Vivian Fisher is  
18          now back on the CEQ. Mr. Schneiderman,  
19          I believe, is Head of the Parks  
20          Committee.

21                 MR. CHAIRMAN: Michael?

22                 MR. KAUFMAN: One of the concerns  
23                 was having someone at CEQ who is not  
24                 appointed by the Legislature or is not a  
25                 legislator themselves. Because we have



1 an impact upon the planning of the  
2 County and a lot of operations of the  
3 County, some people feel that at this  
4 point in time essentially having an  
5 unelected member without executive  
6 authority might cause legal problems,  
7 separation of powers, issues, things  
8 like that. Some suggestions have been  
9 made that if the Chairman of the EPA  
10 can't make it, we have a vice  
11 chairperson or another legislator make  
12 it, but not have someone from the  
13 legislative office show up. That's just  
14 one of the concerns that, obviously, has  
15 to be worked out.

16 MR. CHAIRMAN: Any other comments?

17 MR. MACHTAY: I have one question  
18 maybe Loretta can answer.

19 There are three disputed  
20 resolutions on here with an 0400  
21 section. There is the Huntington  
22 properties that are being sold.

23 **MS. FISCHER :** Are they redemptions?

24 MR. CHAIRMAN: What are the  
25 numbers?

1 MR. MACHTAY: Is that WB?

2 "Authorizing a sale pursuant to Local  
3 Law (blank) reality property."

4 MS. FISCHER : Right, those are  
5 redemptions.

6 MR. MACHTAY: So those are the ones  
7 people are redeeming --

8 MS. FISCHER : Yes.

9 MR. MACHTAY: (Continuing) -- for  
10 lack of taxes and so on and so forth?

11 MS. FISCHER : Yes.

12 MR. CHAIRMAN: Any other comments?

13 (WHEREUPON, there was no response.)

14 MR. CHAIRMAN: Do we have a motion?

15 MR. KAUFMAN: Motion to accept  
16 staff rights.

17 MR. CHAIRMAN: Second?

18 MS. GROWNEY: Second.

19 MR. CHAIRMAN: All in favor?

20 (WHEREUPON, the Board voted.)

21 MR. CHAIRMAN: All opposed?

22 (WHEREUPON, there was no response  
23 from the Council.)

24 MR. CHAIRMAN: Motion carries.

25 Recommended Unlisted Actions:

1 Proposed Acquisition of Open Space  
2 Preservations of Lake Panamoka County  
3 Park.

4 Laretta, Happy New Year.

5 **MS. LAURETTA FISCHER:** Happy New  
6 Year and good morning, everyone.

7 This acquisition consists of five  
8 parcels with a total of approximately  
9 three acres in size adjacent and  
10 including a portion of Lake Panamoka  
11 itself. A portion of the property does  
12 move into the lake. These properties  
13 are significantly impacted by wetland --  
14 freshwater wetland habitat and we're  
15 looking to acquire them for past  
16 recreational purposes under the new  
17 Drinking Water Protection Program.

18 **MR. CHAIRMAN:** Any questions?

19 **MR. GULBRANSEN:** Are they subject  
20 to development? Can they be developed?

21 **MS. FISCHER:** According to our  
22 review, we did not consider them  
23 developable under existing zoning but if  
24 you pursue this, this might possibly be  
25 developed.

1 MR. KAUFMAN: Tom, for way of  
2 ratification and the way this system  
3 works is even if the property is not  
4 necessarily capable of being developed  
5 since there is variances out there and  
6 you never know sometimes what towns will  
7 do, the County sometimes will take that  
8 into account. Also, these properties do  
9 have some value. If you look at the way  
10 it's setup -- the way the properties are  
11 setup in terms of being adjacent to  
12 other properties, they do have some  
13 value obviously. It goes through the  
14 ETRB Review Board and they determine the  
15 prices. So, obviously, they would be  
16 lower but hopefully they will be lower  
17 than the fully developed parcel might  
18 be, but the County does acquire these  
19 types of parcels.

20 MR. CHAIRMAN: Any other comments  
21 on this?

22 (WHEREUPON, there was no response  
23 by the Council.)

24 MR. CHAIRMAN: Do we have a motion?

25 MR. KAUFMAN: I make the motion as

1 Unlisted Negative Declaration.

2 MR. CHAIRMAN: Second?

3 MR. MACHTAY: Second.

4 MR. CHAIRMAN: Any other comments?

5 (WHEREUPON, there was no response  
6 by the Council.)

7 MR. CHAIRMAN: All in favor?

8 (WHEREUPON, the Council voted.)

9 MR. CHAIRMAN: Opposed?

10 (WHEREUPON, there was no response.)

11 MR. CHAIRMAN: Abstention?

12 MR. GULBRANSEN: I abstain.

13 MR. CHAIRMAN: Motion carries.

14 Proposed Acquisition For Open Space  
15 purposes property known as Reeves Bay.

16 **MS. FISCHER :** This is one parcel  
17 that is approximately eight acres in  
18 size along with frontage along the bay.  
19 There is some tidal wetland along the  
20 fringe, but it's mostly upland and could  
21 be developed. This is in an area that  
22 approximately a dozen parcels that the  
23 County is looking to acquire to protect  
24 this maritime habitat tidal wetlands  
25 influenced area.

1 MR. CHAIRMAN: Is this the one that  
2 has possibly NOAA funding?

3 MS. FISCHER: There is -- I don't  
4 think this is the one. There is another  
5 -- I am not sure if it is this one,  
6 Larry. I think it's another one --  
7 another in the vicinity.

8 MR. CHAIRMAN: Any comments?

9 (WHEREUPON, there was no response  
10 from the Council.)

11 MR. CHAIRMAN: Is there a motion?

12 MR. MACHTAY: Negative Declaration.

13 MR. CHAIRMAN: Motion from Richard  
14 Machtay.

15 Second?

16 MS. RUSSO: Second.

17 MR. CHAIRMAN: All in favor?

18 (WHEREUPON, the Council voted.)

19 MR. CHAIRMAN: Opposed?

20 (WHEREUPON, there was no response  
21 from the Council.)

22 MR. CHAIRMAN: Motion carries.

23 Is that it, Laretta?

24 MS. LAURETTA FISCHER: Yes.

25 MR. CHAIRMAN: Sewer District

1           Number 3, Southwest Bergen Point  
2           Wastewater Treatment Plant Expansion,  
3           Town of Babylon.

4           MR. WRIGHT: Ben Wright, Department  
5           of Public Works.

6           A couple of general comments before  
7           the consultant expands on what is in the  
8           environmental assessment form.

9           This project to expand Bergen Point  
10          Wastewater Treatment Plant is just for  
11          the plant to be expanded by 10,000,000  
12          gallons a day. We haven't identified  
13          where the sewers would come from and  
14          where the service area expansion would  
15          be. The project does have support. It  
16          is in the capital program budget with  
17          \$65,000,000 this year and, obviously,  
18          that lends the support of both the  
19          County Executive and the Legislature  
20          putting it in the program.

21          Attachment Number 4, does include a  
22          couple of items that indicate that  
23          support. The area that could be served  
24          would be a subject of a couple of RFP's  
25          that we will be sending out to look at

1 areas that are within the boundary or  
2 adjacent to the boundaries of the  
3 southwest sewer district, and that's  
4 something over the next couple of years  
5 that will be developed and identified  
6 where that sewer would come from.

7 The process that we have to go  
8 through concurrently and after a CEQ's  
9 determination requires a report to be  
10 sent to the Legislature for a public  
11 hearing. We need a number of other  
12 resolutions and an application from the  
13 State Controllers Office which  
14 determines whether or not the sewer  
15 districts residents can bail the burden  
16 of the cost associated with the  
17 expansion \$65,000,000.

18 The project is giving us assistance  
19 to a joint-venture of Camp, Dresser,  
20 McKee, Dvirka, and Bartilucci. The  
21 representatives from Dvirka and  
22 Bartilucci are Joe Marturano and Steve  
23 Cabrera. Steve is just going to expand  
24 on the project just to clarify some  
25 items that may need clarification.



1           MR. CHAIRMAN: Ben, before you  
2 start, I was curious as to why you  
3 selected 10,000,000 gallons per day? If  
4 you're going to expand, why not --

5           MR. WRIGHT: Well, it started out  
6 that back in 2002 Public Works did a  
7 report looking at North Babylon, West  
8 Islip, Wyandanch, Deer Park, and  
9 Bayshore and to serve those areas was  
10 approximately 5,000,000 gallons a day.  
11 So when we first went out with the RFP  
12 to look at expanding things by 5,000,000  
13 gallons a day, the geometry of the tanks  
14 and some of the loadings were  
15 incorporated into the plan and looked  
16 like we might need seven or eight so we  
17 rounded things up to 10,000,000. It was  
18 a little bit arbitrary, but the thought  
19 in our mind was still the areas most  
20 likely to be served would be those to  
21 the north of basically Southern State  
22 Parkway which is the northern boundary  
23 of Bergen Point.

24           MR. CHAIRMAN: So in another 10  
25 years, you're not going to be back

1 asking to add another 10,000,000 gallons  
2 per day?

3 MR. WRIGHT: I can't say we're not,  
4 but the site is going to have some  
5 restrictions. There is some insertion  
6 technology that can be utilized to keep  
7 the same footprint and giving more  
8 capacity. So that's a possibility, but  
9 we are getting a little bit limited on  
10 the site itself.

11 MR. GULBRANSEN: Mr. Wright?

12 MR. WRIGHT: Yes.

13 MR. GULBRANSEN: The plant capacity  
14 has a plan to increase but how does that  
15 increase relate to the effluent level of  
16 discharge?

17 MR. WRIGHT: Well, DEC has to  
18 approve a permit modification. They  
19 have received the reports which is in  
20 the process of going through and getting  
21 their final approval on that, but they  
22 will also have to approve plan  
23 specifications. The effluent part of it  
24 -- the infrastructure that's there is  
25 sized for double the service area which

1 is more than enough capacity.

2 MR. GULBRANSEN: So physically you  
3 could do it, but the question now is  
4 will DEC think that the water body is  
5 similar to that extra load?

6 MR. WRIGHT: Yes.

7 MR. GULBRANSEN: We don't know  
8 that.

9 MR. CHAIRMAN: Plus the oceans. In  
10 that same vein, there has always been  
11 debate about the salinity of groundwater  
12 salinity of the Great South Bay  
13 increasing because of withdrawing water  
14 and then pumping it back into the ocean.

15 MR. WRIGHT: That's going to be the  
16 impact statement when the service areas  
17 are identified. Part of the RFP that we  
18 will be sending out will incorporate  
19 environmental phase. That is an issue  
20 that has to be addressed at that point.

21 MR. CHAIRMAN: Thank you.

22 Anymore questions?

23 MR. MACHTAY: Maybe I missed it,  
24 but is there a need for this expansion  
25 now? In other words, the volume that's

1 going into the plant is greater than  
2 what the plant can handle; right?

3 MR. WRIGHT: No, it isn't. We're  
4 planning for the future.

5 MR. MACHTAY: Well, I guess my real  
6 question is, is this a self-fulfilling  
7 prophecy? You're going to make it  
8 bigger so that the more development to  
9 fill up the plant. It's like when they  
10 build a highway, right? After they  
11 build it, traffic comes; right?

12 MR. WRIGHT: Well, if you look at  
13 the areas to the north of the service  
14 area going from the Nassau/Suffolk line  
15 out, most of that area is developed  
16 already. It's not a matter of  
17 stimulating more development.  
18 Obviously, there could more growth and  
19 growth inducement, but it's as much to  
20 improving environment is to provide that  
21 revitalization as necessary.

22 I did want to mention that part of  
23 the support came from the County  
24 Executive and the County Legislature  
25 developing a sewer task force, and also

1 a RFP Committee. The task force had a  
2 number of meetings and hearings  
3 throughout the County to identify  
4 critical areas. The RFP Committee took  
5 the recommendations from that task force  
6 and developed an RFP that will be  
7 advertised next week, and that's to  
8 allow a better definition of the  
9 benefits of sewers and the improvements  
10 to the environment, as well as, the  
11 growth associated with it.

12 MR. MACHTAY: Well, there are homes  
13 out there that are on cesspool that  
14 would be connected to the --

15 MR. WRIGHT: Yes. In fact, there  
16 is a new committee that was just formed  
17 in the North Babylon/Deer Park area.  
18 It's called Concerned Citizens for  
19 Sewers. They want sewers because  
20 they're dealing with their cesspool  
21 problems for so many years that it's  
22 unfathomable to them that they can't  
23 hook up to a sewer. We get calls  
24 everyday saying, "Are you going to sewer  
25 in Bayport? Are you going to sewer out

1 east further?" There is more  
2 information in the media now and those  
3 people are starting to call with the  
4 interest.

5 MS. GROWNEY: The expansion then is  
6 limited to the location on the site that  
7 you're trying to handle has nothing to  
8 do with the hooking up of other --

9 MR. WRIGHT: That's right. It is  
10 just a plain expansion itself.

11 MR. KAUFMAN: Rich, one of the  
12 concerns in the Town of Smithtown has  
13 been that the town is very heavily  
14 developed at this point in time, and we  
15 have restrictions upon further  
16 development because of waste water  
17 issues. They're talking about expansion  
18 of some of the sewer plants that we have  
19 in the Town of Smithtown right now that  
20 might not necessarily increase  
21 footprints, but might allow for smart  
22 growth and better development in the  
23 area. So the policy question in that  
24 sense is do we take some of the existing  
25 buildings off of their cesspools and put

1           them onto sewer systems? Visibly a lot  
2           of the effluent would be going out to  
3           the Long Island Sound. There is right  
4           now a substantial fight going into the  
5           Sound in Kings Park -- the Nissequogue  
6           River. So the balance is to be made and  
7           they try to do the plan, obviously,  
8           using a planning director. You probably  
9           know that those issues exist.

10           MR. MACHTAY: Well, you talk about  
11           the need in North Babylon but does this  
12           extend to Melville in the industrial  
13           area?

14           MR. WRIGHT: There is quite a few  
15           connections along the Route 110 area  
16           already. I think we might have as many  
17           as 50 connections.

18           MR. MACHTAY: But they're private  
19           lines?

20           MR. WRIGHT: No, the County owns  
21           the lines going up Route 110 and some of  
22           the other areas. Any time more than one  
23           owner of a lot is involved with a sewer  
24           system, it's usually the County that has  
25           that responsibility.

1           MR. KAUFMAN: In this document also  
2           there was stuff in there that talked  
3           about the Route 110 Corridor. I know  
4           there had been discussions about  
5           expanding sewer capacity in there  
6           because right now there are limitations  
7           on what can occur in terms of  
8           development.

9           MR. CHAIRMAN: Legislator Vivian  
10          Fisher, welcome back.

11          HON. VILORIA-FISHER: Thank you. It  
12          is good to be back.

13          Ben, are these infrastructure  
14          improvements necessary if we're going to  
15          look at applications for the possibility  
16          of federal money coming to Suffolk  
17          County to help develop or sewer systems?

18          MR. WRIGHT: We have listed this  
19          project with the environmental  
20          facilities which does distribute both  
21          low interest loans and any stimulus  
22          funding. So it's on that list, but  
23          because the plant is doing so well in  
24          ranking is not as high as some  
25          facilities that have problems. So we're



1 low on the list. It's a good thing and  
2 a bad thing, I guess, if you look at it  
3 that way.

4 MR. CHAIRMAN: Gloria?

5 MS. RUSSO: Ben, Section 1, in  
6 attachment three Expert Fire Engineering  
7 Report, the introduction mentions the  
8 actual flow, what it's designed for, and  
9 it mentions the biological oxygen demand  
10 and total maximum you're allowed and it  
11 says here that they were exceeding for  
12 about eight months or so --

13 MR. WRIGHT: In 2006, I believe, is  
14 what it refers to.

15 MS. RUSSO: Yes, but it also says  
16 that according to New York State  
17 regulations NYPRR 29, "This designed for  
18 loading exceeded for more than 8 ask  
19 month and 2006 for plan future must be  
20 submitted through New York DEC original  
21 water manager." So is that the primary  
22 motivating force for doing this?

23 MR. WRIGHT: No, this project was  
24 initiated prior to that. As part of  
25 this project, in 2007, we submitted a

1 growth plan with DEC. When you exceed  
2 that number -- it hasn't exceeded in the  
3 last two years, but for some reason we  
4 did back in 2006, but there is three  
5 different ways of satisfying the permit.  
6 There is a moratorium and a water  
7 conservation expansion. We happen to be  
8 in the expansion process. Plus probably  
9 at that time you're sending an RFP out,  
10 so we did satisfy one of those three  
11 criteria with the DEC. It wasn't  
12 initiated because of that, but it helped  
13 us that we were in the process with DEC.

14 MR. GULBRANSEN: There was mention  
15 earlier in this discussion about how the  
16 capacity expansion might allow for  
17 further development hookups for  
18 additional areas. Could you explain  
19 whether the expansion would also -- how  
20 you would decide how much the expansion  
21 could be dedicated to picking up places  
22 where we know where the septic systems  
23 are causing the groundwater loading into  
24 the bay as a documented problem? We  
25 recently read and recognized that the

1 Great South Bay has nitrogen loading  
2 issues but isn't it true that this plant  
3 could remove some nitrogen from the  
4 system and these existing homes has  
5 contracted with allowing for  
6 development?

7 MR WRIGHT: If you went further to  
8 the east, the areas that are really a  
9 subject of the RFP are really filling in  
10 the areas in Babylon and Islip from the  
11 Nassau County line going east. So when  
12 you go passed the Heckscher spur, there  
13 are some other areas that are going to  
14 be looked at individually, and it's  
15 possible that they could make a  
16 connection at some time in the future,  
17 but that's really a process we have to  
18 go through with the RFP to determine  
19 that. Most of what's on the south shore  
20 that's in the sewer district is already  
21 connected. That's not going to assist  
22 anything.

23 MR. CHAIRMAN: Any other questions?  
24 Michael?

25 MR. KAUFMAN: In looking through

1           some of the evaluation material, I was  
2           struck by one thing. It looks as if the  
3           plant has adequate capacity right now,  
4           but I know in the past around 2006 and  
5           other times there have been problems  
6           with under capacity, if you will. In  
7           other words, trucks lining up and not  
8           being able to deliver their loads and  
9           things like that. Also, I am noting in  
10          here that there seems to be -- what's  
11          the right word for this -- there is not  
12          much redundancy in the system. If part  
13          of the system goes offline and say one  
14          or two of the tanks just stop working or  
15          some of the pumps stop working, there's  
16          not that much redundancy in there and  
17          the system will basically clog up. So  
18          those are two observations and the  
19          questions I have for you are, under this  
20          plant, will there be more redundancy  
21          built into the system so that if  
22          something does go offline, the primary  
23          system can still be operable?

24                 MR WRIGHT: The answer to that is  
25                 we do have redundancy now. For example,

1 we usually use the aeration tanks. We  
2 usually use seven of them, but there  
3 will be more redundancy with the  
4 expansion. The other part of your  
5 question with the trucks --

6 MR. KAUFMAN: Before we get to  
7 that, is that part of a purpose of this?

8 MR WRIGHT: No, it's part of -- you  
9 have to have redundancy as part of the  
10 recommended standards for regular  
11 treatment.

12 MR. KAUFMAN: It's basic  
13 engineering purposes.

14 MR. WRIGHT: Out of three aeration  
15 blowers, we're using one. We have  
16 standby and one that's ready to be used.  
17 But on the truck issue, that's really  
18 scavenger and septic and we have a  
19 limitation of 500,000 gallons per day.  
20 Some days are heavier than others. We  
21 haven't had that experience for some  
22 time now and part of it is due to the  
23 private industry having the facility  
24 where you can take leech aid in but  
25 those trucks don't come to Bergen Point.

1           They get pretreated and discharged to  
2           the sewer system, but they're basically  
3           sanitary waste by the time they're  
4           discharged.

5           MR. CHAIRMAN: Ben, go ahead with  
6           your presentation.

7           MR. CABRERA: My name Steve  
8           Cabrera. I am with the CDM/DB  
9           Joint-Venture.

10           This upgrade is, I guess, the most  
11           recent in a series of plan upgrades that  
12           have occurred over the recent years that  
13           have been subject to environmental  
14           review. In this particular case, we  
15           selected the coordinator review route  
16           where we submitted a lead agency  
17           coordination letter on October 5, to  
18           potentially involved agencies and  
19           solicited comments on any objections to  
20           the County assuming lead agency status  
21           or any objections to any of the  
22           environmental concerns on the project  
23           itself. It's now a comment period of  
24           close to two months and we didn't  
25           receive any comments from any of the

1           involved agencies on either of the lead  
2           agency status or any particular  
3           environmental concerns.

4           In a nutshell, the primary activity  
5           at the plant that would involve  
6           excavation or major disturbance all  
7           occur, as Ben said, within the property  
8           of the existing plant. There is no need  
9           to expand the boundaries of the plant at  
10          all and on this aerial photograph -- I  
11          don't know how the yellow highlighted  
12          shows up for those of you on the  
13          opposite side of the table, but these  
14          show the major areas where major  
15          excavation will occur, and that will be  
16          the area of the four foot tunnels of  
17          primary tanks and the four proposed  
18          aeration tanks and the proposed final  
19          clarified here on the west. Now, as you  
20          can see, all of these structures will be  
21          adjacent to existing similar structures  
22          in areas of the plant that are already  
23          disturbed or graded or filled land or  
24          dredge spoils.

25                 After receiving no comments on the

1 environmental -- Part 1, of the  
2 environmental assessment form, we  
3 completed Part 2, and we then submitted  
4 to you folks for your determination of  
5 significance. We're not in or adjacent  
6 to any sensitive significant habitats or  
7 wetlands or wild scenic rivers or any  
8 other significant environmental  
9 resources. If there is any impact to  
10 construction, it would be limited to the  
11 construction period, but there is no  
12 anticipated significant impacts that we  
13 can see at this point.

14 That's pretty much it unless you  
15 have any other questions. There are, in  
16 addition to these major areas, where  
17 there would be excavation where there  
18 are variable speed drive pumps, et  
19 cetera, that are associated with these  
20 tanks that really don't take up very  
21 much space but we just wanted to convey  
22 here the major areas of the plant.

23 The project will require a permit  
24 from New York State DEC for stormwater  
25 discharge from construction activity



1           because the total area that would be  
2           excavated will exceed one acre and that  
3           triggers the need to obtain a permit  
4           from DEC. There is a potential for a  
5           wetlands permit that might be required  
6           because we are within 300 feet of  
7           wetland over here on the west but  
8           generally speaking, the DEC's  
9           jurisdiction for their wetland  
10          regulation is restricted to any area of  
11          a ten foot contour elevation, and we're  
12          well above that. It is possible they  
13          don't have jurisdiction but,  
14          nevertheless, we would be conferring  
15          with them to see if there is a permit  
16          necessary. If there is a permit  
17          necessary, it would be a permit for  
18          construction within the adjacent area.  
19          At this point, this would be considered  
20          a general compatible project that would  
21          simply require a permit.

22                 MR. CHAIRMAN: Thomas?

23                 MR. GULBRANSEN: Just a basic  
24          question on the engineering.

25                 You talked about the capacity

1 expansion and BOD expansion that might  
2 occur in the effluent when it gets  
3 approved, but can you generally describe  
4 how the plant expansion will result in a  
5 net removal of nitrogen through  
6 jetification or isn't it true we're  
7 doing more than just holding it in and  
8 pumping it out? This process is  
9 allowing the plant to remove nitrogen  
10 from the waste plant.

11 MR. CABRERA: Actually, the purpose  
12 of this project is not for  
13 denitrification.

14 MR. GULBRANSEN: It doesn't change  
15 nitrogen removal at all?

16 MR. CABRERA: As far as the actual  
17 quality, this project is not designed to  
18 improve F1 quality, but to guarantee  
19 that it achieves the permanent F1  
20 requirements and limitations that are  
21 dictated by the permit to handle that  
22 additional flow. So what I am saying is  
23 the BOD limitations and the suspended  
24 solemn limitations, we expect would be  
25 identical to what they have now just

1           that it has the ability to handle more  
2           flow and achieve those limitations based  
3           on the increasing capacity, but it's not  
4           for denitrification.

5           MR. CHAIRMAN: I don't think there  
6           is any nitrogen as we end the -- there  
7           is a kind of notion that --

8           MR. CABRERA: Not yet.

9           MR. GULBRANSEN: Right, but we know  
10          that's coming now.

11          MR. WRIGHT: Just let me add that  
12          there is a limitation on some nitrogen  
13          seasonally. It is about 15 milligrams  
14          per liter and we have it well underway.

15          MR. MARTURANO: Which we need that.

16          THE REPORTER: State your name?

17          MR. MARTURANO: Joe Marturano.

18          MR. CHAIRMAN: What's the method of  
19          disinfection?

20          MR. MARTURANO: Right now it's  
21          chlorination. So they would have to  
22          chlorinate. The County is in the  
23          process of designing a UV disinfection  
24          system which will eliminate chlorine  
25          residual in the discharge while

1 achieving the disinfection.

2 MR. CHAIRMAN: Eva?

3 MS. GROWNEY: So that's going to be  
4 part of this project?

5 MR. MARTURANO: It's not part of  
6 this project. It's a separate project  
7 that had --

8 MR. BAGG: The CEQ reviewed it  
9 already.

10 MR. MARTURANO: (Continuing) --  
11 come before the CEQ.

12 MR. CHAIRMAN: Thank you.

13 Any further discussion?

14 (WHEREUPON, there was no response  
15 from the Council.)

16 MR. CHAIRMAN: Do we have a motion?

17 MR. KAUFMAN: I'll make a motion of  
18 Unlisted Negative Declaration.

19 MR. CHAIRMAN: Second?

20 MS. RUSSO: Second.

21 MR. CHAIRMAN: Discussions?

22 (WHEREUPON, there was no response  
23 from the Council.)

24 MR. CHAIRMAN: All in favor?

25 (WHEREUPON, the Board voted.)

1 MR. CHAIRMAN: Opposed?

2 (WHEREUPON, there was no response  
3 from the Council.)

4 MR. CHAIRMAN: Abstentions?

5 (WHEREUPON, there was no response  
6 from the Council.)

7 MR. CHAIRMAN: Motion carries.

8 Thank you.

9 MS. FISCHER: If I could just make a  
10 correction to my statement before on  
11 Reeves Bay. It is going -- this is the  
12 one that is going to possibly get the  
13 funding from NOAA. It's going to be a  
14 50/50 with the Town of Southampton and  
15 NOAA will reimburse the Town of  
16 Southampton's portion of the acquisition  
17 cost.

18 MR. CHAIRMAN: Just out of  
19 curiosity, what program of NOAA's -- I  
20 didn't realize they have property by  
21 activities that --

22 MS. FISCHER: Let me just --

23 MR. CHAIRMAN: If you don't know --

24 MS. FISCHER: Here, I've got it.

25 NOAA Coastal and Land Conservation

1 Program.

2 MR. CHAIRMAN: Thank you.

3 Tom?

4 MR. GULBRANSEN: When we make a  
5 recommendation approving it, do we ever  
6 do it subject to things like the DEC  
7 findings of effluent impact?

8 MR. KAUFMAN: We do, do that but  
9 they generally don't like to do that.

10 MR. BAGG: Then it becomes a  
11 condition rather than a declaration  
12 which adds complications. We usually  
13 put in there that one of the reasons why  
14 this will be is that the County will  
15 obtain all the necessary DEC permits.  
16 If they don't, then the project does not  
17 proceed.

18 MR. GULBRANSEN: Still we need to  
19 do that because we know the process will  
20 not allow without that.

21 MR. KAUFMAN: If you want, on some  
22 of these motions if it's an important  
23 enough project, it's not a problem to  
24 point those issues out and put it in as  
25 part of your recommendation. It puts

1 the Legislature on notice that there is  
2 an issue with other agencies. Again, a  
3 lot of it is automatic and sometimes can  
4 use these to explain it.

5 HON. VILORIA-FISHER: Before we go to  
6 the next item, I just wanted to ask Rich  
7 Martin something. I saw in my aide's  
8 notes that the Isaac Mills House that  
9 there is a tenant there but which plan  
10 was it under because I remember that  
11 there were several configurations with  
12 the Hope House but what are we looking  
13 at now?

14 MR. MARTIN: They took actually the  
15 smaller space of what was the bedroom --  
16 the loft bedroom on the second floor on  
17 the west end of the house and they --

18 HON. VILORIA-FISHER: That was the B plan?

19 MR. MARTIN: I am not sure, but it  
20 was the secondary plan and a kitchen  
21 downstairs.

22 HON. VILORIA-FISHER: And the rest of the  
23 house?

24 MR. MARTIN: The rest of the house  
25 is reserved for public use.

1 MS. FISHER: Thank you, Richard.

2 MR. CHAIRMAN: Proposed  
3 improvements at County Road 48, Middle  
4 Road and Cox Neck Road.

5 MR. BAGG: Any letters in support  
6 of that?

7 MR. CHAIRMAN: Yes. That reminds  
8 me, is there any letters supporting this  
9 project?

10 MR. MACKEY: No, it's actually --  
11 Jim, I believe its the next project that  
12 those letters are for.

13 MR. BAGG: Sorry.

14 MR. CHAIRMAN: My mistake.

15 MR. MACKEY: I am Russ Mackey. I  
16 am with the Suffolk County Department of  
17 Public Works and I am Senior Civil  
18 Engineer.

19 The Department has contacted Greg  
20 Greene from Cashin Associates. He will  
21 be further describing the project to  
22 you.

23 MR. CHAIRMAN: In my packet there  
24 were no drawings or maps or anything. I  
25 don't know if I was the only one who



1 didn't get any, but it will certainly  
2 help out if there were some available.

3 MR. MACKEY: I do apologize. I do  
4 have them.

5 MR. GREENE: Well, for those of you  
6 that can't --

7 MR. CHAIRMAN: Good to see you, Mr.  
8 Greene. Please, give your name.

9 MR. GREENE: Greg Greene from  
10 Cashin Associates.

11 We're working with Suffolk County  
12 Department of Pubic Works on the  
13 preliminary design, and the  
14 environmental assessment for this  
15 project. This project is basically an  
16 improvement of two intersections in  
17 Mattituck on County Road 48. The first  
18 intersection is at Cox Neck Road on the  
19 west side and then its also the  
20 intersection of where Middle Road and  
21 Sound Avenue split. The proposal calls  
22 for two tandem modern roundabouts to  
23 replace those two intersections. The  
24 primary reason for this improvement is  
25 safety. The Town of Southold civic

1 groups have expressed a lot of concern  
2 about safety. Also, this design will  
3 help improve general traffic flow  
4 through this double intersection area.

5 In terms of the environmental  
6 assessment, we, of course, looked at all  
7 the issues that are typically addressed  
8 under SEQRA. Again, the main reason for  
9 the project is to improve circulation  
10 and safety both for pedestrians and  
11 vehicles.

12 One thing I would like to point out  
13 is that the work to create these  
14 intersections will be done entirely  
15 within an area that's already disturbed.  
16 It is an area that's within the existing  
17 roadway boundaries. In fact, the amount  
18 of paved surface under the proposed  
19 project actually decreases compared to  
20 what they're now. Right now it is 4  
21 acres down to about 3.7 acres. It also  
22 pulls and increases a buffer with the  
23 adjacent areas on each side because the  
24 paved area is pulled in to a larger  
25 extent along much of the working area.

1           The drains here are generally flat.  
2           Like I said before, it's already in a  
3           disturbed area. There are no wetlands  
4           or surface waters in close proximity.  
5           The nearest surface waters are  
6           associated with the Mattituck inlet.  
7           That's about a quarter-of-a-mile to the  
8           north which you can see on the project  
9           location map that we passed out. The  
10          closest surface water bodies up in  
11          Mattituck inlet and the closest wetlands  
12          is to the south about 800 feet and  
13          they're associated with the northern  
14          part of Lake Laurel. That's also shown  
15          on the project -- that location.

16                 So proximity for wetlands surface  
17          waters really is not an issue. We  
18          checked with the DEC and New York State  
19          National Heritage Program and there is  
20          no recorded presence of endangered  
21          plants or animals in this area. The  
22          area does not contain any wetlands or  
23          woodlands or any other habitat. The  
24          vegetation here now is typical and  
25          roadside kind of grassland vegetation.

1           In terms of historical culture or  
2           resources, the SHIPO (phonetic) office  
3           states their preservation office has no  
4           record of any historical cultural  
5           resources in this work area. As for  
6           stormwater, I already mentioned that the  
7           amount of pavement will actually  
8           decrease under the project, so there  
9           will be less stormwater generated under  
10          the proposed project. Also as for the  
11          stormwater, to the extent possible, will  
12          be retained within proximity through a  
13          recharge to the groundwater. The  
14          project site is adjacent to what is  
15          considered a critical environmental  
16          area. The special groundwater  
17          protection carrier is designated as the  
18          central Suffolk area. It is a large  
19          groundwater protection area that extends  
20          all the way from Port Jeff Station on  
21          the west, and its western end terminates  
22          right along the south portion of this  
23          project area. So it is adjacent to that  
24          environmental area, however, to mitigate  
25          that, as I mentioned, the amount of

1 pavement will be less and the paved  
2 surface is actually being pulled further  
3 away from that critical environmental  
4 area providing even a greater buffer  
5 then there is now.

6 So the only impacts we see  
7 associated with this improvement are  
8 cost in construction related impacts.  
9 There will be some construction noise  
10 and air emissions and some construction  
11 equipment. They're temporary and short  
12 term and to a large extent, can be  
13 mitigated during the construction  
14 process. In the long term, we see  
15 beneficial impacts of the project. One  
16 is to improve traffic flow, improve  
17 safety, and an actual increase in buffer  
18 areas to the adjacent areas.

19 MR. CHAIRMAN: Greg, describe how  
20 the traffic will flow if it goes from  
21 the vicinity of where it says  
22 "preliminary" up to the northwest?

23 MR. GREENE: The northwest -- this  
24 one? (Indicating.)

25 MR. CHAIRMAN: Yes.

1 MR. GREENE: You come up here --  
2 you come around -- you come around this  
3 first circle and then you come around  
4 and then you continue that  
5 way. (Indicating.)

6 MR. CHAIRMAN: So this very shallow  
7 angle --

8 MR. GREENE: This one?  
9 (Indicating.)

10 MR. CHAIRMAN: Yes.

11 MR. GREENE: This will be removed.

12 MR. CHAIRMAN: Okay, that road  
13 goes?

14 MR. MACKEY: Yes. The New York  
15 State DOT Roundabout Group has looked at  
16 this. We have taken their  
17 recommendations, and some of their  
18 recommendations are shown in this plan  
19 as it is.

20 MR. CHAIRMAN: Is it only going to  
21 disappear for the traffic going to the  
22 northwest or will that whole road go?

23 MR. MACKEY: This whole road will  
24 go. This whole thing will be removed  
25 and planted back grassed and seeded.

1 (Indicating.)

2 MR. CHAIRMAN: Yes.

3 MS. GROWNEY: I have several  
4 question.

5 Are there any existing couvertage  
6 (phonetic) in handling more north at the  
7 moment?

8 MR. MACKEY: No, it's just a series  
9 of -- I believe from the circles that we  
10 have, it's a series of leeching basins  
11 right now and I think of swell in the  
12 middle of the existing one.

13 MS. GROWNEY: And what will you be  
14 doing?

15 MR. MACKEY: Leeching basins.

16 MS. GROWNEY: Is there a bike route  
17 being introduced?

18 MR. MACKEY: No, there will be no  
19 bike route introduced, but as with any  
20 roundabout what happens is the bikes use  
21 the sidewalks.

22 MS. GROWNEY: And are there  
23 existing sidewalks?

24 MR. MACKEY: No, but we will be  
25 incorporating them.

1 MR. GREENE: Ma'am, I will just  
2 point out the pedestrian bicycle access  
3 along the shoulder of the road here.  
4 (Indicating.)

5 MS. GROWNEY: So they will be  
6 continuing -- there will be continuity  
7 of that?

8 MR. MACKEY: Yes.

9 MR. CHAIRMAN: Vivian?

10 HON. VILORIA-FISHER : Is it a  
11 modified roundabout? The way you  
12 describe it, it doesn't seem like a true  
13 roundabout. Can you just follow the  
14 flow again going east to west?

15 MR. MACKEY: With the roundabout,  
16 it is called a modern roundabout. The  
17 way it is, is most people think of it as  
18 a traffic circle and those are not. The  
19 difference is the entry angle into the  
20 actual, for a lack of a better term,  
21 circle. With the roundabouts, you don't  
22 drive perpendicular. Traffic circles  
23 you do come in perpendicular thus the  
24 angle is kind of flowing in and there  
25 are easier gaps to get into as far as



1 weaving.

2 HON. VILORIA-FISHER : Can you just --

3 MR. KAUFMAN: Show the traffic  
4 flow.

5 MS. MACKEY: If you're coming this  
6 way and you're coming around this one,  
7 you come here and then you come around  
8 this one and you continue. (Indicating.)

9 HON. VILORIA-FISHER : How many exits  
10 out are there? As you're going  
11 northwest from Sound Avenue, you have  
12 that exit -- it is the first exit to  
13 Middle Road going east.

14 MS. MACKEY: Right, this County  
15 Road 48 going east. You come up around  
16 here and the driveway which we will  
17 incorporate here and access to these  
18 businesses here. (Indicating.) Then you  
19 can also go up here on Cox Neck road.  
20 Then if you want, you can keep going  
21 around and keep going west.

22 HON. VILORIA-FISHER : There are  
23 business there. Are there any  
24 provisions for pedestrian having the  
25 ability to cross or is --

1 MR. MACKEY: Yes, as you see right  
2 here, there are roundabouts through  
3 these splitter islands. There is always  
4 -- you know, you see here crosswalks  
5 that are --

6 HON. VILORIA-FISHER : There are  
7 crosswalks?

8 MR. MACKEY: Yes, there are  
9 crosswalks.

10 HON. VILORIA-FISHER : What about the  
11 easterly one?

12 MR. MACKEY: Yes, there are  
13 crosswalks here, here, and here.  
14 (Indicating.)

15 MR. GULBRANSEN: Currently there is  
16 a traffic light maybe there are even --

17 MR. MACKEY: Two, I believe.

18 MR. GULBRANSEN: Do they both go  
19 away?

20 MR. MACKEY: Yes, they both go  
21 away. The traffic light -- the  
22 intersection originally never had a  
23 traffic signal. A high accident rate  
24 put that there as a safety measure.  
25 From what I know, it is a temporary

1 measure and this is more of a permanent  
2 solution.

3 MR. CHAIRMAN: Is it New York State  
4 Law that the person on the circle has  
5 the right-of-way?

6 MR. MACKEY: Yes. As you come into  
7 the roundabout, you have to yield to the  
8 person. In fact, the signage is for  
9 yielding as you approach. Yield would  
10 be painted onto the ground and yield  
11 signs and what they call yield teeth.  
12 It is the symbology.

13 MR. CHAIRMAN: It is not clear to  
14 me that everybody appreciates that.

15 MR. MACKEY: There have been some  
16 problems. Like I said, New York State  
17 DOT, I believe, on their website has  
18 part of their site dedicated to "How to  
19 drive through roundabouts?" It is more  
20 of an education type thing. Hopefully  
21 this is kind of similarly in close  
22 proximity to another roundabout in the  
23 area which would be at County Road 58  
24 in. So hopefully the people that drive  
25 through here are also --

1 MR. CHAIRMAN: You will have it  
2 appropriately marked?

3 MR. MACKEY: Yes, there is a  
4 standard in the federal manual of  
5 traffic control devices.

6 MR. CHAIRMAN: Eva?

7 MS. GROWNEY: Going in the other  
8 direction, if you were just kind of  
9 enough to --

10 MR. MACKEY: Which way do you want  
11 to go?

12 MS. GROWNEY: Just what you're  
13 doing and --

14 MR. MACKEY: You come around and go  
15 that way or you can come around and go  
16 this way and then you come around and go  
17 that way. (Indicating.)

18 MS. GROWNEY: And you can you go  
19 gown?

20 MR. MACKEY: Yes. Instead of  
21 coming down this way, you come down over  
22 here and go down. This couldn't be  
23 incorporated because the way the angle  
24 -- the reflection angle from that  
25 roundabout would not work.

1 MS. GROWNEY: Is that for both  
2 sides or just the one side.

3 MR. MACKEY: I believe it would be  
4 on just the -- wherever there is a  
5 crosswalk. It looks like both sides.

6 MR. CHAIRMAN: Gloria?

7 MS. RUSSO: Russ, you mentioned  
8 this briefly and I wanted to ask you if  
9 the new roundabout in Riverhead by the  
10 hospital is totally finished?

11 MR. MACKEY: No.

12 MS. RUSSO: I didn't think so. I  
13 have been through there several weeks  
14 ago and it didn't look like it was done.

15 MR. MACKEY: Construction --

16 MS. RUSSO: Like this modern style  
17 you're talking with the tangential  
18 approach?

19 MR. MACKEY: All of them are, yes.  
20 All the ones are being built with the  
21 tangential (Phonetic) style. The  
22 difference with that one that you're  
23 talking about will be a two-lane.

24 MS. RUSSO: Has that one performed  
25 so far in the way you were hoping at the

1 least?

2 MR. MACKEY: The way construction  
3 goes, unfortunately, they hoped to have  
4 it up before the paving season ended  
5 but, of course, the cold beat us to it.  
6 So right now it's still in construction.  
7 They haven't finished that area just  
8 yet.

9 MS. RUSSO: Have other  
10 municipalities used this modern  
11 roundabout; is that what you're basing  
12 your --

13 MR. MACKEY: I believe Suffolk  
14 County has another one coming down the  
15 line out in West Hampton. Yes, I know  
16 Nassau County has a bunch of them.  
17 Suffolk County has put one in Patchogue.  
18 Nassau County has one in Great Neck. I  
19 believe there is one in West Hampton  
20 Beach which was called -- basically it  
21 was a modification of it. It is almost  
22 like a peanut roundabout, I believe,  
23 they call it. Brookhaven has also put a  
24 couple of them in.

25 MS. RUSSO: Have they performed

1 well?

2 MR. MACKEY: Yes. What it is, is  
3 they're actually safer. When you look  
4 at points of contact or points of  
5 intersection, roundabout actually  
6 reduces it and it reduces speed. What  
7 New York State is saying is "No one  
8 blows a roundabout. People blow  
9 lights."

10 MS. RUSSO: What is the speed limit  
11 on that road -- the main road?

12 MR. MACKEY: The main road? I  
13 believe it's different as you go out  
14 further north on the highway, but it  
15 mixes around from two lanes in each  
16 direction down to one. So as you come  
17 through, of course, there is going to be  
18 advanced signage warning what's coming  
19 ahead.

20 MR. CHAIRMAN: What's the diameter  
21 of these?

22 MR. MACKEY: It varies, I believe,  
23 from each one depending on how much  
24 room. We stride for -- again, it's  
25 within New York State regulations.

1           MR. CHAIRMAN: So it will handle  
2           trucks -- fire trucks?

3           MR. MACKEY: Yes, I believe the  
4           designed vehicle for it is listed as  
5           DB50 which is a tractor trailer, but the  
6           biggest one is WB67. I am not sure  
7           which one -- I think it was the WD50  
8           that we went with but there is a -- as  
9           you can see, there is a truck apron  
10          around here which cars don't use but if  
11          trucks need to, they can -- it's like a  
12          mounted curb that they can go up and the  
13          traffic can go around. That's the  
14          designed purpose of it.

15          MR. GULBRANSEN: As for someone who  
16          drives out to that ferry as has done so  
17          for 25 years, when you're heading east  
18          on Country Road 48 and that two lane  
19          road through the farm and you're really  
20          kind of looking forward to getting going  
21          and that traffic light is where you  
22          start to proceed more quickly. So my  
23          recommendation is the signage should  
24          announce two roundabouts coming because  
25          I couldn't imagine going through the



1 first roundabout and saying, "Great,  
2 go," and then heading outward and  
3 finding yourself looking at another  
4 roundabout and they want you to go 15  
5 miles an hour -- you know, there are  
6 two roundabouts ahead is a nice way to  
7 say it.

8 MR. MACKEY: I believe and again I  
9 updated it, but when you come out of  
10 here the angle is that can't gun it to  
11 55 immediately and it's within a close  
12 visual. It is all -- you can see the  
13 next one. So it's not like you're  
14 coming around a curb and oops there it  
15 is. Visually, you will be able to see  
16 them both.

17 MR. GULBRANSEN: It's very deadly  
18 road so anything you can go put there  
19 would be great.

20 MS. SPENCER: I would just like to  
21 add something to Tom because the traffic  
22 going west is usually stacked up with a  
23 lot of cars and they're waiting to break  
24 out. That's going east. Going west,  
25 you have to slow down. So anything --

1 if that works, that's important.

2 MR. MACKEY: Yes, well the key to  
3 it is that using a visual traffic common  
4 by having the curb like this where if  
5 you're looking down the road and you're  
6 looking straight, you see a curb in  
7 front of you; not a straight road. The  
8 automatic perception is to slow down  
9 because you don't -- as you're coming  
10 around, that's why kind of a lot of them  
11 you come in and deflect into it which  
12 also causes a natural traffic common of  
13 slowing down the speed.

14 MS. SPENCER: One further point.  
15 There are a lot of large trucks that  
16 are --

17 MR. MACKEY: Yes. It is designed  
18 for them that's why the truck -- there  
19 is actually a video if you look at the  
20 New York State website of a tractor  
21 trailer with a modular home on the back  
22 that navigates one of these.

23 MR. CHAIRMAN: Do we have a motion?

24 MS. RUSSO: I will make a motion as  
25 an Unlisted Negative Declaration.

1 MR. CHAIRMAN: Do we have a second?

2 HON. VILORIA-FISHER : I will second  
3 it.

4 MR. CHAIRMAN: Any further  
5 discussion?

6 (WHEREUPON, there was no response  
7 from the Board.)

8 MR. CHAIRMAN: All in favor?

9 (WHEREUPON, the Council voted.)

10 MR. CHAIRMAN: Opposed?

11 (WHEREUPON, there was no response  
12 from the Council.)

13 MR. CHAIRMAN: Abstentions?

14 (WHEREUPON, there was no response  
15 from the Council.)

16 MR. CHAIRMAN: Motion carries.

17 Proposed Construction of Parking  
18 Facilities on County Road 80.

19 MR. MACKEY: This is, I believe, a  
20 copy of something you have in your  
21 packet. We submitted this, this  
22 morning. I apologize because the  
23 project manager on this project was  
24 called out to construction, so I will be  
25 presenting for him. I hope I can answer

1           your questions as best I can.

2           We entered this morning to Jim and  
3           I think they made photocopies of two  
4           letters. One was from the Town of  
5           Brookhaven and one from the Montauk  
6           Merchants Association and both are in  
7           support of this project.

8           What this project is, is we're  
9           building off street parking along  
10          Montauk Highway in Mastic. As you know,  
11          right now, currently there will be eight  
12          separate locations which will create 53  
13          marked parking stalls. The amount of  
14          land effected is approximately .59 acres  
15          with construction and .18 acres with new  
16          land. The new land is mostly grass  
17          areas currently being used for parking  
18          purposes. Again, we have a current  
19          project in the area of County Road 80  
20          out in Mastic. The property owners  
21          after construction had started have come  
22          to us and sighted the need for off  
23          street parking. We also included in  
24          here the agreement with the County that  
25          all property owners will have to sign.

1           This will be not just for individual  
2           property owners, but the agreement is  
3           for that all properties within the area  
4           could use it. So it's not like you're  
5           parking on this land, therefore, you  
6           must use my store. It will be  
7           inter-property use for this parking.

8           MR. CHAIRMAN: While you raise  
9           that, I was interested in knowing  
10          whether after you build these parking  
11          lots that it appear to be essentially a  
12          store-by-store basis, is the County  
13          responsible for maintaining it  
14          thereafter?

15          MR. MACKEY: To my knowledge, no.  
16          From what I have been told, no. We will  
17          build it but the individuals will  
18          maintain it.

19          MR. CHAIRMAN: So even though  
20          you're getting this agreement that it  
21          has to be available for anybody, the  
22          County is relieved of the responsibility  
23          of maintaining it?

24          MR. MACKEY: That is my knowledge,  
25          yes.

1           MR. KAUFMAN: Paragraph 4, the  
2           contract says, "Upon completion of the  
3           improvements, the owner voluntarily  
4           assumes full responsibility for the  
5           maintenance and repair of the parking  
6           areas at no cost and further agrees to  
7           keep parking areas open for use of the  
8           general public." Then afterward it  
9           doesn't determine occasions and things  
10          like that -- that someone who has the  
11          right-of-way has the -- but that is the  
12          language stated with the County that it  
13          will not have responsibility after that.

14          MR. CHAIRMAN: Who enforces this?

15          MR. KAUFMAN: The contractor. The  
16          County -- whoever signs this contact --  
17          whatever private property owner signs  
18          this contract is responsible for those  
19          particular properties. I am assuming it  
20          would be very stupid for the property  
21          owner not to maintain space that will  
22          benefit them.

23          MR. GULBRANSEN: I just have a  
24          basic question as far as environmental  
25          in nature. My question is, generally is

1           this County building the roads and  
2           improvements on private property or if  
3           this is being done within the  
4           right-of-way, does the County own it as  
5           a county road? I don't understand the  
6           relationship between the county road and  
7           the right-of-way easement and -- well,  
8           it looks like it is going to be --

9           MR. MACKEY: What happen was that  
10          this project -- the project that's  
11          adjacent to this which is County Road 80  
12          in Mastic which goes from William Floyd  
13          east is a federal aided project.

14          MR. BAGG: We previously approved  
15          it.

16          MS. MACKEY: Yes, you previously  
17          approved it. We've had multiple  
18          meetings. We had two public information  
19          meetings. We had many public  
20          information meetings. There was a total  
21          of four. None of the business owners  
22          came forth and said what we're doing  
23          would effect them. These letters came  
24          from Brookhaven and from the Merchants  
25          Society to the County Executive. The

1 County Executive supports this project  
2 because they're saying if the project  
3 went through, it severely negatively  
4 impacted the economically liability of  
5 some of the stores in the area.

6 MR. CHAIRMAN: But wasn't the idea  
7 though that you were taking curbside  
8 parking away for the improvements and to  
9 alleviate that situation you were  
10 providing a service, if you will, to the  
11 store owners?

12 MR. MACKEY: Yes.

13 MR. CHAIRMAN: That was my  
14 understanding so I sort of thought it  
15 was tit-for-tat.

16 MR. MACKEY: Again, within using  
17 federal monies, we would not be allowed  
18 to do something like this in that  
19 project.

20 MR. CHAIRMAN: Eva?

21 MS. GROWNEY: Except the only  
22 difference is the roadway would have  
23 been maintained -- you know, with  
24 curbside parking so that is the  
25 difference that I see aside from the



1 fact that --

2 MR. CHAIRMAN: I don't understand.

3 MS. GROWNEY: Well, if they were  
4 improving the road and putting parking  
5 back in on curbside parking --

6 MR. CHAIRMAN: Couldn't --

7 MS. GROWNEY: I am just saying if  
8 they did, then they would be maintaining  
9 that. But now since they're not putting  
10 in the curbside parking and they're  
11 making kind of unusual arrangements to  
12 develop private property owners so the  
13 actual maintenance of that is going to  
14 fall to the whoever actually does it.

15 MR. CHAIRMAN: Gloria?

16 MS. RUSSO: I am reading the actual  
17 legal agreement for this. Items 4 and 5  
18 say, "These property owners to the  
19 properties will be paved" so have they  
20 read this and agreed with that already  
21 or is this kind of to be sorted until  
22 hammered out?

23 MR. MACKEY: No, these property  
24 owners were all members of -- to my  
25 knowledge members of the Montauk Highway

1 Merchants Association and are all in  
2 support of it because they feel it will  
3 help all their businesses and allow  
4 people to park.

5 MS. RUSSO: They are on board with  
6 this?

7 MR. MACKEY: To my knowledge, yes,  
8 they are.

9 MS. RUSSO: The way it is written?

10 MR. MACKEY: Yes, to my knowledge.

11 MR. CHAIRMAN: Mary Ann?

12 MS. SPENCER: Richard has just  
13 pointed out that Mastic Liquors at 1619  
14 Montauk Highway in Mastic is a Town of  
15 Brookhaven landmark. I would like that  
16 noted.

17 MR. CHAIRMAN: How do you know  
18 that, Richard?

19 (WHEREUPON, there was laughter.)

20 MR. MARTIN: Because I go there all  
21 the time. Because it was, in a certain  
22 way, a unique landmark within the Town  
23 of Brookhaven with the media coverage  
24 both in the local papers and Newsday and  
25 it is an individual landmark, not a

1 district but an individual landmark that  
2 the owner supported so they went forward  
3 with it as a roadside architecture, in a  
4 sense. I think it was originally built  
5 as a gas station.

6 MR. MACKEY: No, it's not a Suffolk  
7 County land. What are the  
8 classifications of an individual  
9 landmark?

10 MR. MARTIN: You have to check the  
11 exact wording in a sense?

12 MS. SPENCER: Town of Brookhaven  
13 has an historic ordinance that provides  
14 both for district and for individual  
15 landmarks. This has been individually  
16 land marked and, therefore, falls under  
17 that ordinance in the Town of  
18 Brookhaven's district.

19 MR. MACKEY: I am going to assume  
20 and, again, I'll double check but since  
21 the Town of Brookhaven is also on board  
22 with this project that they -- you know,  
23 I am not going to speak for them, but I  
24 am going to assume that they looked at  
25 it and they agree with it, as well.

1 MS. SPENCER: There is a process  
2 that they --

3 MR. MACKEY: I will double check.

4 MS. MARTIN: I would just double  
5 check the landscaping issue with putting  
6 a parking lot next to this facility,  
7 they might want to mitigate with a plan  
8 or something because it is a historic  
9 landmark.

10 MS. SPENCER: It does have to go  
11 through --

12 MS. SQUIRES: Why is it a landmark?

13 MS. GROWNEY: The place of the  
14 parking area may be angled around from  
15 where it is now.

16 MR. CHAIRMAN: Just like the big  
17 duck. (Phonetic.)

18 MR. MARTIN: Some kind of early  
19 roadside development in Suffolk County  
20 for commercial use.

21 MR. MACKEY: I will check with the  
22 right people of Brookhaven.

23 MS. GROWNEY: Yes, because there  
24 are a lot of stipulations about it.

25 MR. MACKEY: We will follow

1           whatever necessary rules.

2           MS. VIVIAN FISHER: There is no  
3           picture on here.

4           MS. GROWNEY: The last page.

5           MR. MARTIN: It doesn't give you a  
6           side view. I mean you have seen  
7           buildings like this before. They're  
8           disappearing the front of it to show the  
9           overhang which originally had the gas  
10          pumps and you would pull in and that was  
11          cut out -- the front of the picture  
12          there. (Indicating.)

13          MR. CHAIRMAN: Okay.

14          MR. MARTIN: And that's showing the  
15          building -- well, the type.

16          MS. SPENCER: That's a nice word.

17          MR. MARTIN: I was intrigue that  
18          the Town of Brookhaven was that  
19          progressive.

20          MR. CHAIRMAN: So any motion that  
21          we make probably ought to reflect the  
22          need to look at this issue.

23          Having worked on the Fords River  
24          out there, I know one of the researchers  
25          grace hopes was as the highway was

1 reconstructed, that there would be  
2 provisions made for sewers along Montauk  
3 Highway so to avoid digging up the  
4 highway in some future date --maybe five  
5 to ten years; was that every achieved?

6 MR. MACKEY: To my knowledge,  
7 again, I think construction is ongoing  
8 for that project and from what I have  
9 heard, I don't want to answer because  
10 it's not my -- I am not the project  
11 manager on that, but I don't believe so.

12 MR. GREENE: But it wasn't included  
13 in that project. I know there was talks  
14 about including and putting in dry sewer  
15 pipes, but it was never included. This  
16 way they would never have to reopen the  
17 roads again.

18 MR. CHAIRMAN: Legislator Gloria  
19 Fisher?

20 HON. VILORIA-FISHER : Thank you for  
21 bringing that up because I know there is  
22 a sewer study going on in that area  
23 right now. So what kind of intersection  
24 is there between the conclusions of that  
25 sewer and that project?

1           MR. MACKEY: Well, for this project  
2           or are you talking about the one that is  
3           currently in construction?

4           HON. VILORIA-FISHER.: The one that is  
5           currently under construction.

6           MR. MACKEY: To be honest with you,  
7           it's not my project. I don't know, but  
8           I am going to assume that when you mix  
9           -- I am making a big assumption here,  
10          but when you mix federal funding for a  
11          road with a study coming down and with  
12          the way the federal government is  
13          pulling back the funds, that I'm  
14          assuming that something like that really  
15          couldn't wait because of the way that  
16          road was in such bad condition.

17          HON. VILORIA-FISHER : I will just  
18          mention it the legislature.

19          MR. GREENE : I believe they needed  
20          to create a sewer district before they  
21          move forward with installing those  
22          pipes.

23          HON. VILORIA-FISHER.: I'm sorry I  
24          couldn't hear the beginning.

25          MR. GREENE : I believe they had to

1 create a sewer district in the area  
2 prior to installing those pipes. I  
3 think that would have taken time, and  
4 they don't want to wait any longer for  
5 the roadway construction.

6 MR. CHAIRMAN: Any further  
7 discussions?

8 (WHEREUPON, there was no response  
9 from the Council.)

10 MR. CHAIRMAN: If not, do we have a  
11 motion?

12 MR. KAUFMAN: Motion Unlisted  
13 Negative Declaration with the  
14 recommendation that certain Town of  
15 Brookhaven land properties that may have  
16 been land marked be further investigated  
17 and if any restrictions exist, that they  
18 be taken account of by the County.

19 MR. CHAIRMAN: Do we have a second?

20 MS. GROWNEY: I'll second.

21 MR. CHAIRMAN: We have a second  
22 from Eva.

23 Any further discussion?

24 (WHEREUPON, there was no response  
25 from the Council.)



1 MR. CHAIRMAN: All in favor?

2 (WHEREUPON, the Council voted.)

3 MR. CHAIRMAN: Opposed?

4 (WHEREUPON, there was no response  
5 from the Council.)

6 MR. CHAIRMAN: Motion carries.

7 Now we're going to get an update on  
8 County Parks. Happy New Year.

9 MR. GIBBONS: At the past couple of  
10 meetings we kind of postponed this  
11 update. In that time, I haven't been  
12 asked to update on anything. Did you  
13 guys have any specific -- last we talked  
14 was about Montauk. There was some  
15 interest in a grant we received from New  
16 York State at Hubbard County Park.  
17 There is no real update on that except  
18 to say that the State of New York  
19 continues to ask us for information and  
20 we continue to provide that information.  
21 That's roughly a \$500,000 grant  
22 sponsored by Assemblymen Englebright.  
23 It is going towards the master plan,  
24 some improvements, and restoration of  
25 the main club house at Smither's

1 Property.

2 MR. KAUFMAN: Isn't that money  
3 dedicated or can it be pulled back?

4 MR. GIBBONS: No, we have an  
5 agreement with New York State. Again,  
6 it needed to be finalized but those are  
7 -- my understanding is that there are  
8 essentially formalities.

9 MR. KAUFMAN: The reason I am  
10 bringing that up is there has begun  
11 degrading already with environmental  
12 funds.

13 MR. GIBBONS: Right, we understand  
14 that.

15 MR. MACHTAY: I think it was the  
16 September meeting that I had asked you  
17 if you had a brochure list or something  
18 that tells us these are the parks and  
19 here's what's available at each park and  
20 I guess with the holidays and --

21 MR. GIBBONS: You're still waiting  
22 for that?

23 MR. MACHTAY: Because as you sit  
24 here today and say, "What do we want to  
25 know?" If I had that list, I might be

1           able to say to you, "Well, what about  
2           Douglaston Park?" (Phonetic)

3           MR. GIBBONS: That's why you don't  
4           have it.

5           MR. MACHTAY: I was very impressed  
6           by the golf course.

7           MR. GIBBONS: The golf course?

8           MR. MACHTAY: It was beautiful.

9           MR. GIBBONS: Oh, at Timber Point?

10          MR. MACHTAY: Yes.

11          MR. GIBBONS: Obviously, I had no  
12          part in that meeting. I stayed as far  
13          away as possible.

14          MR. GULBRANSEN: It was a heavy  
15          weather day.

16          (WHEREUPON, there was laughter.)

17          MR. CHAIRMAN: We called for you at  
18          four o'clock.

19          MR. MACHTAY: The scenery was just  
20          beautiful.

21          MR. CHAIRMAN: But the roof leaks.

22          (WHEREUPON, there was laughter.)

23          MR. GIBBONS: Not in our offices.

24          MR. CHAIRMAN: Eva?

25          MS. GROWNEY: The Hubbard County

1 Park grant monies that are coming, is  
2 there a description that's been listed  
3 as to what its covering specifically  
4 that can be made available?

5 MR. GIBBONS: Well, we haven't yet  
6 developed a scope for the master plan,  
7 specifically, nor have we decided  
8 exactly how the monies are earmarked for  
9 each of the four categories. I will  
10 explain what those are again and how  
11 those will be used individually, but of  
12 the -- I could be a little off with  
13 these numbers, but roughly \$300,000 to  
14 the building. \$100,000 and change for  
15 the master plan. \$25,000 to \$50,000 to  
16 trail improvements and \$10,000 give or  
17 take for signage -- somewhere around  
18 there. So the real hard ones to put  
19 your hands around is the master plan, so  
20 we're going develop that inhouse. It's  
21 not a traditional master plan in the  
22 sense of a capital improvement programs,  
23 active recreation, and those types of  
24 things that we're more familiar with.  
25 So that will come out of us as opposed

1 to -- we normally consult with DPW on  
2 something like that because they are our  
3 consultants for such projects. In this  
4 case, we're looking for something  
5 different than those.

6 MS. GROWNEY: Well, I am very  
7 excited about that, needless to say.

8 MR. GIBBONS: We are too. We  
9 thought like everything else that it  
10 would have at least started by now, but  
11 it hasn't.

12 MS. GROWNEY: But it's on the way?

13 MR. GIBBONS: It's on the way.

14 MS. GROWNEY: And I hope that in  
15 some of the areas, it will be helping  
16 you in such a capacity.

17 MR. GIBBONS: Yes, I think that  
18 will be folded into any master plan.

19 MS. GROWNEY: That is great news,  
20 so I can bring that to EIA, so I thank  
21 you.

22 MR. CHAIRMAN: Just to go back to  
23 the beginning. In addition to what Rich  
24 mentioned that he had requested -- the  
25 idea of doing this was that we have a

1 responsibility of overseeing a lot of  
2 these facilities, but we know very  
3 little about them. I didn't want this  
4 to become a erroneous task for you, but  
5 what I had hoped was that each month  
6 that you might, within reason, that you  
7 might pick a part -- maybe it's one that  
8 you're particularly having trouble with  
9 or maybe it's one that you're interested  
10 at the time, but to go graduate and work  
11 our way through the list of the major  
12 parts as to their status, their use, how  
13 well they're being kept up, how well  
14 you're able to keep the personnel and so  
15 forth that are necessary to maintain  
16 public safety and cleanliness. Also,  
17 how well the buildings are maintained  
18 and that kind of thing just so that we  
19 would have an understanding of the  
20 conditions of our parks and many of us  
21 have not had the opportunity to visit  
22 all of these parks, and so it would be  
23 refreshing for us to learn a little  
24 because we never, as a group, go out to  
25 see them.

1                   HON. VILORIA-FISHER : As you know, I  
2                   was Chair of Parks for a couple of  
3                   years. I am not sure this has to do  
4                   with environmental. I won't be seeing  
5                   you as often, Nick. I do want to point  
6                   out the issue with the marinas that are  
7                   going to be privatized and, again, take  
8                   a very good look at the conditions of  
9                   our marinas because they need a lot of  
10                  work. I think we're going to be looking  
11                  at the bulkheads that have to be done  
12                  and that's critical of our historical  
13                  buildings. Parks Department put out a  
14                  great plan and a prioritization of  
15                  historic buildings, and I thought it  
16                  would help bolster by keeping the money  
17                  from the -- our increase in hotel/motel  
18                  patterns and target it towards our  
19                  historic structures. Unfortunately, the  
20                  budget in Parks for historic structures  
21                  was cut and that line was put into the  
22                  hotel/motel tax. So rather than  
23                  supplement what was in our budget, it  
24                  was displaced -- what was in our budget  
25                  and that was a very big disappointment

1 to me because I know that Parks has done  
2 a really good job in identifying some of  
3 these, but I guess you'll just have to  
4 do what you can with whatever the budget  
5 is and hope that the hotel/motel tax  
6 comes in. Those are just two things  
7 that happened in 2009 that I think are  
8 very critical to Parks and. Of course,  
9 the whole dog park discussion, I think,  
10 is also something that -- we have a  
11 pilot at the Duck Farm and we're hoping  
12 that Greg will see that we don't have  
13 too many problems with so then we won't  
14 have to do the other dog park. I am  
15 just putting a lot of things out there  
16 for you that might be something you  
17 might want to talk about.

18 MR. GIBBONS: Some I might.

19 HON. VILORIA-FISHER: Well if you  
20 don't, I will. We'll share that, okay,  
21 Nick? The hot one's I will be happy to  
22 tackle.

23 MR. GIBBONS: Okay, well then you  
24 can have the dog parks.

25 MR. MACHTAY: I would be interested



1 in the parks having some hiking  
2 opportunities and plant life is of  
3 interest -- you know, things like that?

4 MR. GIBBONS: I can come prepared  
5 with a primer on each of our parks.

6 MR. MACHTAY: I am not a boater, so  
7 the marina's don't really concern me,  
8 but they may concern other people at  
9 this table. On the other hand, I am  
10 inclined to be a botanist, and I like to  
11 go hiking and so on and so forth. I  
12 pick up my son in Stony Brook to hike,  
13 but what's available?

14 MR. BAGG: Nick, does Parks have a  
15 listing of County Parks on the internet  
16 or what's available?

17 MR. GIBBONS: It's by no means  
18 comprehensive but, yes, we touch upon  
19 all the major places where we would have  
20 facilities that we would direct the  
21 general public to. Everybody has their  
22 own pocket area that they're interested  
23 in and most likely we have a park on  
24 there. I would probably not get into  
25 that level of detail here. If someone

1 specifically had a question about an  
2 area and what we're doing in the area, I  
3 could comment on it.

4 MR. MACHTAY: If we had a list, you  
5 could provide it to the CEO?

6 MR. GIBBONS: Sure.

7 MR. CHAIRMAN: You shouldn't plan  
8 on doing this longer than 15 minutes or  
9 so at any meeting because meetings are  
10 long enough.

11 Eva?

12 MS. GROWNEY: The other thing about  
13 the list that I could see would be  
14 helpful especially if there is something  
15 that is needed that the community --  
16 that we can then take back to our  
17 community about what's available. That  
18 is something that we might be able to  
19 do.

20 MR. GIBBON: Right. I am not  
21 really in the lobby business, so it's  
22 hard to say. Really, in any park, we  
23 have a list of items that need  
24 attention. So it is a matter of  
25 juggling those priorities.

1 MS. GROWNEY: Maybe if we have  
2 awareness of where they are, then the  
3 talk will go back to their respective  
4 localities.

5 MR. GIBBONS: Well, I will explain  
6 the different -- each park has it's own  
7 unique set of issues and they're all a  
8 little different, so I can certainly  
9 explain that.

10 MS. GROWNEY: Yes, a little  
11 notation. It does not have to be a big  
12 description, but that would be great.

13 MR. CHAIRMAN: Mary Ann?

14 MS. SPENCER: As long as we're  
15 using Nick to educate us, there are all  
16 these parks on the website -- well,  
17 there are things that we identify as  
18 parks. We also, at every meeting, buy  
19 property and this becomes County  
20 property or County parks and I would  
21 like to see minutes sometimes on the  
22 different categories, the difference on  
23 how we treat or don't treat or ignore  
24 some of those purchases, for example.

25 MR. GIBBONS: Well, there is one

1 issue about explanation on the variety  
2 of acquisition programs we have. I  
3 understand what those are, and I work  
4 with them almost on a daily basis. I  
5 would defer to Planning. They have done  
6 a presentation maybe even here at one  
7 point maybe when the membership was a  
8 little different than it is now as to  
9 what those programs were, and what their  
10 guiding principals are and how they rate  
11 properties are different depending on  
12 what program they require them to be on.

13 MS. SPENCER: That's not what I am  
14 interested in. I am interested in what  
15 happens after it's been acquired and are  
16 there categories that you don't have  
17 anything to do with?

18 MR. GIBBONS: Yes.

19 MS. GROWNEY: A lot.

20 MS. SQUIRES: Larry?

21 MR. CHAIRMAN: Yes.

22 MS. SQUIRES: Maybe a little later  
23 on in the year Nick and I could do a  
24 short presentation because we're having  
25 extraordinary success in Huntington.

1           The Legislature approved and we did an  
2           acquisition adjacent to the Walt Whitman  
3           High School called the Perming Out  
4           Wetlands (Phonetic) and the County paid  
5           more money than the town did because we  
6           are required to do certain things. We  
7           have a consultant who is doing trail  
8           guides and working with the high school.  
9           It's a committee that includes the  
10          school district, the town, Nick, Suffolk  
11          County Park Trustees, and we think it's  
12          going to be a model program when it is  
13          finished. It's becoming quit exciting  
14          and maybe we can share that in terms of  
15          what you're asking, Mary Ann. What  
16          happens when the County spends money to  
17          buy something with the town? What is  
18          the town's rights and responsibilities?

19                MS. SPENCER: When they buy  
20                something for parkland? That's what I  
21                am asking. Whether it is with someone  
22                or not, what happens?

23                MR. GIBBONS: That is --

24                MR. CHAIRMAN: Ms. Gloria Fisher?

25                HON. VILORIA-FISHER .: It can be very

1           thorny (Phonetic) because when I was  
2           first elected, I was working on the  
3           revisions of -- do you remember the  
4           Nature Preserve Handbook?

5           MR. CHAIRMAN: Yes.

6           HON. VILORIA-FISHER : When we looked  
7           at the Nature Preserve Handbook and  
8           tried to define the usage of those  
9           parklands that are all nature preserves  
10          and what is passive and what is active,  
11          I could see why Nick didn't take the  
12          opportunity to defining all these  
13          things.

14          MR. GIBBONS: They're very tricky.

15          HON. VILORIA-FISHER: They're very,  
16          very tricky, but there are some that are  
17          out there that are active parklands that  
18          we share with the County.

19          MS. SPENCER: I think in the  
20          overview, what I would like is if we can  
21          identify Hubbard. We know it is a  
22          County Park. I would like to some sense  
23          through these acquisitions that are made  
24          from different funds and how many acres  
25          are out there? Like is it a third of an

1 acre here, an acre there, and a quarter  
2 of an acre here that are just out there  
3 that no one manages at all because they  
4 were just bought in open space  
5 preservation on the parks preservation?  
6 I would like some sense of that.

7 MS. FISHER: Like the holding of --

8 MR. KAUFMAN: Mary Ann, the person  
9 likely to pass that inventory and  
10 actually deals with a lot of those  
11 issues is Laretta Fisher. She's about  
12 40 feet away from us right now. She  
13 would be the proper person to talk to.  
14 Right now, when the County acquires land  
15 --

16 MS. SPENCER: I am talking to the  
17 right person in the sense that I want to  
18 know what he spends his time doing?

19 (WHEREUPON, there was laughter.)

20 MS. SPENCER: What I want to know  
21 is, do you just look at parks like  
22 Hubbard and I want to know if --

23 MR. GIBBONS: No, we don't really  
24 spend an enormous amount of time on  
25 those little places you're referring to

1           that are scattered throughout the  
2           County. We have probably, I don't know,  
3           somewhere between 2,000 to 3,000 acres  
4           of properties that are --

5           MS. SPENCER: That's what I wanted  
6           to know.

7           MR. GIBBONS: (Continuing) --  
8           isolated lots that are only accessible  
9           through someone's backyard or otherwise  
10          privately landlocked and we have those  
11          everywhere. I won't apologize in the  
12          sense that I think that denying and  
13          neglecting is exactly what these  
14          properties need and that they are simply  
15          preserved. They are now County  
16          property. Nothing can happen to them in  
17          the future. They're simply purchased  
18          outright for the sake of owning them and  
19          having control over their destiny which  
20          is simply acknowledging that they exist,  
21          know where they occur, and then to do  
22          nothing after that is exactly what they  
23          need. They're primarily wetlands place  
24          of parcels. River quarter areas --  
25          those areas that have been targeted



1 ecologically significant in sensitive  
2 areas. They're parklands, but they are  
3 not parks. They are not places within  
4 --

5 MR. KAUFMAN: Different departments  
6 administer them.

7 MR. GIBBONS: They're all within  
8 the Parks Department purview.

9 MR. CHAIRMAN: Vivian?

10 HON. VILORIA-FISHER : And you know  
11 what? Within those categories, there  
12 are some parcels that say, for example,  
13 the Ford's River area in where we have  
14 been trying to congregate properties  
15 around there and sometimes I question  
16 why we're spending the money and  
17 Planning says it is because we need the  
18 access. We need to be able to have the  
19 system -- a wetland system that we can  
20 manage. So that's not really used as  
21 parkland per se for the public to  
22 recreate. Then we have other areas and  
23 even though we're talking about Hubbard,  
24 Parks itself may not be spending a lot  
25 of time there but you kind of have a

1           stewardship agreement with somebody. We  
2           saw it in the legislation that I have.  
3           It starts unlimited -- you know, it's  
4           working at it three, four, five, and the  
5           dog house and everything and have  
6           meetings about it. I mean like Audubon,  
7           we have some agreements with them. So  
8           there are a lot of different programs  
9           that really could create oversight of  
10          our Parks even the tenants you served on  
11          that committee with me.

12                 MS. SPENCER: Right, and I think  
13                 that is crucial in any economic  
14                 agreement especially now.

15                 MR. CHAIRMAN: Michael?

16                 MR. KAUFMAN: Mary Ann, to look at  
17                 it in another way, the County owns  
18                 30,000 to 32,000 acres of land that are  
19                 administered by the Parks Department or  
20                 at least classically administered by  
21                 them. There are a number of other  
22                 departments that intersect with the  
23                 Parks Department. The jurisdiction may  
24                 be in Parks but, for example, one of the  
25                 acquisitions that we did today with Lake

1 Panamoka County Park addition --  
2 Planning is handling the acquisitions.  
3 It is part of the various master lists  
4 that had been identified through the  
5 years as being necessary. There are  
6 other areas for drinking water, et  
7 cetera, where the interest to buy them  
8 comes from, say, the Legislature or the  
9 Department of Public Works or whatever  
10 to purchase those particular properties.  
11 They sort of come together at the final  
12 end in Nick's Department where they are  
13 generally placed for administrative  
14 purposes, but Nick may not necessarily  
15 see -- for example, Panamoka is more of  
16 a planning thing compared to -- again, I  
17 look to the master list that had been  
18 distributed a couple of years ago. They  
19 had pictures of various lots, et cetera,  
20 and it will go through ETRB (Phonetic)  
21 so it will come through Legislature, et  
22 cetera. There will be planning in  
23 place, so Planning actually often will  
24 be the proper repository to finding out  
25 how we're getting them and what we're

1           supposed to be doing with them.  
2           Afterwards, it will go to Nick's  
3           Department to administer and there will  
4           be several tiers in there. Some of them  
5           are active parkland, for example,  
6           Hubbard and Colinger Hall (Phonetic) and  
7           things like that. Then there's, as Nick  
8           was saying, if you will, they will deny  
9           and neglect. For example, Panamoka, I  
10          don't think we're going to have any  
11          agreements out there to have neighbors  
12          administer those properties, et cetera.  
13          They're just going to sit there as open  
14          space and open land. Park's is not  
15          going to actively do anything with it.  
16          It will be preserved as open space, so  
17          it will prevent beautification and other  
18          problems from developing with Panamoka.  
19          It's almost like it's on a second tier,  
20          if you will.

21                 MR. CHAIRMAN: Many of those little  
22                 slivers and so forth become nightmares  
23                 for the Parks Department to deal with  
24                 because they're not maintained. They're  
25                 used for dumping grounds and so forth.

1 I think that's one of the reasons why we  
2 question these purchases of these little  
3 individual one-third of an acre unless  
4 it fits in a big scope.

5 MR. KAUFMAN: That's why Planning  
6 has those masters lists. Yes, very  
7 obviously, and in the past the County  
8 would purchase various isolated parcels.  
9 The Department of Planning has tried to  
10 rationalize the procedures by, again,  
11 creating the master list and creating a  
12 master criteria for purchasing. Now  
13 when purchasing, they must have a reason  
14 behind that reason. Obviously, it can  
15 be examined by us which we can look into  
16 it. Again, I use the Lake Panamoka  
17 example where there is land being  
18 preserved in the area. It makes sense  
19 to do this particular purchase. We have  
20 to look at it sometimes where several  
21 compartments have to come together.  
22 That's what I am basically saying to  
23 understand the full thrust of what's  
24 going on.

25 MR. CHAIRMAN: Joy?

1 MS. SQUIRES: I think what you need  
2 in this instance is somebody from each  
3 town and from Parks to share the  
4 acquisitions. I am kind of in an unique  
5 position because I am Chair of the  
6 town's open space committee. So Nick  
7 and I could, right now, go through  
8 everything in the Town of Huntington.  
9 That's all County parks only because I  
10 have to do, but the Town has a  
11 responsibility. It's not just the  
12 responsibility of the County. The town  
13 should be able to say to what use they  
14 have put this land.

15 MR. CHAIRMAN: Nick, when I  
16 initially started out and this is not be  
17 an onerous task. Thank you for coming.

18 MR. GIBBONS: Thank you for the  
19 opportunity.

20 MR. GULBRANSEN: Could I add a  
21 little more. I am a little bit less  
22 focus on parcel management. It's  
23 important, but I think I would like to  
24 understand what the Council can do for  
25 and to support your mission particularly

1 on the process stuff that would help.  
2 For example, are our parks being  
3 utilized efficiently or is some kind of  
4 education and outreach appropriate? You  
5 said you were not lobbying, and I am not  
6 asking you which you were lobbying on  
7 your behalf, but if there is an  
8 education campaign or public service  
9 announcement that the town is doing or  
10 that Nassau is doing and you could jump  
11 on board and get a lot of mileage with a  
12 little bit of co-investment, we as  
13 Council could help you to do that, we  
14 would like to hear about that too. I  
15 would like to help you if we can  
16 understand this, and if there is some  
17 kind of initiative or an effort that you  
18 would like to be a part of that we could  
19 help legislate to seeing more clearly.  
20 It wouldn't be in a review capacity, and  
21 we'd be more in a promoting status or  
22 help you identify places where your  
23 mission could be solved or served by  
24 combining them. As Joy pointed out, and  
25 other people have suspected there are

1 other initiatives that are a lot like  
2 what Parks want to benefit from, but you  
3 don't need to do it by yourself. Maybe  
4 we can help advance that for you or help  
5 you. I just don't know what they are.

6 MR. GIBBONS: Right. I am not sure  
7 necessarily how the CEQ's mission  
8 includes that concept.

9 MR. GULBRANSEN: Maybe it does not.  
10 I don't know.

11 MR. GIBBONS: But I would say that  
12 we might -- I can provide an orientation  
13 to place on a monthly basis for sure and  
14 perhaps in that orientation -- that  
15 conversation that results at each of  
16 those meetings some of these issues may  
17 surface where the Council has a  
18 particular interest, and then we can  
19 discuss those at the time and then  
20 separate from, Mary Ann, what you were  
21 asking, to me, that is a separate  
22 conversation. We talk about the formal  
23 parts that everybody has either heard of  
24 or has visited and for the benefit of  
25 everybody here I can get everybody on



1           somewhat of a level of playing field and  
2           understanding those parks and then we  
3           can move onto and "here's everything  
4           else" and everything else has become  
5           almost as significant. It certainly  
6           creates -- it's more labor intensive  
7           than our active places.

8           MS. SPENCER: That's why I asked.

9           MR. GIBBONS: Yes, and then the  
10          separate categories fill for Joy's  
11          benefit is this idea that we're  
12          continuing to stretch our acquisition  
13          dollars and leverage more acquisitions  
14          by partnering with the towns. But I  
15          will be perfectly honest with you, it is  
16          from an administration standpoint and  
17          management standpoint extremely  
18          difficult to include just a single  
19          additional partner. We have both the  
20          towns and we have partnerships with  
21          almost all the ten towns at this point.  
22          Some are better than others, and I  
23          understand the concept and it works on  
24          paper. We are getting more for  
25          collective taxpayer dollar -- County

1           dollar which is great, but at the end of  
2           that process, it kind of becomes Parks  
3           responsibility. It has proven to be  
4           somewhat onerous to get partnerships  
5           with the town in the place. Joy would  
6           say that is certainly the case with  
7           Huntington -- you know, formally we can  
8           work informally just fine. It's when we  
9           try to make things official that it gets  
10          really sticky.

11           MR. CHAIRMAN: Does the legislature  
12          understand your view on this?

13           HON. VILORIA-FISHER: Yes. It's come  
14          before us. We're waiting for  
15          resolutions from the towns to move  
16          forward with partnerships. Is that what  
17          you're talking about, Nick?

18           MR. GIBBONS: Yes.

19           HON. VILORIA-FISHER : You have to  
20          formalize it, pass the resolution, and  
21          then take the responsibility for  
22          management?

23           MR. GIBBONS: Yes.

24           MR. CHAIRMAN: Once all these  
25          things get put into place, does the town

1           assume their proper responsibilities  
2           under the agreement in general?

3           MR. GIBBONS: No, I can't say that  
4           is true, but it runs the entire gamut  
5           from being too aggressive, and then  
6           displacing county resident's rights to  
7           those properties which is a primary  
8           priority for my department, and seeing  
9           to it that we all have equal access to  
10          these place to being entirely absent  
11          from the process where the County may  
12          have owned a majority interest in a  
13          property, but we're looking to the town  
14          for management which is how we came to  
15          do an acquisition in their town in the  
16          first place and yet the town is an  
17          absentee owner. So it's all those  
18          things and everything in between.

19          MR. CHAIRMAN: So, I think, we  
20          ought to move on anyway, Nick. Thank  
21          you very much and I look forward to  
22          hearing more from you.

23          MR. GIBBONS: Thank you for the  
24          time, and I will have something more  
25          formal for you next month.

1 MR. CHAIRMAN: And not too long.

2 Moving on --

3 HON. VILORIA-FISHER: Nick said  
4 something about our mission as CEQ and  
5 what Tom suggested that we would be a  
6 part of that mission as the Council on  
7 environmental quality, but if we have a  
8 park, such as -- I am thinking in my  
9 district the sandpit which we did not  
10 acquire, but it came to us by tax  
11 default. It's an abused piece of  
12 property that continues to be abused and  
13 until we arrive at a stewardship  
14 agreement of that property, it's going  
15 to continue to be abused. In light of  
16 that kind of set of circumstances, would  
17 that be part of our mission to ask the  
18 County to look at the environmental  
19 health of properties that we own and  
20 what can or might be done to mitigate  
21 the abuse of that property?

22 MR. BAGG: I mean the Council has  
23 the right to look at environmental  
24 questions and make recommendations to  
25 the Legislature beyond just project

1 review. The Legislature can also  
2 request that the CEQ look into specific  
3 issues and respond back to them, as  
4 well. I mean, the instance of the  
5 sand-mine, I mean, clearly, the CEQ has  
6 reviewed two plans with respect to that  
7 and Bob happens to be -- as well as some  
8 of the towns as they come up and we go  
9 to partnership with the towns and then  
10 when it comes to management and the  
11 town's coming up with the money to  
12 manage the property, they don't have the  
13 money, so they're not full-filling their  
14 end of the bargain and the respect to  
15 the sandpits and, I guess, that's the  
16 Boys and Girls Club, they have had  
17 problems with getting enough money to  
18 build the facility and that's been  
19 changed as to what they're actually  
20 doing. That's been, what, ten years  
21 now?

22 MR. CHAIRMAN: I mean one of the  
23 things --

24 HON. VILORIA-FISHER : But you  
25 answered my question that it can be part

1           our mission.

2                   MR. KAUFMAN:  It's in the charter.

3                   MR. CHAIRMAN:  We can be proactive,  
4           but I would say relatively in recent  
5           history in my tenure here, every time we  
6           have, we've gotten our wrist slapped by  
7           the Legislature.  They don't like it.  I  
8           guess the one place where we have been a  
9           little bit successful in the last few  
10          years is to get the Legislature to at  
11          least look at when they're purchasing  
12          buildings to considered what are we  
13          really getting ourselves into?  There  
14          have been other instances where we have  
15          gone forward to try and promote things,  
16          and we really have been shot down.  As  
17          you know, that's the Legislature's  
18          prerogative and so forth.  So there is  
19          mixed missions in some respect.

20                   HON. VILORIA-FISHER.:  Well, you know,  
21          that's happened with any advisory group,  
22          and it's a matter of positioning and I  
23          mean that's -- there have been heads  
24          that have knocked with Parks Trustees  
25          when the Parks Trustees have had a

1 different and we have had to bow to the  
2 decision made by the trustee. So that's  
3 just naturally an order of power play.

4 MR. KAUFMAN: Just one quick  
5 comment. It is in the charter. To  
6 answer your question, that is one of the  
7 missions of the CEQ. If you look at the  
8 enabling legislation, it does give you a  
9 broad mandate to look into these issues.  
10 On the other hand, as Larry just pointed  
11 out, there have been consequences that  
12 have gone too far and it's not been  
13 handled well. So we say that's the best  
14 way it could have been handled -- the  
15 issue.

16 MR. GULBRANSEN: "It's gone too  
17 far" is a statement too. I think maybe  
18 it should be pointed out that it is the  
19 opinion that there are levels of power  
20 is difference of opinion and they just  
21 might consider it too far. I think it  
22 is a fact-finding basis and should be on  
23 a co-mingling basis.

24 MS. SPENCER: One final point. I  
25 don't want you to lose sight of some of

1           our success. It was the CEQ that -- it  
2           was from the CEQ that the momentum came  
3           on looking at the rentals for properties  
4           particularly the historic properties and  
5           that came from this Body and it has  
6           benefited both the properties and the  
7           County.

8                        **HON. VILORIA-FISHER:** It's just a  
9           matter of getting someone from the  
10          Legislature who will carry it.

11                      **MS. SPENCER:** But that came from  
12          us.

13                      **HON. VILORIA-FISHER :** But it was from  
14          here.

15                      **MR. MACHTAY:** One last thing on the  
16          agenda. Are there candidates for  
17          chairman or vice chairman?

18                      **MR. BAGG:** Election of office?

19                      **MR. MACHTAY:** Yes.

20                      **MR. CHAIRMAN:** We need nominations.

21                      **MR. MACHTAY:** I nominate Larry  
22          Swanson as Chairman and Michael  
23          Kaufman as Vice Chairman.

24                      **MS. SPENCER:** Second.

25                      **MR. CHAIRMAN:** Are there any other



1 nominations?

2 MR. GULBRANSEN: I didn't get a  
3 second on that.

4 MS. SPENCER: I seconded it.

5 MR. CHAIRMAN: All in favor?

6 (WHEREUPON, the Council voted.)

7 MR. CHAIRMAN: Opposed?

8 (WHEREUPON, there was no response.)

9 MR. CHAIRMAN: Motion carries.

10 Can I have a motion to adjourn?

11 MR. KAUFMAN: I make a motion.

12 MS. RUSSO: Second.

13 (WHEREUPON, this hearing of the  
14 Council of Environmental Quality was  
15 adjourned.)

16 (Time Noted: 12:30 p.m.)

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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 )

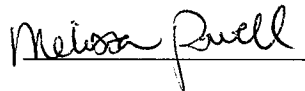
I, MELISSA POWELL, a Shorthand Reporter and  
Notary Public of the State of New York, do hereby  
certify:

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

12<sup>th</sup> day of March 2010.



MELISSA POWELL