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SUFFOLK COUNTY DEPARTMENT OF PLANNING

COUNCIL ON ENVIRONMENTAL QUALITY

100 Veterans Memorial Highway
Hauppauge, New York 11788

April 21, 2010
9:30 a.m.

MEMBERS PRESENT:

R. LAWRENCE SWANSON, Chairman
HON VIVIAN VILORIA-FISHER
MICHAEL KAUFMAN, Vice Chairman
EVA GROWNEY
RICHARD MACHTAY
THOMAS GULBRANSEN
GLORIA G. RUSSO
MARY ANN SPENCER
DANIEL PICHNEY
THOMAS A. ISLES, S.C. Director of Planning
STEVE BROWN, CAC Representative
RICHARD MARTIN, S.C. Director of Historic Services

THOMAS YOUNG, ESQ., Ass't County Attorney

THE CHAIRMAN: I'd like to call the meeting to order. Anybody check the minutes for the last meeting?

MR. MACHTAY: I was not here for the March meeting. I left almost as soon as it started.

THE CHAIRMAN: Anybody else?

MS. GROWNEY: I didn't.

THE CHAIRMAN: We will put that off until the May meeting, but please check the minutes. Jim, is there any correspondence that you would like to call our attention to?

MR. BAGG: Yes. In your packets there is a letter from former Commissioner Pavacic on the Manorville Protestant Bible Church. I think that will -- that was never transferred to Parks. There is an article on the Long Island swans about urgent environment review about impact on the Carmens River. Should be included in the EGIS and I see there is a letter from the Brookhaven CAC concerning Legacy Village property and requesting that it be left in its natural state.

THE CHAIRMAN: With that, mentioning that, Steve Brown wrote a letter. I would like to mention Steve is back; it's been awhile.

Michael, briefly, can you summarize what came out of the lawsuit concerning vector control.

MR. KAUFMAN: Okay.

THE CHAIRMAN: Briefly. I will know it's difficult.

MR. KAUFMAN: The county was involved in a lawsuit by the Peconic bay keeper was originally accused of violating the Clean Water Act in two ways; digging ditches without authorization, and also essentially spraying that may not have met some of the regulatory framework. The county was able to prove that the ditching that had occurred was on previously ditched wetland and there was no violation that way. That aspect of the ruling was upheld at the 2nd Circuit.

The Court also, interestingly, said that whereas the county's spraying activities previously done were found to essentially be legal and authorized as a regulatory framework at that time existed; however, they said that beginning in 2011, the county would be subject to EPA regulations that would be coming out in the next year, which basically say that helicopter spraying and truck spraying and certain other activities would be looked at as point source pollution, but would be authorized, nonetheless, under the Clean Water Act as

long as the regulations were upheld and as long as the products that they were using were sprayed according to the labels.

So the county won again I'm sort of summarizing the county won a fair amount of what had been previously alleged that it was doing wrong it was found to be okay for what it had been doing previously but there are new regulations coming up that the county will have to adhere to. That is not a problem as long as the county follows the regulations. The regulations are being developed at this time. They do not exist. I think the EPA is coming out with them in 2011, something like that.

MS. VILORIA-FISHER: Can I ask a question, Mr. Chair? When we were discussing the plan and there were some voices who were sitting as members of CEQ at that time looking for restrictions regarding spraying in wetland areas, that is the area where we're going to see the new regulations, isn't it?

MR. KAUFMAN: Yes. Essentially if I understand the decision correctly. I read it several time and discussed it with some of the attorneys involved. The county seems to have been according to the law following the law as it existed and apparently

has not been in violation by spraying however there are new regulations coming out. Which will probably tighten some of the activity and put more paperwork restrictions and operational restrictions but at this point in time given the information that is out there those regulations should not impact the county severely.

MS. VILORIA-FISHER: The EPA, not DEC.

MR. KAUFMAN: EPA is doing that now, yes, independently. DEC is working with EPA and also with the county to have its regulations in place, which would be supplements to EPA. So you will basically have EPA with an overarching, then DEC with the operational aspects because they're the permitting body at state level. Again, a lot of jurisdictional issues. And the county is working with, from what I understand, DEC in dealing with setting that stuff up, so it should not be a massive problem. Everyone will be following the regulations in a real world way.

MS. VILORIA-FISHER: Thank you.

THE CHAIRMAN: One other thing. Can you also, since you have gone to some of the meetings, bring us up to date on what the status of vector control plan is upcoming? This is the end of our three year cycle and we should be getting a new plan. Where do we

stand?

MR. KAUFMAN: There are three aspects to it. Triennial plan. Triennial report will probably be delayed a little bit. It is -- part of it are in preparation right now. Second off, I sit on the pesticide review committee. We have been reviewing further literature since 2006 as to the impacts of Methoprene and some of other chemicals used out there, BTI, et cetera. What it boils down to since 2006 there has been no research showing that Methoprene is a global killer in any way, shape or form. There are indications that it has to be carefully used, carefully controlled.

The county is responding to those restrictions, but there is nothing out there saying there is a smoking gun, that Methoprene will kill everything out there. Pesticide committee, which is composed of a lot of non-profits, a lot of state agencies, a lot of county agencies, has decided to move on from there. We recorded the decisions that have been made and those eventually will be reported to the CEQ. We did receive, a couple of months ago, some quick updates from that.

Finally, many on the wetland stewardship, there is a plan right now, there is research -- let me

rephrase that. There is research ongoing now on a wetland strategy and how to assess the health of wetlands. That is still in production. It was supposed to have been completed around this time. That deadline is probably going to slip by a half a year, maybe a year or so because there were never any contracts signed with the original contractor, Nature Conservency, and instead the county, when it was unable to come to an agreement with the NC, went with a consultant, Lockwood, Kessler & Bartlett, LKB. They are working with that plan right now.

The work groups met in March and will be meeting again in May. Nothing definitive has come out there in terms of full planning. It's still in the research stage. That is where we are right now.

THE CHAIRMAN: Any questions of Michael? (No response) All right. Historic Trust report, Richard

MR. MARTIN: I'll give a quick update on the housing and contracts and some explanation to the letter Commissioner Pavacic wrote on the church property in Manorville. Right now in the housing program we have five acres. One we are hoping to fill next month at Inland County Park near Greenport. The other four we're

hoping to advertise next month in a county-wide flier that will be sent out in everyone's paychecks so people will know they're available, and set up a day for site visits where the houses are open one day and everyone is invited to take a look at the houses and put their requests in.

We're hoping by mid summer that we can try and get all the remaining units rented. One of the issues we had actually with West Hills House, what we call the Stimpson House, which is one of our expensive homes, is the fact that we didn't have enough directional signs, so we need to also put up signage -- people don't know those parks -- so they can get to the houses and get a good visitation. That was actually one of the issues that we felt didn't allow them to be rented last time.

We are doing very well and we have a list of people and people are still calling from the last flier that was sent out. We were hoping by mid summer to have all these rented.

With the contracts, we're still working on the negotations with contracts on both the Great South Bay Audubon Society and Brookside County Park in Sayville and Audubon Society park in Greenport. These two contracts were completed by the Parks Department, but we

are trying to work with the lawyers from these groups. They have a lot of questions on these contracts. Every time they go back, the contracts get updated by the County Attorney's Office, which explains all the requirements that are put into the contracts. We are hoping to sign those soon and the Parks Department is drawing up the contracts for Splashes of Hope, the arts group we have over in Coindre Hall, and the Long Island Lighthouse Society, which is contract to restore the Cedar Point lighthouse in Southampton.

Relating to the letter Commissioner Pavacic sent, this was a piece of property about one acre that the county took title to due to back taxes. The way it was explained to us, there are forms that need to be submitted to the state -- Loretta might have more insight on it -- to maintain your church status. They stopped doing it and the property did go on the tax roles in 2006. The county took it over for back taxes. As far as I know, Real Estate did try to contact people that they had, but they did not follow up and did not try to pay off the back taxes.

It has been in the county hands since 2006. The local historic society started asking what the future of the property was. Loretta gave

Nick Gibbons and myself a tour of the property. I do think it's worthy to go into our historic program. We will have to have a committee meet on site to determine that. I think the quality of the building, it would qualify. It actually dates to 1840. It was built in Center Moriches on Montauk Highway, east of the Ketcham Inn, and it was moved to this location in 1869 by a man that was trying to promote the area and thought it should have a church. It was donated. It was a Methodist church. Took it apart and moved it north and established in Manorville. There is also a cemetery as part of this property that has been used through the mid-20th century, and that we will be discussing with the town and state, actually the guidelines, if it can be used any further. This is the first time we acquired a cemetery property that has been used through the 20th century.

The architecture is a Greek revival style church, one room, has not been updated much except for adding electricity. It's in pretty much original condition.

THE CHAIRMAN: Is that good condition?

MR. MARTIN: Yes. Original, but there is a newer roof put on it, so the building is secure from the

weather in that sense. Initially, we don't have to do anything right away. We would want to just paint the building and eventually replace the roof, probably with a wood roof consistent with the 19th century design.

THE CHAIRMAN: What would you do with this?

MR. MARTIN: In proposals and discussions within the department, this is diagonally opposite the Pine Barrens Trail Center in Manorville, which is your introduction to the Pine Barrens run by the Parks Department. This could be used as a meeting hall relating to activity there. Also the historic society has expressed interest. We haven't sat down with them yet, but the possibility that we could go into contract with the Manorville Historic Society. They do have a site at the schoolhouse in the area that they would, I'm sure, keep, but this could also be another program site for them, I think.

THE CHAIRMAN: Very good. Anything else?

MR. MARTIN: Just to announce, Nick probably mentioned it also. The opening of the Suffolk County Environmental Center at Scully Estate is tomorrow. Ribbon cutting is scheduled for about ten o'clock. If anyone is able to attend that, we are looking to have a good turnout. There will be a lunch served at twelve

o'clock on site.

THE CHAIRMAN: What is the status of us meeting at Mills House?

MR. MARTIN: That was proposed for May. It's fine if you would like to go ahead with that date; it's not a problem.

MR. KAUFMAN: Rich, some of us might need directions to get to Scully. If you could write them out.

MR. MARTIN: It's very simple. I can also give you more information after the meeting. It's 550 South Bay Avenue. It's the street directly opposite Islip Town Hall. You go to Islip Town Hall on Montauk Highway, go down South Bay Avenue. It's towards the water on your west side, or on your right-hand side. There is a new sign out front identifying it as the Suffolk County Environmental Center.

THE CHAIRMAN: Going back to the May meeting, when we originally talked about this, you were going to give a tour of the house for the first half hour. It was, as I remember, we invited some non-CEQ members to also participate. I know the Head of the Harbor historian probably would probably like to visit and probably some other --

MR. MARTIN: I don't know who that is. Can I find out through the office, their town hall?

THE CHAIRMAN: Yes. Probably our environmental board. If that is okay?

MR. MARTIN: It's definitely okay.

MR. KAUFMAN: Rich, we have something on the SEQRA class classifications 1344, authorizing a licensing agreement with the Town of Huntington for Coindre Hall. Is that something apart from the boat houses?

MR. MARTIN: Yes. Part of the agreement that we negotiated with the Town of Huntington is also what we are calling right now the large meeting space or meeting room in the main building up on top of the hill there. They can have meetings, classroom instruction there. So that is what is in the contract as an additional space. That is in lieu of the possibility in the future they could use -- there is a large, what I will call the great room in the boat house. That will not be be restored under Phase 1. In additional phases we're hoping to restore that and then they can use that space, but they wanted some classroom space to be offered back to them.

MS. VILORIA-FISHER: Last month we talked

about Deepwells and returning to agricultural use. I mentioned to you that I have the community gardens task force, and we are trying to get community gardens there is a boy scout group right across the street. They're interested in working on that. And there are a lot of resources for developing community gardens. With whom do I work on that?

MR. MARTIN: I would have them call me directly to start the conversation.

MS. VILORIA-FISHER: I'm trying to get the groups together. There is something called the Green Thumb Challenge, which helps schools work on community gardens, and there is the People's Garden from the USDA. I'm meeting with someone from the USDA because there are grant opportunities. I'll get that together first and then you will sit with us.

MR. MARTIN: We can have a meeting on site and go through the ideas.

MS. VILORIA-FISHER: It would be good to get it started during Earth Week, Earth Month. Thank you, Richard.

THE CHAIRMAN: With regard to Deepwells, you really scalped those trees.

MR. MARTIN: The ones on Highland?

Unfortunately, that is a Parks Department trimming of the trees at the request of the community along Highland Avenue, but I agree they trimmed more than they should have. I apologize for the department for that. Try to provide better supervision next time.

THE CHAIRMAN: Is there a chance they will survive?

MR. MARTIN: We can take a look. I don't know if Nick has any comment on that. They were supposed to trim the dead trees -- trim the dead limbs off the trees, and I agree they took off more than they should have.

THE CHAIRMAN: The entire tops are gone.

MR. KAUFMAN: They went in fifteen, twenty feet further than anyone expected. Given the impact of what happened on Highland, if you guys are going to be asking to be approved doing clearing and buffers and things like that on the rest of the property, there may not necessarily be a high trust factor at this point in time. You really need to do some supervision over there.

It's almost to the point where you have to stake out whatever you're going to be doing over there if you go over the boundaries.

MR. MARTIN: Yes, I agree and with trees marked, the trees to be trimmed.

MR. KAUFMAN: You almost need to have somebody over there. It's a sensitive parcel in a sensitive area. It would behoove you very much to have adult supervision over there.

MR. MARTIN: I agree. I have no problem with that request.

THE CHAIRMAN: You might want to take a look, if we go over in May.

MR. PICHNEY: I won't be able to make the May meeting, but I'll look beforehand.

THE CHAIRMAN: It's on Highland Avenue on the eastern edge of the Deepwells property.

MR. PICHNEY: Does the county have an arborist?

MR. MARTIN: We have a tree trimmer.

MR. PICHNEY: It's not the same thing.

MR. MARTIN: Right. I really don't know why that happened to the extent that it was initiated from community request. But I agree they took more down than they should have. It really needs just the basics of supervision from the main office.

THE CHAIRMAN: Recommended Type II actions.

Jim, would you call to our attention anything in particular with regard to legislative resolutions.

MR. BAGG: I think the packet is fairly straightforward. The vast majority are Type II actions. Everything else has been reviewed by CEQ, and SEQRA is complete.

MR. GULBRANSEN: 1339 and 1369 relate to sewer district improvements plus other measures such as funding appropriations. Have we seen those? Do we need to see those?

MR. BAGG: They have been previously submitted.

THE CHAIRMAN: Can I have a motion?

MR. KAUFMAN: Motion to accept staff recommendations.

MS. RUSSO: Second.

THE CHAIRMAN: Any further discussion? All in favor? Opposed? Motion carries. All right, proposed expansion of the pavilion at Cupsogue County Park. Welcome.

MS. GIBBONS: Nick Gibbons from the Parks Department. The project I have before you today is an expansion of an existing pavilion at Cupsogue County Beach Park, which is on the western end of Dune Road,

actually within the town of Brookhaven, situated on the east side of Moriches Inlet about a mile and a quarter of ocean front park.

Probably most of you are familiar with it. The pavilion dates back to the early '80's and over time, the park has undergone significant growth in popularity. It's somewhat transformed from very much a local neighborhood beach to really a regional park as far as usage goes. Our parking lot there is about six or seven hundred stalls. It's routinely filled on Saturdays and Sundays through most of the beach season. Thankfully, because of the way the property is situated, the parking can never be expanded, which will help preserve the character. It can be full, so you get there and you have to turn around for the day, which is unfortunate, but it helps preserve the character and smaller field feel of the park as opposed to some of the other facilities.

At any rate, the existing pavilion is really a hodge podge of structures. It isn't particularly significant in size. Our long time concessionaire there came up with a request to expand the restaurant and food preparation facility and serving area for the public. Parks supports the proposal. It's what I submitted to

you today. It works out to be roughly a three thousand seven hundred square foot expansion of the existing structure. Some of the benefits to the park itself are that there will be more official egress to the park property, to the beach, in that right now there are some tight spaces in terms of pedestrian access through the restaurant area to get to the beach area. That separation will be improved.

The county, through its capital program, did a handicapped accessible boardwalk down to the beach. The issue though is there no handicapped accessibility up to that facility. We have a ramp on either side of the beach pavilion, neither of which is compliant with ADA standards. Part of the proposal is to add such a; handicapped accessible pathway up to our existing boardwalk that goes out to the beach. So we would truly have ADA compliant access, which would be great.

I think I mentioned in the letter there is some removal of the existing Japanese black pines, which were very much in vogue at the time. We found that they have become deceased over a period of years and we are proposing to replace those were native indigenous species. We have had some luck with pitch pines in an area such as this, which is not in the dune itself. It

is sheltered by the building. The poor soil is suitable for pitch pine growth, in addition to some indigenous shrub species, such as bayberry is proposed to restore the area and provide some buffer between the parking lot and the park itself.

I had asked the architect to clarify this. It wasn't clear to me and it may not be to you. I attached what is proposed and what is existing. I will pass that around. I also have a full to scale site plan. I only provided you guys a copy of what was both easy enough to copy and relevant to the discussion as it relates to the overall proximity to the ocean beach. I'll pass that around as well. It shows the existing accessible to the beach and handicapped accessible ramp that we added four or five years ago, and how the overall project related to the facilities at the beach. Questions?

MR. MACHTAY: You said thirty-seven hundred square feet. Is that the size of the expansion or is that the overall size of the whole thing when it's done?

MR. GIBBONS: Is the size of the proposed expansion.

MR. BAGG: One question, Nick. I mean, that is including the deck space?

MS. RUSSO: Yes.

MR. GIBBONS: There are three main elements, the expanded deck area, which is roughly a square, the ADA compliant ramp that would tie into the existing boardwalk, and then the expansion of the eating area, restaurant facility area.

MR. BROWN: What is the actual square footage of the building?

MR. GIBBONS: I don't have it. I don't know.

MR. BROWN: If it's a hodge podge of buildings, would it be better off to take the buildings down and put something different?

MR. GIBBONS: We don't have the funding available to do such an expansion.

MR. BROWN: One of the reasons why I say that, you want to keep it within the character of the beach by not expanding the parking lot. A thirty-seven square foot deck is pretty large. I don't know if it's the same size as the building that is there now.

MR. GIBBONS: It's not. You can see as how it relates to what is proposed versus what is existing,

MR. BROWN: You don't know the size of the present building?

MR. GIBBONS: No, but that is not impossible

to figure out. We did -- the replacement of the building is a multi-million dollar proposition that the county isn't prepared at this time to undertake. I'd say the proposal is or existing facility, there are roughly seventy-five hundred to eight thousand square feet.

MR. BROWN: So you want to go fifty percent larger with the decking.

MR. KAUFMAN: The deck itself, I've been down there a couple of times. From an aesthetic point of view and user point of view, it's an improvement. It's a relatively small deck and gets overwhelmed very quickly. From an aesthetic point of view, you would be able to see more of the beach and look at the dunes and the rest of the structures in the area.

If you look at what is there right now, it's only a tiny little deck. You're talking a fair expansion of deck, but it does go along with the building. Will it increase use? If you put something up that is well constructed, I would say that there is a good chance that there will be an increased use of the building, but you have -- it's there right now. But because of the parking spaces, there would be a limited increase in capacity. Assuming it's under four thousand

square feet, it kicks into a Type 2.

I'm sort of mixing apples and oranges. I don't see this as being anything in a negative way. I don't see any real problems being created from its construction. Yes, there will be more use in the area, that is definitely true, but that is in and of the building itself as they expand that. It looks like easily a fifty percent expansion of the food areas and prep areas and things like that.

You're correct on the numbers. Again, just scaling this, I'm trying to find a scale marker on here, it looks like it's under four thousand.

MR. BROWN: The question I have, you're going to remove vegetation and plant in other areas, which I understand. But you're expanding a deck to thirty-seven square feet where you have no expansion for people to come into it. You have a six hundred stall limit and they're filled up. Right now what is existing is satisfactory to the --

MR. KAUFMAN: It's not just deck that is going in. It's a lot of building also. Do you have the full map?

MR. GIBBONS: The existing conditions is something Parks is seeking to correct with this

project. Park patrons who aren't making use of the concession area, having to basically walk through the dining area and concession area to get to the beach. That inefficient access to the park is something that is going to be addressed.

MS. GROWNEY: I have a bunch of questions. I would also like to take a look at the plan in order to comment more correctly. What kind of study was done to satisfactorily warrant the expansion to the degree it is? Without seeing it, it's hard for me to relate to what you're talking about to some degree.

Was there -- do you have -- do you know, has there been a study as to how many people are actually using the spaces there now? Is there large groups for short periods of time? Is it overwhelming so that people are falling into the dunes off the full deck? What are the parameters by which the decision was made to expand the usage?

Perhaps the layout could be rearranged instead of expanding as a possible solution versus expansion.

MR. GIBBONS: You mean a second level?

MS. GROWNEY: The layout changed around. I don't know. I haven't seen the actual design layout of where things are placed right now within the structure.

If that layout was altered in a different capacity so that the use has a different flow pattern. I'm really asking a bunch of questions about the current usage, what were determining factors that the expansion was warranted, and how was the usage examined in its current state.

MR. GIBBONS: The day-to-day observation and working with the concessionaire for ten years is how we came to propose the project. I wouldn't classify it as a study, but it's first-hand knowledge of how the parks operate and effectively managing the use of its own properties. Nobody really knows better than the parks staff and concessionaire themselves as how to best manage the property.

MS. GROWNEY: How many concessions are there just, the one?

MR. GIBBONS: Yes.

MR. GULBRANSEN: You come up a ramp, go through this area and go down the boardwalk, which has tables. It's a challenge to get through this if you don't want to dance to the Jimmy Buffet stuff.

MR. KAUFMAN: Eva, look at the existing building. It's relatively small. There is not much to it.

MR. GULBRANSEN: On a weeknd, it is packed. You have to walk through it like this. It's a good thing.

MR. GIBBONS: The expansion is toward the parking lot. The other direction would be into the Dune habitat area.

MS. GROWNEY: So you're expanding it.

MR. GIBBONS: North.

MS. GROWNEY: There really won't be more visibility to the beach, per se, if you're expanding north because it's some what tucked behind the existing building.

MR. GIBBONS: No. This is the proposed additional deck squre footage, this is existing, this is the existing boardwalk out to the beach. (Indicating on plan)

MS. GROWNEY: All this is existing; is that that you're saying? It's not clear.

THE CHAIRMAN: When do you plan to start doing this, if it was approved.

MR. GIBBONS: Not before this season.

THE CHAIRMAN: Could you bring some -- could we postpone doing anything with this and bring some photographs and a little more descriptive material

perhaps to the next meeting?

MR. GIBBONS: Yes. The one thing I would like direction from you guys, can we agree that it's less than a four thousand square foot expansion of an existing structure, that it is, in fact, a Type II action and to that end, what information can I provide to you that would demonstrate other than a scale plan that shows the square footage.

THE CHAIRMAN: I think people here are interested in it, but are not familiar with the property and would like to see what the existing conditions are. What you are trying to improve. How it is improving the effectiveness of the overall project without increasing the size of the parking lot, things like that.

Also, any statistics that you might have. I understand that you probably don't have a lot.

MR. GIBBONS: We don't, I can tell you that today.

THE CHAIRMAN: Anything that would be helpful in clarifying some of the discussion.

MS. GROWNEY: Part of it for me is showing the existing and proposed is all kind of jumbled in here. It's not clearly delineated. And to see what this land looks like, where you are going to build to

see actually the configuration. What kind of terrain it has, what the vegetation is.

MR. KAUFMAN: Nick, you would be best served if you would simply give us a photo array, which you have done in the past with several larger projects so we can see it and look at, among other things, taking in account what Steve was talking about, pictures of the black pines, which are not in the greatest of shape.

MR. GIBBONS: I'll be happy to bring additional pictures, but it won't show -- you will see a beach scene of basically what is an abandoned park this time of year. What you won't see is people.

MS. GROWNEY: That's okay. Pictures from the existing deck areas looking towards the parking lot, at least that would give us a picture of what the terrain looks like so we can see what it going to be disturbed. So we all understand what the content of this is.

MR. GULBRANSEN: You will be replanting around the observation deck, which is the new part. Is it allowable or worth consideration to use that as an opportunity to highlight the native species? It's kind of difficult right now; where do you buy that stuff? You go to Lowe's and they bring it in on trucks. Is it conceivable to have nurseries who could benefit from

signage so you can -- it's an opportunity to educate folks. It's something that --

MR. GIBBONS: That sound simple and it's a fine idea.

MR. GULBRANSEN: The question is whether it's allowable. You can say no.

MR. GIBBONS: We would have to provide additional equal opportunity for additional firms. We could be overrun with plant material in short order if we made it available to everybody. The county though is -- there is a do not sell list that the county -- it's an active county project and initiative. Part of that push to use native species requires both DPW and Parks and other county agencies not to purchase non-native species, to use an approved list of alternative species, and we have been doing that for a number of years.

MS. VILORIA-FISHER: There is a positive flip to that. I believe it might be next week there is going to be Long Island native grasses initiative. The group that has been working through the Water District. There is going to be several shows where there are nineteen native species that are going to be available for sale. I will send you the information. It sound like a good

idea to get plants donated for advertising, but I don't know if you can do that.

MR. GULBRANSEN: It's also a dune setting, so it's not typical of what people would be buying to plant.

MR. PICHNEY: A number of these plants are readily available to contractors, locally. The bayberry, shadlow, things like that are very common in the industry and readily available. Some good nurseries will carry things like that in this area. Most of the wholesale nurseries that grow indigenous species are out east. They seem to do more of that type of work out there.

My question to you, something like a pitch pine, do you know if that is grown commercially?

MR. GIBBONS: It's not. But we have a relationship with Saratoga nursery at DEC so we have done some of that, had some of those plants raised for us in the past. That is something we would proposing for here. The shadlow and amelanchier is something that I would propose here.

I didn't know you guys would get in to that amount of detail. You guys are an unpredictable bunch.

MR. BAGG: What is the size of the area to

be planted?

MR. GIBBONS: I can calculate that and bring it to the next meeting.

MR. BAGG: My question revolves around the expansion. The immediate facility is thirty-seven square feet. When you take into consideration the area of planting and everything else, it may exceed that.

MR. GIBBONS: I think I calculated that all together, but I didn't break it out as to what is deck and what is disturbed area.

MR. BAGG: It seems like with the area that you were planting, it's a larger area.

MR. GIBBONS: I'll calculate that more carefully. I'll define that.

MR. BROWN: If you're going to plant with indigenous plants, maybe we should have educational signage so people understand what we're bringing in. Like Jim said, I'm more concerned about the disturbance in the environment in that area that you're going to take stuff out and replant.

MR. GIBBONS: You will get a better idea of what the area is and you will see it's not a significant disturbance.

MS. GROWNEY: It looks like -- it's not

really descriptive enough for me to understand. It looks like you're adding in different locations. There is a new proposed storage area and ramps and lots of different areas. The only way to get access to the storage is through the toilets, and it's bigger than the toilets.

I'm wondering if the plan is laid out in a way that makes it more efficient so that most of the new construction is in one location rather than all these parts around, so there is less disturbance to these areas.

And final comment is the skylight above that is going to be a hot place to be on the beach. It's a lot of glass. It's very expensive. That's all.

THE CHAIRMAN: It also provides light.

MS. GROWNEY: It's a lot of glass. It's expensive.

MR. PICHNEY: What is the condition of the beach there? Is it a wide beach or are the buildings in danger from nor'easters than have been more prevalent than hurricanes.

MR. GIBBONS: In this time of year the beaches don't look good anyway. It's in an accretion season. This past winter we had the ocean up to and

inundating the staircase that goes down to the beach. That is not unusual for the winter.

MR. PICHNEY: Not as bad as Smith Point.

MR. GIBBONS: No, nothing within the county holdings is as bad as Smith Point.

THE CHAIRMAN: Can we have a motion?

MR. KAUFMAN: Motion to table this.

MS. GROWNEY: Second.

THE CHAIRMAN: All in favor? Opposed? Motion carries. Nick, we're unpredictable. That means you should always come prepared for the worst.

While Nick is still here, let me mention that Lee Koppleman wrote a book, which is out maybe a year, about Fire Island and the very important role that Suffolk County has played in the development of the island as a recreation facility over the last fifty, sixty years. It's well worth your reading. I think Seth Forman is a co-author with Lee on that look.

MR. KAUFMAN: As along as I have you on the witness stand, Blydenburgh Park and Caleb Smith Park water management. Caleb Smith drains into the Stump Pond.

MR. GIBBONS: Other way around.

MR. KAUFMAN: There were some concerns about

water management, and the recent storms nearly filled up Stump Pond and came close to going over some of the embankments there, and to my eye there could have been a large problem with the blowout by the middle. Has anyone looked into trying to drop the water levels more than they are ordinarily dropped with the kind of storms that we are getting with more and more frequency?

MR. GIBBONS: The short answer is yes, we have. The long answer is that the dropping of water level is regulated by the New York State DEC. For many years, we coordinated with Caleb Smith and state parks there to give them a heads up, we are dropping Stump Pond in anticipation of a storm events. We have to go to Millers Pond and drop that. The entire system is connected. There is a benchmark at Stump Pond that we are not to go under that has been established for many years.

The issues that I believe you spoke to Clarence there on from time to time it is true that Parks is delinquent in dropping the level in an efficient enough manner. There has been a tremendous amount of turnover of staff there. Some are more familiar than others. It gets to a point if too much water buildup, you have to bring a tractor to down there

to pull some of the boards up because so much pressure is behind them that it has to be released in a very slow manner rather than dropping six inches of water at one time.

We also have the closure of the small spill way over by the middle. The project will be getting under way. We expect the next phase of that will be coming over soon. The result of that is none of the water is coming over that spill way. It's all being pushed over to the west to the big spill way, as you know.

MR. KAUFMAN: Yes, it's looking pretty tough over there.

MR. GIBBONS: It has a tremendous amount of capacity there. It is true Caleb Smith is directly downstream of that structure. I did talk to the parks supervisor over there. He's well aware of the issues there. Now twice in the past, I would say three years, we had a hundred year storm. We had a lot of surface water management issues in that northeast branch.

MR. KAUFMAN: You may need to start looking at the stuff maybe a couple of days earlier than you would.

MR. GIBBONS: We do. We used to do it more

aggresively. DEC kind of cracked down on that a little bit and they're asking us to get their approvals ahead of time. Predicting the stuff is a tricky affair. We are doing the best we can.

I did speak to Clarence about it. We are on the same page. It's not that we have a different philosophy about it, but we have to do it within the regulations.

MR. KAUFMAN: My concern is we are getting more and more rainstorms like that. The weather is changing on Long Island. Larry did some statistics for Nissequogue and Head of the Harbor a couple of years ago. It showed that rain events are coming harder and more frequent. You might want to talk to DEC about it. I don't want to see us in a reactive phase and have blow-outs.

I have built dams in the past and I know how bad things can go when things go wrong. When you have an overtopping, you can lose a heck of a lot of capital intrastructure and cause damage in the area.

MR. GIBBONS: Well, we did have damage at the Mill as well. That has started to fail. A future phase will be reconstruction. I hope to be able to bleed some water of out there. It's a hundred acre pond, which by

Long Island standards is very much a lake. Behind those boards there is a lot of management and thought that goes into how we regulate that.

THE CHAIRMAN: Proposed acquisition of open space. We will talk about Mud Creek. Loretta.

MS. FISCHER: Hopefully, I will be very quick for you this morning. One proposed acquisition before you. It's a small lot, less than a quarter on Mud Creek, in the Hamlet of East Patchogue. As you can see on the map, it's at the headwaters area of the creek itself on the eastern branch and this is -- this area, this acquisition is a part of the Mud Creek County Park, and it is a success story in the sense that this is a number of old filed map parcels that we have been able to amass and create an open space preservation area for the river.

This river is also getting attention as far as doing habitat restoration. The majority of the area to the southeast, the area with the open water is a former duck farm, the Gallo duck farm, and we took that parcel as well as some other parcels that the Gallo family owned through tax liens many years ago, actually, in the mid '90's, and we are looking to do wetland restoration of that stream corridor as well.

So, this property is part of the acquisition, but we are also looking to do other restoration work along the stream corridor.

MR. KAUFMAN: Loretta, quick question. Restoration work, I know what creation of wetland is. Are you going to be taking out of any of the foreign deposits that might be in the area, or are you going to be leaving them in site?

MS. FISCHER: Phragmites?

MR. MACHTAY: Duck stuff.

MS. FISCHER: We are going to be evaluating that. We are working on the plan to restore it. If, in fact, we feel it's necessary, we will present that.

MR. KAUFMAN: You don't see any pollution coming off from there?

MS. FISCHER: No. We have done a water study analysis. We are using the western branch as a guide to the water quality and compare to the eastern branch of where the duck farm is. We are looking at this as a comparative study of two branches of the river and various uses that have impact the over the years.

What we are going to do as part of the study is evaluate those conditions, both east and west, look to see where we can make the most appropriate

restoration work. The western -- the eastern branch is heavily inundated with phragmites at this time, so it's something we will have to grapple with on a massive scale.

MR. KAUFMAN: Removal of phragmites is not a problem. They're an invasive species, for all intents and purposes.

MR. BROWN: Are all these parcels county parcels, and they have been designated as park land?

MS. FISCHER: Yes. Being that you represent the Town of Brookhaven, the parcels in purple are those designated park land.

MR. BROWN: I don't know. I do know that the open space committee from Brookhaven has bought lots in those areas. I have to take a look at the map and determine that. You know what happens, a lot of times when you pick up properties for tax purposes, they go into general municipal, and the next thing you know, we turn around around, they have been sold and we thought they were dedicated park lands.

MS. FISCHER: We send through separate resolutions to actually transfer and have them designated as park land.

MR. BAGG: I think those were required and

were going to be used for affordable housing units.

MS. FISCHER: That is why I asked.

THE CHAIRMAN: Is it important to your ultimate plans?

MS. FISCHER: It would be very beneficial for them to be placed in a preservation category, an open space preservation category in that area. Obviously, is part of the watershed to the headwaters of the stream corridor, although there are other developments around there, including, I believe, a senior citizen housing complex. Whatever we can protect in that watershed would be helpful.

We would recommend they be placed in an open space category rather than affordable housing. We would like to make that recommendation.

THE CHAIRMAN: Steve, you will find out for us.

MR. BROWN: I will.

MS. VILORIA-FISHER: I have a question for Jim regarding the affordable housing question. Were they properties that transferred from the county to the town for the purpose of affordable housing?

MR. BAGG: I don't remember. I recollect that property was proposed for affordable housing. It

might have been transferred from the county. I don't think so.

MS. FISCHER: I don't think so, Vivian. They were town owned for a number of years. At least into the mid '90's they were town owned. My recollection is that those properties were not county owned. We did not transfer them and they have been town owned for a number of years.

I was in contact with Jeff Kasner about them maybe five or six years ago, just to get an update. I don't know if he was able to ascertain.

MR. BROWN: We work closely with the county on preservation. Whatever we can do to protect the environment, we will.

MR. ISLES: I think this is a preservation success story. I think about ten years ago there was the option of there being a sale, including the duck farm, which would have been auctioned off, purchased by the county, the Unitarian church property and subsequently -- this has been identified as the only native trout population left.

MS. FISCHER: Yes, on the western ridge, so it's very significant.

MR. ISLES: Not a stock trout population.

Genetically, it's an original trout population.

MR. KAUFMAN: One of the branches in the Nissequogue river is in the same situation. They have a remnant of the original trout population.

MR. KAUFMAN: Motion, unlisted negative declaration.

MS. GROWNEY: Second.

THE CHAIRMAN: All in favor? Proposed motion carries.

Proposed safety improvement to CR 21, Main Street, Yaphank.

MS. BOESCHEN : Good morning. I'm Elizabeth B-O-E-S-C-H-E-N . I'm a civil engineer. Suffolk County improvements to CR 21, Main Street, Yaphank. It's existing two lane road, predominantly east-west in the area. The existing horizontal curb is approximately six hundred thirty foot radius. It has a normal crown, not super elevated section.

We received numerous requests from residents in the area for guide rail installation due to several accidents where vehicles actually would leave the roadway and encroach on their private property. We're proposing to increase the radius of the curb to twelve hundred feet, flatten the curb and super elevate the

roadway, alleviate the problem, increase safety.

The project constructed in the existing right-of-way, it will include replacement of curb, sidewalk and relocating drainage. The proposed lane configuration will be the same as existing; two lanes, one in each direction. Existing right-of-way is mostly clear of vegetation and the project should have minimal impact on the project. We don't need then a DEC freshwater permit for the project.

MS. GROWNEY: I don't know what super elevated means.

MS. BOESCHEN: That means we would bank the roadway to make it easier for vehicles coming along the curb to stay on the roadway.

MS. GROWNEY: How does that impact the ingress and egress of residential properties in terms of their sight line when pulling out of their properties?

MS. BOESCHEN: It's very minor. You wouldn't notice it visually. It would be raised on the south side and we are moving the roadway further out from their properties, so we will be able to take care of that little bit of grade elevation increase.

MS. GROWNEY: How much is it?

MS. BOESCHEN: Maybe six inches. This is a

conceptual design.

MS. GROWNEY: It's not going to be a problem pulling up to it? You know when a car's front rises, it sometimes reduces your sight line in terms of your horizontal perception of what is going on, but this is very minor.

MS. RUSSO: How many feet are you pushing it over?

MS. BOESCHEN : Eight feet to the north.

MR. PICHNEY: I'm trying to place where that is. To the east, how far away away are you from that intersection where the historic gas station is?

MS. BOESCHEN : Maybe it's right about here, maybe a couple of thousand feet.

MR. PICHNEY: Maybe seven, eight hundred feet.

THE CHAIRMAN: Is this in the historic district?

MR. MARTIN: It's within the Town of Brookhaven Historic District, not within the county historic district.

THE CHAIRMAN: Does that have any conflict with that district? I know you can't speak for the town.

MR. MARTIN: I can say I did visit the site.

I don't see a problem with it. The Yaphank Historic Society that we worked with is in support of this project. I don't know about the town's planning department or historic committee point of view.

MR. BROWN: Did they send you any documentation that they support the project? I don't see a problem with it.

MR. MARTIN: They didn't send a letter. I think they would.

MR. BROWN: I recommend that they speak with the historic society and get a letter.

THE CHAIRMAN: Have you coordinated with the town?

MS. BOESCHEN : No.

MS. GROWNEY: That is my question. Seeing the presentation of this, the public seeing this somehow, some sort of dialogue.

MR. MACHTAY: Flattening the curb and elevating the road, does it increase the speed?

MS. BOESCHEN : No, it will help the motorist stay on the road. For eighty-fifth percentile is forty-files miles an hour. For a lot of people, the problem is going fast and coming off the roadway.

MR. MACHTAY: You don't expect that people

will be going faster, whatever the road speed limit has to be?

MR. PICHNEY: I have walked that strip a million times. It's a raceway, believe me.

MR. BROWN: You put the sidewalks in and things like that; it's nice. I'm saying make sure the historic society of Yaphank is a very powerful group. I think you will agree with that.

MR. MARTIN: I agree. Also the Town of Brookhaven, the historic review board, I think, should weigh in on it for the historic districts within the Town of Brookhaven.

THE CHAIRMAN: Do we have a motion as to which direction we want to go?

MR. KAUFMAN: You're going to be redoing the road in the area. What is the drainage like? We are near Lower Lake, I guess, in the watershed. Is there going to be any addition to the drainage?

MS. BOESCHEN : We are not going to add to the drainage. We have a positive drainage system now. We are moving the basins back.

MR. KENEIBY: We are not adding any material. It should stay the same. We will have a water project for this area that is going on maybe in a

year so, I'm not sure, couple of years from now. We will have a water quality project on that.

MR. KAUFMAN: Given the drainage in the area, is it picking up the water flowing from the rains? We are not having overflow onto people's properties or anything like that? Is the drainage adequate?

MR. KENEIBY: Yes.

MS. GROWNEY: The reconfiguing is not going to impact that?

MR. KENEIBY: We are not adding area, we are going to reconfigure our drainage system and maybe relocate some -- maybe add additional basins to improve the drainage system.

MS. GROWNEY: Any revegetation plan?

MR. KENEIBY: At this point, I'm not sure. We may add a couple of trees, but we don't add them on the county property. We may add a couple of street trees.

THE CHAIRMAN: That may be something you want to run past the county people.

MR. BAGG: We do notice several people in the area. It goes to the CAC, Town of Brookhaven Supervisor's Office, Legislator Kate Browning.

THE CHAIRMAN: Theoretically, we are

covered.

MR. BAGG: We haven't heard anything back.

MR. BROWN: My thing is the Historic Society of Yaphank sending a letter in support of it.

THE CHAIRMAN: We have three historic districts we're dealing with, Yaphank, Brookhaven and Suffolk.

MR. BROWN: No.

MR. MARTIN: It's only the Town of Brookhaven Historic District.

THE CHAIRMAN: There is not a Yaphank?

MR. MARTIN: It's the Yaphank Historic District, but it's a town designation. There is not a county property within this project.

MS. SPENCER : Having drawn that district many years ago as chair of the HDAC for the Town of Brookhaven, I recommend that we approve it.

THE CHAIRMAN: Make a motion.

MS. SPENCER : So move.

MR. MACHTAY: We have a motion for that?

THE CHAIRMAN: We accept the project as unlisted.

MR. MACHTAY: I will second unlisted Neg Dec.

MR. GULBRANSEN: Will it not be subject to outreach and feedback?

THE CHAIRMAN: Not according to her motion. You can vote against her motion.

MR. BAGG: Mary Ann, you said that you were chair.

MS. SPENCER : I drew that district. I don't have any problem asking them for feedback, but I don't see why we should slow something down that is not going to have visual impact on the district.

MR. BROWN: That is a determination by you. I'm not sure whether it's going to have a visual impact or not. I don't live in the district myself. But if we reach out to the historic society --

MR. KAUFMAN: She was taking notes. I think it would be a good thing to solicit the agencies' comments, and if those comments --

MS. SPENCER: The Town of Brookhaven should have done that. By law, they should have contacted the HDAC and asked for their input.

MR. KAUFMAN: Technically you are correct. But it wouldn't hurt to find out if they have any issues.

MS. SPENCER : It wouldn't hurt, but I don't

see why we should slow it down.

MR. MACHTAY: If the project doesn't substantially change after those comments, then she will be back here; that's all.

THE CHAIRMAN: We have a motion on the floor. We have a second. All in favor? Opposed? Motion carries. The motion implies that you can go forward, but I would appreciate actually if you do reach out to them and get comments and let us know at the next meeting what those comments are. If they have not commented by the May meeting, I would say just move on.

MR. MACHTAY: The Department of Public Works, your question comes up; have you met with the community? Have you met with that group, and have you have met with that group.

If the Town of Huntington tried to do a projects without meeting with the community, or New York State DOT was going to improve a road or stretch of road without meeting with the local area residents and politicians and everybody else is, they would never move ahead. I find why doesn't the county do it.

MS. VILORIA-FISHER: County does do it. I have a law that I introduced back in 2001 or 2000 which was the Good Neighbor Policy Law, or something like

that, where the county, if it's making any changes to county property, has to inform and meet with neighbors within a certain amount of area, even if it's on county property.

MR. BROWN: Have to meet with?

MS. VILORIA-FISHER: Have to inform.

MR. BROWN: Which is what they did. They're covered by the mailing. The thing that I see is that I don't really see a problem with the project myself. But I would hate to have the historic society come in here and say look what you did to your area.

The thing that I'm saying, if we have documentation saying that we approve it with the plantings or whatever it might be, would be a lot better and a lot better community communication than just sitting here and saying just do it.

MR. BAGG: If I might point out in DPW's defense, this project came about at the request of the local residents living on the road, so there was community input.

MR. MACHTAY: Absolutely, but the fact of the matter is maybe a year or two years has gone by and they haven't heard anything. What is the county actually going to do. This would be a way of informing them.

Look, New York State DOT has a number of projects on Route 110 and New York Avenue in Huntington north of Jericho Turnpike and south down around the Expressway. There have been a number of meetings with the community.

I don't agree with everything that the community has come up within objection, I know that DOT doesn't necessarily agree either. At least they're willing to duke it out with the community and make as many people happy as they can. That may be impossible.

MR. PICHNEY: Did you send letters to the residents?

MR. KENEIBY: No, we didn't.

MR. PICHNEY: That is what gets people upset, when the trucks show up and they have no idea what is going to happen.

MR. KENEIBY: When we have the projects designed, we will inform them.

MS. VILORIA-FISHER: I'm going to go back and send you a copy of the actual policy. If there should be notification of anyone within a certain range, I'll send that to Gil Anderson.

MS. GROWNEY: It also disrupts their daily activity there while it's going on.

MR. KENEIBY: Before we put a project out we

normally inform.

THE CHAIRMAN: So you're thoroughly confused now? As Mr. Pavacic said, this is a tough group.

MR. GIBBONS: I don't think he did.

MS. GROWNEY: Nick did.

THE CHAIRMAN: You are going to get back to us next month about the contact you made with the Historic Society in Yaphank,

MR. KENEIBY: We are moving forward with this.

MS. GROWNEY: Just those new things.

MR. MARTIN: Just to clarify, if you are going to look for communication, I think it should be with the Town of Brookhaven. Is that under Planning, the historic district?

MS. SPENCER : Historic District Advisory Committee.

MR. MARTIN: They're the ones that legally supervise this area. Historic society is a membership group, can give their comments so I think both should be informed.

MR. PICHNEY: You can write a letter to cover your butt, but unless the right people know, it's useless.

THE CHAIRMAN: Nick.

MR. GIBBONS: I have reappeared. Good morning.

THE CHAIRMAN: You have nothing to propose to us, so we can't beat you down too badly.

MR. GIBBONS: We will see. I thought that was the case earlier and I was wrong in terms of updates. I don't have much to say except for next month I intend to bring to you the Cedar Point Master Plan. It's a document that has been kicking around on our end for about two and a half years, for a variety of reasons that I will get to next month. It will be sent to you in advance.

Cedar Point is roughly a six hundred acre property in the northwest woods section of East Hampton just east of Sag Harbor. The county owns the property for nearly forty years now. It's a significant property of diversity of habitats. Lots of different recreational activities that go on there and opportunities. A historic lighthouse structure. Endangered species, so there is a whole mix of different things.

It will serve two functions. One is the master plan itself that the formal presentation and a

document similar to Blydenburgh, similar introduction to the council on what Cedar Point is and what goes on there.

MS. GROWNEY: Since I live in East Hampton and it's a treasured place for us, are there any major plans anticipated, that you want to do there.

MR. GIBBONS: I would defer that to next month's meeting. Just as something of a real brief statement about the direction that the consultants were given when developing the master plan was, essentially what we wanted to do was maintain the status quo, protect the park from the Parks Department, if that makes sense, in that we don't want a lot of infrastructure or increased activity at the site. And it makes some recommendations like any master plan or working with the consultant.

They're basically reformatting and helping direct what your goals are, and we were very pleased with the overall recommendations that came out of The it's basically a confirmation of status quo with some, yes, there are some improvements and capital improvements proposed, but I wouldn't classify any of those as significant, if that helps.

MS. GROWNEY: It's great.

MR. GIBBONS: Anything else?

THE CHAIRMAN: Can you give us a brief status of the County's Atlantic Ocean beaches and what plans are necessary to fix them. That is in the works.

MR. GIBBONS: The current status of the various county beaches, and I guess we can focus primarily on Smith Point County Park.

THE CHAIRMAN: County Beach Park, are there others of particular interest to you? Will they be opened?

MR. GIBBONS: They will be open. They are open currently. At Smith Point, just very briefly, we have lost, depending on your calculation, several hundred thousand yards of material there. The site was the focus of two nourishment projects over the last three years. There is an additional federal declaration which the county is pursuing, additional funding. However, environmental windows, being what they are, no project will happen there of any significance until those windows are lifted. That is October.

We are going to basically enter the season with the current status as is. That being said, the sea wall that protects the pavilion at Smith Point as well as Flight 800 memorial has been exposed, about eight to

ten feet exposed. I don't think that anything will happen any time soon, but the ocean bathing area has shown some accretion. There will be some swimming the beach buggy access, which may not be a concern for the people here, but for the management status, is it.

We have recreational beach buggy access to about five miles of beach. That is open from time to time in season, depending on what the birds are doing. We have the benefit of a road behind the primary dune, a sand pathway to Burma road which allows public access to the inlet. Although the bathing area will be limited, we will have the same access as we have over the years.

The beach doesn't look good. At Cupsogue, there is some accretion there as well. Bathing beach area is usually the area with the best beach conditions at that park. Then begins, as you begin heading west towards towards Moriches inlet you have significant erosion. Cupsogue too will be open for business same as ever.

Then we have other facilities that were impacted, but these are more passive parks. We own four miles of beach at Shinnecock West. We own a half a mile east on the Shinnecock East County Park where we have recreational beach buggy access and beach camping. That

has been somewhat diminished as a result of the storms, but we are going to have limited outer beach camping there this season. And our the other two facilities I will mention, Theodore Roosevelt and Montauk County Park where we have beach buggy access and beach camping area to outreach camp for roughly a hundred sixty to eighty campers, that is seasonal use. It's a skinny beach. We have coastal storms in season where we have to routinely evacuate the beach.

The last one is Meschutt County Park off Peconic Bay, east of Shinnecock Canal. The park suffered severe erosion. We have a nourishment permit, but it's only good for, I believe it's a thousand cubic yards of material. That is not a lot of material for what is needed there. That site at some point in time will need to be considered for true beach nourishment, a dredging project, sand bypass around the canal, which we have had in the past and/or some other beach nourishment from the frontage of Peconic Bay, which is very tough to get those types of approvals from the DEC within Peconic Bay, far greater then when you're pumping up out of the ocean.

THE CHAIRMAN: You have more or less a long-term planning process for beaches. The county does

pretty much reactionary. What happens at a particular season?

MR. GIBBONS: The long-term study will be subject to the FIM, just as everyone else will be. Absent that document, which, as you know has been many decades in the making, we are very much reactionary. We have a hard time, unless we're getting federal reimbursement for some of these projects, we do not have the wherewithal to stockpile sand and be prepared in that sense for beach filling operations after the storms.

The scale of the project at Smith Point, there is truly no other practical way to nourish the beach than to pump up sand from the ocean or the inlet, which we did previously. That was a benefit in that the inlet had not been dredged in many years. It was a navigational hazard and it provided an excellent source for beach compatible sand that did not have as many environmental regulations as sand pumped up from one of the Atlantic Ocean borrow areas would. It's an inlet. It's an unstable environment. It's devoid of a lot of other environmental considerations that these approved borrow areas in the ocean are.

We're reactionary in that sense. The park has

limited access over the Smith Point bridge, which has considerations in terms of delivered up sand, which is very expensive. It's about seventy-five to hundred dollars per cubic yard for installation on the beach. Rough tons for beach dredging, about twenty-five dollars a yard, when talking about three hundred thousand yards of material, it adds up very quickly. No apologies for that. We are very much reactionary in that sense.

THE CHAIRMAN: The county parks, ocean beaches to me are the crown jewels of Suffolk. It's important to keep them going. I appreciate what you do.

MR. GULBRANSEN: On the north shore, Crane Neck Beach, which is a barrier beach, about twenty wash overs occurred. A slice, I believe, is owned by the county. Is that something which the county would become a partner in addressing if they were going to try and reestablish the dune that was built about ten years ago?

MR. GIBBONS: We potentially would be with the other landowners, yes. As a site, that is just one of tens of thousands of finite properties. I don't want to suggest that they're insignificant, just the scale compared to some of the other sites that we are having a hard enough time managing.

MR. KAUFMAN: One of the issues that County Public Works has had with dredging projects and sand replenishment projects is cost. County, over the years, has been more focused on keeping harbors open. For instance, Stony brook, Huntington Harbor and a lot of East End areas, that is where their prioritization has occurred.

They try to do beach replenishment in association with that. You heard the astronomincal costs that applied to dredging project. Except in areas where there is a public investment, county, generally, expended funds to try and build up dune lines or beach lines. When it's primarily a privately owned area and the county has a small area over there, when there is capital expenditures placed in there, such as Smith Point, does beach replenishment generally occur. They will cooperate if the private homeowners want to put in a dune line or repair the dune line, they will cooperate in something like that. Are we going to spend money or for it? Generally not.

MR. BROWN: What part is county park?

MR. GULBRANSEN: As I recall, it's about three quarters of a mile. There are many different parcels. I think the part, just each of the maritime

forest.

MR. BROWN: Much of it is state owned.

MR. GULBRANSEN: And there are actually relic private parks. When they did the dune restoration in the late '90's, there was some objection. I believe it was for a little strip that was county owned.

MR. BROWN: Are you talking about Old Field?

MR. KAUFMAN: You're talking about the barrier bars at the entrance of Flax Pond?

MR. BROWN: That is east of it.

MR. GULBRANSEN: West of the inlet.

MR. GIBBONS: There is a single lot.

MR. GULBRANSEN: The question asked, is it county?

MS. FISCHER: There are two that are on the Sound.

MR. GIBBONS: The project that you're referring to, Tom, I'm not familiar with, but the Old Field Beach that we own outright, we actually own both sides of Port Jeff Harbor Inlet.

MR. GULBRANSEN: That was not it. It just made it. The storm of March 14th.

MR. BROWN: For many years it washed over.

Whitehall, especially. At times when you had storms, you had a washover on that beach for many, many years, as far as I can remember.

MS. VILORIA-FISHER: Before we are off parks, if I may beg your indulgence. We recently lost someone who I feel was important to the parks and Suffolk County. That was Ray Corwin, who died suddenly. I'm disappointed that Newsday didn't have a fuller obituary so people would know how much he gave to Suffolk County.

I got to know Ray Corwin because he was chair of the Park Trustees. He was an at-large member of park trustees. I learned a great deal from him. I don't know all of his vitals. I know he was with the Pine Barrens.

MR. GIBBONS: He was executive director of the Pine Barrens Commission.

MS. VILORIA-FISHER: And served other roles. I think Ray Corwin was a terrific gift to all of us in Suffolk County. I know I will personally miss him. When I went to the wake, there were many people from Parks and the Trustees that were there. The former director of LIBI was there right in line with Dick Amper.

So, when you have someone from the Long Island

Builders Institute and Dick Amper waiting on the same line to pay their respects, that will tell you the broad reach that this man had, so I wanted to say a few words about Ray Corwin.

THE CHAIRMAN: I have a suggestion for your problems out there. The Flax Pond is in danger of becoming a fresh water pond again. Maybe you can get your shovel out and get some of that sand out of there.

MR. BROWN: Are you trying to get him arrested?

MR. KAUFMAN: Wait until December 1st. I have a dredge nearby you. Can highjack it.

THE CHAIRMAN: Stormwater annual report. Emerson, when I see you, it reminds me of how rapidly time is flying. You come annually and it seems like you're here instantaneously since I last saw you.

MR. HASBROUCK: Time flies. This has become a right of spring to come before the CEQ as part of the stormwater process.

Thank you, Mr. Chairman, and thank you council for allowing me to use this venue as an opportunity to present our annual Phase 2 Stormwater Report and an opportunity for public comment.

This program is supported by the quarter

percent water quality funds, so I would like to thank the legislative EPA committee, the full legislature and County Executive's Office for support of this program.

For those of you that don't know me, my name is Emerson Hasbrouck. I'm with the Cornell Cooperative Extension Program. I have some of our other Cornell water quality staff withe me today; Mat Sclafani and Mark Cappellino, Lorne Brousseau, Angel Dybas, and Eric Bergy is with DEE and interacts and interfaces with us quite a bit on this project.

Cornell Cooperative Extension is implementing the full DEC-EPA required Phase 2 Stormwater Program for Suffolk County. Part of that process is preparing an annual report on what has been done during the previous permit year. That just ended March 9th, as well as an opportunity for the public to review that report and comment on it. That is our purpose here today. Again, I thank the council for providing us with the opportunity.

I'm going to try to go through this relatively quickly. Go through some of the highlights of the activities that we have conducted during the year. Then if there are any questions or comments, I'd certainly like to hear them, and also our comment period is open

through May 15th. People can comment through the Website, Suffolk Stormwater.com or diretly to our office or to DEE. The activities under the stormwater program are divided into six minimum control measures. I'm combining a couple of those as we go through it.

Under public education, outreach and public participation and involvement, during the past year we reached over three thousand children and over a hundred seventy-five adults through programs that we conducted both in school and in communities. The focus, current focus of the permit requirements through the Phase 2 program is to concentrate efforts in TMDL watersheds that have a total maximum daily load, so seventy percent of our youth class activity was in TMDL watersheds. We modified our school presentations to include more information on TMDL's, pathogens and nitrogen.

Three school district implemented TMDL's on school grounds. Riverhead High School students put storm drain markers on all the catch basins in the school's parking lots. Rocky Point elementary students put curb markers on catch basins in the elementary school parking lot. And Cutchogue East Elementary School actually created a green roof to a section of the roof on the school.

During 2009, our stormwater Website had over twelve thousand visitors. A new page addressing smart growth was added and a link to the stormwater management plan was added and updates were added to the page. The stormwater management update plan is an actual physical document that we put together for this program, and you can access that on the Web and there is also a physical copy at the -- DEE or DPW?

THE FLOOR: Both.

MR. HASBROUCK: In addition, two thousand five hundred fifty catch basins on county roads were marked with curb markers. That completed the marking on all catch basins on county roads in Suffolk County. We installed a total of twelve thousand fifty curb markers throughout the county. Those are the little plastic disks that we put next to the catch basins.

We had a new PSA this year that was aired on two different radio stations. The focus of the PSA was fecal coliforms and nitrogen from pet waste and the PSA was run a total of two hundred sixty-four times.

MS. VILORIA-FISHER: Can you say that again, was that TV or radio?

MR. HASBROUCK: PSA radio, two radio stations.

MS. VILORIA-FISHER: Cablevision didn't give you any time for PSA's?

MR. HASBROUCK: No.

MS. VILORIA-FISHER: Hm.

MS. GROWNEY: There is also public access television you might want to consider. They will run things.

MS. VILORIA-FISHER: I think Fios is jumping on trying to get people to do PSA's.

MR. BROWN: If you have basic TV you don't get the channels. That is the trouble with public access.

MS. GROWNEY: Each town has their own. You have to contact each one, but each town does have its own public access.

MR. BROWN: As long as you have more than basic TV.

MR. HASBROUCK: I just heard my staff mention something.

THE FLOOR: That is the initiative this year, to do television PSA's. We are going to run through the neighborhood journal and some cablevision stations, through the towns.

MR. BROWN: You would think that would be on

basic TV.

MS. GROWNEY: Most of the public access channels cover local government too, so you have two ways of getting them if they have public access.

MR. BROWN: It doesn't make sense.

MS. VILORIA-FISHER: In the messaging you were saying in the best practices for homes. My homesteaders task force developed a wonderful guideline that was put into people's water bills. That is a thumbnail sketch of how to use fertilizer and reduce your fertilizer. It was a nitrogen load reduction for homeowners, and we know that is a major issue in Suffolk County.

THE FLOOR: Through the Water Authority?

MS. VILORIA-FISHER: Yes. I don't know if homeinstead assist is still called that in the county Website. But certainly the Water Authority Website can lead you to it.

MR. GULBRANSEN: Sounds like you just updated your public contact statistics quite a lot.

THE CHAIRMAN: What is your recommendation with regard to your dog?

MR. HASBROUCK: Pick up after your dog and don't put it in the catch basins. You'd be surprised

that people think that is a proper receptacle for their pet waste.

THE CHAIRMAN: Would you recommend putting it in toilets?

MR. HASBROUCK: Mark has the specific language.

MR. SCLAFANI: Bag it and dispose of it as recommended by your local municipality.

THE CHAIRMAN: As solid waste?

MR. SCLAFANI: Right.

THE CHAIRMAN: So it gets incinerated and it gets transported to Ohio.

MR. SCLAFANI: Maybe West Virginia.

THE CHAIRMAN: What does the county parks do with their bagged waste from the dog runs?

MR. SCLAFANI: We just spoke with Nick Gibbons on that recently. They have pet waste stations. They have issues that result from that, which is lot of times the bags get thrown in areas. It becomes a solid waste problem and they have to deal with it. They have mixed success with this. Some people even take the bag and throw it in the water. They dispose of it; they bagged it. It becomes a solid waste issue. It's not an easy topic now.

THE CHAIRMAN: You guys are going to be pursuing this more as to what people should be doing,

MR. SCLAFANI: We're trying to work with Parks on that a little bit more. That is a big issue with that.

MR. HASBROUCK: It's an educational issue with people in terms of what does proper disposal mean. As Matt said, to some people throwing it in the water or throwing it in the woods is proper disposal. They need to be educated differently.

THE CHAIRMAN: Go ahead.

MR. HASBROUCK: Under illicit discharge. Detection elimination. Each outfall was visited three times to check for dry weather flow. Information such as volume, color, odor, floatables, deposits and turbidity were obtained at all dry whether outfalls. Of those sixty-eight, forty-four outfalls with dry weather flow were tested for illicit discharges. Water samples collected at these discharges were tested for Ph, temperature, surfacants, chlorine, potassium, nitrogen fecal coliforms.

Luckily, no illicit discharges were found in 2009-2010 permit year.

MR. BAGG: I have a question on that illicit

discharge. Basically you're testing for coliform and stuff. I think people are pouring oil and everything else down the drain.

MR. HASBROUCK: Some of that is in terms of -- well, the illicit discharges are looking more for a connection, illicit connection into the county's storm system. People tend to dispose of things in drains that they shouldn't. Those are more random events, but the illicit discharge is more relative to a more permanent connection. That is why the guidelines that were established for that is to look for dry weather flow. Dry whether flow is going to be indicative of an illicit connection.

In terms of visual inspection in terms of color, odor and even floatables, you will get a sheen on the water. So our first visual inspection for those will detect people disposing oils.

MR. GULBRANSEN: IDDE is illicit discharge and disposal.

MR. HASBROUCK: Illicit discharge detection elimination.

MR. GULBRANSEN: The way it was described for us, hotlines for spill reporting was the way to do disposal type things separate from the mapping and

connections that Emerson is pointing out. There are two different strategies to address it. You have done the discharge part.

MR. HASBROUCK: Right.

MR. GULBRANSEN: There was a hotline that is going to be implemented and available to others. Was it the town or county?

MR. HASBROUCK: It's in our annual report. I think there are two hotlines.

THE FLOOR: Department of Health has a hot line.

MR. BROWN: It's probably a DEC hotline.

MR. HASBROUCK: The DEC has a hotline, but the MS-4 itself the, municipality running the Phase 2 program has to have a hotline.

MS. VILORIA-FISHER: On Page 1 of six, are those the two hotlines here, 249-1800?

THE FLOOR: One is the Health Department phone line. I think there is also a DPW hotline. That is more for flooding type issues. There are a number of phone numbers. The report doesn't give you a chance to define what the number is for.

MR. GULBRANSEN: Part of the reason for my question is that the state is changing the form. The

state changed the thing around this year for the better. It's a lot more about partnerships. It seems to some people at the meeting you ought not have to have sixteen different hotlines. If it's about a spill, report it up some central place that catches the call can reach out to one village or the town. So far, seems even this year everybody is sort of chasing the hotline thing by themselves.

Do you think next year there will be more substantial effort to combine forces on a few of these things?

MR. HASBROUCK: I hope. So there are a couple of issues that we one run into. One is each permitted MS-4 has to have a phone number for people to phone in and contact as part of their requirements. Now if you have an MS-4 where there is a cooperative agreement amongst several different municipalities combined, they can have one call-in number.

MR. GULBRANSEN: Your report seems to indicate to me, we haven't gotten to that umbrella operations yet.

MR. HASBROUCK: The way we have been directed by Suffolk County, the county wants to be the sole municipality in its MS-4. Without -- there is

coordination amongst programs, but if you're going to have several municipalities form an MS-4, there has to be a formalized written agreement between the municipalities to do that. With the county, again there is cooperation, but is there not a formalized agreement with other municipalities to it.

MR. GULBRANSEN: The county's approach will remain that way?

MR. HASBROUCK: That is beyond our control. We essentially do what the county directs relative to that.

THE CHAIRMAN: Emerson, in your inspection of stormwater facilities a number of years ago, the county was putting in the swirl storm drains. Did you inspect any of those?

MR. HASBROUCK: Actually, did the county actually put in any storm receptors?

MR. BROWN: Vortex.

MR. BERGEY : We have approximately a dozen of them installed currently at various locations, kind of end of pipe applications. My name is Eric Bergey, (phonetic) by the way, DEE, just for the record. We have a regular inspection program. We have a crew that we send around at each location at approximately six

month intervals and track them through a database system.

THE CHAIRMAN: How do you find their efficiency?

MR. BERGEY: Without actually taking water quality samples at the upstream and downstream, which we haven't had a chance to do yet. Unfortunately, staffing is an issue, as you know. We haven't been able to do that to that point.

I can speak to the amount of solid materials, both floatable and sediment materials we have collected. It's been pretty tremendous.

THE CHAIRMAN: Mechanically they still work?

MR. BERGEY: Mechanically, yes.

THE CHAIRMAN: How often do you maintain them?

MR. BERGEY: On an as-needed basis, but we inspect them every six months.

THE CHAIRMAN: Sorry, Emerson.

MR. HASBROUCK: That's quite all right. That is what we are here for, is to receive input and questions. I appreciate the input. No illicit discharges were found during this past permit year. The illicit discharge detection and elimination local law passed by the legislature this past year was certified

as equivalent to the New York State model law, which is a permit requirement.

We have initiated one of the new permit requirements, which is stormwater conveyance system mapping, which ensures sewer shed delineation. Eventually we will have a GIS map of not only all the catch basins, how they're all connected under the roadways and so forth, what is connected to what and what discharges to where.

Under construction site runoff control and post-construction site runoff control. A workshop was given. Nineteen county employees and fifty-six contractors were trained. Template and sample stormwater pollution prevention plans have been updated to comply with the requirements set forth in the new general and construction activity permit. These documents are available for projects conducted by DPW staff as well as projects contracted out to consultants. And DPW engineers and other staff are referred to the best management practices outlined in the New York Contractors Erosion and Sediment Control Field Notebook for all Suffolk County projects where applicable. This field notebook is also made available to all construction inspection staff for their use.

The final minimum control measure is pollution prevention and good housekeeping. We conducted thirteen stormwater management training programs for county municipal employees. A total of sixty-seven employees were trained and these trainings addressed Phase 2 stormwater program, stormwater pollution prevention, spill prevention and response, proper pesticide , fertilizer application and winter maintenance of roads and salt storage.

County maintained bridges roads and parking lots were maintained. Approximately fifteen hundred miles of road were swept during the year and three thousand cubic yards of debris were removed. Four hundred eighty catch basins were inspected and cleaned and approximately four hundred yards cubic yards of debris were removed. Stormwater brochures were distributed to the two hundred Suffolk County Parks employees to further educate them on stormwater pollution.

That is the summary of our activities this past year.

THE CHAIRMAN: Thank you. Questions?

MR. BAGG: I have a question. This doesn't necessarily deal with the county. Apparently during the

recent rains they had that flooding in Riverhead that was supposedly coming off agricultural fields, I know in the county up there, County Road 21 in Miller Place, you had the sod farm and everything else that causes that road to become a river in rainstorms. What is done to control stormwater runoff from agricultural lands moving through the system?

MR. HASBROUCK: A lot of municipalities are working with individual growers and farmers to help address that. Suffolk County Soil and Water Conservation District works with farmers to help address runoff from their farms as well as USDA, Alan Connell's group. NRCS also works with farmers and growers to reduce runoff coming from their property. Actually, agricultural is exempt from many of the regulations relative to stormwater issues, but still farmers try to do what they can.

In this past stormwater event, that just overwhelmed all different types of structures whether they were municipal or best management practices that agricultural put into place.

THE CHAIRMAN: One of the things that the Long Island Sound Study promoted, particularly in Connecticut, is the idea of putting buffers along

farmland in that state. I think it's also been extremely successful in the Susquehanna River Valley with respect to improving the Chesapeake. Perhaps we can explore that here.

MS. VILORIA-FISHER: We can talk about that.

MR. KAUFMAN: One of the issues, at least with the buffers, has been that many of the farmers have been reluctant to give up significant acreage to accomplish that kind of stormwater control to the extent this takes away their farmable land and cuts their profits. That has been an issue with the Susquehanna. Any buffer is going to be helpful; five feet, ten feet, whatever, but there has been some reluctance from the farming community to do anything extensive to cut off all flow.

I wanted to ask Emerson one question. I have not had the opportunity to visit the Website recently, Is there any kind of resource list on there for plant types that might trap stormwater and nitrogen and things like that; basically thirty plants?

MR. HASBROUCK: I'll defer to my staff on that.

MS. DYBAS : There is a page on rain gardens

and all the different plants that can be put into the rain garden so it traps any runoff from the property. There is a whole subset of pages on that.

MR. KAUFMAN: Is there a resource center where you can find the plants as sort of a follow-up to something Eva was talking about. Sometimes it's hard to find certain types of plants.

MS. DYBAS : Locally?

MR. KAUFMAN: Locally or catalogues, things like that.

MS. DYBAS : No. We have links to the Brooklyn Botanical Gardens, but we could have something up there that would have a link to where you can buy these locally.

MR. KAUFMAN: That might be helpful. For example, I have a pond on my property. I was thinking about putting aquatic plants into it. I can't use anything exotic any more, not that I ever did. That was a long time ago before those particular regulations were written. Before anyone knew anything. I did not know that they were horribly invasive and things like that, that they were with dangerous.

Nonetheless, I was looking for resources to find the plants that are allowable. I know you have

some of the task forces that you have worked with have a list of the plants, et cetera. But it might be an interesting thing for Cornell to duplicate that. Maybe they can get it from those task forces. Again, I was looking through it and I couldn't find it when I was looking for stuff.

MR. BAGG: To pursue that agricultural thing, we have a number of county roads that have problems with agra land. We have a plan to refer them to soil conservation or other entities that would help them plan to get that runoff from the road. We actually constructed recharge basins to handle the runoff from farmlands at millions of dollars.

Do we have any procedures in place to notify the adjacent property owners to inform them about practices that they could implement to get that runoff off the road system?

MS. VILORIA-FISHER: Can I jump in because it's leading to my question. I'm sorry for the interruption. One of my questions was going to be why there haven't more linkage to the Soil and Water District. I sit with Allen on some of the water and soil district meetings. We work with the farmers and try to remediate stormwater issues and I would like to

see more of a linkage. I don't see any linkage in the report with the Soil and Water District, and I think that is a really huge problem because our efforts really are moving so much in the same direction, and the Soil and Water District works with the state and all these different levels of government.

We bring in money from the different levels of government to help the farmers remediate these issues so, I believe we should have a much tighter linkage with Cornell and what we are doing with Soil and Water. In fact, I'm rather disappointed every year when we have this public meeting, there is nobody from the public. There is something wrong. I think you said this a couple of years ago, there is so much information here I feel like we're in this insider baseball, reading the information rather than the public hearing about it. I think this report should be publicized to everyone in the county, to every town, to personally invite them to come. It should be held in the media center. We should have a PSA About the report coming out.

I just see too much duplication of effort. There was a question asked by Mike, I'm sorry, I'm very excited because I feel very frustrated. I sit here once a month and I sit at Soil and Water once a month and I

don't see the kind of networking that I feel should be done because there is duplication of effort.

Michael asked a question about species. We have a very active, through Soil and Water, Polly Wegan has been working on the Long Island native grasses program which is developing a better list of indigenous species that could help address a number of problems that we have with soil and water in Suffolk County. We should have links that interconnect and overlap with what we are doing here with Cornell Cooperative Extension and what Soil and Water is doing. We are doing a lot of the same work. I sit on both. I feel like I'm a link but I don't see an official link and a notice to the public that there is that link.

I think it has to be done by the agencies. I think DEE should be doing it. I think that is who should be doing it because DEE sits -- well, you don't sit on Soil and Water, but certainly Soil and Water really has the linkage to DEE. And I think that is part of what DEE should be doing is interconnecting and creating a web between all the entities. We are duplicating efforts and I don't think it's helping the public.

MR. KAUFMAN: Regarding the Farm

Bureau. Farm Bureau is an excellent way of contacting the farmers and trying to draw them even more into the process.

MS. VILORIA-FISHER: Soil and Water is working with the farmers. Cornell is working with the farmers. The Farm Stewardship program, the stat AIM program. Soil and Water is working with the farmers. I think it has to be a county agency and I think it should be DEE that should be doing it and I will contacting Carey about that.

MR. BROWN: With the county farms that we own the development rights, we can require farmers to put birms in to stop the runoff.

MS. VILORIA-FISHER: That will go to Mr. Isles because the county is trying to develop best management practices for the farms. I have to defer to Tom because it's such a complex program.

MR. ISLES: We can't require at this point at the present time that a farmer put in something affirmatively, such as put in a birm or catch basin. The county purchases the development rights. The property owner owns the underlying (inaudile). What Legislator Fisher is referring to is a county program that was put in for the first time that as part of the

legislative intent of issues of best management practices and so forth. They can be considered in terms of future acquisitions and also considered in the programs and practices current PDR.

It's a bill currently pending through the legislature and going through some revisions at the moment as we polish it up for consideration.

THE CHAIRMAN: Maybe somebody from Highway would know about the county right-of-way.

MR. PICHNEY: It varies, considerably, specially with the overruns.

MR. BROWN: It's normally six feet.

MR. PICHNEY: Some places where improvements were made, it's done right up to the edge of the property. They used up the road in terms of being paved. You're talking about permeable surfaces?

MR. KAUFMAN: Given the way the county road network was set up and given the additions, there is no actual requirement that exists. There is no requirement between the road bed because the road bed may have been expanded over the years. It may have been at one time permeable and impermeable. It's historical, is what it really boils down to.

Newer roads will often have rights-of-way, if

you will, and rights of access for the county. Older roads generally will not. It's not like a village where you sometimes have ten feet or something as a requirement in subdivisions, so it's all over the place.

MR. GULBRANSEN: This year you have nailed, as far as I'm concerned, with the responsiveness to the changing MSR, changing requirements. It's a little discouraging that the strategy is stay with the county scope and not branch out to the coalitions and written agreements with other municipalities.

Be that as it may, would you consider conducting some of the training programs in the coming year beyond the DPW staff and beyond the county employees? For example, would you consider having a training program where you summarized what you are doing to the municipalities that are MSR, responsible parties within the county?

MR. HASBROUCK: Yes and no.

MR. GULBRANSEN: We hear from the state who tell us the difference between the new rules and the old rules. That is not that I'm talking about. Since you implement, you can describe to the other practitioners what works, where we could piggyback

without having a coalition agreement. It seems like there is an opportunity to leverage, borrow or benefit from the good stuff that you do because I think a lot of the other MS- 4's don't have the expertise and resources that they can apply. I believe they could benefit from your smarts.

MR. HASBROUCK: It's a restricted and qualified yes. The reason I say that is because of in terms of activities funded by the county, for us to Implement the county's Phase 2 program, it's relative to county activity. In terms of interaction with other MS-4's, we have to get permission from the county to even give a presentation about what we have been doing for the county. That doesn't mean that the answer is no. We just have to ask. Sometimes the answer has been yes and sometimes the answer has been no. So I can't give a flat yes.

However, for most of us involved in the stormwater program, our salaries are not fully paid for by the county stormwater program. We do other things as well. Some of the other things that we do is help municipalities address environment issues, stormwater issues, their MS-4 programs and so forth. We have been working extensively with the Town of Brookhaven to

assist them with their Phase 2 program. The Village of Northport, the Town of Huntington, the Town of Southold has approached us, so there are some opportunities.

Even within that reason, we can't utilize the information we have developed with county funding or talk about what the county is doing without specifically saying we want to meet with such and such a municipality and talk about the things we have done with the stormwater program. So the decision is not mine, is what I'm saying to you. I have to request that. Sometimes we're told yes and sometimes we are told no. We can do things outside the county program, but we are limited to what we can talk about relative to the county program without asking.

MS. VILORIA-FISHER: Thank you for the report. I want to make sure you understand my frustration. I see the good work that you are doing, but I'm not seeing that enough people know about the good work that you are doing. That is why I'm calling on DEE to try to have more of a connectivity among different groups who are doing good things so that the word can get out there.

If I can suggest in the report where you mention that you have gone to civic groups and have gone

to schools, would it be possible to name those, so we know while there was X civic group in my community that has been visited, so legislators can look at this and say none of my schools have been involved in this. If they can be named in reports, I think that would be helpful for us to identify where there might be a gap in our districts where we haven't educated the people in the district. The same with civic groups or chambers of commerce where you go to speak.

MR. HASBROUCK: Several things. Yes, we should be doing that. We have, in a way, been doing that and we can do that. However, in the actual formal report that we have to put together for the county to submit to the DEC, there isn't the ability to do that. They restricted the report to specific fill in the box specifically.

MS. VILORIA-FISHER: In the box that says we have visited several civic groups.

MR. HASBROUCK: I think we are limited to characters.

THE FLOOR: It's a set form, a template. We can't expand the box.

MS. VILORIA-FISHER: Why not see attached list. It could be an attachment for us.

MR. HASBROUCK: We do track our programs by legislative district. We could provide you with a list of those schools within your district where we went and provided programs, as well as with adult groups and civic organizations and so forth. We can do that. One of the overall goals for Cornell Cooperative specific with all of the programs is to do a better job of tracking what we do by legislative district and provide feedback to the legislators. Yes, we should be providing you feedback in terms of what we are doing in your district and well get that information for you on that.

MS. VILORIA-FISHER: I have a community gardens task force and we are trying to look at where we have community gardens throughout the county. Carolyn Kane, who is the master from Cornell, is on my task force. What we have been doing is we have an attractive map showing where there are CSA's throughout the county and where there is community gardens, when we get the information, we put it on the map. The Planning Department is also helping with that. Nowdays, when we have this technological ability, we can keep an organic growth of the map to show what we have and where we have it. Where you have had interaction with the community

would be helpful for us to look on the map of Suffolk County.

MR. HASBROUCK: One of the GIS layers is the legislative districts. We can overlay that with other maps and we can tell you how many miles of county road you have in your district, how many discharges in your district, from county roads to county properties. How many dry whether flow, how many we have monitored and yes, the educational programs conducted within your district relative to interaction with, for instance, Suffolk County Soil and Water Conservation District, we do interact with.

We will make a concerted effort to interact with them. For example, erosion and sediment control training that we offered was actually a cooperative effort with the district and the district took the lead on that. We are trying to expand our cooperation with the district and interact more.

MR. PICHNEY: I have a question for the young lady about using plants to absorb pollutants. I'm trying to understand the mechanism of it. I knew there are a number of plant species, some of them not necessarily indigenous, in addition to nitrogen will draw up heavy metals and things like that. I can see

with woody plants, some of that gets locked up into the wood material and it's relatively long lasting. Even woody plants drop leaves and herbacious plants decompose. What happens, do these compounds somehow about insoluable or made into different organic compounds that are perhaps less soluable or have less impact on the environment, or is it vegetation slows the flow of nutrients into a system so it doesn't get shocked?

MS. DYBAS: Initially the idea to is filter out the water and the pollutants so they're not carried into the surface water bodies. As to what happens to different chemicals, I can't speak specifically. You will have your soil organisms that will actually break down some of the chemicals that do get brought into the rain garden, yes.

The whole idea is to capture and filter that. Soil is great for filtration and there are many processes that occur in the soil that will break down some of the chemicals. But the idea is to capture it.

MR. PICHNEY: There is a possibility that something will return to the water but at a slower rate.

THE FLOOR: There is a species consideration.

Phragmites used to be considered a bad word. Now it's a species to consider because it locks up nitrogen. It's species specific, so it's a cutting edge topic in many ways.

MR. BROWN: Aren't phragmites non-indigenous to the area?

THE FLOOR: There is supposedly a native species and there is an invasive species.

MR. BROWN: The problem is it's killing off the spartina grass.

THE FLOOR: They can take over, but a lot of it is also from small culverts and not letting enough saltwater get in, so saltwater kind of got locked out and phragmites pushed its way up. If you make the culverts larger, you see that the phragmites kind of dies back.

MR. BROWN: I'm familiar with that. Basically they trap fresh water. They keep expanding out to the point, then they end up killing everything you have off like the spartina grass and --

THE FLOOR: Ten years ago you couldn't say the word phragmites. Now some people are saying it might have beneficial aspects, and one of them is nutrients being locked up.

MS. FISCHER: Isn't it the removal of some of the plants in certain areas, so that you're taking them out of the water body. You can replant and refresh. A component of that would be it will actually pull some of that out.

THE FLOOR: It's a tough thing to remove. Deep roots.

MR. KAUFMAN: Matt, you have expressed heretical views. Be careful if you see any stakes and matches.

MR. PICHNEY: Are we about to close the meeting, because I want to ask a different question.

THE CHAIRMAN: Unrelated to him?

MR. PICHNEY: Yes. This is a question for the membership in general. Maybe Jim would know or Loretta. We have been talking about Legacy Village and so forth on the impacts and the development impacts possibly of the county farm on the south side of Lower Lake. There is a summer camp that has been there for a gazillion years. I can imagine that hundreds, if not thousands of children go through there every summer swimming in the lake. You know little kids when their kidneys hit cold water and so forth.

Has anybody examined in terms of the volume of

waste that might be getting into lake just from that single land use?

MR. KAUFMAN: Are you talking about the day camp on the south side of Lower Lake? There are no sewers in the area, so there has to be cesspools.

MR. BROWN: Who is doing a GEIS on this?

MR. KAUFMAN: No one.

MR. BROWN: It is going to be happening.

MR. KAUFMAN: That's outside the project parameters. It's a heavy intensive use. Lower Lake is still open to fishing and they hadn't detected a heavy coliform count there.

MR. PICHNEY: Nevertheless, one of the things brought up in public meetings were these blooms of various types of vegetation in the lake that have been strangling things.

MR. KAUFMAN: Let's make you the summer camp inspector. You look into it.

MR. PICHNEY: My point only is we are talking about Legacy Village as having an impact on the watershed, perhaps a tremendous impact, and yet there are uses within that watershed that go un-talked about. That is all I wanted to say.

MS. GROWNEY: That is an important part.

THE CHAIRMAN: CAC concerns, Steve.

MR. BROWN: I have to agree with Daniel in terms of Legacy Village. I did send a letter with regard to how the community on my board felt about it. I have concerns about it. We have spent considerable money with the county to buy a lot of land on the river. And the county developed a map showing how many years it's going to take for that pollution from any development in that area to get to the river.

You have your own map that basically outlines exactly what is going on. So, I think that when they do the GEIS on it, everything has to be putting into effect and take a look at it. What is it going to affect. How is it going to change the community of Yaphank, that lake being one of it.

There are so many things you talk about. You can't spring up a city in the middle of a rural area like that and expect not to hurt somebody. That is my opinion.

MS. VILORIA-FISHER: Mr. Chairman, I just want every one to know that I added a comment regarding the scoping document that one of the things that wasn't mentioned, this is going back to what you are saying, Steve. The land that is county property does not permit

the use of pesticides and fertilizers. When that is surplused and sold, let's say you have an arena there right in the watershed, what happens when they're planting lawns and flowers and whatever else, the vegetation that they might put up, and fertilizers?

My recommendation was if it were to be sold and were to be developed, that we maintain the stipulation that it maintain the kind of no pesticide, no fertilizer, increased introduction of nitrogen there, keep it to how the county had to maintain our level; otherwise, that would be a great impact to that watershed.

MR. KAUFMAN: Following up on what Vivian is talking about, you have the Yaphank SGP in the area, one. Of the critical issues, as far as I'm concerned, in order protect the Carmens, if development ever occurred in that area, you upgrade from secondary to full tertiary, you upgrade to capacity. It's going to have a groundwater discharge hopefully within the DEC limits. That will eliminate a lot of discharge into the Carmens.

Secondly, if you have stormwater controls in there running with the land, however it gets organized, that is another way of controlling it. The point is,

there are a number of methods of controlling nitrogen impacts and any other kind of impacts from groundwater, stormwater.

MR. GULBRANSEN: Conceptually.

MR. KAUFMAN: That is something probably that would be required. That is the kind of thing that we can orient towards. That is all. It's not part of a contract with the developer or anything like that. But, in my opinion, it could be required as a mitigation measure in any EIS. Frankly, I think the developer would be delinquent if he did not pay in some money to make that a tertiary plant and expand capacity. That is what happened in the past.

MR. BROWN: I think it's calling for a sewage treatment plant. Bottom line, it wasn't that long ago that we were sitting here talking about them opening it up to a scavanger waste site. They were going to drill a hole into the acquifer and dump raw sewage into the water. I don't think most people, including myself, are comfortable working out a deal with somebody out there --

MR. KAUFMAN: That is a policy that you at Brookhaven can make and express. We can put in recommendations in terms of mitigation and in terms of

development of an EIS. That is how far we are allowed to go.

MR. BROWN: That is my recommendation, if they're going to do a EIS on it, which they are required to do, we make sure all the things we talked about,

MR. KAUFMAN: I think we are all on the same wavelength.

MS. GROWNEY: Monitoring systems too.

MR. PICHNEY: Has there been any talk of reducing the scope of the project or rearranging the land uses? The legislator might know. As an informational thing at the fall public meeting, I mentioned the idea of the stadium being at the north end there by the Expressway the cutting down of the wood buffer there next to the cemetery. I suggested that perhaps the stadium, if it were still to be built, could be located closer to the landfill in Brookhaven. I think that would reduce traffic impact, spread out the traffic a little bit more from the Expressway and allow access from Horse Block Road and Sunrise and prevent the light pollution and impact of automobiles on the historic district, in addition to scaling back some of residential development. I think that is quite significant.

At all the public meetings, all they have been talking about, parcel A, B, C and D with these designated land uses, but I never hear any comment made about how this might be reduced or moved around to alleviate some impacts.

THE CHAIRMAN: They are required to look alternatives.

MR. KAUFMAN: That is where SEQRA kicks in.

MS. VILORIA-FISHER: CEQ made a decision regarding the whole project. Tom can help me if I'm going in the wrong direction on it. Right now what is before the legislature is simply appropriating the money for the Environmental Impact Study and Statement. So, that what is what is before us right now. Right now, any change in the configuration of the plan isn't what we are deliberating. There could, down the road, be changes. That is part of looking at alternatives, that portion of what we saw in the scoping statement.

But, as of this point, the only thing that we are voting on is that four hundred eleven thousand dollars for the consultant to do the study. But I believe Tom, first we vote on this, then it's well after the EIS is done that we begin to look at any kind of change in configuration.

MR. ISLES: Exactly. Two comments. One, the purpose of the EIS process is to gather information, so you will have facts and information in front of us and the legislature which will help us make good decisions, before we are specifically -- in terms of the money, we started the scoping process. Once we finish it, that will be sent it the CEQ in terms of what should the county be studying. You will be part of that. That will ultimately go to the legislature and that will be decided.

Once that has been decided, what is the scope of the examination of the project, what is the whole ball of wax? The process will then give information, what are the impacts, what modifications should be considered, what are the alternatives to this action and ultimately get into findings, which may be something different than what has been proposed.

Let me close by saying once this process gets done, the legislature issues findings and authorizes the property to be surplused and contracts it. Then commences a process with the Town of Brookhaven on zoning and land use, which is typically a multi-year process as well. We are just at the beginning of this.

MS. VILORIA-FISHER: I should let you know

what happened at the general meeting. As you know, I had tabled the appropriation of the money in committee because there was no -- I was rather astounded to have an attorney tell me that there was a commitment by the developer to reimburse the county for the money, but it was not a written commitment. So I thought was rather an amazing thing to say. If my lawyer at a closing said to me here, put out four hundred eleven thousand dollars, and the other party said he will reimburse you, but whoops, I don't have it written, I think I would fire that attorney.

I made a motion to table which was carried by my committee. However, the committee process was -- there was an end run around it by a discharge petition signed by ten legislators, sponsored by the presiding officer. He felt that he didn't want to hold up a project that would put people to work. My contention was we are not going to see a shovel in the ground for many years. My other thought was that four hundred eleven thousand dollars was a lot of money and I'm not sure it should be that expensive, but I'm told by people in administration whom I have come to trust are telling me that this kind of large project requires that level of money. I don't know enough consultants to get enough

information on that.

But I was very concerned at the general meeting that Mr. Isles was not there. That is not what concerned me.

MR. ISLES: I was there a little bit later when it came up on the agenda.

MS. VILORIA-FISHER: They had to call for him because I had questions and I had a lots of Post It notes and a lot of highlighting throughout the scoping document. When I asked a member of the administration if I could ask questions, he said "I haven't read the document." There were two other members of the administration who also had not read the document, which led me to ask has anyone else in this auditorium read this document. Michael wasn't there that day. No one else had read the document. So there was no one to whom I could address my questions.

They were making frantic phone calls for Tom Isles to come because we know that Tom Isles read the document. I was frustrated that we should be asked by an administration to appropriate four hundred eleven thousand dollars, and no one in their shop read the document. It wasn't that long and it wasn't that technical. I could understand it. The public comment

period was still open and we were being asked to make a decision, so I made a motion to table, which only got nine votes, so my motion failed. The presiding officer proffered a motion to approve, and I was the last vote on that. Being the deputy presiding officer we vote last unless you made the motion, then you vote first. When it came to me, had I voted no we would have killed the resolution. I felt that as a member of CEQ and CEQ has asked for an EIS, I didn't feel it appropriate for me to kill the resolution to appropriate money to do an EIS. I felt that was contradictory.

So I made a motion. So you know the parliamentary procedure, once your motion fails you can't reintroduce that motion unless you make a motion to reconsider, and I was on the failing side, but I made a motion to table to a date certain, so I made a motion to table to the May 11th meeting. It will be before the general meeting of legislature on May 11th to consider appropriating that money. I feel CEQ asked for an EIS. We need to know what the ramifications are. We need a scoping on it. There are some parts of the plan that we feel should go forward and perhaps some parts should not. People can whisper in my ear if you have some kind of idea of whether four hundred eleven thousand dollars,

off the record, you can talk to me and say to me boy, we are being really robbed or not.

I think at this point I'm not getting any contrary opinions on the cost of it. That is what we are talking about now.

MR. PICHNEY: Usually anything below five hundred thousand dollars is reasonable for an environmental study. That's the bottom line.

THE CHAIRMAN: I thought this was just a literature review. They're not going out spending money collecting real data.

MS. VILORIA-FISHER: I don't think that's quite correct, because I asked that question, is this a literature review. I was told on the record that there was more analysis required. It looked to me when I read the scoping document, well, the county has already done the study, and I read the study and there are a number of different studies referred to in the scoping document, and I said it looks to me like a literature review, and Chris Kent, who by the way did read it, but he wasn't in the room when I asked the question, he came by and said there was more analysis then just a literature review.

MR. ISLES: There is traffic analysis. We

are tapping into information from County Health Department, some recent data collection plus the modeling groundwater flows, using their data, also in terms of Phase 1 and environmental assessment. That is a literature review, soil and vapor sampling, vegetation. There is quite a bit of actual new data that is going to be part of the contract with this new entity as well as existing literature.

MS. VILORIA-FISHER: Chris Kent put that on the record.

MR. GULBRANSEN: In the communications that I was reviewing for today's meeting, there were other discussions mentioned about who should pay for it. Some people say the developer should pay for it because it's in their interest. Is there a choice that this body can inform with regard to who should pay for the conduct of the study while it's going on?

MS. VILORIA-FISHER: I don't really believe. I believe that is a policy issue. I believe that is in the appropriate place, which is the legislative body. I have read the commitment document at this point. Of course, understanding that the developer is committed to reimbursement, but there are certain restrictions. If, in fact, it doesn't meet approvals and he can't move

forward with any level of the project, he's not going to do the reimbursement. The contract isn't completed, which makes sense, I think.

MR. GULBRANSEN: I'm not sure it does. My point is not to consider whether they should pay or not. With regard to your earlier question, is four hundred something thousand dollars is enough or not. I can't be quoted although, I do work for a company that does these kinds of studies.

MS. VILORIA-FISHER: You can tell me off the record if you're not comfortable.

MR. GULBRANSEN: It would be interesting to understand what status of the water body -- Carmens River is a water body that we heard about potential impacts, if it has a certain status to be protected to a certain level. Michael mentioned mitigation, mitigation to what level?

MS. VILORIA-FISHER: Isn't what what he was talking about before, about kids peeing in the lake?

MR. GULBRANSEN: There is a related change in the status of some of the other water bodies. If not the Carmens, it's a tributory to a larger body. If that larger water body status changes, then the EIS comparison, what is enough, what is not enough, that

would also perhaps change.

MR. KAUFMAN: That is part of the scope. That is what we have to exactly look at.

MR. GULBRANSEN: My question for today is how does this body have anything to do with that comparison? If they ran the EIS today, they would not be compelled to necessarily compare a listing that might occur a year from now. If we waited a year, we might have a different comparison to do. It's a question of whether this body has any say in --

MS. VILORIA-FISHER: You have confused me. Let me go to Jim because he comes to my environment committee. Explain it to me.

MR. BAGG: I think what is trying to be said, it depends on what the classification is and what the requirements of limiting requirements are in terms of nutrient inputs and things into the river system. One of the things that people have to realize if the proposed development is connected to the sewage treatment facility and if they require tertiary treatment, most of those impacts are not going to be in the freshwater part of the river. It's not going to be north, it's going to be to the south, into the S stream part of the river.

Whatever the potential impacts from nutrients and other factors is going to depend on what is the existing parameters of the existing water quality and whether or not they will be exceeding them, and also what are the parameters that the state is saying should be adhered to in those bodies.

MR. GULBRANSEN: The state isn't continuously updating.

MS. VILORIA-FISHER: This isn't my field so bear with me because I'm confused. My understanding of an EIS is you look at what currently exists and have some kind of qualitative or some kind of measurable description of what exists now in the water body and you you say well, if this projects occurs, it will have this impact. Isn't that what the EIS does?

MR. GULBRANSEN: Your starting conditions, your baseline, your no action condition.

MS. VILORIA-FISHER: You have to know the baseline.

MS. GROWNEY: It changes.

MR. GULBRANSEN: My understanding is that the current baseline might not sound too bad, it might sound like the river is in a certain quality of habitat and livability. There will be, in the upcoming listing,

there there will be a new list. Every two years the state updates the listing to see if they're impaired. The feedback that we got during the meeting that we held from some of the people that spoke to us stated that the water body, Carmens River and certainly part of the Great South Bay might soon be designated as more impaired than we thought, so the DES baseline and EIS, how much change is too much.

The amount of change that you would tolerate would probably be less if the water body is impaired. If the water body is healthy, it can tolerate more change. The question I have with regard to the EIS, can we advise that comparison or do we have to say it is what it is right now?

MS. VILORIA-FISHER: Did you suggest that during the comment period?

MR. KAUFMAN: No, it's done at a different time. If I can jump in. I had some experience with dealing with these documents. That is the purpose of CEQ, to essentially run the process and present a complete path to the legislature for final decisions. We run the process in association with the executing unit. If we have those concerns, we put that into the scoping document, the final scope. We are up to a draft

at this point and received preliminary public comment.

We are the ones who approve the final scope. The GEIS is directly based upon that final scope. If we know the issue exists, we deal with it. We have to have the baseline; that is a given. If we know stuff is coming up, you put it into the report and deal with the issue. It's that simple. Before we turn it over to the legislature, we have to have an answer or we betray our oaths of office if we don't have an adequate answer or a route to go where we need to go.

That is our job, to deal with those precise issues. If the feds or whoever declare Great South Bay to be a cesspool and the only way to protect it is to chop off all nitrogen coming from Carmens, theoretically this would never go if an ounce of nitrogen from this project hit the Carmens.

MR. GULBRANSEN: We as a body aren't finished yet.

MR. KAUFMAN: We are just at the start of it. The tertiary stuff that I keep on talking about, that will be a primary recommendation of myself at a minimum and will drive to have that placed in any plan as prime mitigation. This island is no longer able to handle groundwater pollution that much any more, we have

to go to tertiary. It has to meet the limits, and if DEC drops the limits, we have to take that into account. We are the ones that have to do that and give it to the policy makers.

This is the critical thing. We are not making policy when we do this, we were making environmental judgements and we are using our skills to write a document for the policy makers.

THE CHAIRMAN: Off the record.

(DISCUSSION OFF THE RECORD)

THE CHAIRMAN: I had a discussion with Steve Fiore Rosenfeld and I asked him what the town was thinking about this particular issue and to Tom and Vivian his reaction absolutely floored me, that was we heard nothing from the county. I can't believe that. I think he said that publicly. I think if the perception is out there that the town is denying that the county is communicating with them, that this ought to be put to bed and made clear that the town, you have attempted to bring the town into the process.

MS. VILORIA-FISHER: Yes.

THE CHAIRMAN: And not have them say the town is officially being blindsided.

MS. VILORIA-FISHER: I think Tom can speak to

that. Certainly I know that the county has reached out to the town. At the CEQ meeting where we Pos Dec'd this, there were people that said that the town had not been informed of anything. Tom, I'll hand it to you.

MR. ISLES: We will start with the notice. The town chose not to come to the meetings.

MR. BROWN: If you read Newsday.

MS. VILORIA-FISHER: There have been public hearings.

MR. ISLES: Although there were three public hearings held with over two thousand people. There were two legislatively appointed citizen advisory groups that held twenty some odd meetings. The town was part of that, the town planning director as well as counsel After that, when we got into the RFP process, Jim Morgo conducted a working group with the town, which included the town supervisor and town representative Connie Kempert.

There have been numerous coordination with the town or attempts at coordination. I had conversations with the town planning director. Certainly that has been done in the past. Certainly if there is an interest in doing more and better communication, I believe that the administration would be open to them.

THE CHAIRMAN: I would suggest go on the offensive. Next time there is an article in the newspaper say you dropped all this stuff on the town.

MR. BAGG: Nobody responded.

MR. ISLES: We all have a certain amount of cynicism on government. Are we on the record? At times. I'm not sure where it's going to lead into the department role, where we are going, but it will be a professional process. There will not be a predetermined outcome. I don't know what the outcome will be. I don't know if it's going to acceptable to the decision makers. The process will be an independent process and that much I will stand behind.

MR. BROWN: It has to go to the town anyway. I don't know what Steve was talking about.

THE CHAIRMAN: Off the record.

(DISCUSSION OFF THE RECORD)

THE CHAIRMAN: Motion to adjourn.

(Following a motion and second, the hearing was adjourned.)

(Time noted: 12:45 p.m.)

CERTIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

I, JUDI GALLOP, a Stenotype Reporter and Notary Public for the State of New York, do hereby certify:

THAT this is a true and accurate transcription of the Suffolk County Council on Environmental Planning meeting held on April 20, 2010.

I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of June, 2010.

Judi Gallop

JUDI GALLOP