ORIGINAL

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2 DEPARTMENT OF PLANNING.

3 COUNCIL ON ENVIRONMENTAL QUALITY

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

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8 Arthur Kunz Library
H. Lee Dennison Building
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14 B E F O R E:

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16 R. Lawrence Swanson, Chairperson

17 Michael Kaufman, Vice Chairperson

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23 Reported by,
Melissa Powell

24

25

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. Viloria-Fisher CEQ Member

11 Joy Squires

12

13 Thomas Gulbransen, CEQ Member

14

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

16 Lauretta Fischer, Acquisitions of Properties

17 Russ Mackey, Civil Engineer, DPW, Suffolk County

18 Gregory Greene, Cashin Associates, P.C.

19 Nick Gibbons, Parks Department

20 Ben Wright, Sewer District

21

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23

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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

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

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

MS. SPENCER: May it is.

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

Jim?

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

One is 1037 of 2010. It's a Charter Law to expand the functions of the Council on environmental quality to include a vibrant Suffolk County bike route. That was submitted by Legislator 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 Lauretta, 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, Lauretta?
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 vain, 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 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 primmer 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 CEQ?
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 Lauretta 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 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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1 C E R T I F I C A T I O N

2

3 STATE OF NEW YORK)

4 :ss

5 COUNTY OF SUFFOLK)

6 I, MELISSA POWELL, a Shorthand Reporter and

7 Notary Public of the State of New York, do hereby

8 certify:

9 That the within transcript was prepared by me and is

10 a true and accurate record of this hearing, to the best

11 of my ability.

12 I further certify that I am not related to any of the

13 parties to this action by blood or by marriage and that

14 I am in no way interested in the outcome of this matter.

15 IN WITNESS WHEREOF, I have hereunto set my hand this

16 12th day of March 2010.

17

18 Melissa Powell

19 MELISSA POWELL

20

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