

**ENVIRONMENT, LAND ACQUISITION AND PLANNING COMMITTEE  
of the  
SUFFOLK COUNTY LEGISLATURE**

**MINUTES**

*A regular meeting of the Environment, Land Acquisition and Planning Committee was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **April 23, 2002.***

**Members Present:**

*Legislator David Bishop - Chairman  
Legislator Michael Caracciolo - Vice-Chairman  
Legislator Ginny Fields  
Legislator Jon Cooper  
Legislator Andrew Crecca*

**Also In Attendance:**

*Paul Sabatino II - Counsel to the Legislature  
Tom Isles - Director of Planning  
Christine Costigan - Director of Real Estate  
Loretta Fisher  
Jim Burke - Planning Department  
James Tripp - SCWA  
George Prios  
Nicole DeAngelo - County Executive's Office  
Kevin McDonald - Group for the South Fork  
Alpa Pandya - The Nature Conservancy  
Mark Serotoff - Sustainable Energy Alliance  
Rich Donnelly - Middle Country Youth Association  
John Delgenio - Middle Country Youth Association  
Michael White - NY League of Conservative Voters  
Amie Hamlin - NY League of Conservative Voters  
Ken Knappe - Budget Office  
James Dobkowski - Aide to Presiding Officer  
Edwin Schwenk - SCWA  
Mark Compton - SCWA  
Chris Heer - Aide to Legislator Bishop  
Kevin Duffy - Budget Review Office  
Barbara LoMoriello - Aide to Legislator Cooper  
Vito Minei - Department of Health Services  
Bill Shannon - Public Works  
All other interested parties*

**Minutes Taken By:**

*Donna Barrett - Court Stenographer*

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*(\*THE MEETING WAS CALLED TO ORDER AT 3:15 P.M. \*)*

**CHAIRMAN BISHOP:**

*Good afternoon. Welcome to the Environment, Land Acquisition and Planning Committee. Today is April 23rd, this is the infamous committee that not only has the most important issues of the Legislature, but usually addresses them in the most thorough manner,*

*meaning that we're often here to seven or eight o'clock at night. So everybody is prepared for that. Let's begin with the Pledge of Allegiance led by Legislator Caracappa.*

#### *SALUTATION*

##### *CHAIRMAN BISHOP:*

*Now, in addition to our usual lengthy agenda, we have a number of issues that have generated public interest. We have appointments, people are here on appointments, we have our -- this should be the final meeting about the reform legislation on the land acquisition process, we have the Water Quality Protection Program, and it's a \$90 million program over the next decade, which we have to address the management structure of, we have requests for sports fields, and we also have, of course, the Water Authority appointments. So how's a Chairman to manage all of this? Not easily is the answer. What I'd like to do is to get -- is to address, and hopefully rapidly, a number of issues that have speakers here; for example, appointments. We have -- who is here for an appointment to a board in Suffolk County? Okay. If you are here for -- which -- Smart Growth?*

##### *AUDIENCE MEMBER:*

*Water Authority.*

##### *CHAIRMAN BISHOP:*

*We have one Smart Growther. What else do we have, what other? No. No. You are not being appointed to the Water Authority. I'm asking who is here as a nominee, non Water Authority. All right. Please come forward. Mr. Corwin, Ms. Kaplan, Ms. Esposito. Please. Why don't we go right to left. Ms. Esposito, you are up for appointment to the Council on Environmental Quality. Please tell us briefly, considering that we're going to be here way late, about yourself and why you'd like to serve on the board.*

*1423. Appointing member of the Council on Environmental Quality (Adrienne Esposito) (FOLEY)*

##### *MS. ESPOSITO:*

*Very briefly, my name is Adrienne Esposito. I'm the Associate Executive Director of Citizens Campaign for the Environment. I've been the Associate Executive Director for the 17 years now. I live and reside in Suffolk County for about 18 -- or actually, all of my life, but I live and reside in Patchogue for the last 15 years now. I have, I would say, almost a lifetime -- my lifetime's experience on working on a wide variety of environmental and public health issues. I served on state committees, and I currently serve on several Suffolk County committees as well; everything from public health and environmental assessment for the Peconic River Study, the Citizen Advisory Committee for pesticides reduction in Suffolk County, the*

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*Citizen Advisory Committee for Brookhaven National Laboratories, and many, many others, which I won't bore you with because we're on a tight agenda. But I think what would bring to CEQ is a number of issues, one is the long experience on protecting public health and on environmental quality, specifically here in Suffolk County, as well as what I don't bring to CEQ is any kind of a political agenda. Our organization is non partisan, we work with both republicans and*

*democrats throughout the County and throughout the State. Our objective is solely and clearly environmental issues and protection of public health. And that's what we always work backwards from, land, that's what I would work backwards from on the Council of Environmental Quality.*

**CHAIRMAN BISHOP:**

*Thank you very much. Any questions for Ms. Esposito? I have a motion to take 1423 out of order. All in favor? Opposed? I have a motion to table this for the next meeting at the request of the County Executive, who informs me that they have a nominee that they'd like to put forward as well, through Legislator Tonna. I have worked with Ms. Esposito over the years very closely, I fully support her nomination, but at the request of colleagues, I'm going to ask that it be tabled for one meeting. All in favor?*

**LEG. FOLEY:**

*On the motion.*

**CHAIRMAN BISHOP:**

*On the motion.*

**LEG. FOLEY:**

*Thank you, Mr. Chairman. As a non committee member, I do want to thank you for the opportunity to speak on this-- this nominee, and as you so rightly point out again, it's another example of where the credentials of the nominee certainly speak to the need to appoint this person to -- to the CEQ. We have worked, we meaning this body, as well as -- as well as other elected bodies have worked with Ms. Esposito in a variety of fashions, whether it is a state, federal installation, such as the Brookhaven Lab. And I really feel that it would be -- it wouldn't serve our purposes to table. And the only reason that I believe that it wouldn't serve our purpose is -- is something that we had discussed at our last meeting as well, where we're going to run a foul of dueling resolutions. And if we have dueling resolutions at the next committee meeting for the CEQ position, then we're going to fall prey to what I would consider will be probably a power of politics would be exercised at that time. And if there's any -- any area where we need to stay away from power of politics, stay away from partisanship, as Ms. Esposito put it so -- so eloquently, we need to have a non partisan approach this particular position. And she has demonstrated that professionally over the years when she has worked with State Legislators, Federal Legislators, as well as County Legislators across the board. So if we table this today and enable other nominees to come forward, then we're going to see the specter of power of partisan politics being played around this horseshoe, and I think we have -- I think we have to try to avoid that. And the way that we do it is by moving forward with this resolution.*

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*I would finally submit, Mr. Chairman, that if we delay this -- if we table this resolution, we are, in effect hurting, if you will, a person -- I shouldn't say hurting, but in effect what we're doing penalizing the sponsor of the resolution who did his homework, namely, the Legislator speaking right now, who did his homework by putting the resolution forward on a timely basis. And what happens so often around here is that when certain interests in the County see that a*

*nominee is put forward by someone of a different persuasion, well then they all want to play catch up. They want to catch --*

**CHAIRMAN BISHOP:**

*Okay.*

**LEG. FOLEY:**

*No, it's not okay. It's not -- it's not -- given the importance -- given the importance of the resolution, given the importance of the position, Mr. Chairman, if it takes five hours, it takes five hours. But the fact -- I'll -- I'll close on this note, Mr. Chairman.*

**CHAIRMAN BISHOP:**

*Thank you.*

**LEG. FOLEY:**

*The fact is we should move this resolution today -- I would hope that the committee would move this resolution today so that we don't get into the position of dueling resolutions, so we can move forward with the business of the people, which, Ms. Esposito would do well if she was appointed to the CEQ. Thank you.*

**CHAIRMAN BISHOP:**

*Absolutely. Thank you. Legislator Fields.*

**LEG. FIELDS:**

*I think that there has been ample opportunity to appoint someone. There's been a vacancy for a long time. And I think that -- that perhaps there are some that should do their homework to find out where there are vacancies, and then put the -- put the names in at an appropriate time. I don't think that's it's appropriate to table, I will not support a tabling, and I'll make a motion to approve.*

**CHAIRMAN BISHOP:**

*Okay. Thank you. There's a motion to approve. Motion to table has been made, did I get a second on the tabling?*

**LEG. CRECCA:**

*I'll second the motion to table.*

**CHAIRMAN BISHOP:**

*Second on the tabling. Legislator Cooper wants to be heard.*

**LEG. COOPER:**

*Just briefly. I've worked very closely with Adrienne Esposito during my first term, and I am opposed to the tabling motion, and I strongly support her appointment to the CEQ.*

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**CHAIRMAN BISHOP:**

*Okay. So the motion to table has been made and seconded. On the motion, as I said, I've worked closely -- we've all worked closely with Adrienne Esposito. In fact, I've appointed her to committees, and I was going to support this nomination. I was entertaining a request of a colleague. I usually grant requests of a colleague of this nature, because it's for one meeting, and I ask for them all the time. But apparently there are those who do not think that that's appropriate at this time. All in favor of tabling? Myself.*

*Legislator Crecca. Opposed?*

*LEG. FIELDS:*

*Opposed.*

*CHAIRMAN BISHOP:*

*One, two, three. The tabling fails. Motion to approve, having been made by Legislator Fields, is there a second?*

*CHAIRMAN BISHOP:*

*Second.*

*CHAIRMAN BISHOP:*

*Seconded by Legislator Cooper. All in favor? Opposed? Nomination is carried. APPROVED (VOTE: 5-0-0-0)*

*Congratulations. It will go to the full Legislature, where hopefully you won't run into this tabling controversy again. Ms. Kaplan, good afternoon.*

*1403. Appointing Eve Kaplan as a member of expanded Suffolk County Smart Growth Committee. (CARACCIOLO)*

*MS. KAPLAN:*

*Just to tell you a little bit about myself, my name is Eve Kaplan. I'm currently the Riverhead Coordinator for the North Fork Environmental Council. I've worked with some of you, some of you I haven't had the pleasure of working with much yet. I've been at the Council for about a year and a half, but I have a long history of working on Smart Growth issues. I have a Bachelors from Harvard in environmental science and public policy and a masters of science from the University of Wisconsin in conservation biology and sustainable development. So I've been working on this issues, studying these issues for a long time. I'm Chair of the Long Island Sound Study Land Use Committee, and I also participate in the Sustainable East End Development Study and the Riverhead Master Plan Study. So, I guess, I'd say I'm a hard worker. I am honest, non political, as Adrienne was saying. And I live and work in Riverhead, which I think is -- I think is one of the most important areas of Suffolk County and planning and I hope would be represented on this committee.*

*CHAIRMAN BISHOP:*

*Legislato Caracciolo.*

*LEG. CARACCIOLO:*

*First, Mr. Chairman, I'd like to thank you for giving me the honor of sponsoring this resolution after it was introduced by yourself in*

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*recognition of the fact that Ms. Kaplan is a constituent in the 1st Legislative District. Now let me just say with respect to her qualifications and her intentions that she would be an excellent addition to the expanded Smart Growth Committee, and I highly endorse her candidacy. Thank you.*

*CHAIRMAN BISHOP:*

*Motion made by Legislator Caracciolo, seconded by myself. No other motion. All in favor? Opposed? APPROVED (VOTE: 5-0-0-0)*

*Congratulations.*

*MS. KAPLAN:*

*Thank you.*

*1410. Reappointing Lloyd W. Corwin as a member of the Suffolk County Soil and Water Conservation District. (FIELDS)*

*CHAIRMAN BISHOP:*

*Thank you. Mr. Corwin, good afternoon.*

*MR. CORWIN:*

*Good afternoon. My name is Lloyd Corwin, I'm from Aquebogue. I graduated from Cornell University and came home to the family farm, which happens to be a duck farm, located in Aquebogue. That farm was started in 1908 by my grandfather, carried on by my father and myself, now my three children are also home at the farm. We produce over a million ducks a year. And I also have a feed mill in Eastport. I'm being nominated to the Soil Conservation District as the Director. I've been on the board for probably close to 30 years. I was nominated for -- to the following bureau, which I had been a the director on before then and had served as treasurer there. When -- when I went on to the Soil and Conservation Service, I served as treasurer there until it was taken over by the County as the department.*

*On our farm we've used the Soil Conservation Service quite extensively in reducing the amount of water that we use, over 2 million gallons a day to down to about 70,000 gallons a day now. Two various different projects, which they have done for us. And I think I'm basically the only farmer on the Soil Conservation Board now and definitely the only duck farmer. And I think I can help represent the farmers on that. Certainly I know they have done a lot of good for me, and I hope to represent them so that they can do good on the rest of the farms.*

*CHAIRMAN BISHOP:*

*Thank you. Any questions? Legislator Fields, then Legislator Caracciolo.*

*LEG. CARACCIOLO:*

*I'm sorry, I didn't have a question. I just wanted to make a statement.*

*LEG. FIELDS:*

*As a member of Soil and Water Conservation with Mr. Corwin, I would make a motion to approve. He's been an asset to this group and lends*

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*his expertise and his -- his knowledge to the group. And I would like to see him continue that position.*

*LEG. CARACCIOLO:*

*I'll be happy to second that motion, Mr. Chairman. And let me just point out as a former member of Soil and Water, it's nice too see some colleagues like Legislator Fields and Legislator Foley, and Brian, in particular, you stepped up to the plate a few years back when kind of nobody wanted to serve from the Legislature there. And I think your*

*perspective and your service along with your three decades of service, Mr. Corwin serves the County very well. So again, I would highly endorse this nominee.*

**CHAIRMAN BISHOP:**

*Motion to take out of order by myself, seconded by Legislator Crecca. All in favor? Opposed? Now we have before us Resolution 1410. Motion by Legislator Fields, seconded by Legislator Caracciolo. All in favor? Opposed? 1410 is APPROVED. (VOTE: 5-0-0-0)*

*Thank you for coming down, sir. That takes care of nominations. Legislator Caracappa is here, has a brief presentation on a resolution that he has along with the Middle Country Youth Association.*

*1490. Approving acquisition under Suffolk County Multifaceted Land Preservation Program for Stage II active Parklands (Property of Grace Presbyterian Church) Town of Brookhaven (CARACAPPA)*

**LEG. CARACAPPA:**

*Thank you, Mr. Chairman. I appreciate the time and the committee's time, I know you have a very long agenda. I would like to let the Middle Country Youth Association make their presentation first at it relates to the resolution in question.*

**MR. DELGENIO:**

*Good afternoon. My name is John Delgenio. I'm the Secretary of the Middle Country Youth Association, also known as Middle Country Baseball. To my left is Rich Donnelly, who is also a member of our Board of Directors. I appreciate you taking the time to hear us, and in light of your busy schedule, I'll try to keep it as brief as I possibly can. We're here to ask your help in obtaining a parcel of property to use as baseball fields. This property is currently available for sale. There are currently baseball fields on it, which our league is using. The develop -- there are developers that have shown interest in the property. And we'd like to continue to use the fields; number one, to prudent this -- the lose of these fields to the community.*

*To aid in your consideration of this, Legislator Caracappa has just given you a brief outline of who we are, what we are, what we do. To put it in capsule form, we're a youth baseball organization serving children age five up to 18 in the Centereach-Selden area, otherwise known as Middle Country. We have over a thousand children registered this year and currently playing. The organization has been in existence since 1960, and a number of the volunteers in our organization are graduates of the program, including our President, Ray Benson and Vice President, Jim Pendola. Many of the managers and*

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*coaches also grew up through the program. We've been successful thus far through carrying a good relationship with the Middle Country School District. We play on the Middle Country fields. In return for them allowing us to use the fields, we make -- we do a very good job of maintaining those fields, we clean them up. And recently we've started, since we've grown too big for the available fields, we have actually taken the initiative to build fields for the school as well as for our own use. Now, if you look at the presentation, we're a group of dedicated volunteers who believe deeply in our motto, "it's*

*all for the kids."*

**CHAIRMAN BISHOP:**

*Let me try to expedite this. These are fields in your community -- which hamlet are they in?*

**LEG. CARACAPPA:**

*Selden.*

**CHAIRMAN BISHOP:**

*Selden. Which were traditionally used by youth organizations, then they were abandoned?*

**LEG. CARACAPPA:**

*For the most part.*

**CHAIRMAN BISHOP:**

*They are owned by the church -- by a church. Now the church is willing to sell it, you want to be the stewards of this property, this organization, if the County purchases it. So who will -- you'll get a grant from the County, because we have available to organizations up to \$100,000 to take property that we designate for parks and convert it to recreational space. But beyond that, who is going to fund it? The organization?*

**LEG. CARACAPPA:**

*Mr. Chairman, this is a classic partnership where the County would acquire the property and Middle Country Youth Association would be the stewards of the property, as you said, maintaining it, the property, from top to bottom. As you said, they are currently baseball fields, dilapidated baseball fields with the infrastructure already in place for a concession stand, sprinkler systems, irrigation, the whole nine yards. As you can see by this, the church, the Grace Presbyterian church, that is -- this is the church here, and this is the land in question. What you see on the lines there is a proposed subdivision that we're trying to avoid. I have spoken to church officials, and they're meeting tonight as a council to sign a letter of recommendation that they do sell for the baseball fields and to this organization. The organization is well, as you can see in the great presentation they have provided you, well known throughout the community for doing excellent work on baseball fields, and in a timely fashion.*

*So it's a model -- it's a model situation for this. And I do have one request of the Chairman, as I spoke to you earlier off the record about, the bill before you there is an error, there's some language that has to be changed. It's nobody's fault other than my own, I*

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*missed the deadline by literally an hour or so. What would be removed is the last sentence in the second resolve clause, which in turn would remove the fourth resolve clause as well. What I'm asking the committee now as personal privilege to myself is that you discharge the bill without recommendation at this point in time so it goes to the floor of the Legislature. I will then seek a CN from the County Executive. If a CN is unattainable, I will personally make a motion to send this bill back to committee while we finalize the process.*

*But time is of the essence. The church is completely on board, they have the resources as a league, and I think this is a win-win situation.*

*CHAIRMAN BISHOP:  
Legislator Fields.*

*LEG. FIELDS:  
I would make a motion to take this out of order for the purpose of --*

*CHAIRMAN BISHOP:  
Motion to take 1490 out of order --*

*LEG. FIELDS:  
-- discharging without recommendation for Tuesday's meeting.*

*CHAIRMAN BISHOP:  
Second by Legislator Cooper. All in favor? Opposed? 1490 is now before us.*

*LEG. CRECCA:  
I'll make a motion to discharge without recommendation.*

*CHAIRMAN BISHOP:  
Motion to discharge without recommendation by Legislator Crecca, seconded by Legislator Cooper.*

*LEG. CARACCIOLO:  
On the motion.*

*CHAIRMAN BISHOP:  
On the motion, Legislator Caracciolo.*

*LEG. CARACCIOLO:  
First, let me congratulate both the sponsor of the resolution and the organization. As the Chairman has already mentioned, this -- this is a model that other communities and other organization should follow -- to follow. In my case, I've been looking and trying to work with some local organizations for ball fields, soccer fields in the Eastport-Manorville area for the past two years. And ordinarily I would have said when this resolution came up, Mr. Chairman, that rather than be predetermining where the site would be, perhaps we should look for some County-owned properties that are in our inventory. But knowing this area pretty well, I would suspect that that may not be easily obtainable, but and in addition to, you have obviously based on the photographs, already committed a lot of time, money and, you know, resources into making this beautiful model ball field. So because of that, I will support the resolution and*

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*encourage each of my colleagues to do the same. And I'm going to use this, if I may, to people in my district to try to follow suit. Congratulations.*

*LEG. CARACAPPA:  
Not to beleaguer the point, Mr. Chairman, but as they say, it's a special astronomical time in our century, where all the planets are aligning and certain things happen. This came up very quickly, and it*

*seems too good to be true the way that it unfolded recently. Because it is that good. It's that good of a situation with relation to this program.*

*CHAIRMAN BISHOP:  
Did you play on these fields?*

*LEG. CARACAPPA:  
Excuse me.*

*CHAIRMAN BISHOP:  
Did you play on these?*

*LEG. CARACAPPA:  
Yes, I did.*

*CHAIRMAN BISHOP:  
What position did you play?*

*LEG. CARACAPPA:  
Many. All but catcher.*

*LEG. CRECCA:  
I thought you were going to ask him if he got the planets to align.*

*LEG. CARACAPPA:  
These fields literally were a couple of hundred yards from where I grew up. And it will be a tremendous, tremendous resource to the community, returning them to ball fields.*

*LEG. CARACCIOLO:  
The fourth resolve clause indicates that the association will be a 50/50 partner.*

*CHAIRMAN BISHOP:  
They're going to be the stewards of the property after we acquire it.*

*LEG. CARACCIOLO:  
Okay. And it also identifies an amount for which this property will be purchased, that obviously based on what you understand be the selling price.*

*LEG. CARACAPPA:  
Yes. The church has agreed to that, and you will have a letter backing that up and their endorsement of being a willing seller at that price for all members of this committee and this Legislature by the time --*

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*LEG. CARACCIOLO:  
The only not I would make so everyone understands, particularly from the organization, is that that would be subject to a County appraisal that can justify the purchase price of being that amount. So I don't know that that should be a problem, but just so you're aware, it's conditioned upon a County appraisal demonstrating the property's worth at least that much.*

*LEG. CARACAPPA:*

*Just for the committee's information, it's just slightly under four acres, which is a pretty good price, as you see in the resolution, for -- for what's there.*

**CHAIRMAN BISHOP:**

*Okay. We have a motion to discharge without recommendation and a second, which I support. I see on Counsel's notes that we do not yet have a resolution, or do we, of the organization as partner.*

**LEG. CARACAPPA:**

*It's in the backup.*

**CHAIRMAN BISHOP:**

*It is in the backup. Okay.*

**LEG. CARACAPPA:**

*Last page.*

**CHAIRMAN BISHOP:**

*Okay. So resolution having -- I mean, motion having been made and seconded, all in favor? Opposed? It's APPROVED. (VOTE: 5-0-0-0)*

*Thank you very much for coming down.*

**LEG. CARACAPPA:**

*Thank you very much.*

**CHAIRMAN BISHOP:**

*We should all go search for ancient ball fields in our districts and hope that they -- and hope that they are for sale. All right. That leaves us with three major issues to deal with, which are lengthy. Those where minor, relatively. Why don't we -- I'm going to state as a goal if we can deal with this Water Authority appointment issue for one hour. I think that we can probably management it. Are the resolutions of both nominees on the agenda? Resolution 1496 and Resolution 1416. I'll make a motion to take those out of order to bring them before us. It doesn't commit you to any vote on the underlying issue. Second. All in favor? Opposed? Okay. The two nominees are before us. I think the logical place to begin would be with the nominees themselves.*

**LEG. CRECCA:**

*Do we have any public speakers though?*

**CHAIRMAN BISHOP:**

*We have many public speakers on this issue, but I think that we would be best served, and I'm the Chairman, and I'm going to run it this*

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*way, we'll hear from each nominee, and then we'll go through the public -- members of the public who want to speak on -- on the nominees. So Mr. Tripp, is he here? He's prepared, he's raring to go. Please come forward.*

**MR. TRIPP:**

*I have -- my name is James Tripp. I have a statement, can I hand it out to the committee?*

*CHAIRMAN BISHOP:*

*Please.*

*MR. TRIPP:*

*Good afternoon. My name is James Tripp. My employment is General Council of Environmental Defense, formerly Environmental Defense Fund, a national environmental group founded out here in Suffolk County 35 years ago. I have -- I was first appointed to the board of the Suffolk County Water Authority in 1987, and I therefore, served for the last 15 years, and I'm here on a petition for my reappointment for another five year term. As my statement indicates, my major interest at the Water Authority over the 15 last, and this would continue to be the case, has to do with environment, protection of the groundwater resources, the protection of the watershed of the water supply source of the Suffolk County Water Authority, pollution prevention measures, water quality treatment measures, and other things pertaining to implementation of the federal and state Safe Drinking Water Acts.*

*I am personally proud of what the Water Authority has done over the last 15 years. As a steward of the environment, as a steward of the groundwater resources of Long Island, it has certainly played a role with you, with the state, with the towns and the whole effort to protect the Pine Barrens, which is really the critical watershed for the groundwater resources. And prior to 1987, that was simply not a major goal or objective, at least as I saw it, of the Water Authority. We have what I consider to be the best laboratory for water quality testing of any groundwater dependant system in the United States. The Suffolk County Water Authority is, to my knowledge, the largest groundwater dependant water utility in the United States. That lab was completed, I think, around 1995. I hope many of you have seen it. It tests something in the order of 80,000 samples a year. It's a state-of-the-art facility.*

*We've had -- through litigation, we have gone after polluters that have caused damage to our water supply. I, of course, have supported that litigation. In many cases, we've -- we've recovered damages to pay for new wells or treatment. And we have, I think, pursued aggressively water quality problems when they have come up; MTBE, most recently, iron, we have constructed, I think, somewhere in the order of eight to ten iron removal plants, they are very expensive. It's not a health issue, but the water quality benefits to customers is, of course, very good. And we've done the same thing in the early and mid 90's with granulated activated carbon systems. So I think the on the whole, the Water Authority with my help has become an important ally in the effort to maintain the quality of our drinking water supplies and to make sure that everyone in the County who wants water from the Suffolk County Water Authority is able to get it. And that is a very*

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*important part of the mission of the Water Authority.*

*At the same time, as my statement indicates, rates have gone up only very modestly. I take very seriously the job as a fiscal steward of the Water Authority as best I can. There have been significant investments and technological advances to increase the productivity of various things, from meter reading, to doing water quality testing, to running the whole operation, and that is the way we have been able to keep the rates down over the last five to ten years really below the rate of inflation. And then the third issue I would like to talk*

about does have to do with prevailing wages and benefits. This is an issue which has come to the floor over the last couple of years, but certainly in the last couple of months. I've had conversations with some of you about this issue. I take it very seriously, and it is an issue that I certainly intend to pay attention to if I am reappointed. It all has to do with the legal requirements of the Labor Law of the State of New York. We are required as a state public authority to pay prevailing wages and benefits. We've always put contractors on notice that that -- that that is their obligation. The enforcers ultimately are, of course, the District Attorney and the State Labor Department, but there is certainly a legitimate question as to whether the Water Authority can do more in terms of assuring compliance. As I pointed out in my statement, if somebody actually fails to pay -- if some kind of a contractor fails to pay prevailing wages and benefits, that's a misdemeanor. If you file fraudulent certified payrolls with a state agencies subject the State Labor Law, like the Suffolk County Water Authority, that is a felony. That's a very serious crime. And I think that we can do more to make all contractors, bidders on our contracts aware of the fact not only the obligation to pay prevailing wages and benefits, but providing us with false information, fraudulent and misleading information is a felony. And we would, of course, cooperate with the District Attorney or anyone else to prosecute those violators.

With representatives of many municipalities in the County, the Water Authority did attend a meeting in recent weeks with the District Attorney going over these requirements. And I think we are prepared, and I would support hiring at least one person on the staff initially to help with the compliance of this entire issue. So those, I think, are the basic issues before us. But I think we've -- we've done a good job, in my view, over the last ten to 15 years in protecting our water supplies. We need to remain ever vigilant. There are always new issues, new problems, new challenges, and that's why I'd like to be reappointed. Thank you very much.

CHAIRMAN BISHOP:

At this time, if member of the committee have questions for the nominee, this is the appropriate time to ask them. Legislator Caracciolo, do you want to begin?

LEG. CARACCIOLO:

Mr. Tripp, since your arrival there in 1987, which is now 15 years ago, share with us your perspective of what has changed in terms of the board climate culture and operation between that first term, from '87 to '92, to the present term and the people you serve with now.

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MR. TRIPP:

Well, my overall perspective is that the professionalism of the administration of the staff has grown steadily. I think the top staff of the Water Authority is professionally very confident, very capable, very honest, integrity. There is a lot of attention to fiscal management, which is one of the reasons why rates have gone up modestly. I think there has been increased attention over the years to the whole issue of environmental stewardship, what can the Water Authority do to prevent pollution, maintain high quality of water supplies, take care of iron and other kinds of problems, provide water to people in private wells who are having problems with pesticides,

*whatever the problems may be. In my opinion, the quality of our customer services operation has improved significantly and steadily in recent years.*

*LEG. CARACCIOLO:*

*What can you share with us with respect to a Newsday article, recent article, that dealt with the Coram building, the purchase and defects -- building construction defects in that facility in terms of as a board member? What involvement would you have in terms of selecting the property, the building, the facilities, taking a look at it? Were you aware, for example, that these material defects were present? Where they ever discussed with board members?*

*MR. TRIPP:*

*Well, they were. Of course, the building -- I was on the board, present at the meeting when the board approved the purchase of that building. I think it was the Coram complex in 19 --*

*LEG. CARACCIOLO:*

*When was that?*

*MR. TRIPP:*

*1993, I believe. And we did have certification from an engineer, a report from an engineer about the condition of that building.*

*LEG. CARACCIOLO:*

*So there was a building inspection conducted.*

*MR. TRIPP:*

*There had been a building inspection, you know, conducted, and it didn't point out any particular problems with respect to the roof or the tresses of the roof. There was a question that came up, and the Legislature has asked the Water Authority for copies of all documents having to do with the Coram facility, and I believe there are more than 1000 pages of, you know, documents that you will be -- be getting. But I think in 1994, LILCO, one the tenants, wanted to install some air conditioners, and there was a question as to whether the roof or the tresses and so on were strong enough to hold these -- hold these units. And the arrangement was that the compressors, which are the heaviest part of the equipment are put on the ground outside under a new sort of structure. So that sort of took care of that problem. There were leaks that were reported from time to time. And that became a -- you know, we've tried to sort of take care of those leaks. And finally, we had a roofing, I think called Roof Services or something like that, go up there and look. And we began to recognize*

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*that there was, in fact, a, you know, problem that we had to address.*

*And we spent -- certainly we spent time at board meetings, you know, talking about this. And my concern was -- because I don't know a lot about roofs, I'm lawyer -- my concern was to make sure that, one, the building was safe if they were people in it, and two, to get a qualified state certified structural engineer -- engineering firm that could go out there and find out what had to be done to get the problem solved. And that is over a period of months, in the Spring of 2001, you know, what we did. A major cause of the problem as it turned out seems to have been the lack of ventilation, you know, in the roof, and*

*that led to warping and problems with the truss system. So --*

**LEG. CARACCIOLO:**

*If I can just interrupt you. Would that have been caused by a design defect?*

**MR. TRIPP:**

*It may have been. I mean, apparently -- and I think all the documentation will show this -- that there was some ventilation, but the ventilation somehow got covered -- got covered over. So I don't know whether that was design or something -- I can't tell you exactly why or how or when that happened, but that was clearly a cause of the problem.*

**LEG. CARACCIOLO:**

*This conversation gives rise to who within the Authority, the Water Authority, would have the responsibility -- did you have facility managers, supervisors, engineers --*

**MR. TRIPP:**

*Sure. Yes.*

**CHAIRMAN CARACCIOLO:**

*-- that would be responsible for this type of inspection along with the outside engineers?*

**MR. TRIPP:**

*Yes. But, you know, on a normal basis --*

**LEG. CARACCIOLO:**

*It wouldn't be a board member, would it?*

**MR. TRIPP:**

*No, no. It would not be a board member, no.*

**LEG. CARACCIOLO:**

*How did this -- how is this located? In other words, how did it come to your attention as a board member that there was this property in Coram, and it would be a good site for your facilities? What facilities are there, by the way?*

**MR. TRIPP:**

*We have one of our regional offices there. And then some of the space was -- has been rented out to the USGS, to the US Coast Guard and to LILCO and then maybe some other tenants.*

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**LEG. CARACCIOLO:**

*So there are other tenants in this complex besides the Water Authority. And how many square feet does the Water Authority occupy?*

**MR. TRIPP:**

*I can't tell you that, I don't know offhand.*

**LEG. CARACCIOLO:**

*Okay. Would the lease for this facility have come to the board for approval for the purchase, this was a purchase?*

**MR. TRIPP:**

*Oh, yes. It was a purchase, yes. It came to our attention.*

**LEG. CARACCIOLO:**

*I'm not as familiar as perhaps other members are with the relationship with the Water Authority and this property. So how much of the property did you purchase? The whole --*

**MR. TRIPP:**

*The whole complex we purchased. The whole -- I believe before we purchased it, it had been built by somebody, you know there was a recession, it was never occupied, it became available at a very cheap price. And this was at a time when -- when I joined the board in 1987, one of thing I realized that we were renting more and more space, leasing more and more space, and I began to ask questions, why are we doing this. So it didn't make any sort of sense to me. It seemed to me that we ought to be thinking about our facilities. And when Mr. LoGrande became the Chair, we began more systematically to think about how to modernize our facilities, upgrade our facilities, build new facilities where they were appropriating consolidating some of our regional offices. And all that was going along while this particular complex became available, and it seemed to be a good location for a regional office in that part of Suffolk County. But we did in the summer of early -- spring or early summer of 2001 had the ventilations system repaired, and then we hired a structural engineering firm, {Cask}, I think it was called ,from Islip or Babylon that prepared a good report that spelled out in detail what the problems were with the truss system and what we would have to do to repair it. And we've sent about, you know, repairing it. LILCO, as you know, moved out in December. I think they're going to move back in as soon as we finish renovating one the other buildings. And we have recent certification from Mr. {Cask} or from his firm saying that the substructure of the roof is now in good condition.*

**LEG. CARACCIOLO:**

*Is this a cost efficient operation in terms of --*

**MR. TRIPP:**

*Excuse me?*

**LEG. CARACCIOLO:**

*Is this a cost efficient operation since you purchased the property, the buildings you lease to other entities, you mentioned three, what is the cash flow, positive cash flow to the Water Authority?*

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**MR. TRIPP:**

*From that complex, I can't -- unfortunately, I just can't answer that question sitting here right now. I believe USGS has gotten that space rent free in exchange for certain services that they have performed over the years.*

**LEG. CRECCA:**

*I'm sorry, who is that?*

**MR. TRIPP:**

*The US Geological Survey.*

*LEG. CARACCIOLO:*

*Are you at liberty to discuss allegations in that Newsday article by a former employee about that facility, and in general, his dismissal?*

*MR. TRIPP:*

*Well, that, of course, is in litigation, as you know.*

*LEG. CARACCIOLO:*

*What is -- what is the essence of the litigation?*

*MR. TRIPP:*

*Well, I think the essence of the litigation is that he was improperly dismissed. But all I can say from my point of view as a board member, I was -- once this problem came to our attention in the Spring of 2001, my primary interest, as I said, two questions, one is the building safe, despite some of assertions of that particular employee, it seemed to me the overwhelming evidence was that it was. But the more important issues was what are the problems, what are the engineering, the structural problems, and how do we solve them in the most expeditious and cost effective manner. And it may be the case that that employee, although -- who's not, you know, particularly helpful in moving us towards a solution of that problem.*

*LEG. CARACCIOLO:*

*Where there any other employees who brought to you or to the Authority management concerns about this facility or any of your facilities?*

*MR. TRIPP:*

*I don't think any issues like this has, you know, come up. But I also believe it was the case of when Mr. {Verenelli} was dismissed, because I'd been asked questions by members of the Legislature about his status as a whistle blower, but I believe at the time of his dismissal and the real reason for his dismissal was rank insubordination and not doing what he was asked to do in trying -- in terms of trying to solve this problem.*

*LEG. CARACCIOLO:*

*Has that been documented?*

*MR. TRIPP:*

*Well, you're going to see this a lot of this in terms of the records that are going to be supplied that there had been no sort of discussion of this issue outside of the, you know, the, you know, the Water Authority. So I'm just giving my perspective as a board member.*

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*Those were, you know, my concerns. The motion to dismiss the employee was unanimous when it was explained to us, when we saw the fax that had gone on and what the employee had said about other employees within the organization.*

*LEG. CARACCIOLO:*

*When -- when will that case be heard?*

*MR. TRIPP:*

*I don't know.*

*LEG. CARACCIOLO:*

*Okay. You mentioned in your opening remarks the financial stability and management of the Authority and the improvement you've seen as a board member in 15 years. If I recall correctly, is it not true that of all the authorities in the State of New York, the Suffolk County Water Authority has the highest bond rating?*

*MR. TRIPP:*

*I believe that is the case, yes.*

*LEG. CARACCIOLO:*

*And in terms of water rate increases, they've been less than the cost of living?*

*MR. TRIPP:*

*Yes.*

*LEG. CARACCIOLO:*

*Okay. At this time, Mr. Chairman, I have no further questions. Thank you.*

*CHAIRMAN BISHOP:*

*Legislator Crecca.*

*LEG. CRECCA:*

*Good afternoon, Mr. Tripp. Just -- Mike asked most of questions I have regarding the Coram -- Coram facility, and I may repeat one or the two questions that he had that I didn't get the answer to. When was it -- when was Coram actually purchased, the shopping center?*

*MR. TRIPP:*

*I believe 1993.*

*LEG. CRECCA:*

*Okay. Is it -- I guess, was -- did it come before the board, the purchase of the facility, and, I guess, was it considered that this shopping center was appropriate for the needs of the boards -- at that -- back in '93 when it came up?*

*MR. TRIPP:*

*Yes. We were looking for that kind of a facilities particularly for a new regional office. I don't think we were necessarily looking for something that big.*

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*LEG. CRECCA:*

*I guess -- yeah, I guess, two questions. Just -- just to cut to the chase. Why a shopping center, and a facility that was obviously much larger than what you were looking for?*

*MR. TRIPP:*

*Location. It was for a new regional office to -- it was -- we were able to purchase it at a fairly low cost, and part of that has to do with real estate conditions at that time and, you know, Suffolk County. And I think we may have had some discussions around that time with USGS that was looking for some space, maybe the United States Coast Guard. So it seemed to be a good fit.*

*LEG. CRECCA:*

*And there were -- were there other sites looked at, or was it just this one site?*

**MR. TRIPP:**

*I -- I don't remember having, you know, a detailed discussion about other sites, but I know that we were looking for this kind of a facility. So it may well be the case that we had looked at other sites.*

**LEG. CRECCA:**

*You just don't -- I guess it's a while back so you don't --*

**MR. TRIPP:**

*Well, I just -- I'm telling you what I -- you know, sort of what I know. Do I know all the ins and outs of, you know, how this was brought to our attention everything else, the answer is no. It seemed to me, again, as a board member, it was a good deal, it was in the right location, it had some extra space so that we could provide facilities to USGS and so on.*

**LEG. CRECCA:**

*I guess what I'm -- what I'm asking is in other words, when it came to the board, was the board looking for space at that time? For example, we -- we often look for space, and we have different options presented to us, and we -- we choose one of the things and all of that nature. Was this just a good opportunity to buy this building, and that's why you guys went ahead with it, or you were actually out there looking for space, and this one came? Or if you don't know, you know, that's fine too. I'm not trying to --*

**MR. TRIPP:**

*No. I think we clearly wanted to site a new regional facility for customer service and other kinds of purposes just as we had done in Hauppauge. We had a new regional facility, it was all part of kind of a master plan to site, locate, build, if needed, buy facilities that could serve these purposes.*

**LEG. CRECCA:**

*In hindsight because of the condition of the building and all, at the time that it came before, did you know who the owner was that was selling it? I don't know if Mike asked these questions.*

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**MR. TRIPP:**

*I don't -- I don't -- I'm sure at the time I did.*

**LEG. CRECCA:**

*You just don't recall now.*

**MR. TRIPP:**

*I just don't recall who the owner was.*

**LEG. CRECCA:**

*There was no -- there was no connections with that person who was the owner of it anybody on the -- on the board or at the Water Authority that you're aware of?*

**MR. TRIPP:**

*Not that -- not that I know of. I don't -- I don't pretend to know everything.*

*LEG. CRECCA:*

*When did the board -- when did you as a board member -- did you say it was the Spring of 2001 when you first found out about the defects in the building? Was that the first time as a board member?*

*MR. TRIPP:*

*Yes, I believe so. It was in the Spring of 2001, early 2001, yes.*

*LEG. CRECCA:*

*And what steps were taken at that point to try to correct those defects?*

*MR. TRIPP:*

*Well, there was a -- when, I think, once we found out about this problem with the ventilation system, I think it was decided that we needed to fix that ventilation system. That was the first and easiest thing we should do, and I think we approved a contract to do that in our meeting of June of 2001. There had been an earlier engineering firm from outside of the State of New York that had done a report that was not, and I saw that report, it wasn't as useful to me as a board member in telling us what it was that had to be done to solve the problem. I mean, we knew that there was a problem, some disagreement as to how severe a problem it. So we then found this other firm through a owners rep, Mr. {Cask} in Babylon, I believe, certified structural engineer in the State of New York who was retained I would say probably in June, probably --*

*LEG. CRECCA:*

*So it was something the board addressed as soon as they became aware of it.*

*MR. TRIPP:*

*Yes. Yes. No, you know, it's an issue that we'd have to pay attention to.*

*LEG. CRECCA:*

*When did the -- when was it initially requested for documents regarding the whistle blower and the building from the Legislature?*

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*Was that following the Newsday article in December? When was that request made? Because I'm not really even 100% familiar.*

*MR. TRIPP:*

*Yeah, I'm not too sure, but there was a request -- I mean --*

*CHAIRMAN BISHOP:*

*Legislator Crecca, can I just make a point, that Mr. Tripp is a member of the board, he's not a day to day operations employee of the Water Authority. So I would find, you know, if I was in his position, very difficult to answer without, you know, someone who is day to day to assist me or documents in front of him.*

*LEG. CRECCA:*

*I guess, you know, my concern here, and, I mean, I'm not trying to*

*hide where I'm going, is, I mean, is I wanted -- as a board member, I would think that he is aware of not the day to day operations, I certainly don't mean that, and I wasn't trying to go into the detail of that, but just of when things came to his knowledge, what actions were taken --*

**CHAIRMAN BISHOP:**

*So why don't we just ask it in that kind of a broad way and see what we get back.*

**MR. TRIPP:**

*This is -- this is something I was concerned about. I'm an environmentalist, I'm not a structural engineer. I'm a board member, and somebody tells me there is a problem with a roof of a building where people are working, you know, I want to make sure that we do the right thing.*

**LEG. CRECCA:**

*The other question I have for you, and I'll try to cut to the chase, Dave, I understand where you're coming from. But I would assume it was sometime in late December that the Presiding Officer or somebody from the Legislature contacted the board regarding -- and if you don't know, that's okay too, but I'm just trying to get at regarding these allegations, regarding the Coram site and the whistle blower and all that, and now it is April and we still, you know, because I heard you say three times that we -- that you'll soon be getting those documents, and I guess my question is are you aware as a board member when the -- when it was brought to the board's attention about the whistle blower and when those documents were requested?*

**MR. TRIPP:**

*Well, the documents were requested, Mr. Hopkins just handed me a letter date March 20th, 2002, signed by Victoria Siracusa, the Assistant Director of the Budget Review requesting these documents.*

**LEG. CRECCA:**

*The documents regarding Coram?*

**MR. TRIPP:**

*The documents regarding -- all documents having to do with, you know, the shopping center facility at Coram, buildings 1 through 5.*

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**LEG. CRECCA:**

*Okay, that was my question because I just wasn't, you know.*

**MR. TRIPP:**

*I think we're about to furnish copies of all those documents.*

**LEG. CRECCA:**

*I'm sorry, I didn't hear the last thing you said.*

**MR. TRIPP:**

*I think we're about to -- I mean, it been taking quite a bit of time to put together all these documents.*

**LEG. CRECCA:**

*No, no, that's fine. I didn't realize. That answers my question. If*

*it was December and we're in April, it would be a different story. If it's March, I don't think that's an unreasonable period of time that has gone by.*

**MR. TRIPP:**

*You know, we've gotten a couple of requests, and I think we've tried to honor those. There was a big -- there was a request for financial information. I think we furnished every member of the Legislature with an executive summary.*

**LEG. CRECCA:**

*I don't serve on that committee, so I was not aware when that request was made. Obviously, you've seen the famous Newsday ad that appeared in --*

**MR. TRIPP:**

*Well, have I seen it, the answer is no. I really haven't seen it, but I know about it, yes.*

**LEG. CRECCA:**

*You know what? Can I ask somebody just to show it to Mr. Tripp. I guess, my first question is did you know when this ad was created in the sense of as a board member?*

**MR. TRIPP:**

*I found out I think it may have last Thursday that an ad like this was being contemplated. And I had conversations with people in the Water Authority about it. And one of my concerns as a board member was -- since I'm a lawyer -- was to make sure that if we were going to do something like this it be with consistent with legal requirements.*

**LEG. CRECCA:**

*With what requirements?*

**MR. TRIPP:**

*With legal requirements. I was particularly concerned to make sure, and I think it's a fair statement that Mr. LoGrande is -- would like to see me reappointed. I did not think it was appropriate now. When I heard about this last Thursday, I didn't think it was appropriate to have anything come out of the Water Authority that indicated, you know, endorsement for my reappointment.*

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**LEG. CRECCA:**

*I don't think this is -- I see this as an endorsement for your appointment. I see -- and I got many, many calls and letters from constituents on Monday wanting to know what was wrong with our drinking water. And if you look on the top in large letters it says, "drinking water alert." We had an elderly woman who called my office on Monday morning and wanted to know if it was safe to drink the water to take her medication. Now, my question to you is specifically is -- first of all, did the board -- obviously you were aware of the contemplation of this add coming out on Thursday. I guess, did you approve the ad prior to its being published in Newsday?*

**MR. TRIPP:**

*The board in some formal way, no, not to my -- no.*

*LEG. CRECCA:*

*As an individual board member did you acquiesce or authorize this ad to appear on Sunday?*

*MR. TRIPP:*

*Yeah. I think acquiesce may be a fair term.*

*LEG. CRECCA:*

*Okay. Did you --*

*MR. TRIPP:*

*I mean, clearly the title of it without a doubt is inappropriate.*

*LEG. CRECCA:*

*I'm sorry, I didn't hear you.*

*MR. TRIPP:*

*I said clearly the title of it is inappropriate, if you ask for my opinion.*

*LEG. CRECCA:*

*Okay. Did -- were -- were -- do you know how the ad was paid for?*

*MR. TRIPP:*

*No, not specifically. I assume the Suffolk County Water Authority paid for it, but I -- I don't know specifically.*

*LEG. CRECCA:*

*What was -- when it was discussed on Thursday with you as a board members, I assume it was discussed as a board member with you, what was the basis or reasoning for issuing a drinking water alert?*

*MR. TRIPP:*

*I don't know whether I can really answer that question. I can -- I'll try to speculate, if that's what you want.*

*LEG. CRECCA:*

*No. No. I'm asking you, you are a board member, it was contemplated that there would be an ad appearing, I guess, over the weekend some time in Newsday. So I'm asking you, and it says, "drinking water alert, notice to our customers". It says nothing about Jim Tripp, it*

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*says nothing about -- anything about your reappointment at this point, but it does talk about that the drinking water may be in jeopardy. Okay. And it directs people to a website. This woman I spoke of doesn't have a computer, first of all. So I guess my question for you is on Thursday when you say you acquiesced in the placing of this, ad what was the basis of a drinking water alert, of a problem that would justify an ad?*

*MR. TRIPP:*

*I think -- I think the rationale was that there was a lot of hype going on over the reappointed or the appointed of a person to a board of the Suffolk County Water Authority, that the board of the Suffolk County Water Authority has important responsible board obligations, and the members of the public should know that the -- the consideration of a new board member was going on before the County*

*Legislature.*

*LEG. CRECCA:*

*Does it say that any place in this ad, and take your time to look at it?*

*CHAIRMAN BISHOP:*

*Come on.*

*LEG. CRECCA:*

*No. You can say come on, but the bottom line is he's saying that at a board member he acquiesced --*

*CHAIRMAN BISHOP:*

*I think, Mr. Tripp, what you said earlier you should just reiterate, that you were not -- you didn't see the ad in advance, correct? Is that what you're saying? You had nothing to do with the ad, you don't agree --*

*MR. TRIPP:*

*Certain parts of the ad were read to me, and I told whoever was on the end of the phone what I thought of it.*

*LEG. CRECCA:*

*So you didn't acquiesce in the placement of this ad then?*

*MR. TRIPP:*

*Well, I acquiesced in the sense that I wanted to assure myself that it was legal, I asked that question, and I didn't put a stop to it, let me put it that way.*

*CHAIRMAN BISHOP:*

*So then -- okay. Did you have questions?*

*LEG. CRECCA:*

*No, I'm not done.*

*CHAIRMAN BISHOP:*

*I haven't gone yet, and Legislator Foley is a guest of the committee, he'd like to ask a question, I'll yield to him and then I'd like to ask some questions.*

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*LEG. CRECCA:*

*I just wasn't done.*

*CHAIRMAN BISHOP:*

*We'll go back to you.*

*LEG. CRECCA:*

*Why is that? If my line of questioning is inappropriate, Mr. Chairman, that's fine. I'm not -- I'm not directing this, but we have a board member here, and there are certain actions that have been taken in the last several days which prior to that, I had no opinion as to the --*

*CHAIRMAN BISHOP:*

*I thought you were done. You were just reloading, I didn't realize*

*that. So go ahead.*

*LEG. CRECCA:*

*No, I'm not -- look, I'm really not trying to shoot. I guess I'm questioning the actions that have been taken in the last week and actually the last couple of months over this from the board. It's a public authority, it's used with tax dollars, okay. Were you aware of this -- of the brochure that went out --*

*MR. TRIPP:*

*Yes.*

*LEG. CRECCA:*

*In everybody's water bills? Okay. How would you -- what was the purpose of this? Because let me ask you, what was the purpose of this, and was this discussed and approved at a board meeting?*

*MR. TRIPP:*

*I don't think it was -- I mean, there certainly was general discussion about the -- the inserts at board meeting, was that -- is every insert specifically approved by the board? No. The subject matter may be approved.*

*LEG. CRECCA:*

*Did you see this --*

*MR. TRIPP:*

*I did see it.*

*LEG. CRECCA:*

*-- the copy of the brochure before it went out?*

*MR. TRIPP:*

*Yes.*

*LEG. CRECCA:*

*Would you agree -- and if I'm wrong, now is the time to tell me -- would you agree that that brochure is pretty much a pamphlet about Jim Tripp and all about Jim Tripp?*

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*MR. TRIPP:*

*Yes. Yes.*

*LEG. CRECCA:*

*Has that ever been done for any other board members that you're aware of during your tenure?*

*MR. TRIPP:*

*I'm not too sure. I don't think it ever has been done.*

*LEG. CRECCA:*

*Was that paid for with Water Authority money?*

*MR. TRIPP:*

*Yes. Yes. And I think, you know, I looked at it, I wanted to make sure the information is accurate. I think it's accurate.*

*LEG. CRECCA:*

*As a board member, you obviously were aware -- did you take any actions to stop that brochure from being distributed?*

*MR. TRIPP:*

*No. No. Frankly, I don't think it's a bad idea for the members of the public to know who the members of the Board of the Suffolk County Water Authority are. I mean, the only other time when the public is ever told about it is on the annual basis when you replace somebody, but I think given the responsibilities of the board for the well being and the health of the drinking water customers, over a million of them, I personally didn't -- it didn't bother me. I mean, I don't like people saying good things about me, in general, but it didn't bother me to have customers of the Water Authority know, you know, who one of their board members are. And I would certainly support preparing similar kinds of inserts about the other board members, whoever they are.*

*LEG. CRECCA:*

*But to your knowledge, there's been no other inserts about any other board members other than yourself.*

*MR. TRIPP:*

*I think that's right.*

*LEG. CRECCA:*

*I'm not done, David. I'm sorry. This is, you know. The website, I guess they were updates made to that either over the weekend or just prior to the weekend making specific references to Legislator Tonna and to, I guess, some {Nauqua} unions and talking about the formation of the ad hoc committee and all that. Do you know when those changes were made to the website?*

*MR. TRIPP:*

*I don't.*

*LEG. CRECCA:*

*Did you authorize those, as a board member, the changes and the text that is contained in that website?*

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*MR. TRIPP:*

*No. And I am -- I guess I've got to pay more attention to our web page. I don't spend a lot of time reading web pages, so I apologize to you.*

*LEG. CRECCA:*

*No. That's okay, but I'm saying --*

*MR. TRIPP:*

*Since it was brought to my attention, I have done everything I can to make sure that is changed, and it has been changed.*

*LEG. CRECCA:*

*Okay. I only saw it yesterday so.*

*MR. TRIPP:*

*Well, you know.*

**LEG. CRECCA:**

*The website is maintained also by the Water Authority, again, with the rate payer money, right?*

**MR. TRIPP:**

*Yes. But what I meant when I say it's been changed, I believe if you go look at it now, it's not what it was yesterday or the day before.*

**LEG. CRECCA:**

*Okay. And you as a board member, you had no prior knowledge to these changes, is that -- is that correct?*

**MR. TRIPP:**

*I really knew nothing about what was on the web page.*

**LEG. CRECCA:**

*Do you know who -- who was responsible -- as a board member do you know who updated or wrote -- rewrote the text of the website?*

**MR. TRIPP:**

*No specifically, but I assume Steve Jones as the Executive Director certainly knows who did it. And for what it's worth, I'll add I don't think it's appropriate on this kind of a web page to have statements made about the Presiding Officer, you know, whether they are true or not. In my view, it's sort of irrelevant. That's my view. And I apologized to him.*

**LEG. CRECCA:**

*It's actually -- I wasn't like trying to -- I wanted to just know where -- what you knew and what you didn't know and what you were responsible for and what you weren't. I'm not -- you know, I'm not crediting this website to you or the text of it to you. I just wanted to make -- find out as a board member if you were aware of it.*

**MR. TRIPP:**

*No, it's a fair question. I have no doubt about it.*

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**LEG. CRECCA:**

*I don't have further questions right now. If I have more we can come back to me. Thank you, Mr. Chairman.*

**CHAIRMAN BISHOP:**

*Senator Foley.*

**LEG. FOLEY:**

*Thank you, Mr. Chairman. Mr. Tripp, thank you for appearing before the committee today. To get back to the primary mission and focus of the Suffolk County Water Authority. You mentioned the fact that you believe that the primary mission is provide the highest quality drinking water.*

**MR. TRIPP:**

*Yes.*

**LEG. FOLEY:**

*And you feel that your qualifications are such that you can help the*

*Water Authority meets its primary mission, is that not correct?*

**MR. TRIPP:**

*Yes. Yes. I know quite a bit about Safe Drinking Water Act, I've been aware -- I've been on the EPA National Drinking Water Advisory Council, and over the last 15 years, I've had a good knowledge not only of what the regulations are, but where I -- even more important, where I think they're going.*

**LEG. FOLEY:**

*Would you not also agree with the -- with the point that potable good drinking water is not only important to the public's health, but it's important to the economy of Suffolk County and to job creation in Suffolk County?*

**MR. TRIPP:**

*I certainly agree with that statement.*

**LEG. FOLEY:**

*Finally, Mr. Chairman, if I may, at the end of your prepared remarks you mentioned, and you gave an example of how a long standing committee member or trustee can -- can learn new things. And I'm heartened to hear that you've taken very seriously the issue of prevailing wage compliance at the Water Authority. You had mentioned the fact that you believe it's appropriate that at least one professional should be hired to ensure compliance with prevailing wage.*

**MR. TRIPP:**

*Yes.*

**LEG. FOLEY:**

*If, in fact, there's an indication that you need more than one person or the need to have several given the size of the Authority and given the far reaching projects, capital projects, that the Water Authority undertakes, if you need more than one person to comply or to ensure compliance with prevailing wage, would you as a board member approve*

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*of a policy of hiring more than one?*

**MR. TRIPP:**

*Well, certainly more than one. You know, obviously we also have to be concerned about fiscal management and so on, but my -- my major objective is to make sure that we get the job done, again. And I think we have a responsibility to make sure that we and our contractors comply with the Labor Law of the State of New York, and how many people -- I mean, start with one, how many people we're going to need to make sure that that compliance is done appropriately, I don't know at this time.*

**LEG. FOLEY:**

*Finally, Mr. Chairman, earlier you mentioned a meeting that you attended at the District Attorney's Office.*

**MR. TRIPP:**

*I did not attend that meeting, but the people from the Suffolk County Water Authority had. I believe it was a meeting that the District*

*Attorney convened with representatives of the towns and the villages and so on.*

*LEG. FOLEY:*

*And the Water Authority was present?*

*MR. TRIPP:*

*And the Water Authority was present. I know that the Mayor of Bellport was present, I've talked to him about it.*

*LEG. FOLEY:*

*Can you give us the upshot of that particular meeting.*

*MR. TRIPP:*

*Well, I think the upshot was a definite clarification on the part of the District Attorney of the -- of the meaning of this law and the importance that the municipalities and the Water Authority, as the state authority, do everything they can to make sure that this law is complied with. That's true of every law of the State of New York.*

*LEG. FOLEY:*

*So the policy of the board is to work cooperatively with the District Attorney on prevailing wage.*

*MR. TRIPP:*

*Yes. Yes.*

*LEG. FOLEY:*

*Thank you.*

*MR. TRIPP:*

*And we have already done so. As you know that we did -- either the last meeting or the meeting before, we suspended for a year, although the District Attorney didn't ask us to do it, somebody from bidding on future contracts, who had been, you know, indicted and plead guilty.*

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*LEG. FOLEY:*

*Thank you, Mr. Chairman.*

*CHAIRMAN BISHOP:*

*Thank you. Mr. Tripp, thank you for your statement this afternoon, particularly with regard to -- well, all of it, but particularly with regard to the commitment to the prevailing wage policy, an issue that I've corresponded with -- with the Water Authority in the past and participated with.*

*MR. TRIPP:*

*Your comments have been very helpful.*

*CHAIRMAN BISHOP:*

*A couple of questions, and I'll try and make them more broad. Some of it will cover ground perhaps that we've already gone over. As a board member, what initiatives have you offered that have become Water Authority policy?*

*MR. TRIPP:*

*Well, let's see what initiatives. Certainly, I think the whole*

*initiative with respect to the lab, that it really started in 1987 or '88 when I became a new board member. It didn't sort of come to fruition until 1995, but I think that was an initiative in which I was involved, our role with the Pine Barrens. I urged Mike LoGrande to -- when in March of 1993, when there had been an effort the year before to bring together the environmental community, the development community and town elected officials over, you know, policy for the Pine Barrens, thing weren't going to well, I invited Mike LoGrande to spend a day down at the New Jersey Pine Lands Commission, in part because of my interest in transfer of development rights. And he invited Bob Gaffney to go along, so we went down there and spent the day down there being briefed on that whole program and the way it worked under state and federal law and the TDR program, in particular. And then while the plan was being written, I was sort of a co-Chair of the TDR Committee, I was on the Advisory Committee.*

*But in any case, the Water Authority, as you know, took on the role of sort of staffing the, you know, commission although that was paid for by the state. We did adopt a policy really at my suggestion and that was, in general, the Water Authority is supposed to provide water to those people who need it. But we did adopt a policy at my suggestion that we would not provide water except under various exigencies to people building in the core of the Pine Barrens as designated under the state law. We've had a recent initiative really that I worked on with Steve Jones to try to get a better handle on nitrogen management in Suffolk County, you know, a big, big issue. Nitrogen pollution in groundwater has been for decades a big issue, it's also caused a big issue in our bays. And we have a new initiative going on there.*

**CHAIRMAN BISHOP:**

*Are there policies of the Water Authority that you have disagreed with?*

**MR. TRIPP:**

*You know -- you know, I real can't think of any, you know, right now,*

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*but I'm sure --*

**CHAIRMAN BISHOP:**

*So it's fair to say that you've never alerted a Legislator or any state representative of a policy being undertaken by the Water Authority that you thought was contrary to public interest.*

**MR. TRIPP:**

*Certainly not over the last -- you know, certainly not since Mr. LoGrande became the Chair.*

**CHAIRMAN BISHOP:**

*Okay. What policy initiatives not yet adopted by the Water Authority will you be forwarding in the years ahead? Is there anything specific, besides the --*

**MR. TRIPP:**

*Well, there are -- there are -- there are piece of the Pine Barrens watershed that are not yet protected, not all of which are in the core, which I think should be protected from a water supply management point of view. And I will -- I hope that the Water Authority, because*

*the Water Authority needs well sites so it has an interest in the protection of that land. But I intend to continue that as an initiative to make sure that those pieces of our watershed are protected. The nitrogen program that I just talked is something that I certainly intend to spend time on. And although it's really outside of my particular area of expertise, I've -- I've told you as clearly as I can that I intend to make sure that we comply with the Prevailing Wage Law.*

**CHAIRMAN BISHOP:**

*Mr. Tripp, you're -- you're clearly a humble a man, and it must be difficult for you, because unlike us, you didn't decide to run for office. And it seems like almost your campaign is being run on your behalf. So I just want to briefly touch on what Legislator Crecca was asking about. The ad in Newsday, you didn't know about it until after it ran.*

**MR. TRIPP:**

*No. No. I did -- I didn't see it, I had conversations.*

**CHAIRMAN BISHOP:**

*So you knew that it was --*

**MR. TRIPP:**

*I knew that an ad was going to run, yes.*

**CHAIRMAN BISHOP:**

*Right. And you knew it was -- did you know the headline? You knew the tone of it.*

**MR. TRIPP:**

*Yeah, I knew the tone of it. And I was -- when I was, you know, when I was told about the tone of it, I was very concerned, so I certainly made some suggestions as to how to change the tone of it.*

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**CHAIRMAN BISHOP:**

*If you're the candidate, and you don't like the tone of it, why did it run? That's what I don't -- that's what I'm troubled by.*

**MR. TRIPP:**

*Why did I acquiesce, so to speak?*

**CHAIRMAN BISHOP:**

*I mean, what -- I'll just leave it at that. Let me ask you, finally, on this website business, which I know you had even less to do with than the ad, which you had little to do with, there are statements here attributed to Mr. Faber. Did -- have you read it? And if -- do you know them to be true?*

**MR. TRIPP:**

*I read it this morning.*

**CHAIRMAN BISHOP:**

*Right. And did you say, oh, yeah, that rings a bell, that's what Favor said to me or --*

**MR. TRIPP:**

*You mean the accusations going on there?*

*CHAIRMAN BISHOP:*

*Yeah. This whole section.*

*MR. TRIPP:*

*Did Mr. Faber talk to me about that? No.*

*CHAIRMAN BISHOP:*

*Right. And it never came up at a board meeting with minutes or anything like that? Okay. That's reassuring, because I was at a meeting, and I don't recall any of that.*

*MR. TRIPP:*

*Well, I'm sorry that Mr. Faber isn't still here.*

*CHAIRMAN BISHOP:*

*But that's good. I appreciate that -- that he didn't say that. Okay. People want to ask more questions, and then hopefully we get to Mr. Proios, and then we have a long agenda. Legislator Caracciolo has been waiting the longest.*

*CHAIRMAN BISHOP:*

*Legislator Fields points out that audience members are now cat calling as we're moving along, and we will not do that, or I'll ask you to leave.*

*LEG. CARACCIOLO:*

*Just to follow up, Mr. Tripp, where the Chairman just left off with this add, because I have not seen the ad until just a few minutes ago. From your perspective, when you had conversation with someone on Thursday, what was the purposes that they discussed this ad -- what was the context of that conversation?*

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*MR. TRIPP:*

*I think the context was that the -- filling this board position was becoming --*

*LEG. CARACCIOLO:*

*A political football.*

*MR. TRIPP:*

*-- politicized, and that we should alert our customers about that.*

*LEG. CARACCIOLO:*

*This was a process that was becoming politicized, so was the suggestion -- was there a suggestion that made somehow like a political campaign that you then take on that face and go to the public and try to engage the public in taking sides on the issue?*

*MR. TRIPP:*

*You know, do you want me to speculate? I don't know.*

*(\*SUBSTITUTION OF STENOGRAPHER - ALISON MAHONEY\*)*

*LEG. CARACCIOLO:*

*To what extent and how long were you on the phone and who were you on*

*the phone with?*

**MR. TRIPP:**

*I talked to Steve Jones on the phone on Thursday, and then on Friday I talked to Michael LoGrande, Steve Jones and Tim Hopkins on the phone. I think it was Friday.*

**LEG. CARACCIOLO:**

*Obviously, these individuals respect you very highly, and I'm sure the feeling's mutual. I'm familiar with all three of the individuals. You have -- as far as I know, you are all very well qualified, you are very highly credentialed, and you all have a great deal of experience in terms of dealing with the issues for which you serve and in the capacities you serve. So it's not unusual to have a conversation with these people. What is unusual is to have a conversation about running an advertisement and yourselves engaging in a practice that I would tell you is politicizing the issue, and that is not acceptable. You can't or they can't or no one else can point fingers in one direction, because when you do, look at where your thumb is pointing, it comes right back to you. And that's not acceptable. So I am somewhat disappointed that you permitted yourself to be engaged in that type of a -- of a campaign.*

**MR. TRIPP:**

*I understand.*

**LEG. CARACCIOLO:**

*But that does not diminish what you have brought to the table and what you continue to bring to the table. I want to go to labor management relations at the Water Authority. What can you tell me about the size of the work force today as compared to when you started? And what percentage of it is unionized and what percentage is not?*

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**MR. TRIPP:**

*Well, I think the size of it -- during the --*

**LEG. CARACCIOLO:**

*If you don't know, Mr. Tripp, just simply say you don't know.*

**MR. TRIPP:**

*I think the number of employees is around 600 today. And it's not measurably significantly larger than it was ten years ago.*

**LEG. CARACCIOLO:**

*Okay. And do you know the break down?*

**MR. TRIPP:**

*About two-thirds of the employees are unionized, and the other third are management and not unionized.*

**LEG. CARACCIOLO:**

*Okay. Have you had any recent, within the five years, during your current term, have you had any disruptive labor management issues? Have you had any strikes?*

**MR. TRIPP:**

*No. No. I mean -- there are -- there are always issues around labor*

*negotiations, and we are kept apprised of them, but none of them have been --*

*LEG. CARACCIOLO:*

*Do you as a board member vote on labor management agreements when you're negotiating?*

*MR. TRIPP:*

*Yes. Yes.*

*LEG. CARACCIOLO:*

*And what is its status of the current term of the -- of the contract with the employees?*

*MR. TRIPP:*

*I think the term -- when is it up? I'm afraid I just don't know the answer to that right now. It's usually every two to three years.*

*LEG. CARACCIOLO:*

*But as far as you know, both the union members and management have found a very equitable relationship, and the employees that are represented by the union are satisfied with the terms and conditions under which they work?*

*MR. TRIPP:*

*I believe so. In fact, I think they're fairly remunerated for their work and the benefits are certainly very reasonable.*

*LEG. CARACCIOLO:*

*Okay. I want to go to the board's conflict of interest policy. I note that the first policy was adopted in October of 1993. What led to the adoption of this policy?*

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*MR. TRIPP:*

*Well, I think the current policy -- I would have thought --*

*LEG. CARACCIOLO:*

*No. My question was what led to the initiation of this policy in 1993? As you know, at the County level we recently had a conflict of interest issue.*

*MR. TRIPP:*

*I believe everyone -- every employee of the Suffolk County Water Authority has to fill out this conflict of interest form.*

*LEG. CARACCIOLO:*

*Including the board members?*

*MR. TRIPP:*

*Including the board members on an annual basis. And it's been done at least since 1993. And the policy has changed some over the years, but I think if you read through its conflict of interest statement there are -- it speaks for itself. And we have had some conflicts where employees have been doing things that we thought were in conflict.*

*LEG. CARACCIOLO:*

*To your knowledge have these disclosures been filed by every employee,*

*and are they on file right now?*

**MR. TRIPP:**

*As far as I know, the answer to that is yes.*

**LEG. CARACCIOLO:**

*In 1997, the policy was amended to prohibit many of the items that were previously only required disclosure, including the solicitation of funds for political tickets. It also prohibited "non union employees from holding holiday, political party" -- it says leadership, I'm reading from one of your documents -- "in any municipal, state or federal organization. In 1999, a policy was again amended to prohibit Suffolk County Water Authority employees from having an interest in or providing off duty plumbing or other services that require SCWA inspection or approval to existing or future SCWA customers".*

**MR. TRIPP:**

*Yes.*

**LEG. CARACCIOLO:**

*It goes on to point out in this report that four employees challenged this amendment in court and the Water Authority successfully defended its position regarding a conflict of interest.*

**MR. TRIPP:**

*Yes.*

**LEG. CARACCIOLO:**

*In both state and appellate court.*

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**MR. TRIPP:**

*And they also appeared before the board.*

**LEG. CARACCIOLO:**

*Okay. In addition, it says, "the Authority sends letters to each of its vendors, consultants and outside contractors informing them of Suffolk County Water Authority's conflict of interest policy. This practice has discouraged many abuses before they arise". Has it discouraged all abuses?*

**MR. TRIPP:**

*I have -- you know --*

**LEG. CARACCIOLO:**

*Who would be best the address that?*

**MR. TRIPP:**

*I think Michael Stevenson would probably be a good person, or Steve Jones.*

**CHAIRMAN BISHOP:**

*Mike?*

**LEG. CARACCIOLO:**

*I'm done, Mr. Chairman, thank you.*

**CHAIRMAN BISHOP:**

*Legislator Crecca, I know you are going to be brief.*

**LEG. CRECCA:**

*Be brief, right? I'll try.*

**CHAIRMAN BISHOP:**

*At lease to the point.*

**LEG. CRECCA:**

*Were you aware -- and I apologize, I forgot to ask you before, I'm just looking down at my own notes -- about the phone calls that were made by -- computer generated phone calls, I guess, from e-mails I got in my office on Sunday and Monday?*

**MR. TRIPP:**

*Not really, but I became aware of them this morning, and I made known my views about it.*

**LEG. CRECCA:**

*Are you -- were you aware of the content that was in those?*

**MR. TRIPP:**

*No.*

**LEG. CRECCA:**

*I became aware of it this morning myself, my neighbor across the street told me. Specifically, it had contained, I guess, remarks about Paul Tonna, and, I guess, things like -- things of that nature. Do you know if those phone calls were made or paid for with public*

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*monies from the Water Authority?*

**MR. TRIPP:**

*I assume they were paid for by the Suffolk County Water Authority. And I've told you my views. And I -- you know, I apologize. I think it's inappropriate for --*

**LEG. CRECCA:**

*At some point will those appropriations have to come back before the board for the phone calls, for example?*

**MR. TRIPP:**

*Probably. I don't really know the answer to that, but I would assume so.*

**LEG. CRECCA:**

*Let me ask you this, because know this does go directly to you as a board member. Would you support or do you do you support reimbursing the Water Authority rate payers for the cost the producing and publishing the Newsday ad?*

**MR. TRIPP:**

*Probably not.*

**LEG. CRECCA:**

*You wouldn't support the reimbursement?*

**CHAIRMAN BISHOP:**

*Him personally?*

**LEG. CRECCA:**

*From whoever was responsible for placing those ads. Yeah, I mean, whether it's him, whether it's --*

**MR. TRIPP:**

*I think my -- I'll just tell you my own view and my thinking, you know, can always change. I think that the heading, as I told you, is unfortunate, I think the content of it is within -- well within the law, in terms of alerting customer to something that's going on that they should be concerned about. You know, if you went back and asked anyone who knew about this, would you do it differently today, the answer might be yes for all I know, but that does that warrant reimbursement? No. So I am not persuaded as I sit here now that it is appropriate to ask, you know, the people who put this together and who called up Newsday and so on to reimburse the Water Authority. I may be proved wrong, but that's my own view.*

**LEG. CRECCA:**

*You just -- you said that the wording was -- you agree with the wording in it, you just said you don't agree with the alert part of it, correct?*

**MR. TRIPP:**

*Yeah. I certainly think that the heading, the caption, is inappropriate. And the body of it, do I agree with it? You know, there's nothing really in it that I find, you know, that I sort of*

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*disagree with.*

**LEG. CRECCA:**

*Okay. Where --*

**MR. TRIPP:**

*The broader policy question is should the Suffolk County Water Authority place -- you know, put ads in Newsday. Well, of course, it has put ads in Newsday for years having today with the -- the results of tests of different kinds of wells and so on. But should we put this kind of an ad in Newsday? If you ask me, no, I'm not enthusiastic about this kind of communication.*

**LEG. CRECCA:**

*I mean, it's -- would you agree -- and I really -- this comes to the heart of the issue for me, because it was my intention to support your reappointment, but what's happened in the last four or five days completely disgusts me. Okay? When I have neighbors coming up to me who don't know a think about what's going on and saying to me, what's wrong with our drinking water, and that's actually what happened here, I'm not -- you know, when I have stacks e-mails coming into my office questioning whether or not -- there's one here, and you are welcome to look through every single one of them sir, that questions there was a terrorist alert, the Northeast was put on a terrorist alert last week, there's one in here that wants to know if the water -- the drinking water quality has anything to do with terrorist activities. That's*

*what this did here.*

**MR. TRIPP:**

*Yes, sir.*

**LEG. CRECCA:**

*And to say that you agree with the content and not the drinking water alert, where does it say anything in here about your appointment as Jim Tripp, even if you think that's an appropriate use of rate payer money, it don't make any reference to that. It just questions the quality of the water in Suffolk County. And you as a board member are responsible for the quality of that water, correct?*

**MR. TRIPP:**

*Yes. Yes. I've told you, if I -- certainly as I sit here, my own personal view is, and I guess I'll say this, you know, as a board member is I don't think that we should be putting these kinds of ads in Newsday.*

**LEG. CRECCA:**

*But it rate payers paid for it.*

**MR. TRIPP:**

*Unfortunately there is another one that's going to appear in Suffolk Life, I believe, and I think it's unfortunate. And I apologize to your -- your neighbors who have responded that had way, that is --*

**LEG. CRECCA:**

*But the question is we are still using rate -- as a board member then, you're endorsing -- and that's what I need to know --*

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**CHAIRMAN BISHOP:**

*Get to the issue.*

**LEG. CRECCA:**

*That's why I'm trying to get to the issue here, because this is an important issue for me. You will, as a board member, support the continued paying of these ads and brochures endorsing -- I guess, the next board member that comes up will have ads like this put into the water bills. Will you support ads like this again put into the water bill?*

**MR. TRIPP:**

*I don't think that's -- I told you what I think about those inserts. I think it's a legitimate --*

**CHAIRMAN BISHOP:**

*Okay. There are no further questions. Mr. Tripp, is there anything -- I know you probably would be unhappy if you left on that note, so why don't you --*

**LEG. CRECCA:**

*Mr. Chairman are you saying that I cannot ask any questions?*

**CHAIRMAN BISHOP:**

*Yes.*

**MR. TRIPP:**

*I would be happy, Mr. Crecca, to answer any other questions at any other time. I appreciate your concern. I felt honored to be on the Board of the Suffolk County Water Authority for the last 15 years. I hope you give me the opportunity to do it again, and I will do the best the job that I am able. I will happily talk to any of you at any time about my performance and what's going on. Thank you.*

**CHAIRMAN BISHOP:**

*Thank you. Thank you, Mr. Tripp. Mr. Proios, good afternoon.*

**MR. PROIOS:**

*Good afternoon.*

**CHAIRMAN BISHOP:**

*Do you have a statement that you'd like to?*

**MR. PROIOS:**

*Not generally a statement, I was going to go over what I passed out. But I would at least like to start out by saying I am very sympathetic in the situation some of you find yourself in. Some of you have already told me that you feel very uncomfortable about what's going on here, and so do I. I've know Jim Tripp almost as long, probably longer than most of you have. I know all of his bosses very well, two of them passed away, but two of them who actually did pass away I started my environmental career working for Bob {Spoker} and Dennis {Peilstine} on the Board of Water Ways and Natural Resources in the Town of Brookhaven. And Dennis {Peilstine} like he was to many people was my mentor and got me really excited about environmental issues. And I got to learn the other two remaining founding fathers, and just*

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*last month, in fact, I was asked to speak at Stony Brook University. And Charlie {Worster} came out of retirement, he said -- he told me because he heard I was speaking there and just wanted to see how one of his students had turned out. So it's an uncomfortable position, I think, for all of us. But I will try to make the best the of it.*

*I am here just to basically reiterate some of what I think you already know, but I'll put in the context of what my qualifications are. In terms of water, I have been involved in water issues just about my entire life. I started out here in the County as a sanitarian in the water unit of all places. Part of my duty, I did the first -- very first bottled water supply study that was ever done by Suffolk County. As part of my responsibilities, I do inspect public water supplies. I have been to virtually every well field that the Water Authority owns, from North Huntington, the one that's in the Nike Base that's up there, which I find very unusual, to really an interesting one in Bellport to the very shallow wells out in Montauk Peninsula. I check lime slurries, I used to have add lime to it when they were low because water treatment operators are supposed to visit these sites ever eight hours. But oftentimes when I was doing inspections, I saw that lime was very low, so you fill it up with water and make sure that it's going to be pumping it into it system in case the water operator doesn't get there in time, look for cross connections. So I was doing a lot of the physical operations to know exactly how the system worked when I started out.*

*When I became environmental director in Brookhaven Town, I started a program to look at the relationship between organic contamination and well waters. I looked at private wells down gradient of the industrial commercial facilities, concentrated in the area known as Peconic Avenue in Medford and came up with a lot of contamination, established statistically a good relationship between land use and organic contamination. And it resulted in getting public water into these areas where there were private wells. Most significantly I -- I headed up the State Legislative Commission on Water Resource Needs for Long Island for ten years. I'm responsible for passing -- well, every year we did a book like this. I have twelve volumes of them, if you would like to see them, and each one has a series of legislation. In '91 I did a synopsis of all the legislation. Obviously, the most significant everybody's aware of was the law to ban landfills over our sole source aquifer. That had been introduced two years before I came on the commission, had never passed the Senate, so my job when I came on there was to try to get support in the Senate and among the townships that had opposed it, and worked with Babylon, Islip, Huntington, which at that time had multivillage, and got them to actually write a letter in support of that legislation, and I got a couple of other towns to withdraw their objections, although they didn't support the law. And it passed that first year that I was executive director of the commission.*

*There's quite a few other significant laws, many of which you've probably never heard of, but their on the books there to provide support and help to our water purveyors. A significant one that was one of my initial ones was to notify water purveyors every time there is a violation of the Speedes permit within a three mile radius of the well field. So they have an opportunity to take steps to monitor and*

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*see whether that contaminant might eventually get into their well supply, give them a little lead time to deal with it so that they don't have to turn off the well when they find out it's actually reached that point. One of the things I did while on the commission, the Water Authority under a previous Chairman asked that I work on developing a comprehensive water conservation plan for the Water Authority. And I spent close to a year working very actively on looking at how they use water in the Water Authority, their rate structures, who the major water users are -- and we, Suffolk County, believe it or not, are the number one water user the Southwest Sewer District, by itself, was the third largest entity that uses water -- and came up with a whole series of recommendations of how they could reduce the water uses, conserve water. And some of those things have been implemented, most notable, every year you do a water poster contest, they do a slogan contest, these are recommendations in my plan that went to them.*

*I was appointed by Governor Cuomo to the Water Resources Planning Council. I was the only one from Suffolk County who's ever served on that board. That board set policy for water protection in the State of New York. As part of it we developed a state wide water comprehensive plan, 17 sub state strategies, and one of those 17 sub states was Long Island, which I participated actively on. Last year, Governor Pataki appointed me to the State Soil and Water Conservation Committee. I'm one of only five voting members on that committee, the first one ever from the Long Island area. And it deals with a lot of*

issue currently that you, Mr. Chairman, I think were trying to bring to light at your last meeting in terms of pesticide contamination of our groundwater. I've been actively involved because of the state committee and my position on the Soil and Water District to implement an agricultural environmental management program here in Suffolk County to address the high levels of pesticides and nutrients that the Suffolk County Health Department has determined we have through various programs that they have been working on over the last four or five years here.

I have been a member of the state's Non Point Source Coordinating Committee. I began that as -- through my position on the State Water Commission that made up of only state agencies, State DEC, State Health Department, State DOT, Ag and Markets Department of State. And when I became working for the County ten years ago, they asked me to remain. And I actually have chaired that committee as a -- as a County representative, the only such person on that committee that is not a state committee member. And another state committee which I think has been very important was the DEC's Water Management Advisory Committee, {WMAC}, and I have been on that for over twenty years. DEC has had the opportunity to provide us as a sounding board to let us know what they're doing, for us to tell them what we think are problems. And as an example, one of the things I have been working for many years on, the state has maintained something called the Priority Water Problem List. By its name you would think that it lists all the water problems in the state, and unfortunately, it does not. It only lists the surface water problems. And one of my constant fights with them has been the fact that they ignore groundwater. And up until a few years ago that wasn't a major issue because it was just a list that they had that told them where they

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should prioritize. But we had our Health Department doing a lot of work, and we didn't expect that they were going to be coming down here doing a lot. But four years ago. When the bond act passed they started to use that list as a way to prioritize bond act projects. So it meant that our projects would never get extra points because there was never any impacted groundwaters that appear on that list. So I actively began corresponding back and forth with Phil {Degatano}, {NG Could}, the Directors of the Division of Water to try it get them to have an separate groundwater priority water problem list. That resulted in a meeting a couple of years ago, where we invited people from the down here, the water companies, Vito from the Health Department, other people from the shop came up. And we prayed the bases for creating this groundwater problem list for the state.

I have actively worked with the state's Water Resource Planning Council -- I'm sorry -- the Water Resources Institute. Keith {Porter} has been the director there for more than 25 years. You can -- I think if you contact him, he'll go through quite a long list the cooperatives that we have done over the years, both here in the County; one is with the town, one is with the commission. And most recently, a few years ago, I drafted some legislation with Senator LaValle and Assemblyman Englebright, introduced and created the Long Island Groundwater Resources Institute. I physically wrote the legislation myself, it's still in my computer with the right date on it so you can see that it predates its introduction as a state law. Sometimes people say I claim credit for things I really didn't do, but

*it's really there. And it has not received the funding it should. It's -- you know, it's unusual that the Water Authority actually has enabled it to continue to operate because we haven't been able to get specific appropriations from state, except for the first year it was created through Senator Trunzo, when he gave them a \$100,000 member item.*

*I am not going to go through the next page, which is basically just a listing of major water studies from the 208 down to, I think, the most important one though, which I will mention is currently underway. It started two years ago, is the SWAP Program, the Source Water Assessment Program. This is probably going to be the last opportunity we have in Suffolk County to look at what remaining steps we can take to protect the water supply system.*

*(\*RETURN OF STENOGRAPHER - DONNA BARRETT\*)*

*MR. PROIOS:*

*The other ones, the 208 and the NURP and the SGPA were kind of generic types of plans. This one is going to look at ever single well field we have in the County and look at the vulnerabilities to that specific well field. All 400 well sites, wells that the Suffolk County Water Authority has will be looked at. Looking at the surrounding land use and then seeing where either if there's development there, if it's inappropriate. If you find heavy or light industry in there with discharges, that wouldn't make me feel happy. If it's vacant land, but it's zoned industrial, maybe that zoning category should probably change. And so I think we're going to have an important last chance here to make sure that we are protecting our watershed area for the future County residents.*

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*I played an*

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*active role in a number of other programs going on. In Brookhaven Lab, I sit on the Brookhaven Executive Roundtable, which I helped form. I'm currently chairing it for the last few meetings. I sit on the Community Advisory Council, which I also helped create, and it was a long battle. The {Heather Lab} wanted to create a different type of a board, and I used the model we used here in Suffolk County through the Regional Planning Board for the 208 Study and through the Peconic Estuary and created a CAC that was more adequately reflected what we wanted to do down here locally rather than what the Department of energy wanted to do down in Washington. And I work on a number of related projects that deal with water from the Bond Act, the Environmental Protection Funds, and I mentioned AEM. And I think most curiously a few months ago I was asked by the Water Authority to appear on their behalf as an expert witness to address an application the have before DEC to access the Lloyd Aquifer, which currently exists -- there exists a moratorium on putting wells into that deepest portion of our three aquifers. So that's just a very quick synopsis of some of my qualifications, and I'd be happy to answer any questions you have.*

*CHAIRMAN BISHOP:*

*I have questions, Legislator Fields has questions, Legislator Crecca. Legislator Fields. Legislator Crecca, you may begin.*

*LEG. CRECCA:*

*Mr. Proios, what do you see as your role as a board member?*

**MR. PROIOS:**

*Many, many items. I'm an ecologist by training, and so the ecology to me is everything. Sometimes when I was on the Water Commission, I -- when we did the landfill, people said, why are you getting involved with landfills, what the heck does that have to do with water. So you're going have a layout the whole picture of everything that's going on and to see where you have an opportunity to make changes. One of the things I've been a little bit concerned about in that really -- not just this Water Authority, I'm not going to pick on Suffolk County because it's -- it's the same with all water authorities -- they have an important tool in Public Health Law 1100 to institute watershed rules an regulations. Some have -- most of them are outdated, the ones that have done it, and many have not. It's an important tool because obviously the water companies do not cause contamination, but when they have it, they have to deal with it. And one of the things I'd like to see done is really starting to look at the existing land uses around our public well supplies. We can't sit and go by every piece of vacant property, but where we have the well fields, those are the ones we should be paying the most attention to. And if we have an opportunity to change the land use, if it's currently vacant, I would like to work with the towns, work with the County Planning Commission and have that land use changed to something that's more benign that will not have an industry that discharges any kind of chemicals that might cause a threat in the future.*

*So I think creating a better interrelationship between the towns and having the most important tool that protects water supply; land use, planning, and try to merge that closer in with the actions of the Water Authority. I've seen at the Planning Commission that there was*

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*one individual that did try to do this and was not very successful. But he would question why a subdivision is going in with a sewage treatment plant a quarter mile north of where the well field -- a well field was located. And the town said, we didn't, a well fields was located there, you know. And so I think that's an important issue. I'd like to see the -- the final implementation of a lot of the recommendations I made in the conservation plan that I submitted. You know, now we're talking about droughts, now we're talking about, you know, the need to conserve, and there's a lot of things we could be doing or could have been doing and we haven't been doing. So I'd like to really move ahead and make conservation an active part of what the Water Authority is -- is doing on a day to day basis.*

**LEG. CRECCA:**

*As far as attendance at board meetings, obviously, you have a pretty packed resume here. I guess, do you have the time to attend the meetings, and will they be a priority over some of the other activities you do?*

**MR. PROIOS:**

*I always make it a point that I'm never a token member of any group. If I'm on it, I go with both feet, otherwise I'm not going to be a member. Every committee I'm on, I attend virtually every meeting, and I'm there usually on time or before. So I plan on being at every meeting.*

**CHAIRMAN BISHOP:**

*That's frightening.*

**LEG. CRECCA:**

*Do you agree -- I'm not laughing at you, I'm laughing at -- I'm laughing at Legislator Bishop.*

**MR. PROIOS:**

*I have been questioned about the number of comp time hours I put in. They say there aren't so many hours in the week, but I do put them in.*

**LEG. CRECCA:**

*I guess, my other question is obviously I don't know if you were in the room with the earlier questions, but do you agree or disagree with the Legislature's right to investigate the Water Authority and have -- provide at least some level of oversight over the Water Authority? I don't mean direct oversight in the sense of, you know, but in the right to look into matters that affect the public when they involve the Water Authority.*

**MR. PROIOS:**

*I've worked for every level of government; County, town, state, Water Commission, and in every instance, you know, I recognize my -- even when I was Executive Director of the State Water Commission, that the Legislature was the one that created us, that the Legislature is the one that ultimately will be responsible for it. And every year we did a report telling them what we're doing, and they would respond back they like it, they didn't like it. And ultimately, you have to look at who your creators are in terms of if you want to continue to function and to do your job. So absolutely.*

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**LEG. CRECCA:**

*All right. No further questions.*

**CHAIRMAN BISHOP:**

*Thank you. Legislator Fields.*

**LEG. FIELDS:**

*Hi, George. You -- you serve on the Soil and Water Conservation Committee with me and with Legislator Foley, and in the years that I've known you, you have a tremendous wealth of information. But I -- I have a couple questions about this particular appointment. Are you aware of lawsuits that the Suffolk County Water Authority has been involved in regarding the Pine Barrens Commission?*

**MR. PROIOS:**

*Not the Water Authority. I'm aware of lawsuits against the Pine Barrens Commission.*

**LEG. FIELDS:**

*Well, from what I understand, there's -- there are two lawsuits pending against the Water Authority and other government entities alleging actually a taking of plaintiff's property and other constitutional violations.*

**MR. PROIOS:**

*Yes.*

**LEG. FIELDS:**

*Do you think that if you were able to get this appointment that there would be a conflict with your position as the -- you are -- you administer the Central Pine Barrens Commission?*

**MR. PROIOS:**

*For the County Executive. That action has already been filed, and that was for what led up the creation of the law. It's not going to deal with anything that's happened in 2002. And as a comparable example, Jim Tripp, who serves on the board currently is Chairman of the Clearinghouse that deals with acquiring TDR credits. So I don't believe, and I've checked it with the County Attorney. I did ask Bob Cimino to also look into it, and he could see no conflict of interest in that area. But I -- you know, I would subject myself if you want to go through either another commission or another review if that was a concern just to make sure, because I wouldn't want to, you know, jeopardize the case. But we won the last case that's on appeal now, but all the discovery motions are finished with and the appeal is basically on the evidence that's been submitted. So I don't think that this would create any kind of a problem for that at all.*

**LEG. FIELDS:**

*All right. Because I -- I'm just, you know, looking at some of the information that I've looked at, you know, received and what -- what they -- I believe in the -- in the suit is they -- if you were appointed, there would be, I think, a -- not a clear distinction or separation between the Water Authority and the Pine Barrens Commission in this kind of a suit where you could represent the County of Suffolk, where Jim Tripp does not. Your -- you would be appointed by*

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*the, you know, you work with and for the Administration of Suffolk County an Mr. Gaffney. And I think in this kind of a suit, there's no delineation of that point because they're -- they are going to blur that whole combination together saying that you're acting on both sides, and I think that there is a conflict.*

**MR. PROIOS:**

*I'll be happy to raise it with the Attorney General's Office, with John {Sypose} who handles the case. And, you know, if they do feel there's a concern, I mean, the other alternative would be that there are two other representatives in the County that are empowered to replace the County Executive to run the commission. So if that was necessary, I'm sure they could have those people take it over instead of me.*

**LEG. FIELDS:**

*Okay. Thank you.*

**CHAIRMAN BISHOP:**

*Mr. Proios, I think my questions will -- well, anyway, you'll see. Are there any policies currently in the Water Authority that you disagree with?*

**MR. PROIOS:**

*Policies that --*

**CHAIRMAN BISHOP:**

*Policies that you're aware of.*

**MR. PROIOS:**

*I'm really not aware of that many policies. There are things they're not doing, so it's not necessarily the policy, but, you know. So there were things I'd do that are not being done, but I'm not aware of policies that I disagree with.*

**CHAIRMAN BISHOP:**

*Now, that was the coordination that you spoke to earlier. If appointed, do you believe that you would have a mandate to remove Mr. Jones, Mister, you know, Mr. Jones? Mr. LoGrande is not an appointee of the board, right? He is --*

**MR. PROIOS:**

*He's your appointee.*

**CHAIRMAN BISHOP:**

*He's our appointee. Mr. Jones.*

**MR. PROIOS:**

*I have all of the most respect for Steve. In fact, I was very surprised out of all the I've worked with him, I didn't know he had two geology degrees. So I think he's eminently qualified for what he's doing there. And I see no why he shouldn't continue. I mean, I have no idea how he's working with the Water Authority, but I've had the opportunity to work with him when he was Town of Islip Planner and when he was here in Suffolk County Planner, and I think he is doing a great job.*

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**CHAIRMAN BISHOP:**

*My interaction with Mr. Jones has been positive as the director. And I had a lot of -- an awful lot of positive interaction with yourself in your capacity in County government. But -- but let's face it. The criticism is this guy's being put up by -- by those who want to take over the board, and he's going to take orders. Are you going to take orders from Paul Tonna, Bob Gaffney, the republican party? Is that -- is that what we should expect if you're appointed to the board?*

**MR. PROIOS:**

*I'm kind of old to change my ways. I mean, I don't think I've ever --*

**LEG. CARACCIOLO:**

*I can't hear you, George.*

**MR. PROIOS:**

*I said I'm kind of old to change in my ways. I don't think I've ever taken orders. For those of you who are young, and most of you I guess are, you don't remember that I was the only town official in Brookhaven to have been fired three times from the same position by the republican town board. So I don't really think I owe them anything. If anything I still have my original legal fees from that battle so.*

**LEG. FOLEY:**

*If there were counseled districts at the time, that wouldn't have*

*happened.*

**MR. PROIOS:**

*And just for the record, I solicited this -- this position. Nobody came to me. When I heard that there was an attempt to reappoint Mr. Tripp and it wasn't going anywheres, it seemed to be stalled and that there were some other candidates that were being considered, there was wasn't enough votes to approve them, I contacted the Chairman, and I said, well, if you're stuck on getting the candidate, I have some good credentials, I'd be happy if you will consider me. And so he did.*

**CHAIRMAN BISHOP:**

*The correct answer by the way, was that you're going to take orders from Chairman Bishop, but given that wasn't your any answer, very good. Thank you. Any other questions for the nominee? Legislator Caracciolo.*

**LEG. CRECCA:**

*In your role at the Pines Barrens Commission, had you had to exercise your independence over there in the sense of where, you know, you may have done taken votes or done actions that maybe where adverse to other pressures? And I say this as a follow-up to Legislator Bishop because I guess those are rather poignant questions.*

**MR. PROIOS:**

*Yeah, there have been several times when, I guess, if I could characterize it, we were ganged up by the towns -- there's three towns -- the County representative and the state representative, which is Ray Cowan. And so several times Ray Cowan and myself found our*

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*ourselves in the minority. And one particular case we were sued. We were in a minority -- the three members voted to do something, and they were sued. And the courts agreed with us on the minority and reversed the rest the commission. And even as late as the last meeting. I've somewhat been critical of the towns in terms of some of their land use issues. We have a proposal for a TRC, and it's in an area where I raise the question there's bus transportation, there's no shopping centers, there's no place for the old people to walk to. I mean, why would you put a place for old people smack in the middle of the woods. You know, so I've raised these questions. And then it gets back to me, why were you criticizing the towns. But I continually raise, you know, land use issues that affects the quality of the development within the Pine Barrens Region.*

**LEG. CRECCA:**

*I guess you can give your commitment here that you will be independent, and you will do what's right for the Water Authority and not -- not become part of political pressures.*

**MR. PROIOS:**

*I will do my utmost, you know, to keep the Water Authority -- and, you know, in all honesty, I think Mike has done a very good job as the Chairman. Everybody has their pluses and minuses. And I think they have had improvements in there. And I sure as heck don't want to see us going backwards. I'd like to continue to move forward, and I think I could move us forward even farther then we've gone.*

*CHAIRMAN BISHOP:  
Legislator Caracciolo.*

*LEG. CARACCIOLO:  
I believe Chairman Bishop raised the question of whether or not you would support the existing administration including the Chairman of the Board, Mr. LoGrande, if you were a board member, an newly appointed board member. And I don't think I heard your response.*

*MR. PROIOS:  
I don't believe the board -- you make the selections of the Chairman. As far as what the policies are, each one is going to have to come up and be viewed independently. I mean, just because it gets introduced by any member -- I expect I will be introducing measures. And the only way they will pass is if I can get two other people to vote along with me. So regardless of who raises a resolution, I'm not going to be for or against it until I know the substance of that resolution.*

*LEG. CARACCIOLO:  
What can you tell us about the role of a board member of the Suffolk County Water Authority? Are you familiar with their duties and responsibilities?*

*MR. PROIOS:  
Yeah. I was attending meetings on a regular basis. When I was preparing their conservation report, I was there almost every month. So I see the -- the -- well, a lot of it is like, I think, your meetings. There's a lot of resolution that are already prepared by staff people and some of them are just pro forma you go through.*

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*LEG. CARACCIOLO:  
How frequently did you -- do you attend meetings?*

*MR. PROIOS:  
I did. When I -- back then. There have been monthly meetings, and so for about a year --*

*LEG. CARACCIOLO:  
When -- when was that, George?*

*MR. PROIOS:  
In the, I guess, mid 80s. It was at the period right before Leon Campo was Chairman, and then during that period of somewhat turmoil and Mike LoGrande came on.*

*LEG. CARACCIOLO:  
You familiar then with the accusation back at that time, back in the 80s, it was considered a political patronage mill. Do you think that was a fair assessment of what it was then?*

*MR. PROIOS:  
Yes.*

*LEG. CARACCIOLO:  
If you were on the board at that time, would you have participated in activities that encouraged those types of hiring and firing practices?*

**MR. PROIOS:**

*No. And actually, I got involved in some -- in order to try to help what was going on, I remember the laboratory which was around before '86 or '87, Guy Guerrero was the first laboratory (sic) who was a very well respected person. He was one the people that was being pressured into hiring people that he said that he felt just weren't qualified. And so I remember, you know, helping him -- trying to help him to deal with that pressure in order to maintain a lease in the laboratory. You know, that's no place where you'd want to have somebody that doesn't have the right credentials. So I'm sensitive to that issue and not wanting us to back slide back into it.*

**LEG. CARACCIOLO:**

*Given your own experienced knowledge of water resource issues and water management -- the Chairman asked this question, and I'll repeat it -- is there anything that comes to mind in terms of the way the Water Authority currently operates and has operated in the last five years that you would disagree with?*

**MR. PROIOS:**

*I really haven't seen the specific policy resolutions in the last few years to know what they've adopted. The rates are staying relatively stable, they gone up somewhat. I know that during drought periods they have a large amount of revenues, and they've gone out into areas that normally water purveyors don't. I don't know if that's necessarily a bad area. They have helped finance certain things, which if they didn't, wouldn't have gotten done. I think probably another level of government, such as the County itself may have been more appropriate. For example, the whole --*

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**LEG. CARACCIOLO:**

*Wait, slow down, slow down. You know, you're a very intelligent man, you're someone I respect a lot. But sometimes you speak a little bit too fast. So if you could just slow down in your responses, I'd appreciate it.*

**MR. PROIOS:**

*So there are areas, for example, they helped to establish a fire monitoring facility. They have been fronting the money for the Pine Barrens Commission, and that's a positive thing. I think ultimately that should be a function or could have been a function for the County to do itself. So I'm not necessarily sure that some of these things where they'd be reaching into other areas are -- are bad policies, but they go beyond what a water utility traditionally has done.*

*So what I would look for is to see, you know, primarily are we taking care of our own issues first before we get involved in other ones. My great concern besides the ones I raised is the security of the water supply. You know, if you would have a closed meeting, I could tell you where I think there's some severe vulnerabilities in protecting well fields in terms of things that need to be done to make sure that they are secure. If you want to grant me immunity from prosecution, I could show you several ways that, you know, we could knock out well fields. And so that's some of the things as we're getting into new areas, some new types of contamination, pharmaceuticals are popping up, we have a problem with pesticides. So I'd like to begin to really focus on the issues more directly related to water, make sure we get*

*those out of the way before we start spreading additional resources on doing other things. Not that the other things are bad, but I want to make sure that our primary responsibility, you know, providing public water safe and pure to the residents is taken care of before we get involved in other issues.*

*LEG. CARACCIOLO:*

*If you are appointed to this position, would you be required or would you voluntarily leave County service in your current capacity as Chief Environmental Analyst?*

*MR. PROIOS:*

*I had no plans on leaving it. I wasn't aware that there would be any kind of a conflict of interest. As a matter of fact, I was told by Bob Cimino that there wasn't a conflict.*

*LEG. CARACCIOLO:*

*Prior to this position coming up for reappointment, have you ever sought, have you ever spoken to others, as you say, you have advanced your own name for -- to replace Mr. Tripp, prior to this year, did you ever approach others about being considered for appointment to the Suffolk County Water Authority?*

*MR. PROIOS:*

*No.*

*LEG. CARACCIOLO:*

*And looking at your resume, I see there is a slight distinction in -- your title apparently hasn't changed, but your assignment has changed*

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*as of January. And because I like to be a blunt person, the scuttlebutt is you got a demotion, okay? Apparently you've made some waves, and people don't like when you use some of the suggestions and recommendations you've had. So you've kind of been put in your place in this new position. Are you now working out of which department?*

*MR. PROIOS:*

*Planning Department.*

*LEG. CARACCIOLO:*

*Planning Department. Would you characterize that as a -- as a fair comment or criticism?*

*MR. PROIOS:*

*I'll tell you what was told to me. There was at that time, this was last summer when this was, I guess, first put the into the budget, a resolution the County Executive introduced to have the quarter percent program be put into the Planning Department. And there was discussions with the Planning Director about whether they were able to do it, and Tom Isles had raised concerns about not having sufficient amount of personnel, he was already short staffed. And my name came up because I was already working with several other departments; Public Works, Soil and Water, Parks, on bond acts issues, which were going to be used for the quarter percent program. And I'm sure part of it was because the person I interact with, maybe we have bumped heads in the past. And so I thought that since the Planning Department needed somebody to coordinate the quarter percent program,*

*I was sort of doing that program in the County Exec's, it would help if I was down in Planning, where the rest of the bodies would be to coordinate it with that staff people. And so it was mainly a lateral transfer, I considered it, into the area where those people that I interface with anyway, I'm on the phone with Jim Bagg and Dewitt Davies and these people on a regular basis. So I'd be now working with them on these programs on a day-to-day basis.*

*LEG. CARACCIOLO:*

*Your public service career and -- are you exempt or civil service title?*

*MR. PROIOS:*

*Civil service.*

*LEG. CARACCIOLO:*

*Okay. How many years of service do you have?*

*MR. PROIOS:*

*With the County or total?*

*LEG. CARACCIOLO:*

*Total, for retirement purposes?*

*MR. PROIOS:*

*30 years.*

*LEG. CARACCIOLO:*

*And what's your age?*

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*MR. PROIOS:*

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*LEG. CARACCIOLO:*

*Would you consider taking advantage of the early retirement incentive if one was offered this year?*

*MR. PROIOS:*

*Not necessarily.*

*LEG. CARACCIOLO:*

*I don't think they're inappropriate questions.*

*MR. PROIOS:*

*I have two more kids to put through college.*

*LEG. CARACCIOLO:*

*You have children that have to attend college. Okay. Well, then some might speculate that while you have civil service protection, you could be assigned, reassigned different positions in County service as either award or punishment by virtue of wearing a hat over at the Water Authority if you don't follow what some speculate might be direction or orders from others. I mean, this gets back to the Chairman's question, it's the very essence of what I have to feel comfortable with. I know you, George. I know you to be a very upright, upstanding individual. But I don't think you've ever been in a position like this where, you know, pressure could be put to bear*

*that could effect your livelihood.*

**MR. PROIOS:**

*I understand that. I have -- at least I've been working here now almost 11 years. I have a collection, I save papers, as you know, of probably hundreds of positive things that either my bosses, County Executive and others have said to me over those periods of time, legislators. I have taped clips where I've been cited for work I've done. I don't have -- except -- with one exception, I have one letter that was sent in a negative tone in all this time I've worked. So having been in the civil service position and knowing how it works because of my position with Brookhaven Town, I think it would be extremely difficult for anyone now to remove me for anything I did at the Water Authority without having a substantial amount of -- of the information to use to warrant a dismissal. So I can't fathom that anybody could accumulate that type of thing to threaten me. They can move me around, but, I mean, you know, I'd love to go out to Riverhead, you know, whatever area they'd want to put me in if they weren't happy with me. I mean, so what else will they do? I'd still be the Chief Environmental Analyst. They can't take that away from me.*

**LEG. CARACCIOLO:**

*Thank you, George.*

**CHAIRMAN BISHOP:**

*Okay. Thank you. The reason that Legislator Caracciolo didn't feel the retirement question was inappropriate is because people constantly ask Legislator Caracciolo. Thank you very much. We have a number of*

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*cards, but before the cards, Legislator Lindsay, who is not a member of this committee, but, of course, if a County Legislator wishes to be heard on this topic. Legislator Lindsay, thank you for your patience.*

**LEG. LINDSAY:**

*Thank you, Mr. Chairman, and thank you the Environment Committee for hearing from me. I have been reluctantly drawn into what I have referred as the water wars of this campaign that's being perpetrated, I guess, to get Mr. Tripp's nomination approved by this body. Just for the record, I'd like to make it clear that I don't know Mr. Tripp or MR. PROIOS, they both seem to be very qualified for the job. Today, a letter was faxed to my office on Suffolk County Water Authority stationary, addressed to me, signed by the Chairman, Michel LoGrande, and copied to the United States Attorney, the Eastern district, the New York State Attorney General's Office, Newsday, the New York Times, Suffolk Life, which it refers to a meeting of two years ago, that before I was on the Legislature, when I was in my other life as a labor leader there out of Local 25. And I attended with Mr. LoGrande and Paul Tonna having to do with a contract that the Water Authority leading. And the implication is that there was something wrong at this meeting, which couldn't be further from the truth. The meeting did take place, what's described here for the most part is some what accurate, but there was a lot of inaccuracies. What it had to do with was two years ago the Water Authority led a contract in excess of \$10 million to install a telemetry system that all the pumping stations would be unmanned and could be controlled from a central location. The apparent low bidder was a California contractor*

*without a electrical license in Suffolk County. And in my role as the head of the Electrical Union, I asked for a meeting that Mr. Tonna set up with Mr. LoGrande to explain what I felt that the low bidder did not meet the requirements the bid specifications of the Water Authority because he didn't have a license, for one thing, among others and to try to appeal to him that we have local labor on Long Island that would love to work on this contract. As a result of the meeting, I had a meeting with the California contractor and was able to introduce him to some of our local contractors, and there was a subcontract arranged, and a local contractor got the job, local labor fulfilled the contract. As fas as I was concerned, everything was above board. The purpose of the letter, and I know Mr. LoGrande isn't in the audience, but I see Mr. Jones is, I guess the purpose of this letter and this whole campaign, the web page, the Newsday ad, the brochures is -- is to try and discredit obviously, the Presiding Officer, I guess I'm being drawn into as well by virtue of this letter today, and I guess this Legislature in general for trying to carry out our duties of appointing this board. I mean, this is a simple appointment to an authority board. I said to somebody before, I'm glad we don't appoint too many judges if this is the amount of venom that's being characterized over an authority appointment.*

*I know my constituents have been asked to appeal to me to go along with Mr. Tripp's appointment, and again, I have nothing against Mr. Tripp. I have nothing against Mr. Proios, I don't know either one of them. But my constituents and maybe the Water Authority, people could take it back to the board, what they care about is -- is water. They care about that the -- you know, I have a problem throughout my district, as Mr. Jones knows, with water pressure. You know, I mean,*

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*you can't flush the toilet and take a shower in some parts of my district. I've talked to them about it many times, and I've been told its going to be corrected, but that's what they care about. They don't care about the politics or who's on the board. So why don't we get back to the business at hand, let the Legislature do their job and appoint people that we're supposed to appoint based on their merits. And the Water Authority, why don't do your job instead of campaigning to the newspaper and provide a steady stream of pure drinking water for us all. Thank you.*

**CHAIRMAN BISHOP:**

*Thank you, Mr. Lindsay, and it was very eloquent. I just -- I made mention to this earlier, and I would draw my colleagues attention to it because if it -- I guess, if it happened to you, you'd be pretty upset. This allegation regarding the March 7, 2000 meeting that Mr. Tonna proceeded to scream foul obscenities at Mr. Faber and threatened him repeatedly demanding he state whether he was for or against unions. Mr. Tonna also threatened, quote, things are going to happen at the SCWA, unquote. And then before that it says, well, former CEO Frank Favor was battling cancer and ultimately -- that ultimately claimed his life. Whoever is writing this website, whether it's a political campaign or not is clearly a fan of, you know, Mickey Spillane in Pulp Fiction, because this is -- I was at this meeting. It was Paul, Jack Kennedy, Frank Faber and myself. And I remember it distinctly because after Mr. Faber passed away, I said, you know, I remember -- he didn't seem to have -- he was so docile at the meeting, and the whole meeting was very cordial. And I just am shocked at*

*this, because I was there, and this didn't happen. So I don't know how this characterization comes about. And I asked Mr. Tripp if Mr. Faber had said it to him, he said he didn't. I would be fascinated to learn about it because I was there, and it didn't -- didn't happen this way. So I -- you know, whatever the merits of the renomination, this campaign seems to be doing a disservice because it's going over the top.*

**LEG. CARACCIOLO:**

*Mr. Chairman, just on again your last point. When Mr. Tripp was before the committee, it was instructive to learn that he -- who he had a conversation with on Thursday with reference to the add. I think it would instructive to the committee to learn who -- who's responsible for this information on this web page. And Mr. Jones is here, so Steve, could you come forward and share with us --*

**CHAIRMAN BISHOP:**

*No. We're not -- we're not doing that, not today.*

**LEG. CARACCIOLO:**

*Why not? I mean --*

**CHAIRMAN BISHOP:**

*We're not doing that today because -- because it's already -- because I'm the Chairman, it's 5:20, we have a long agenda, and we're not going down that path today. We will go down that path another, and you will -- we will have sufficient dialog an discussion about what occurred.*

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**LEG. CARACCIOLO:**

*I think the public record has to be made complete, and right now, it's not.*

**CHAIRMAN BISHOP:**

*Point made. I appreciate that. All right. Should we go to the cards now?*

**LEG. CRECCA:**

*I mean, I was going to make some comments, but I can address them when we address the bills, if you want.*

**CHAIRMAN BISHOP:**

*Please. Now, the Presiding Officer's aide, Mr. Dobkowski has a statement from the Presiding Officer, who I suppose cannot be with us today. I'll recognize him at this time, then we're going to go to the cards. I will just give the order. The only adjustment I made was at the request of Ms. Hamlin, is she still here? She is -- my request to her is irrelevant. It will be Michael White, Mr. Schwenk, Mr. Compton, Mr. McDonald, Mr. Jefferies, Turner, Serotoff, Amper, Eversoll. That's the order, I believe, I received them. As I said, the only adjustment I made was to move Ms. Hamlin up because she had to nurse her baby, but she left. And when we go to the cards, I think that we would best be served by giving speakers three minutes and reserving questions. I don't think, you know, we know all these people by and large, and I don't think there's a lot that we're going to gain by asking a lot of questions at this time.*

**MR. DOBKOWSKI:**

*Thank you, Mr. Chairman. I just want to ask the committee if this letter was faxed to all Legislators. If you need a copy of it, we have extra copies for you. It's a letter from Presiding Officer Tonna to Chairman Michael LoGrande. I just want to make certain things clear. When I use the word, I'm referring to Presiding Officer Tonna. When I use the word you, I'm referring to Chairman Michael LoGrande. And when I use the word we, I'm referring to the Suffolk County Legislature.*

**CHAIRMAN BISHOP:**

*All right. You're going to need to speak up.*

**MR. DOBKOWSKI:**

*Sorry. I also -- there are 29 whether or not clauses, I've kind of edited them for reading purposes, and I will try to fumble on a word or two so it actually feels like the Presiding Officer is actually here.*

**LEG. CARACCIOLO:**

*Well, you've got to lose you hair first.*

**MR. DOBKOWSKI:**

*As I said, the letter is addressed to Michael A. LoGrande, Chairman, Suffolk County Water Authority, Sunrise Highway, Oakdale, New York. "In regards to ratepayer funds and authorized use. Dear Mike, water should never be politicized because it directly affects of health and safety of our citizens. Shame on you for violating the first rule of*

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*government service. Hence, I am deeply troubled by the advertisements that the Suffolk County Water Authority has taken out in the local media under the title "Drinking Water Alert" as a notice to customers. You, as a former County Executive and board members as public officials should certainly be aware of the periodic alerts that are being issued by our national government in the aftermath of the 9/11 national terrorist attack. Just this weekend, this FBI and the Homeland Defense Office issued new terrorist alerts northeast region. Average citizens, as you well know, respond to the general alert by becoming anxious, deeply troubled or concerned about the safety of themselves, their families, their neighbors, their communities, and their colleagues at work. The so-called drinking water alert that you issued this past weekend generated precisely that kind of reaction from citizens, who now believe that their drinking water has been jeopardized by terrorists, because in reading the fine print of you notice, they say your references to drinking water maybe in jeopardy, highest quality of water, continued safety and security of drinking water. If someone then took the trouble to go over to the web site referred in your notice, they would have seen two pages of political rhetoric in the guise of a drinking water alert. How can you treat our citizens, our mothers and our families so cruelly? What wrong -- wrong doing is going at the" -- I'm sorry -- "what wrongdoing is going on at the Water Authority that necessitates such an overreaction to a Legislature's simple exercise of its oversight functions?*

*Secondly, this may come as a surprise to you or even being an annoyance, but under state law, the Legislature makes appointments to the Suffolk County Water Authority. The members of the Suffolk County*

*Water Authority Board do not pick fellow members. There was a time when members of the Vanderbilt Museum Board of Trustees, and even recently the County Planning Commission, tried to influence the appointments of their co-members. We set them straight because this is not an appropriate exercise of an appointees power. Thus, it is very disturbing to learn of glossy, slick, multi-colored insert that has now been distributed with recent Water Authority bills promoting the candidacy of members to the Suffolk County Water Authority Board.*

*Although I've tried to be imaginative and creative in trying to understand your position, I have not been able to come up with a rationale that can possibly justify the Suffolk County Water Authority's expenditures of ratepayers monies to distribute such a brochure or for the advocacy of a fellow member's appointment to the Suffolk County Water Authority Board. As such, I believe that the drinking alert advertisement and the glossy brochure each constitute an improper expenditure of ratepayers funds, since near is necessary or proper to carry out the actual powers of the Suffolk County Water Authority, which is to provide clean water to the people of Suffolk. Since the inserts, the website and so-called alert are each so outrageous, I cannot believe each of the members of the Suffolk County Water Authority Board of Trustees affirmatively approved such expenditures.*

*Therefore, by copy of this letter, I am calling on each of the Suffolk County Water Authority Board members to advise me in writing to: Whether or not they were aware of the creation of the advertisement" --*

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**CHAIRMAN BISHOP:**

*This is the 29 questions with subquestions? You will be so kind as to move onto the next full paragraph.*

**MR. DOBKOWSKI:**

*Okay. He discusses whether or not ratepayers funds were used, which was discussed, and whether or not a board member participated in so mentioned. "As far as allegations on a website to the effect that I screamed foul obscenities at Mr. Faber and threatened him repeatedly, demanding that he state whether or not he was for or against unions, I categorically deny that such a statement was made. The use of such a fabrication on the website demonstrates your reckless and intentionally disregard of the truth, because the union official who was present in the room at the time has just written a letter contradicting the website assertion. It's despicable that you would resort to using the alleged comments of the man who is dead, knowing full well that he cannot defend or explain himself to further the personal political agenda you have chosen to pursue this matter.*

*Unlike you, I have real living persons to set the record straight. Without casting aspirations on your memory, I find it somewhat odd that you not only waited for that individual to die before using his so-called quote, but that you also waited two full years to publically disclose what you claim is a very threatening confrontation. Therefore, I am calling on each of the board members to publically retract the contents of the website, to retract the media advertisement, to retract the brochure, and to do the following: Immediately issue a new press release at no cost to the Suffolk County*

*Water Authority ratepayers, reassuring the public that there is no drinking water alert and no concerns regarding the safety or security of their drinking water, immediately delete and retract the defamatory comments made against me, which are contained in the Suffolk County Water Authority website, and secure reimbursement to taxpayers from the board members who approved the above described documents for the cost of printing, mailing and distribution. Very truly yours, Paul J. Tonna, Presiding Officer". Thank you, Mr. Chairman.*

**CHAIRMAN BISHOP:**

*Thank you. All right we'll go to the cards, first card is Michael White. We can see from that statement the level of personal animus that has unfortunately developed. I know my members are going to behave and not ask a lot of questions.*

**LEG. CRECCA:**

*Can I ask one quick question? You worked -- were you formally with the Manhattan District Attorney's Office?*

**MR. WHITE:**

*No.*

**LEG. CRECCA:**

*Okay. Sorry, you look familiar.*

**MR. WHITE:**

*My name is Michael White. I reside at 6 Spring Hollow Road in*

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*Centerport, New York. I am a members of the State Board of the New York League of Conservation Voters, and I'm Chair of the Long Island Chapter of the New York League of Conservation Voters. And I'm here speak to on behalf of the league. I'm also a former member of the Board of the Suffolk County Water Authority. I'm here today to support the reappointed of James Tripp to the Board of the Suffolk County Water Authority. I also have copies of two letters that were sent out by the league, one to each of the individuals Legislators signed by {Marcia Bistrin}, who is the Executive Director of the league, and also a copy of a letter of our state-wide board, Chairperson Paul {Elston} to the County Executive Gaffney. You probably have already received these, but for the purposes of today's meeting, I would like to enter these into the record for further consideration.*

**CHAIRMAN BISHOP:**

*Thank you.*

**MR. WHITE:**

*I would ask that you do the same and support Jim Tripp's reappointment to the Board of the Suffolk County Water Authority. Jim has impeccable credentials, he's been a strong environmentalist specifically with respect to groundwater protection and the preservation of drinking water quality. His experience has been serving, among other things in his professional career, his experience here has been serving on the Board of the Water Authority for over 15 years, and his performance has been exceptional. Jim has shown himself to be an independent and not a political voice on the Board of the Water Authority. Simply put, there's just no reason to change.*

*Therefore, we strongly urge your support for the reappointment of James Tripp to the Board of the Suffolk County Water Authority. Thank you very much.*

*CHAIRMAN BISHOP:  
Thank you.*

*MR. WHITE:  
If the Legislators have any questions and there's not time today, I will certainly leave my name or address and I can be contacted or however you want to pursue it, Mr. Chairman,*

*CHAIRMAN BISHOP:  
Thank you. Appreciate it. Next card --*

*LEG. CARACCIOLO:  
Question.*

*CHAIRMAN BISHOP:  
Oh, Michael, please.*

*LEG. CARACCIOLO:  
One or two questions. Mr. White, when did you serve on the board?*

*MR. WHITE:  
I was appointed to the board when Mr. Tripp was first appointed to the board, I believe that was 1987. It was a slate that was put forward*

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*by then Legislator Greg Blass and Legislator William Prospect.*

*LEG. CARACCIOLO:  
Thank you.*

*CHAIRMAN BISHOP:  
Thank you. Edwin Schwenk.*

*MR. SCHWENK:  
Edwin M. Schwenk, 50 Edge of the Woods Road, Southampton, New York. I'm here to oppose Mr. Tripp's appointment for the various subject that Mr. Michael White just brought up. Mr. Jim Tripp is a member of the Board of the Directors of the League of Conservation Voters, which is a political organization. It is not a 501C3. It is a political organization that gets out and endorses candidates, interviews candidates, which Mr. Tripp has done. In this last election, he interviewed many candidates in Suffolk County, both in the towns and on the County level. Mr. Tripp lives in New York City. I think for the very position of coming out into the Suffolk County and interviewing candidates on behalf of the League of Conservation Voters in itself is a conflict.*

*I think that he should not under any condition be involved with that if he's going to wear two hats. And sometimes it's very difficult to find out which hat he is wearing. Is he wearing the hat for the Water Authority, or is he wearing a hat for the League of Conservation Voters? Is his interview and the support to come from the League of Conservation Voters, which is publicized throughout the County, is that fair? Is that the kind of a person that you want on the Water*

*Authority? I think no. We talk about the politics being involved in this matter. We talk about Mr. LoGrande speaking about politics being involved. We talk about Steve Jones talking about being involved with the politics of this position. I ask you again, is any question for what Mr. Tripp around interviewing candidates and could possibly be interviewing you at the next time you are up for election, would that have anything to do as to how you feel about him and the Water Authority?*

*Mr. Tripp is from New York City. New York City has their own problems. I think with his expertise if he helped them in there, it might be better. Come back to the 1940s and '50s when we had water in Suffolk County that the City of New York wanted. I remember those days. I don't know whether you do, but it could happen again with the problems that they have in the City. I think we should have somebody from Suffolk County entirely on the board. We have the quality of that person in George Proios to fill that position. And I think other than that, it would be a mistake. Thank you very much.*

*LEG. FIELDS:*

*Wait. Don't go away. Don't go away, I want to --*

*CHAIRMAN BISHOP:*

*Thank you. Let me -- let me just say that as the Chairman, I asked for no questions. I will allow questions that are of true inquiries as opposed the questions that are designed to frame a debate.*

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*LEG. FIELDS:*

*Not at all. I've known Mr. Tripp for about a dozen years, as an environmentalist, prior to being an elected official. And I was invited to his home to sit with him on several Sundays to discuss some environmental issues. Do you know where that was?*

*MR. SCHWENK:*

*No, I don't know.*

*LEG. FIELDS:*

*Bellport.*

*MR. SCHWENK:*

*That's his home?*

*LEG. FIELDS:*

*Yeah.*

*MR. SCHWENK:*

*That's his voting address?*

*LEG. FIELDS:*

*I've been invited to that home many Sunday afternoons for a couple of years.*

*MR. SCHWENK:*

*Okay.*

*CHAIRMAN BISHOP:*

*See, now that's the kind of question I would rule as -- I've been*

*trying to avoid, because you can make that point when we -- when we vote later. We don't have to do it through the speakers. Thank you, Mr. Schwenk. Mark Compton. Mr. Compton's not here. Kevin McDonald. McDonald is not here. Barbara Jefferies, I believe. Barbara Jefferies is not here. John Turner.*

**MS. PANDYA:**

*My name is Alpa Pandya, I'm with the Nature Conservancy. I'm here to talk about primarily two IRs, one is --*

**CHAIRMAN BISHOP:**

*No. Just on the Water Authority now.*

**MS. PANDYA:**

*Oh, just on the Water Authority, sorry.*

**CHAIRMAN BISHOP:**

*Yeah. Mark Serotoff.*

**LEG. CRECCA:**

*It's not just us he's mean to, he's mean to everybody today.*

**MR. SEROTTOFF:**

*Good evening.*

**CHAIRMAN BISHOP:**

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*Good evening.*

**MR. SEROTTOFF:**

*The Suffolk County Water Authority whose mission is -- by the way, my name is Mark Serotoff, Sustainable Energy Alliance, I'm the Chair of Science and technology. I'm speaking -- I didn't have time to run this by the alliance today, but I'm speaking for myself. The Suffolk County Water Authority whose mission quote to provide the highest quality water at the lowest cost has been engaged in agreements, contracts and activities that have given rise to serious concerns. Foremost of which is the facilitating the hook up of the proposed Pennsylvania Power and Light's Kings Park Energy Project. The developer by insisting on storing approximately 100,000 gallons of hazardous materials in a deep recharge aquifer zone protected by Suffolk County Sanitary Code Article 7 has the potential of the destroying the County's water supply. Article 7 prohibits bulk storage of hazardous materials in certain regions. This protects the deep recharge zones of the aquifer, our sole source of potable water.*

*In fact, one the framers of Article 7, Mr. Minei, told me at a meeting last year that Article 7 in over its 15 year life has never been breached and has successfully survived all court challenges. In fact, Article 7 is so crucial that over a dozen health and environmental organizations have written statements to the effect of supporting Article 7, including this Legislature in Sense 40, Group for the South Fork, Pine Barrens society, STAR, Citizens Campaign for the Environment, Supervisor Pat Vecchio, The Natural Resource Defense Council, and Brentwood and Huntington Breast Cancer Coalition -- Coalition have all supported and written statements on Article 7. And I'd like to submit this booklet of statement.*

*King Park Energy, KPE, is seeking a waiver from the Suffolk County Health Department and/or the Public Service Commission under PSL Article 10 that can override local zoning laws. KeySpan Spagnoli Road generator as well as Brookhaven Energy's generator proposals, both over Article 7 zones have dropped bulk oil storage. If Kings Park Energy gets this waiver, the precedent is made for other waivers to be obtained throughout the county. This could potentially destroy the County's water supply. Why is the Suffolk County Water Authority doing business with a developer that apparently neither cares nor respects our water law, water protection law?*

*Furthermore, Kings Park Energy water use, almost a million gallons a day, is necessitating the opening of a nearby contaminated well. Kings Park Energy will donate in quotes 500,000 -- I'm almost done -- 500,000 for a denitrification plant. However, the remainder of this \$2 million plus plant, the cost will be born by the Suffolk County Water Authority. Is this public money being used for the benefit of a private company? Is it right that the six jet engines of this power plant use clean town water while water from a contaminated well, even though it's treated, goes into our water supply? The Suffolk County Water Authority's actions present a danger to their very product, our water supply and merit a reexamination and undoing of these potentially disastrous agreements.*

*CHAIRMAN BISHOP:*

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*Legislator Caracciolo.*

*LEG. CARACCIOLO:*

*Have you had any conversation with members of the Board at the Water Authority regarding your concerns?*

*MR. SEROTTOFF:*

*No, I haven't. I've been in touch with Herman Miller. I think he's the Chief Engineer of the Water Authority in discussion of the denitrification plant. I -- may I say that Mr. Proios has been -- has sat in on many several Sustainable Energy Alliance meeting and has offered some, several times constructive input. I have never seen Mr. Tripp at any meetings.*

*LEG. CARACCIOLO:*

*Has anyone in the Suffolk County Health Department given you an indication that there will be a waiver for the storage of these underground fuel facilities?*

*MR. SEROTTOFF:*

*No.*

*LEG. CARACCIOLO:*

*Okay. Okay. Thank you.*

*MR. SEROTTOFF:*

*Thank you.*

*CHAIRMAN BISHOP:*

*Thank you, Mr. Serotoff. Richard Amper. Just on the board part.*

**MR. AMPER:**

*I'm not usually the person known as trying to calm the waters, but I'd like to try. I don't think this is about George Proios' commitment or qualifications for this position. George is a good and honorable guy, he's done a great -- great service to the -- to the environment. I -- we'll see -- from the Pine Barrens Society standpoint, we don't see any reason to replace Mr. Tripp, he's an excellent nationally respected person. We think that's not really what's going on here, that's the problem we face. Our reason for preferring Mr. Tripp in this particular case were touched on -- was touched on briefly by Legislator Fields, who raised a question of some -- some -- three separate federal lawsuits that are not actually technically taking these cases, but rather are cases that deal with equal protection under the law. But they do deal with -- just a -- they represent a potential conflict of interest, where an individual who's connected with the County and the Water Authority and the commission or all above.*

*Mr. Proios, to his credit an honorable guy, said you might want to check with the Attorney General who represents the commission, and I think you should all designate someone among you to do that. And I think you will be reassured that Legislator Fields' concerns were quite legitimate. I think that is a potential conflict. George has stood up against all of kind of people and tried to do all kinds of things, some successfully and some less successfully on the Pine*

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*Barrens Commission, but he's always stood up for the right thing. However, it's not clear to us that as an employee of the County Executive he can really do that entirely. It's not just a question of can they move him around, can they demote him. And he works for the County Executive, and there are times when what the County's interest is may be different from drinking water. Our interest is the independence of the Suffolk County Water Authority and drinking water protection.*

*We're all annoyed, very upset, about the nature of the campaign that has been run. But I want to make a distinction for Legislator Lindsay. I don't think that can be characterized as a campaign on behalf of Jim Tripp. I think it was a campaign, however badly done, to alert the public that there is something going on in the review of Mr. Tripp's nomination. It's not quite right. The Legislature, yes, it's entitled to its opinion, clearly the Legislature will decide who keeps that seat. But in the process, there are other forces at work. And I want to say to Mr. Crecca, I'm not sure this is about a building or the roof on the building -- I just want to finish. I think it's about that there are other forces, including the interest, the legitimate interest, in terms of this prevailing wage and organized labor or organized labor would like to have a little bit more of the action. I think there is some patronage issues out there.*

*And I think the Water Authority, however badly all of you and we may think they did this campaign, I think they did have an obligation to say to the public not that this is a terrorist -- or even give the impression that it's a terrorist attack, but that this is a serious -- potentially serious threat to the independence of the Water Authority and the protection of drinking water. No one can contest*

*that the administration of the Water Authority and particularly Mr. Tripp have done first rate job protecting drinking water and preserving the open stays that goes with it. And so do I agree that the -- the future of drinking water protection is in jeopardy when politics enter it? I do. I agree that the Water Authority needs to tell the public when something that's going on in this Legislative body could jeopardize the quality of drinking water. Did they do it right? Is it accurate? Doesn't look like it to me. But the fact of the matter is they -- I would definitely support their obligation to say to the public there is stuff going on in the Legislature, having nothing whatever to do with Jim Tripp's or George Proios' qualifications for this that could -- should have everybody very, very concerned about the quality of drinking water and the affirmative action that the Water Authority's been taking to assure it in the future. So as you -- if this debate proceeds, understand that this is not a good campaign or a bad campaign, the fact of the matter is it's bringing attention to the very real fact that what this Legislature is doing on the occasion of Mr. Tripp's renomination is very, very important and that what it should put first is drinking water protection and the independence of the Water Authority. And I hope that you'll do that. Thank you.*

**CHAIRMAN BISHOP:**

*Thank you. Legislator Caracciolo was the first one to ring in.*

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**LEG. CARACCIOLO:**

*Thank you. Dick, on the subject of potential conflicts of interest, Mr. Schwenk brought to our attention a very, I think, legitimate and bona fide concern, and that is Mr. Tripp wearing his hat as a representative --*

**CHAIRMAN BISHOP:**

*Are you framing a debate or you really want to know? What, Mr. Amper's an expert on these conflicts of interest?*

**LEG. CARACCIOLO:**

*From your perspective, could one not also conclude that there is a potential conflict there.*

**MR. AMPER:**

*I seek commitment to protection of drinking water whether it be as a voluntary board member of the League of Conservation Voters or on the Suffolk County Water Authority to be a commonality of interest not a conflict at all.*

**LEG. CARACCIOLO:**

*Don't you think that individual should recuse themselves?*

**MR. AMPER:**

*From which?*

**LEG. CARACCIOLO:**

*From being part of a panel that's going to be part of the process that makes an endorsement on behalf of the league.*

**MR. AMPER:**

*I can understand someone who might think that, on the other hand, no,*

*I think that what he's doing is applying the same standards that he's applying at the Water Authority in making decisions and making choices that he believes best advance protection of the environment. I don't see why it's not a conflict, I would think it's a confluence of interest. I'm not understanding it. I can understand someone being concerned that a guy who was concerned about drinking water might have some influence in people who are less concerned about drinking water. I can understand that person's concern, but I think what he's consistently trying to do is put the environment first, and I wouldn't discourage him from doing that.*

**LEG. CARACCIOLO:**  
*Thank you.*

**LEG. CRECCA:**  
*I have real questions, I promise*

**CHAIRMAN BISHOP:**  
*Let's hope.*

**LEG. CRECCA:**  
*I certainly very much respect your opinions, and I think you are a great asset to this County and even to this Legislature.*

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**MR. AMPER:**  
*And thank you for the letter, you've been very supportive as well.*

**LEG. CRECCA:**  
*My question for you is -- and I don't know Jim Tripp, never met him before today.*

**MR. AMPER:**  
*I wish you'd get to know him because --*

**LEG. CRECCA:**  
*I recognize George's face, but I've never met George either.*

**MR. AMPER:**  
*If I can -- I can just simply say though all of the ugliness that has occurred in the last 72 hours has really to do with a collision of political stuff. I hope that doesn't interfere with the selection of the right guy for this job.*

**LEG. CRECCA:**  
*And that's, I guess, my question. I have two questions for you. The first question is, George -- do you believe that George as a candidate, because you've now weighed in on it and I know your position. But it would appear to me from the testimony received and the people I've spoken with that MR. PROIOS in the past clearly indicated his independence from partisan politics. And I mean, you know him from the environmental community, I mean, his resume and Jim's resume is great too. This is about we have two great candidates, we should always have this problem here at the Legislature.*

**MR. AMPER:**  
*And you always sort of feel bad when the good candidate emerges when*

*you've got a great candidate already in place. George has so much to contribute to the environment, so much he already has. I want to see him continue to do that. And I think the problem with him replacing Jim is merely that he simply doesn't enjoy the same independence legally or otherwise that Jim does, apart from how you might otherwise evaluate their credentials. I think Jim is world class environmentalist and really cares about this. I think George may not be his equal, but is very well intentioned and is a champion of this stuff. I tell you, the frustration he's had over and over again in not being able to get -- to get as much done for the environment as he'd like to. But he works for the County Executive, and that's my concern. I think it's the Attorney General's concern, I think it ought to be your concern.*

**LEG. CRECCA:**

*I had one more question, and I'm sorry, David. This has become -- you know, you've said that it's become -- it's sort of turned political. I just -- and it's a comment, I apologize, David -- but the comment is this became -- it became political, you know, over the weekend. Before that, you know, it really wasn't -- or at least it wasn't in most Legislator's eyes, at least from what I can see.*

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**MR. AMPER:**

*Legislator Crecca, I should simply say that I think that it became more visible, and I think it became a public debate, but I think that the Water Authority was reacting to something very real in this Legislature. I don't think they just dreamed this up.*

**CHAIRMAN BISHOP:**

*Okay. It's become more political or just less civil. Mr. Graves. I'm sorry, Mr. Eversoll was next. Mr. Graves is last. No disrespect to my constituent.*

**MR. EVERSOLL:**

*How can you go wrong? Thank you for having me here. My name is Don Eversoll, I live at 27 Victoria Drive, Amityville, New York. It's -- as Dick Amper said, it would be unusual for him to be considered healing the waters or calming the waters, and it's also unusually that I would be here in support of what Dick Amper has said. I mean, it's a real tragedy or a real blessing, frankly, that you've got two candidates, and I've known them both for over a dozen years, who are as talented and care as much about the environment as both George and Jim do. I've, you know, George has been passionate, he's an honorable man, he's a good man, and he's worked very hard on water issues, both locally and state wide. I've had the opportunity to work with Jim, Jim Tripp, on the Transfer of Development Rights Committee of the Pine Barrens Act and found Jim to be very creative in his thinking and his applications and in his proposals. He's a very independent man, and I think it's a tragedy that this -- that I guess for want of a better word, the politics got in its way.*

*I would -- I would think that -- I would hope that Mr. Proios be kept certainly in front of this body, because he would be a wonderful -- I understand there's a person up each year. So maybe, you know, next year Joe DiMaggio and Mickey Mantle can play together. So thank you very much.*

**CHAIRMAN BISHOP:**

*Thank you. No questions? All right. Mr. Graves.*

**MR. GRAVES:**

*I'm Anthony Graves, and I live in the Village of Bellport. Thank you to the committee members and the Chairman for this opportunity to speak. I wanted to express my support for Jim Tripp's reappointment to the Water Authority Board. I'm been active in environmental issues on Long Island for over 20 years. I was fortunate to have Dennis {Peilston} and Art {Cooly}, founders of the Environmental Defense Fund as mentors. I'd like to point out that Jim is the lead counsel for the Environmental Defense Fund.*

*The Environmental Defense Fund was started here in Suffolk County, and there has always been a strong connection between Suffolk County and the Environmental Defense Fund. I'd like to encourage the Legislature to maintain that connection through Jim's reappointment. Jim brings national and international scope to his decision making and his vision on local issues facing Suffolk County. His vision has helped bring about the protection of our groundwater through the creation of the Central Pine Barrens. And I'd like to just point out an example that*

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*Jim gave earlier, which was that the Pine Barrens in Southern New Jersey was using a model, which he was able to bring here to Long Island and make it work. And I think that that's important that national level of experience benefited us directly here in Suffolk County.*

*I'd like to conclude by saying that I also know and have the utmost respect for George Proios. Right now we have both Jim and George serving the people of Suffolk County. I think we should keep it that way. I respectfully urge you to keep it that way through Jim's reappointment. Thank you.*

**CHAIRMAN BISHOP:**

*Thank you. Are there any questions? Okay. Thank you very much for coming. Is there anybody else in the -- who's here who wishes to address the committee on the Suffolk County Water Authority Board appointments? Okay.*

*1416. Reappointing member of the Suffolk County Water Authority (James T.B. Tripp) (FIELDS)*

**CHAIRMAN BISHOP:**

*These resolutions were taken out of order. They are now before us. The first one numerically is 1416. Is there a motion?*

**LEG. COOPER:**

*Motion to table.*

**CHAIRMAN BISHOP:**

*Motion to table by Legislator Cooper, seconded by myself. All in favor? Opposed?*

**LEG. FIELDS:**

*Opposed.*

**CHAIRMAN BISHOP:**

*One against. TABLED (VOTE: 5-1-0-0) (Leg. Fields; opposed)*

*1496. Appointing member of the Suffolk County Water Authority (George Proios) (PRESIDING OFFICER)*

**CHAIRMAN BISHOP:**

*Now we have 1496. Is there a motion.*

**LEG. COOPER:**

*Motion to table.*

**CHAIRMAN BISHOP:**

*Motion to table by Legislator Cooper, seconded by myself. All in favor? Opposed? They are tabled. TABLED (VOTE: 5-0-0-0)*

*Okay. So that concludes that segment of the committee's work. We've been now two hours and 45 minutes. Does the stenographer request a break?*

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**MS. BARRETT:**

*Not yet.*

**CHAIRMAN BISHOP:**

*Not yet. By the way, Legislator Cooper, you get my Committee Member of the Month Award. You are the only one who played by the Chairman's arbitrary rules. Why don't -- why don't we take up now the question of the Water Quality Protection Program. Alpa, this is one of the resolutions that you wanted to address. Legislator Crecca, did you wish to table both?*

**LEG. CRECCA:**

*Yeah, I just want to go on the record --*

**CHAIRMAN BISHOP:**

*Please add Legislator Crecca to the majority on both votes. I apologize. I didn't realize that was -- sometimes people leave by choice.*

**LEG. CRECCA:**

*I went to talk to somebody and then I went to the bathroom.*

**MS. PANDYA:**

*Hello, ladies and gentlemen, my name Alpa Pandya. I'm with the Nature Conservancy. I'm here to speak about IR 1169, which is the Quarter Percent Water Quality Protection Bill. I -- we're hoping that you table until you've included a couple of issues, which we don't think are adequately addressed. If you still have copies of our letter of March 20th --*

**CHAIRMAN BISHOP:**

*Stop, because -- I'm sorry. Everybody's so excited about the last segment. We've got to calm everybody down, get them refocused. We're discussing the Surface Water Quality Protection Program.*

*1169. Implementing Suffolk County Water Quality Protection and Restoration Program. (COUNTY EXEC)*

**LEG. FIELDS:**  
*What number?*

**MS. PANDYA:**  
*1169.*

**LEG. FIELDS:**  
*Thank you.*

**MS. PANDYA:**  
*1169. Our letter of March 20th raised some of these issues, and we just wanted to go over a couple of them which we feel are not in the current IR 1169. One is that there should be strong criteria to guide the committee, which will truly evaluate the projects, help the committee rank --*

**CHAIRMAN BISHOP:**  
*Is there criteria now?*

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**MS. PANDYA:**  
*No. Not in the -- not in the IR, no.*

**CHAIRMAN BISHOP:**  
*And you think it should be included in the actual resolution?*  
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**MS. PANDYA:**  
*At the very least there should be mention of evaluated criteria should be established.*

**CHAIRMAN BISHOP:**  
*Okay. I'm going to agree with that point.*

**MS. PANDYA:**  
*Right. I mean, if you don't want -- you know, the committee might want to hash that out later on exactly. Secondly, that this is a -- this is a little bit of a problem on who is going to be administering this program. And I think it's -- there's no really good answer. We're -- we're a little uncomfortable with the Department of Public Works necessarily being in charge of it because we are a little concerned it's going to become all engineering projects. Our groups, quite frankly, don't seem to want this project. One solution might be that the day-to-day administrator will be a new position which would be in the County Executive's Office. That there would be a new person hired in the County Executive's Office who would be the day-to-day administrator. We see this person kind of following the existing models in the Town of Oyster Bay, and the CPF Administrator in the Town of Southampton where this person is not evaluating or ranking the projects. That is going to be done by the committee and by the established criteria. This is the guy who just implements it, makes sure that if there are grants, you know, to be applied for that he does that in a timely fashion. If there are contracts that need to be handed out, that that's done in a timely fashion. So those are our two major concerns.*

**CHAIRMAN BISHOP:**

*Okay. Questions? The Town of Oyster Bay and the Town of Southampton, it's just one person, it's not an office?*

*MS. PANDYA:*

*Yes, it's just one person.*

*CHAIRMAN BISHOP:*

*Why can't that one person be within the Department of Public Works? What's the --*

*MS. PANDYA:*

*Certainly, it could be. I guess, I'm just a little concerned because the time that, I guess, Jim Bagg, with the Department of Public Works testified they talked about hiring primarily engineers, and his focus seemed to be very much focused on construction. The law which passed, the Drinking Water Protect Program reauthorization, I think, envisions this as a much broader creative --*

*CHAIRMAN BISHOP:*

*Highly interdisciplinary.*

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*MS. PANDYA:*

*Yeah. And we're just a little worried it's going to become skewed if it's housed in the Public Works Department. That's -- maybe not, it really is going to ultimately depend on who you hire, whether it's in the County Executive's Office, Public Works, anywhere. Obviously, that's going to ultimately really guide it, but we're just a little concerned.*

*LEG. CRECCA:*

*I wanted to ask, were you here last time when they explained about working with the various departments; Public Works and the committee and the make-up and how it would -- the interdisciplinary approach that Public Works talked about?*

*MS. PANDYA:*

*Yes, I did.*

*LEG. CRECCA:*

*I really -- I wasn't asking that -- I just wasn't sure if you were here. Because I sort of got the feeling from them that they were looking to work and the Health Department, I think, also testified and Planning and stuff and sort of bring in all those different elements. Somebody has to administer it.*

*MS. PANDYA:*

*Oh, I know. And like I said, I don't -- you know, the Public Works might be the right place, and I really think more than where the person is housed, it's going to be who you actually hire is going to be much more influential. And I think the most important thing even more than the day-to-day person, and I'm kind of also hoping it's not going to involve hiring like eight new people and they're engineers or whatever and that's obviously your job to keep track of that, but I think more than that is that there be strong criteria and a committee which is dedicated to that and to the intent of the original law.*

*LEG. CRECCA:*

*That I would agree with too, and that a very excellent point. Thank you.*

**CHAIRMAN BISHOP:**

*I think it's an enormously difficult task. And I don't know if we've done our best work on this because that's why it's been tabled and gone back and forth. But we're not getting -- I appreciate your testimony. I'm anxious to get moving.*

**MS. PANDYA:**

*Sorry. Kevin McDonald had to leave, and he's also going to -- he also asks that you table this. And he will be writing supporting his suggestions on maybe how to, you know, improve -- improve this also. So if that helps you. I don't know exactly --*

**CHAIRMAN BISHOP:**

*Where do we have a model for this kind of interdisciplinary program where -- I mean, there is an a lot planning involved, there's -- there's the kind of big picture work that the Soil Water Conservation District does so well. Then there's the actual implementation, an*

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*awful lot of which you will admit is Public Works, because it's about probably at least half of this program is going to be -- end up being redirecting drainage to something more appropriate. So.*

**MS. PANDYA:**

*I -- I don't know. I mean, like I said, I do know the Towns of Southampton Oyster Bay have kind of hired this day-to-day administrator to handle much bigger programs than -- then their immediate job, you know, title might reflect. However, I don't think there's -- I don't think there is anybody else who really has anything -- you know I don't have the act in front of me, but there's something like 15 different kinds of program which could be in there. It ranges from habitat restoration to farmland management plans. I mean, such a broad range, and I don't know -- I don't know where you would find a model like that. And I don't think --*

**CHAIRMAN BISHOP:**

*And how are you going to do -- how are you going to do a criteria when you're ranging so far from farmland to habitat restoration to, you know, drainage remediation?*

**LEG. CARACCILO:**

*Can we have Vito come up?*

**CHAIRMAN BISHOP:**

*Everybody's going to have a chance to come up.*

**LEG. CARACCILO:**

*On this very subject.*

**CHAIRMAN BISHOP:**

*Yes, on this subject. Everybody who wants to speak will have a chance.*

**MS. PANDYA:**

*Well, there's a couple of different places where they have used*

*criteria in the past. The, I believe the State Open Space Bond Act has criteria that it's looked at in the past for a fairly --*

**CHAIRMAN BISHOP:**

*I mean, I agree with criteria to see what's eligible. What I'm concerned with is how do you rank in priority order something as different as farmland management from the drainage system in, you know, Santapougue Creek? That's something I'm very concerned about.*

**MS. PANDYA:**

*Right. I'm not sure, and I think that's something the committee's going to be wrestling with. And I think part of it will be, you know, looking at hopefully a broader range, ecological benefits, is the town able to chip in money so it's more cost effective. I mean, I think there's going to be a pretty broad range of criteria on which ones to do first. The good news is that it is about a hundred million dollars. So I think we will be able to get a --*

**CHAIRMAN BISHOP:**

*Here's -- I'm sorry to monopolize the time, but here's my primary*

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*concern. It's so complicated that if we, you know, try to organize it perfectly, we're going to lose momentum, time, and things that we want to get done in our lifetime are going to get studied 20 years from now.*

**MS. PANDYA:**

*Well, that's why I think I don't want to focus too much on who's going to be the day-to-day person and where they're going to be housed and is it going to be all engineers or all ecologists of habitat restoration specialists or whatever it is. At this point I -- I hope that the act can be a little bit more guiding in the sense of saying that we want some kind of evaluative criteria established and the committee will be following those criteria. And then it's kind of left up to them, and hopefully with the charge that they will move forward in a fairly fast time frame, because the more we hesitate, the more there's going to be to remediate later on, obviously. What about these Estuary Councils that we already have? Don't they do this kind of big picture evaluation?*

**MS. PANDYA:**

*Yes. Yes. Certainly. Vito will love to speak about this, I'm sure, too. The SSER as well as the Peconic Estuary Program have a hundred recommendations. I know certainly in the Peconic Estuaries, and probably SSER does too. I don't know how close they've come to actually ranking it -- there you go.*

**CHAIRMAN BISHOP:**

*Alpa, we need an implementor. I mean, there are already structures that are thinkers like the SSER and the Peconic Estuary.*

**MS. PANDYA:**

*I guess I'm hoping that the committee will -- will -- will push it forward. I mean, that's going to be their charge, to start looking at these projects and start pushing it forward. And whoever is hired to administer this program, whether it's one person or six persons or eight persons, whatever it is, has to move it forward. I mean, I --*

*you know, we trust the government will -- will do that, will take that charge. And it has always behaved in a -- in a timely and appropriate way, and I believe it will now too.*

**CHAIRMAN BISHOP:**

*Thank you.*

**MS. PANDYA:**

*If I could speak briefly about one other IR. This ones even briefer. It's IR 1396, the Riverclub Property, the Riverside Side Property in Riverhead. 1396. Legislator Caracciolo introduced it. We would -- it should be on today's agenda, I believe. We obviously support a passage of this. This is a very high priority both in the critical lands protection section of the Peconic Estuary Program, as well as the Town of Riverhead's Community Preservation Fund. It's about 55 acres. It completes a much larger assemblage of county -- County lands totaling, I think, something like 600 acres, including Indian Island County Park, Broad Cove and the North Fork Knolls. So we certainly hope you will -- you will pass it. And we would like to thank Legislator Caracciolo for introducing it and -- and helping*

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*this.*

**LEG. CARACCIOLO:**

*Thank you very much. And for the benefit of the members of the committee, the resolution is for planning steps. If we are successful in locating a willing seller and appraisal, the town has indicated they will participate 50/50.*

**CHAIRMAN BISHOP:**

*Okay. I see Mr. Minei and Mr. McMahon. Ms. Esposito, this is the appropriate time before we go to the government officials. Feeling your oats after your big appointment vote.*

**MS. ESPOSITO:**

*I don't know. It hasn't made it through the Legislature yet. I'll have to talk to that Presiding Officer. Anyway, my name is Adrienne Esposito, Citizens Campaign for the Environment. Just very quickly, I want to just add to what was just said about Introductory Resolution 1169. We also would ask you table, and that is because we feel that the committee established here really -- we feel is not a well rounded committee. It is an eight member committee that is all governmental entities. And what we've been doing, our organization has been working to do with the County for the last several years, is incorporate more of the environmental groups and other elements in the County to give more of a diverse comprehensive view these committees so we can make decisions with a wide variety of perspective and expertise. You can actually fill all of these committee's appointments and not really have anybody who has a great knowledge of, for instance, the South Shore Estuary Reserve or have a great knowledge of the Long Island Sound. And we think that this committee needs to be expanded, and from that committee, they can then be charged with developing criteria. If they develop the criteria with just these numbers, I feel that they could be very key elements in the County that would be left out; namely, some of our estuaries. So we really thing this needs to be expanded to be a little more inclusive. Thank you.*

**CHAIRMAN BISHOP:**

*Okay. Counsel, I'm asking a question that you privately may know. What is the charge of the committee that everybody is speaking to?*

**MR. SABATINO:**

*That's -- that's, I think, one of the problems with the legislation. The first time it came up in committee, I had indicated to you that the concern is that it's really unclear once you get to the third page as to what precisely the committee is going to do, because the language is very imprecise. I think the goal is to try to find a place to just designate someone or something or some entity to actually administer and carry out the Quarter Percent Program. And normally you would just say you're going to pick some division or department and just assign that responsibility, and then the monies would be appropriated as projects came up one at that time. But the creation of the committee is what generates some of the difficulty, because it just -- it just puts a lot of words together in resolve clauses, it talks about implementations should be based on, and it mentions the very things that are already in the statute, in the*

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*Quarter Percent Statute. So it's just -- it's really a problem. I don't think what the committee is going to do. That was -- that was the reservation of the concern that I expressed on day one.*

**CHAIRMAN BISHOP:**

*Mr. Minei, are you - you're making -- do you have answers?*

**MR. MINEI:**

*I'm bewildered.*

**CHAIRMAN BISHOP:**

*All right. Legislator Fields, do you want to ask Counsel a question.*

**LEG. FIELDS:**

*No. I wanted to ask you something as the Chairman of this committee. Would it not be a good idea since there have been some real problems with this particular legislation and with people weighing in and bringing up questions to have a separate meeting just for this committee just to go through that whole procedure of trying to iron out the problems and come up be something that we can all live with?*

**CHAIRMAN BISHOP:**

*I -- I do. I would not be adverse to that. The problem is that people raise questions, but there aren't -- there isn't a lot of alternative suggestions.*

**LEG. FIELDS:**

*Maybe we can invite the people from Oyster Bay and Southampton who --*

**CHAIRMAN BISHOP:**

*They're going to tell me they have one administrator. Why don't I have Mr. Minei, Mr. Proios, Mr. McMahon and Mr. Shannon come forward, and maybe we can do what you're discussing now.*

**MR. MINEI:**

*I think Mr. Isles made the most salient point the last time.*

**CHAIRMAN BISHOP:**

*All right. Is everybody across familiar with 1169? And everybody has heard the criticism of it and has witnessed this committee fitting -- fits and starts and not really getting anywhere. So why don't we try to solve the problem. Who wants to lead?*

**MR. ISLES:**

*Maybe I will -- if I could just make a brief comment, and that is, we certainly have been discussing this extensively about a year ago. The Planning Department did complete the report that we presented to you. There were a couple of presentations before the committee at that time, during the summer months. And then we came back with the draft legislation 1169 to start to specify how this would go forward. And it is a new program. It's a very significant program, obviously dollar wise and also in terms of the outcomes. We hope to get -- and we appreciate the patience of this committee in the successful resolution several weeks ago to recommend this to the Legislature.*

*We understand the points have been made today, and, in fact, they are*

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*points that we've labored on extensively ourselves. I think in terms of the first point in terms of criteria, absolutely, we discussed that in the report that this is something that should be guided by criteria, and we would expect that would be something that the committee would work to develop. In terms of the assignment of this to the -- to the County Executive's Office, although there can be comparisons to the Town of Oyster Bay and the Town of Southampton and so forth, there are probably six different ways of doing this, I agree. I will point out that we are a government entity of about 11,000 employees. We are a much larger entity, and I think if we shuffling programs to the County Executive's Office that really, I think, belong in departments, I think we start to --*

**CHAIRMAN BISHOP:**

*Can I maybe move it by saying I'm going to give you a couple of ideas that I heard out there, and tell me how it would progress if we pass the legislation. Legislator Fields has a creek in her district. She wants to reduce the amount of stormwater runoff in the creek by 50% over the next two years, how would that go through the process?*

**MR. ISLES:**

*It would be a proposal submitted, and idea or letter or something to explain the project that would then do to a project review committee, which is designated in the resolution, as we've talked about. That committee would then have a process to evaluate and bring back suggestions to the Legislature on the projects. And I think we anticipated from the planning standpoint, department standpoint, is that we would try to do this in some sort of methodical manner, perhaps on an annual cycle bring forth projects to the Legislature. The projects would most likely end up right here at this committee. We would then make a presentation outlining those. Obviously, there's an opportunity for public comment and review, which we would certainly welcome and then consideration by the full Legislature. So that's how we would anticipate how this would be constructed in a very simple --*

**CHAIRMAN BISHOP:**

*On an individual -- so her creek would come back to the Legislature recommended by the committee for a specific vote with the money from the fund appropriated at that time*

**MR. MINEI:**

*If I can just add to that. The mechanics of that is something we're pursuing the Peconic Estuary Program and referred to subwatershed management plans. You would pick an individual stream corridor as you did on the South Shore. We did it in the Nationwide Urban Runoff Program. So you would have to make a case for that particular creek that reducing 50% of the pollution would have a cost benefit assigned to it; opening shellfish beds, providing bathing beach protection, etcetera. So a case would have to be made. So there is a study element to a lot of these that would have to be submitted.*

**LEG. FIELDS:**

*What if you had matching funds though and someone needed to -- they were prepared to move forward with a project along a corridor to, you know, to do open marsh water management, wetland restoration, stormwater runoff, and they were looking at it as a whole, Tom, you*

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*just said, well, it would be come before this committee and they go through it annually. What if someone came along and said, we're ready, the Department of Transportation, etcetera?*

**CHAIRMAN BISHOP:**

*It's a very long process what you just described.*

**LEG. FIELDS:**

*You know. And what then? Then the person -- then we loose the revenue of the matching funds from the federal government, from the state, from private groups that are involved in these endeavors.*

**MR. SHANNON:**

*These are important considerations. We could have a project call letter go out on maybe a six month interval, or we could set up a schedule for an emergency type meeting where the project could be evaluated. I think, you know, partial funding from another source could be a criteria that would increase the number of points say that a particular project would have. Earlier --*

**LEG. FIELDS:**

*That -- that just seems terribly cumbersome when I already know that there are projects out there that -- in fact, I have a bill in for one -- that they want to do, and they have thousands and thousands of dollars that they have gotten from {NOWA} grants and everything. They're ready to go. So if you're looking at this typical bureaucratic cumbersome lengthy, you know, make a study and let's put it on the shelf, and then we're going to take it out, and we're going to look at it again and we're going study it again, and then we are going to create this group and we're going to look -- oh, my God. We'll never get it done.*

**MR. MINEI:**

*Can I give a suggestion please. Maybe we can go back to the threshold issues. There was a question raised by you as Chair, how do we handle all of these multitude of environmental issues. We were instrumental*

*in going through that list about wetland restoration, scallop restocking, stormwater remediation, all those projects. And there are criteria, and there are models. One that jumps to mind is the State Bond Act. There are criteria for each category of either non point source, point source, ag, non point source control letter in there. So you have criteria.*

*One of concerns and one of the pledges I made to Ginny was one thing that concerns me in reviewing the criteria is a lot of it leans very heavily towards mitigation. We hope as part of this process that preservation has a strong role in the ranking -- in the criteria setting. So that will be an important function. You ask what is the role of this and what kind of control do we have? I think the heart of it is in the first revolve, the committee is authorized and directed to solicit, review all proposed projects submitted to the Water Quality Preservation Program and recommend thereon to the County Executive and the Suffolk County Legislature. So the control still resides here and with the County Executive. As we went through -- near my bed time last time -- the strength again, is in the composition of the committee. I think every member of this eight*

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*member committee brings a lot of power to this. I won't use Tom's point about why the DPW, I'll leave that to him, but I would -- I would say that these are strong personalities, strong groups coming to it with a lot of expertise in it. I would take a little umbrage about no one on this eight member group brings any estuary experience. I would -- I would suggest there's at least one person sitting at this table that brings a little estuary knowledge to it. Well, one and a half.*

**LEG. FIELDS:**

*But, Vito, what if they are going to put designees, which I have been at many meeting in this County where a designee goes, and they sit there. They don't have the slightest idea of what's going on, and that's the person --*

**MR. MINEI:**

*Believe me, we've pledged, I think everyone has come up and discussed this, we've pledged that there will be senior members of the staff with the expertise in -- in this, whether it's the health agency, whether it's Tom Isles in Planning, we will not be assigning lower level staff to this. We take this very seriously.*

**CHAIRMAN BISHOP:**

*The concern that Legislator Fields raised is one that I share, I assume it's one that they share, which is everybody wants to move their projects and get going and get things done. And we also want to have the check of not funding garbage, so would this help; if we required that the committee meet once a month in the legislation? If it met every month, then you'd have some assurance that you're not going to have to wait a year just to have you project considered. And additionally, what if we mandated in the legislation that projects be considered within 60 days? So in other words, I write you a letter saying Mayor Distler in Lindenhurst wants to create a stormwater recharge basin, where a lake once existed that was drained by the Southwest Sewer District, she wants to recreate this, I think it's a fabulous idea, frankly. And I would get back within 60 days or within*

*60 days of the letter an answer; this is good, this is bad, the committee has more questions --*

*LEG. CRECCA:*

*Can I ask just to -- because it's a follow-up on that. But is that something that should be specifically in this legislation or should we let them --*

*CHAIRMAN BISHOP:*

*We're concerned that the legislation that's now structured could be -- in fact, they suggested -- annual, you know, you know, consideration.*

*LEG. CRECCA:*

*The only thing I would add to that, and I don't disagree with you, I like the idea of trying to move things along, but I don't know if we should be the ones initially figuring out what those rules should be. We should certainly look at those and approve them, but I'd like to get expert recommendation.*

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*CHAIRMAN BISHOP:*

*That's why I'm asking them if they think that's a good idea.*

*MR. ISLES:*

*No. I understand the point, and certainly to layer on a heavy bureaucracy is not what the intention is. I think one point is, Bill and I were just talking about, is that in the beginning, there may not be that many projects. And you're right, we don't want this to be just something to slow things down. As it goes on, maybe we do have a cycle where every six months we open it up and entertain projects, not at the expense of other ideas that come in that are time sensitive. So I don't have want to lose sight of what the intent of this is. I mean, one thing we could do is just not have any committee, and I think we talked about that, as you just mentioned, Mr. Chairman, the idea of some control, not approving garbage. So the idea is how do we find a balance between having something that fluid that enables good things to happen that the program was designed to do, but also providing some check. And perhaps in some way it would be similar to the Parks Trustees, where there's review that advisory, which it would be, back to the Legislature. And that seems, I think, to work pretty well in terms that they meet on a monthly basis and so forth. That's not locked in the legislation in terms of being annual or bi-annual. So I think that's something I think the -- the administration, the committee would be open to in terms of trying to respond to the programs needs.*

*CHAIRMAN BISHOP:*

*Legislator Fields and Legislator Crecca both want to speak. Legislator Crecca has an idea, so we'll yield to the idea.*

*LEG. CRECCA:*

*One of my frustrations sitting here is, and I agree with a lot of what you're saying, so let me start of by saying that. But we could end up debating this and debating this. My idea is let this go forward, okay, let the committee start to work, okay. That doesn't mean we stop doing what we're doing, okay? And come back to us with some structure and all that. This is a very -- you know, we can always impose more rules and more guidelines as far as how often we meet --*

*you know how often they meet and things like that. But let's let them get started working, you know. I mean, we are hearing from -- from different departments that this is the way to go, yet we're the ones holding it up at this point. And I don't say no one's holding it up for other than what they feel are legitimate reasons, but we're delaying getting things going, you know. I don't have any projects in my district that I need to push, but I want to see some of these other projects, whether their in Ginny's district or even Mike Caracciolo's district, you know, I want to see them move forward, and I want to get the ball rolling. I think everyone has good intentions here, I think we're holding it back to a certain extent.*

**LEG. FIELDS:**

*Here's my suggestion, just because I have worked for 7 years on this Long Island South Shore Estuary Reserve Comprehensive Management Plan, and as Commissioner Isles knows and others know, George Proios has heard me say it, Vito has heard me say it, I'm very frustrated at seeing this kind of document and all of the people and all of the work*

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*that they put into in kind of endeavor sitting on the shelf and not implemented. Implementation is the key. If we were to put this -- and the other thing that -- Mr. Crecca left and did not -- okay, well, I guess he said what he wanted to say -- is that it wouldn't be the first time in the Legislature that we have passed something just in, you know, to hasten it, to get it through, and, you know, to move it forward. But I think that we should not rubber stamp anything. I think we need to look at things with a fine tooth comb. I think that we need to evaluate it and make sure it's done properly the first time and not say, oh, you know, we should have done it the other way. If we were to put this -- and you've heard me talk about this before -- this labor of the Long Island South Shore Estuary Reserve is very much about environment and environmental quality, and not necessarily stormwater, roads and Department of Public Works initiatives. So I would have felt much more comfortable, I think, if this legislation had come to me saying it was going to be in the Department of Environmental Quality and that you had designated people who were very aware of this kind of a plan, and they we're going to be the ones that are going to operate it with somebody from Department of Public Works, a couple of people from DPW, if necessary.*

*And the second thing I would felt more comfortable with and would feel more comfortable with would be if this group were to meet monthly, not yearly, not semi-annually, not bi-monthly, but to actually have a goal. And the first thing they should do is have -- have implementation in mind and not hastening and not politically for let's see who can get it in their district. The plan I have is not even in my district, it's in someone else's district, but I think it's a good plan, I think it's workable, and I think it is absolutely part of the South Shore Estuary recommendations. And that's what I would like to see, that we're not dumping this because nobody else had the time and nobody else had the manpower to do it. But now this goes to DPW because that seems like the proper place to go. I think that I would ask again, that we table this, and that we come up with some better more explicit resolves and whereas so that we know exactly where this plan is going. And if we delay it by another month, then we delay it by a month, but then we know that what we've asked for is truly going to be implementation and not study, study, study.*

**CHAIRMAN BISHOP:**

*Does everybody here who's here agree that the legislation is -- doesn't need further work, it's fine as is? Is that the opinion of the --*

**MR. SHANNON:**

*Yes.*

**MR. McMAHON:**

*I kind of agree that the legislation needs a little bit more direction.*

**CHAIRMAN BISHOP:**

*Legislator Fields, I just want to know where if we delay it to the next meeting, which is fine, as long as I know at the next meeting there's going to be specific language to consider and debate and discuss rather than --*

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**LEG. FIELDS:**

*Okay. Here's what I would ask. Why can't we have a meeting with -- actually these people right here and us, as the Environment Committee, and hammer out what we think are problems with it or concerns, and then by the next meeting get ready to move it?*

**CHAIRMAN BISHOP:**

*Can I designate yourself and Legislator Crecca -- is he here?*

**LEG. FIELDS:**

*Absolutely -- no, not Crecca. He doesn't want to stay here full time.*

**CHAIRMAN BISHOP:**

*Can everybody here make themselves available to meet with Legislator Fields, perhaps somebody from my office, and Legislator Crecca, and we'll see if we can tweak it? All right.*

**LEG. FIELDS:**

*It may not need a whole lot more, but I think it needs to be refined, and so that we're comfortable with the way it goes. Motion to table.*

**CHAIRMAN BISHOP:**

*Motion to table for one more meeting. Second by myself. All in favor? Opposed?*

**LEG. CRECCA:**

*Opposed to tabling.*

**CHAIRMAN BISHOP:**

*That's how we'll handle it. But we're going to end it then. Bad or good, we're going forward.*

*TABLED (VOTE: 4-1-0-0) (LEG. CRECCA; OPPOSED)*

*Let's go today's agenda.*

*1396. Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program. (CARACCILO)*

*CHAIRMAN BISHOP:*

*1396. Motion to approve by Legislator Caracciolo, seconded by myself. All in favor? Opposed? 1396 is APPROVED. (VOTE:5-0-0-0)*

*LEG. CARACCIOLO:*

*Tom wanted to say something.*

*MR. ISLES:*

*It seems that a few of the lots are missing, Mr. Caracciolo. So we do have an aerial that's showing you that. I'm not sure if that was the intention or not, but we just wanted to bring that to your attention.*

*CHAIRMAN BISHOP:*

*Do we need to table it then?*

*MR. ISLES:*

*It's up to you.*

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*CHAIRMAN BISHOP:*

*It's steps only. You survey it, though.*

*MR. ISLES:*

*Right. It's only a planning steps, so you could put in on later on perhaps.*

*CHAIRMAN BISHOP:*

*I think it's fine. Legislator Fields.*

*LEG. FIELDS:*

*Can I ask a question of that. All the little green boxes, does that mean that you have to acquire each and everyone of these little green boxes? They're all owned by somebody else?*

*MR. ISLES:*

*No. I think it's all owned by one property owner. It's currently subdivided in that pattern. There's a pending application to change the subdivision at this time.*

*LEG. FIELDS:*

*There's currently -- I couldn't hear you, there was some.*

*MR. ISLES:*

*There's currently an application pending for this site, for development, and I believe it involves a reconfiguration of the subdivision or a change of zone. But that's what's currently filed with the County Clerk's Office, that's the official Suffolk County Tax Map. Our understanding is that is that it's in one ownership. Is this -- is this threatened with development? Is that's what going on?*

*MR. ISLES:*

*There is a pending application as I understand it.*

*LEG. FIELDS:*

*Legislator Caracciolo.*

*LEG. CARACCIOLO:*

*I'm sorry.*

**LEG. FIELDS:**

*Is this threatened with development?*

**LEG. CARACCIOLO:**

*Yes. Yes.*

**LEG. FIELDS:**

*For housing?*

**LEG. CARACCIOLO:**

*And a marina. What is it, condominiums or town homes?*

**MR. ISLES:**

*I think it's condominiums, I'm not 100% sure.*

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**LEG. CARACCIOLO:**

*At a very large number, as I recall.*

**LEG. CRECCA:**

*What was the ranking on this, Tom?*

**MR. ISLES:**

*We haven't done a ranking on this, but I can tell you that the parcel would qualify probably pretty high for the basis that, number one, it's on the Peconic River and the Peconic Estuary, and as Alpa Pandya said previously, it is within the critical lands location. Secondly, it does have wetlands on the property, which are outlined in the blue. Thirdly, it is in proximity to other County holdings, although not directly adjacent at this point, but Indian Island County Park, and what was previously considered by this committee, the Hubbard property, which it does abut on the north side of this property. Actually, we have the potential here as outlined in the Hubbard Report, without this piece, to have over 650 acres of County-owned land in this location. Rather dramatic with Broad Cove, Hubbard and Indian Island.*

**LEG. CRECCA:**

*He knows his stuff, man. I am so impressed. We should give him a raise.*

**CHAIRMAN BISHOP:**

*Motion by Legislator Caracciolo, seconded by myself. All in favor? Opposed? It's approved.*

*1401. Authorizing planning steps for implementation of Greenways Program in connection with acquisition of active parklands at Marion Carll School, Commack (CRECCA)*

**LEG. CRECCA:**

*There's no school really there. There is no school there. This is absolutely 100% for active parkland purposes only, just so you know. As you can see --*

**CHAIRMAN BISHOP:**

*Who is the partner with this baby?*

*LEG. CRECCA:*

*The Town of Huntington, and there is a resolution, I believe, that's already been passed and presented. I should have -- and I apologize -- I should have brought it in there, but we've actually seen some develop -- some tentative plans for ball fields, primarily. It's an active park, but it's going to be a soccer --*

*CHAIRMAN BISHOP:*

*This is exactly what the Greenways Program is supposed to do.*

*LEG. CRECCA:*

*-- a soccer field and a -- if you look at the front part of the lot -- I mean, I'm explaining this, Tom if I'm wrong, tell me -- that's already been developed. You see where that parking lot is? The other side of the parking lot towards Jericho Turnpike has been developed*

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*with a Ruby Tuesdays, and I think a Pep Boys is going in there, but there's access both from Jericho and from Commack Road to that back parcel, that 10 acre parcel. And it does fit --*

*CHAIRMAN BISHOP:*

*It's cleared, is that what it --*

*LEG. CRECCA:*

*It has some trees on it and some brush, but for the most part, it is relatively cleared.*

*LEG. FIELDS:*

*Has it been mined?*

*LEG. CRECCA:*

*No, and I don't know why it's coming up so light like that, because it is -- it's all full of grass, and the only spot that's barren is the spot closest to that parking lot that you're looking at. And that is what it looks like.*

*MR. ISLES:*

*Yeah. This aerial actually is from 1995, so it is dated. And it's probably vegetated since then.*

*LEG. CRECCA:*

*There's a lot more vegetation there. It is -- it's -- there's seems to be community for it from -- we've spoken to people -- members of the community. There's a need in this area for additional fields that will allow at least one soccer field and one ball field, if not more.*

*CHAIRMAN BISHOP:*

*Terrific.*

*LEG. CRECCA:*

*The town has already signed on to --*

*CHAIRMAN BISHOP:*

*Very lucky to find ten acres in the middle of a developed -- like right off Commack Road.*

*LEG. CRECCA:*

*Motion to approve.*

*LEG. FIELDS:*

*Second the motion.*

*CHAIRMAN BISHOP:*

*All in favor? Opposed? Proceed with planning steps.*

*APPROVED (VOTE: 5-0-0-0)*

*CHAIRMAN BISHOP:*

*Eve Kaplan's appointment we acted on earlier.*

*1406. Authorizing planning steps for acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (South Gate Woods - Kasper Property, Town of Smithtown. (CRECCA)*

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*1407. Authorizing planning steps for acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (South Gate Woods - Tosino Property, Town of Smithtown. (CRECCA)*

*LEG. CRECCA:*

*These two resolutions were divided into two separate resolutions because there are two separate parcels. I don't know why any of my predecessors never put this in before. These are -- and Tom, correct me if I'm wrong -- critical wetlands. Am I wrong, because I might be?*

*MR. ISLES:*

*No. There was -- there was a prior resolution at least on Kasper several years back, which has since expired actually, I think at this point.*

*LEG. CRECCA:*

*Did not know that -- well, I guess I did know that. I just forgot.*

*MR. ISLES:*

*We were not able to negotiate a deal, but.*

*LEG. CRECCA:*

*Is this considered part of Hauppauge Springs?*

*MR. ISLES:*

*Yes.*

*LEG. CRECCA:*

*It is, right? It's considered part of Hauppauge Springs, which -- yeah, that's why -- but we called it South Gate Woods because we already have a resolution in for -- for Hauppauge Springs, and we just didn't want to really confuse it. We changed the name.*

*MR. ISLES:*

*Yeah. This is part of the headwaters of the Nissequogue River.*

*CHAIRMAN BISHOP:*

*This is right here, outside?*

*MR. ISLES:*

*Yes. Across the street and a little bit to the east. Brookside Drive*

*is the road on the right-hand side of the map.*

**LEG. CRECCA:**

*That building that looks like a "T", that's my Legislative Office.*

**LEG. FIELDS:**

*Are you serious?*

**LEG. CRECCA:**

*Yeah, it really is. Well, it's inside there, it's an office building. Anybody have any questions? I'll make a motion to approve 1406.*

**LEG. COOPER:**

*Motion to second -- I mean, a second.*

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**LEG. CRECCA:**

*Sure. I'll make a motion -- I'll change my motion to approve 1406 --*

**CHAIRMAN BISHOP:**

*You can't do that. Motion to approve 1406, planning steps only, motion to approve. All in favor? Opposed? 1406 is APPROVED. (VOTE: 5-0-0-0)*

**CHAIRMAN BISHOP:**

*1407, same motion, same second, same vote. APPROVED. (VOTE: 5-0-0-0)*

*1408. To add a new study stream to Phase II Stormwater Remediation Program for South Shore tributaries. (ALDEN)*

**MR. ISLES:**

*We're okay on this. It doesn't require an aerial.*

**CHAIRMAN BISHOP:**

*Okay. Good.*

**LEG. FIELDS:**

*I'll make a motion to approve.*

**CHAIRMAN BISHOP:**

*Motion to approve by Legislator Fields, seconded by myself. Explanation. Last year and earlier this year, we resolutions, which directed the Soil, Water Conservation District to study various stream corridors along -- in the South Shore Estuary. This stream was not on the list, it should have been. It was -- Champlains Creek. So they would have a report by, I think, it's July of next year, 2003.*

**LEG. CRECCA:**

*Excellent.*

**CHAIRMAN BISHOP:**

*Motion to approved has been made and seconded. All in favor? Opposed? 1408 is APPROVED (VOTE: 5-0-0-0)*

*1409. Reappointing Joseph Gergela as a member of the Suffolk County Soil and Water Conservation District. (FIELDS)*

**LEG. FIELDS:**

*He couldn't make that, and I asked him to come and be part of the interview process. So he will be here next month.*

**CHAIRMAN BISHOP:**

*Motion to table by Legislator Fields, seconded by myself. All in favor? Opposed? TABLED (VOTE:5-0-0-0)*

*1411. Reappointing Brian X. Foley as a member of the Suffolk County Soil and Water Conservation District. (FIELDS)*

**LEG. FIELDS:**

*I'll make a motion -- motion to approve.*

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**LEG. CRECCA:**

*We should table this. We have to get him here, don't we?*

**LEG. FIELDS:**

*No. He was here.*

**LEG. CRECCA:**

*I'm just teasing.*

**CHAIRMAN BISHOP:**

*Legislator Fields makes a motion to approve, seconded by Legislator Caracciolo. All in favor? Opposed? 1411 is APPROVED (VOTE:5-0-0-0)*

*1412. Adopting Local Law No. Year 2002, a Charter Law adding Article XXXVII to the Suffolk County Charter to provide a Suffolk County Save Open Space (SOS) Fund. (FISHER)*

**CHAIRMAN BISHOP:**

*Motion to table for public hearing by myself, seconded by Legislator Caracciolo. 1412 is TABLED (VOTE:5-0-0-0)*

*1414. Reappointing member of the Council on Environmental Quality (Nancy Manfrendonia) (FIELDS)*

**LEG. FIELDS:**

*Same thing, she'll be here next month. Motion to table.*

**CHAIRMAN BISHOP:**

*Motion to table by Legislator Fields, seconded by myself. 1414 is TABLED. (VOTE:5-0-0-0)*

*1415. Reappointing member of the Council on Environmental Quality (Theresa Elkowitz) (FIELDS)*

**LEG. FIELDS:**

*Motion to table, she'll be here next month.*

**CHAIRMAN BISHOP:**

*Same motion, same second, same vote. TABLED (VOTE:5-0-0-0)*

**LEG. CARACCIOLO:**

*Mr. Chairman --*

**CHAIRMAN BISHOP:**

*1416 was previously addressed, 1419. We're moving, Mike.*

*LEG. CARACCIOLO:*

*Just a quick request. Tom, since CEQ is under your jurisdiction, correct? Well, I mean, kind of in the organization --*

*MR. ISLES:*

*The staff are, yes.*

*LEG. CARACCIOLO:*

*Okay. Could you provide for me the attendance records of all of these reappointments before I --*

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*MR. ISLES:*

*Yes, we can.*

*CHAIRMAN BISHOP:*

*That is an excellent idea.*

*LEG. CRECCA:*

*That is a very good idea. Excellent. Thank you, Legislator Caracciolo.*

*CHAIRMAN BISHOP:*

*It should be passed out just like the maps.*

*1419. Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (Land known as Bluepoints Company Property-underwater lands, Town of Brookhaven. (FIELDS))*

*CHAIRMAN BISHOP:*

*Wow, that's nice. That picture is crisp.*

*MR. ISLES:*

*That's brand new. That's from the new state photography just taken last year, and it's double the resolution of our old photography. Nice stuff.*

*CHAIRMAN BISHOP:*

*Remarkable. I can see Ginny down there.*

*LEG. FIELDS:*

*What you're looking at is not exactly what this resolution is. This -- this is for the next resolution. What you're looking at, it -- where it says Great South Bay, which is really the South Shore Estuary Reserve, if you just kind of look, you know, down towards where it says proposed South Shore, that's the 13,000 acres of underwater land. That's not designated in red. And for the second legislation -- resolution coming up, the two boxes above this large red box are also -- if you look down here, 1419 is the underwater land where it says Great South Bay. It's 13,000 acres of underwater land.*

*CHAIRMAN BISHOP:*

*Now how do you value 14,000 acres of underwater land?*

*LEG. FIELDS:*

*Apparently they have had -- there is as accessed valuation of this underwater land, and I am sure that with, you know, with --*

*LEG. CRECCA:*

*Why do you need to but this, though?*

*LEG. FIELDS:*

*Well, the plan that -- if you look at the actual --*

*CHAIRMAN BISHOP:*

*Can they sell without selling the land?*

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*LEG. CRECCA:*

*Well, it's the Great South Bay.*

*LEG. FIELDS:*

*Okay. This is the only underwater or bay bottom that is privately owned in the estuary. And it has been privately owned since the King of England gave the rights to the Bluepoints Company 300 years ago. Yes, it was in the newspaper today. And there are many agencies that are -- are interested in this; Cornell, SEA Grant, DEC, a whole group of people to take the yellow portion that you see in the right-hand side, the red in the middle and go to the left and then go up to the South Shore -- I mean the Long Island Maritime Museum and make this the South Shore Estuary Reserve Maritime Center where they would do eel grass research, they would aquaculture, they would do all kinds of clam and oyster studies and aquaculture and research that would help the residents of Suffolk County.*

*CHAIRMAN BISHOP:*

*This is planning steps only. Some people are going to say how much is this going to cost. I have absolutely no idea.*

*LEG. CRECCA:*

*Can I ask one question, though? On the -- on the red area, what is that now? Because that looks fairly well developed?*

*LEG. FIELDS:*

*That is the Bluepoints Company, and it is used presently and has been used for hundreds of years for the -- a coastal consistency of a working maritime area where they do oystering an clamming and aquaculture.*

*LEG. CRECCA:*

*But if they're doing all this good stuff, why are --*

*LEG. FIELDS:*

*They're selling it.*

*LEG. FIELDS:*

*And it's under --*

*CHAIRMAN BISHOP:*

*They're selling it, but the guy who's buying it wants to put condos there.*

*LEG. FIELDS:*

*Right.*

**CHAIRMAN BISHOP:**

*So there would be no more oystering --*

**LEG. CRECCA:**

*Really, he's going to put condos there. How much do you think I can pick up a condo for? No. Just joking. Tom, what do you think? Does this sound like something good to go look into or?*

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**MR. ISLES:**

*I think for planning steps, yes.*

**CHAIRMAN BISHOP:**

*Everybody likes it for planning steps.*

**LEG. CARACCIOLO:**

*Mr. Chairman.*

**CHAIRMAN BISHOP:**

*Yes. There could be a pearl in that oyster. Go ahead.*

**LEG. CARACCIOLO:**

*It's certainly understandable that the County should consider the 12.37 acre piece of property if that's in private development hands and the threat of development. What would be the rationale for the County to buy the bay bottom? Is that part of the development sale? Would the developer be buying that?*

**LEG. FIELDS:**

*No.*

**LEG. CARACCIOLO:**

*No. Okay. Is there any threat if we don't buy this -- the bay bottom that there would be degradation beyond what may or may not be there now regardless of who owns the bay bottom, whether it be us in the future or the present owner? Tom?*

**MR. ISLES:**

*In terms of if there's going to be any degradation, I can't answer that fully, but I would think that not necessarily, because the activities are regulated by the State of New York at the very least in terms of DEC. This actually touches on an issue that we're involved with which is the Aquaculture Committee. We have a report coming out in June back to the Legislature. We focused on the Peconic and Gardener Bay system, but obviously, we were also charged with looking at aquaculture in the County as a whole. The point on that one is that one of the things we are looking at is the control of underwater land. There were land grants that were issued, as we know, over a hundred years ago. Quite frankly, they've been very problematic. And in terms of running a successful Aquaculture Program, the committee has not made recommendations yet, but I think we're heading in the direction that having some sort of lease program versus a land grant program might be a better option for the County or the state to do. So I -- perhaps if this goes forward at an appropriate time, I think your question is valid in terms of number one should we buy it, but number two, how does it fit into the aquaculture status. I'm not*

*speaking for the sponsor, and there may be other intentions, but it's certainly something that crossed my mind when I saw the resolution.*

*LEG. CARACCIOLO:*

*Just if you could give us a ballpark of what you think. How does one evaluate and put value on bay bottom? We've never dealt with this before, so I'm just curious.*

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*MR. ISLES:*

*Well, I think that would certainly be a challenge. Probably the best approach I would guess would be starting with the income approach as to this was income producing property for many years, it in accessed in terms of its tax assessment, it does generate tax income. So that would probably be the best approach to determine value. But I would defer to the Real Estate Division, but -- but it would be a challenge. We would look at comparable sales, perhaps in Peconics or other areas that we could look at, { Raritan Bay} perhaps.*

*LEG. CARACCIOLO:*

*{ Raritan} Bay, New Jersey.*

*MR. ISLES:*

*Yeah. In terms of other income approach --*

*LEG. CARACCIOLO:*

*Any shellfish left there?*

*MR. ISLES:*

*Oh, yeah. Yeah, definitely.*

*LEG. CARACCIOLO:*

*Really.*

*MR. ISLES:*

*They grow them there, they bring them into the Peconics for cleaning out, and then we sell them is what they do. It's a transport program.*

*CHAIRMAN BISHOP:*

*Brian Foley's brother-in-law, I think he clams off Staten Island. The -- professionally, that's his profession.*

*LEG. FIELDS:*

*Can I just add one more thing to this?*

*CHAIRMAN BISHOP:*

*Yeah. When the company is selling the property and they're including it in the dealing -- oh, they're trying to sell the bay bottom separately?*

*LEG. FIELDS:*

*If you look at the next -- if you look at the next resolution, you'll see that the other one is for the upland property. It's two separate resolutions, two sperate purchases.*

*CHAIRMAN BISHOP:*

*And they have on the market, like, you know, realtor, 13,000 acres of bay bottom.*

**LEG. FIELDS:**

*Yes. In addition, I spoke to the state today, and as part of the Open Space Work Plan, you know, for the -- I can't think of the name of the book that we worked on for years -- they seem to feel that this might have funding from the state also to purchase the underwater land. I don't know if anybody on the -- no, nobody's listening. And they need*

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*to vote.*

**LEG. CRECCA:**

*I heard everything you said.*

**LEG. FIELDS:**

*No, you didn't. You didn't. What I was saying is I spoke to the state today, and as part of the Open Space Advisory Committee and the list that was brought forward after months and months of meeting, they feel that they're probably are funds that can help us in acquiring this property as part of the South Shore Estuary.*

**LEG. CRECCA:**

*Would it be -- Ginny, Legislator Fields, would it be a problem if we approved the upland acquisition -- planning steps, but not the underwater --*

**LEG. FIELDS:**

*It would not be a problem, but I would ask for you to table it rather than fail it just for us to get more information that might make you feel more comfortable.*

**LEG. CRECCA:**

*Okay.*

**LEG. FIELDS:**

*I'm make a motion to table.*

**LEG. CARACCIOLO:**

*Second.*

**CHAIRMAN BISHOP:**

*All in favor? Opposed. List me as opposed. I think the planning steps, that's where we get the information that you want. But all right, it's done. TABLED (VOTE: 4-1-0-0) (LEG. BISHOP; OPPOSED)*

*1420. Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (land known as Bluepoints Company Property-uplands, Town of Islip) (FIELDS)*

**CHAIRMAN BISHOP:**

*Next one is the upland.*

**LEG. CRECCA:**

*Motion to approve.*

**LEG. FIELDS:**

*I'll make a motion to approve.*

**CHAIRMAN BISHOP:**

*Motion to approve by Legislator Fields, seconded by Legislator Crecca.  
All in favor? Opposed? It's APPROVED. (VOTE: 5-0-0-0)*

*1419 is tabled, 1420 is approved.*

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*1422. Adopting Local Law No. -2002, a Local Law to require verbatim minutes for Suffolk County Council on Environmental Quality. (CEQ) (FIELDS)*

**CHAIRMAN BISHOP:**

*Motion to table for public hearing by Legislator Fields, seconded by Legislator Caracciolo. All in favor? Opposed? TABLED (VOTE: 5-0-0-0)*

*1450. Adopting Local Law No. -2002, a Local Law to ban mass release of balloons within the County of Suffolk. (NOWICK)*

**CHAIRMAN BISHOP:**

*Motion to table by myself for public hearing, seconded by Legislator Crecca. All in favor? Opposed? Tabled. (VOTE: 5-0-0-0)*

*I'm getting e-mail from children.*

*1451. Authorizing planning steps for implementing Greenways Program in connection with acquisition of open space at Pond View Estates, Middle Island (Town of Brookhaven) (HALEY)*

**CHAIRMAN BISHOP:**

*What the -- Mr. Isles.*

**MR. ISLES:**

*Number one, I would just like to note that the funding is requested of the Greenways Program. I'll point out this that was not a parcel included in your Resolution 615-1999, where the Legislature approved certain parcels for acquisition under the Greenways, this was not one of them, number one.*

**CHAIRMAN BISHOP:**

*He's got the wrong source.*

**MR. ISLES:**

*You have a right, I assume, to modify whatever you approved in '99, but I'm just letting you know it wasn't there.*

**CHAIRMAN BISHOP:**

*We oversubscribed that one and I thought we exhausted the fund or close to it. Okay. Motion to table by myself, seconded by Legislator Crecca. All in favor? Opposed? Actually, make that tabled subject to call, we will get rid of it, and then we'll -- I'll let the sponsor know to change the source of fund, because there is no money in that fund. TABLED SUBJECT TO CALL (VOTE: 5-0-0-0)*

**LEG. CRECCA:**

*So why don't you just table it?*

**CHAIRMAN BISHOP:**

*We can bring it back when he changes it. Off the agenda, the agenda's*

*too lengthy already. It's too much.*

**LEG. CRECCA:**

*Is it tabled subject to call then?*

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**CHAIRMAN BISHOP:**

*Tabled subject to call, but we understand that when he changes the source of funding we will reconsider it.*

**LEG. CRECCA:**

*Don't forget to call him now.*

**CHAIRMAN BISHOP:**

*Chris, will you take care of that?*

*1452. Making a SEQRA determination in connection with the proposed addition to Sixth District Court, Village of Patchogue, Town of Brookhaven. (PRESIDING OFFICER)*

**LEG. CARACCIOLO:**

*What is this?*

**LEG. FIELDS:**

*Motion to approve.*

**CHAIRMAN BISHOP:**

*I'm sure the determination is that it will have no environmental impact.*

**LEG. FIELDS:**

*Correct.*

**LEG. CARACCIOLO:**

*Is that true, Counsel?*

**MR. SABATINO:**

*That's correct, it will have no significant effect.*

**CHAIRMAN BISHOP:**

*All right. Motion by Legislator Fields, seconded by myself. All in favor? Opposed? APPROVED (VOTE: 5-0-0-0)*

*1453. Making a SEQRA determination in connection with the proposed planning and design of improvements to Charles R. Dominy County Park, West Sayville. (PRESIDING OFFICER)*

**LEG. FIELDS:**

*Motion to approve.*

**CHAIRMAN BISHOP:**

*The SEQRA determination is what?*

**MR. SABATINO:**

*Type two. Type two because it's just preliminary planning.*

**CHAIRMAN BISHOP:**

*I see. It would seem to me that if you are changing a County park it*

would have -- okay. Motion to approve by Legislator Fields, seconded by Legislator Cooper. All in favor? Opposed?

1453 is APPROVED (VOTE: 5-0-0-0)

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1454. Making a SEQRA determination in connection with the proposed construction of Stump Pond Boardwalk at Byldenburgh County Park, Hauppauge, Town of Smithtown. (PRESIDING OFFICER)

LEG. CRECCA:

Motion.

LEG. FIELDS:

Second the motion.

CHAIRMAN BISHOP:

And this will have no environmental impact. What happened last time, I thought it was approved?

LEG. CRECCA:

I thought it was approved too last time.

MR. SABATINO:

No. What happened was the last time you did the --

CHAIRMAN BISHOP:

That's right. Okay.

MR. SABATINO:

The CEQ recommendation --

CHAIRMAN BISHOP:

Motion by Legislator Crecca, seconded by Legislator Fields. All in favor? Opposed? List me as opposed.

APPROVED (VOTE: 4-1-0-0) (LEG. BISHOP; OPPOSED)

1555. Making a SEQRA determination in connection with the proposed Residential Juvenile Detention Center, Yaphank, NY, Town of Brookhaven (PRESIDING OFFICER)

CHAIRMAN BISHOP:

Determination is no environmental impact on that?

MR. SABATINO:

Correct. Unlisted with no significant adverse --

CHAIRMAN BISHOP:

Is this a new building?

LEG. CRECCA:

Yep. This is -- this is the Caracciolo/Crecca collaboration.

LEG. FIELDS:

Motion to approve.

LEG. CARACCIOLO:

Just -- just as a quick aside, when will this construction actually commence? Do you know? Soon, I hope.

**LEG. CRECCA:**

*Well, I'll talk to you about it after the meeting. There's more to*  
94

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*come.*

**CHAIRMAN BISHOP:**

*Motion to approve by Legislator Crecca, seconded by Legislator Caracciolo. All in favor? Opposed? APPROVED (VOTE: 5-0-0-0)*

*1456. Making a SEQRA determination in connection with the proposed temporary building, Vanderbilt Museum. (PRESIDING OFFICER)*

**LEG. COOPER:**

*Motion.*

**CHAIRMAN BISHOP:**

*Motion by Legislator Cooper, seconded by Legislator Fields. All in favor? Opposed? 1456 is APPROVED (VOTE: 5-0-0-0)*

*1476. Accepting and appropriating additional 49.5% federal grant funds from the United States Environmental Protection Agency to the Department of Health Services, Division of Environmental Quality for the National Estuary Program. (COUNTY EXEC)*

**LEG. FIELDS:**

*Motion to approve.*

**CHAIRMAN BISHOP:**

*Motion to approve by Legislator Fields, seconded by myself. All in favor? Opposed? APPROVED (VOTE: 5-0-0-0)*

*1484. Authorizing the County Comptroller and the County Treasurer to transfer funds in accordance with the reestablishing of the Suffolk County Department of Real Estate. (COUNTY EXEC)*

**LEG. FIELDS:**

*Motion to table.*

**CHAIRMAN BISHOP:**

*Motion to table by Legislator Fields. Is there a second? We will hold off on the motions until we have an explanation.*

**MR. SABATINO:**

*That would be the companion budgetary bill to the Charter Law to create a separate department. If you create the separate department, then you would have to move the positions. If you don't create the separate departments, then you would not --*

**CHAIRMAN BISHOP:**

*Is the separate department eligible today for a vote?*

**MR. SABATINO:**

*Yes. The public hearing was closed.*

**CHAIRMAN BISHOP:**

*We closed the public hearing. So this is essentially on the merits*

*then if you want a separate Department of Real Estate.*

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*LEG. CRECCA:*

*Is this -- and this is prime here. I know on the other one we are, on the budgetary on too?*

*MR. SABATINO:*

*This is the -- the Charter Law would determine whether or not you actually have a department. That's --*

*CHAIRMAN BISHOP:*

*He's asking why isn't it prime in Budget since it's a budget question.*

*MR. SABATINO:*

*Because this is implementing a transfer. It's not budgetary because you're not -- you're not changing the budget, you would be implementing the creation of a department. You can't do them separate and apart. If you had this in the Finance Committee, the Finance Committee would be looking at just --*

*LEG. CRECCA:*

*No. I understand.*

*MR. SABATINO:*

*-- moving the positions in the mean time.*

*CHAIRMAN BISHOP:*

*Is there a motion? I'll make a motion to approve. Is there a second?*

*LEG. CRECCA:*

*Second.*

*CHAIRMAN BISHOP:*

*Seconded by Legislator Crecca. All in favor? Opposed?*

*LEG. CARACCIOLO:*

*Opposed.*

*LEG. FIELDS:*

*Opposed.*

*CHAIRMAN BISHOP:*

*Legislator Fields, Legislator Caracciolo. That's it. Approved 3-2.*

*APPROVED (VOTE: 3-2-0-0) (LEG. FIELDS, LEG. CARACCIOLO; OPPOSED)*

*1488. Approving acquisition under Suffolk County Multifaceted Land Preservation Program (Hertlin Property in Ronkonkoma) Town of Brookhaven (CARACAPPA)*

*CHAIRMAN BISHOP:*

*He's had such bad luck with us.*

*LEG. CRECCA:*

*I actually have a sound interest in this as it is literally -- I think it's -- oh, no, nevermind, nevermind, I take that back. I thought it was right by --*

96

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**CHAIRMAN BISHOP:**

*Mr. Isles, is this one of those ones that we've previously --*

**MR. ISLES:**

*This was previously approved for planning steps. The Planning Department did support it. This was explained by Legislator Caracappa as being part of a protection of a kettle hole, a wetlands area and also looking at it in the larger Lake Ronkonkoma watershed area. This has come back as approving resolution pretty quickly. We still need to get Parks Trustees and --*

**CHAIRMAN BISHOP:**

*Motion to table by myself, seconded by Legislator Crecca. Parks Trustees, is there other information that you need to gather?*

**MR. ISLES:**

*The only other thing would be finishing up the real estate appraisal process and review.*

**CHAIRMAN BISHOP:**

*Well, then why is it back here?*

**MR. ISLES:**

*We didn't submit it for going back to you. I think it might have been the sponsor of the legislation.*

**CHAIRMAN BISHOP:**

*Motion to table subject to call. It will come back when it's ready, but let's get it off the agenda.*

**LEG. CRECCA:**

*Maybe there's some pressure of development we don't know about, that's why I was --*

**CHAIRMAN BISHOP:**

*All in favor? Opposed? TABLED SUBJECT TO CALL. (VOTE: 5-0-0-0)*

**CHAIRMAN BISHOP:**

*All right. Next one, this one we approved previously, right?*

**LEG. CRECCA:**

*It was discharged without recommendation. We discharged --*

**CHAIRMAN BISHOP:**

*Is this the one we discharged without recommendation, correct? Those are the abandoned fields? They look good from up here. Now, we go to home sense message, none, Sense Resolutions.*

#### **SENSE RESOLUTIONS**

*34-2002. Memorializing Resolution requesting the State of New York to refinance, improve and reform State Superfund Program. (FISHER)*

**CHAIRMAN BISHOP:**

*Motion by myself.*

**LEG. FIELDS:**

*Second.*

**CHAIRMAN BISHOP:**

*Seconded by Legislator Fields. All in favor? Opposed? APPROVED  
(VOTE: 5-0-0-0)*

**CHAIRMAN BISHOP:**

*Please add me as a cosponsor. In fact, the whole committee would like  
cosponsor. Okay. Add the committee as cosponsor, please.*

**INTRODUCTORY NON PRIME**

*1405. Adopting Local Law No. --2002, A Local Law to shorten deadline  
for sale of land at public auction. (BISHOP)*

**CHAIRMAN BISHOP:**

*We're not prime on this, Ways and Means is? It doesn't matter.  
Motion to defer to prime --*

**LEG. CRECCA:**

*Second.*

**CHAIRMAN BISHOP:**

*-- by myself, seconded by Legislator Crecca.*

**MR. SABATINO:**

*Ways and Means, yes.*

**CHAIRMAN BISHOP:**

*Do you know if it came out there?*

**MR. SABATINO:**

*No, it's public hearing so it was tabled.*

**CHAIRMAN BISHOP:**

*Okay. DEFERRED TO PRIME (VOTE: 5-0-0-0)*

**TABLED RESOLUTIONS**

*1001. Appropriating Greenways infrastructure improvements fund grant  
for Miller Place property in Town of Brookhaven. (HALEY)*

**LEG. CARACCILOLO:**

*Motion to table 1001 --*

**CHAIRMAN BISHOP:**

*Wait, hold on. We've got to do them individually. 1001 --*

**LEG. CRECCA:**

*We did it in committee earlier.*

**CHAIRMAN BISHOP:**

*Listen. We're almost done. We'll do it right, please. Motion to  
table by Legislator Caracciolo, seconded by myself. All in favor?*

*Opposed? TABLED (VOTE: 5-0-0-0)*

*1002. Approving acquisition under Suffolk County Land Preservation Program (Ridgehaven Estates) Town of Brookhaven (HALEY)*

*MR. SABATINO:*

*This one, 1002, still needs a town board resolution. 1001 needs a PAL --*

*CHAIRMAN BISHOP:*

*Motion to table 1002 by myself, seconded by Legislator Caracciolo. All in favor? Opposed? TABLED (VOTE: 5-0-0-0)*

*1010. Establishing land use planning policy for County land acquisitions. (CARACCIOLO)*

*LEG. CARACCIOLO:*

*On the motion -- on the resolution rather. Counsel, did we role these recommendations into the omnibus?*

*MR. SABATINO:*

*1010, well, that was yours with regard to the -- yes, on a modified version, yes, the answer's yes.*

*LEG. CARACCIOLO:*

*Then I'll withdraw this resolution.*

*CHAIRMAN BISHOP:*

*Okay.*

*LEG. CARACCIOLO:*

*I'm going to withdraw it.*

*CHAIRMAN BISHOP:*

*Withdrawn.*

*1055. Approving acquisition under Suffolk County Multifaceted Land Preservation Program for Stage II Active Parklands (property in Ridge) Town of Brookhaven. (HALEY)*

*MR. SABATINO:*

*This one we need resolutions from their two organizations.*

*CHAIRMAN BISHOP:*

*Motion to table by myself, seconded by Legislator Caracciolo. All in favor? Opposed? TABLED (VOTE: 5-0-0-0)*

*1149. Implementing Greenways Program in connection with acquisition of farmland development rights at Yaphank (Town of Brookhaven) (TOWLE)*

*LEG. CARACCIOLO:*

*This one, there should be a corrected copy, correct, Counsel? I had brought it to the sponsor's attention after our last committee meeting. It was the wrong funding source.*

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*MR. SABATINO:*

*I'm just double checking. Yes, on April 15th we did file a corrected copy, and --*

*LEG. CARACCIOLO:  
Motion to approve.*

*CHAIRMAN BISHOP:  
Mr. Isles, do you have a comment?*

*MR. ISLES:  
We did see the corrected copy. We support the resolution.*

*LEG. CARACCIOLO:  
Motion to approve.*

*LEG. CRECCA:  
Second.*

*LEG. CARACCIOLO:  
It was the funding source, Dave. We now it have it under the farmland component of --*

*CHAIRMAN BISHOP:  
Motion and a second. All in favor? Opposed? Hold on.*

*MR. SABATINO:  
This one has a little bit -- I just want to make sure you know which version you've finally wound up with.*

*CHAIRMAN BISHOP:  
This is 1149.*

*MR. SABATINO:  
I think it went back to its original funding -- I think there's been a double change.*

*LEG. CARACCIOLO:  
Quarter percent, right? Didn't we -- didn't the sponsor change it to the farmland component under the 1/4% Program.*

*MR. SABATINO:  
I don't think so.*

*MR. ISLES:  
No. It's under multifaceted.*

*MR. SABATINO:  
No. What happened on --*

*CHAIRMAN BISHOP:  
Well, why would we go for multifaceted when we have so much --*

*MR. SABATINO:  
What happened was -- on -- in the previous correct copy, we had gone from the 70% County funding share to 100% County funding, and this  
100*

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*committee had raised an objection at that point because --*

*CHAIRMAN BISHOP:  
Is that where we're at?*

*LEG. CARACCIOLO:  
Oh, wait a minute, Mr. Chairman. We have to table this. We don't  
have a town board resolution, do we?*

*CHAIRMAN BISHOP:  
All right. Emergency's over. Motion to table by Legislator  
Caracciolo, seconded by myself. TABLED (VOTE: 5-0-0-0)*

*LEG. CRECCA:  
Why?*

*LEG. CARACCIOLO:  
We don't have a town board resolution, it's a 70/30.*

*LEG. CRECCA:  
It's back to the 70/30, is that what it is, guys?*

*CHAIRMAN BISHOP:  
Well, if it's not, we're not going to approve it until is.*

*MR. SABATINO:  
Yes, because what happened was this committee was --*

*LEG. CRECCA:  
Okay. That's fine. As long as that's where it is. I just wanted to  
know.*

*CHAIRMAN BISHOP:  
I'm sorry we're going so fast, Counsel. You're doing yeoman's work.  
1169 --*

*LEG. CRECCA:  
Motion to approve. Oh, no, we tabled this already, right?*

*CHAIRMAN BISHOP:  
We tabled this previously, and you're on the special committee.*

*1173. Approving the reappointment of William Cremers as a member of  
the Suffolk County Planning Commission, representing the Town of  
Southold. (COUNTY EXEC)*

*CHAIRMAN BISHOP:  
This is the dual appointment thing as the town and County --*

*LEG. FIELDS:  
Motion to table.*

*CHAIRMAN BISHOP:  
Motion to table, Legislator Fields, seconded by Legislator Caracciolo.  
All in favor? Opposed?*

101

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*LEG. CRECCA:  
Opposed. TABLED (VOTE: 4-1-0-0) (LEG. CRECCA; OPPOSED)*

*1175. Approving the reappointment of Frank Tantone as a member of the Suffolk County Planning Commission, representing the Town of Southold. (COUNTY EXEC)*

*CHAIRMAN BISHOP:*

*Motion to table, Legislator Fields, seconded by myself. All in favor? Opposed?*

*LEG. CRECCA:*

*Opposed. TABLED (VOTE: 4-1-0-0) (LEG. CRECCA; OPPOSED)*

*1185. Authorizing planning steps for acquisition of open space under Suffolk County Multifaceted Land Preservation Program (property at Portion Road Corridor, Lake Ronkonkoma) Town of Brookhaven (CARACAPPA)*

*LEG. CRECCA:*

*We already have a map on this one, right?*

*CHAIRMAN BISHOP:*

*This is our zero friend? All right. I just -- I hate to be so ruthless, but motion to table subject to call.*

*MR. ISLES:*

*The committee had asked at the last meeting that I contact the sponsor. I sent the sponsor a letter outlining your concerns, just to let you know.*

*CHAIRMAN BISHOP:*

*Motion to table subject to call been made and seconded. All in favor? Opposed?*

*LEG. CRECCA:*

*Abstain.*

*TABLED SUBJECT TO CALL (VOTE: 4-0-1-0) (LEG. CRECCA; ABSTAINED)*

*CHAIRMAN BISHOP:*

*An abstention by Mr. Crecca who doesn't want to get in trouble.*

*1188. Authorizing planning steps for acquisition for open space under Suffolk County Multifaceted Land Preservation Program (property in Mastic Beach Fire district) Town of Brookhaven (TOWLE)*

*CHAIRMAN BISHOP:*

*1188, you will see it under tabled subject to call, it belongs under tabled.*

*LEG. CRECCA:*

*Why is it under tabled subject to call then?*

*CHAIRMAN BISHOP:*

*We've made an error, operator error. On page 6, 1188. Comments, questions.*

102

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*MR. SABATINO:*

*It was tabled the last time because Planning had raised at least preservation issues, if not more.*

**CHAIRMAN BISHOP:**

*Okay. Right, this was -- this was tacit zero, if not enunciated. So*

*--*

**LEG. CRECCA:**

*Motion to table subject to call.*

**CHAIRMAN BISHOP:**

*Motion to table subject to call, Legislator Crecca, seconded by myself. It will now move to the tabled subject to call. That's 1188.*

*TABLED SUBJECT TO CALL (VOTE: 5-0-0-0)*

**LEG. CRECCA:**

*So now it's on the right part of the agenda.*

*1241. Amending the 2002 Operating Budget and restoring 50% of the funding for Cornell Cooperative Extension's Marine Science Program.*

*(CARACCIOLO)*

**LEG. CARACCIOLO:**

*Motion to approve.*

**LEG. FIELDS:**

*On the motion.*

**LEG. CRECCA:**

*Motion to defer to prime.*

**LEG. CARACCIOLO:**

*Second.*

**CHAIRMAN BISHOP:**

*Motion to defer to prime by Legislator Crecca, seconded by Legislator Caracciolo. All in favor? Opposed? DEFERRED TO PRIME (VOTE: 5-0-0-0)*

*Just for the record it was approved in the Budget Committee earlier.*

*1287. Adopting Local Law No. --2002, A Charter Law to reestablish a Suffolk County Department of Real Estate. (COUNTY EXEC)*

**CHAIRMAN BISHOP:**

*Let us hope this has the same vote as before. Motion by Legislator Crecca, seconded by myself. All in favor? Opposed?*

**LEG. FIELDS:**

*Opposed.*

**LEG. CARACCIOLO:**

*Opposed.*

**CHAIRMAN BISHOP:**

*Legislator Fields and Legislator Caracciolo are opposed.*

*103*

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*APPROVED (VOTE: 3-2-0-0) (LEG. FIELDS and LEG. CARACCIOLO; OPPOSED)*

*That's going to be an interesting vote.*

*1288. Adopting Local Law No. --2002, A Charter Law to transfer the function of selecting Real Property Appraisers to the Division of Real Estate in the County department of Planning. (COUNTY EXEC)*

*LEG. CRECCA:  
Why was this tabled?*

*MR. SABATINO:  
Public hearing.*

*CHAIRMAN BISHOP:  
This was tabled for a public hearing. This is not part of the omnibus. Who selects appraisers now? Oh, the Treasurer or something, right? Okay. We're ready to go on this?*

*MR. SABATINO:  
The public hearing was closed.*

*LEG. CRECCA:  
Motion to approve.*

*CHAIRMAN BISHOP:  
Ms. Costigan, please.*

*MS. COSTIGAN:  
On the -- you have Sub Section F there of the text, and it requires a pool of 30 appraisers. I think it would make more sense if it said a pool of up to 30 appraiser. I'm not sure there are 30 qualified appraisers who are all general licensed appraisers.*

*LEG. CRECCA:  
I think that's a technical correction.*

*CHAIRMAN BISHOP:  
I don't know if that's a technical -- that's actually a significant change. Why don't we -- why don't we proceed and see if they are 30 appraisers? Motion to approve --*

*LEG. CARACCIOLO:  
Second.*

*CHAIRMAN BISHOP:  
-- by myself, seconded by Legislator Caracciolo. All in favor?  
Opposed? We stand warned. APPROVED (VOTE: 5-0-0-0)*

*1298. Authorizing planning steps for the acquisition under Suffolk County Multifaceted Land Preservation Program (property of Corso/Lutz, Lake Ronkonkoma) Town of Brookhaven. (CARACAPPA)*

*LEG. CARACCIOLO:  
What is the value?*

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*MR. ISLES:  
This is another one where we had talked about at the last meeting. I was asked to contact the sponsor, and I did.*

**CHAIRMAN BISHOP:**

*Motion to table subject to call by myself, seconded by Legislator Fields. All in favor? Opposed?*

**LEG. CRECCA:**

*Abstain.*

**CHAIRMAN BISHOP:**

*Abstention by Legislator Crecca.*

*TABLED SUBJECT TO CALL (VOTE: 4-0-1-0) (LEG. CRECCA: ABSTAINED)*

*1358. Approving the modification of Agricultural District No. 3 in the Town of Babylon, Brookhaven, Huntington, Islip, and Smithtown, subject to the required subsequent approvals of the State of New York. (TONNA)*

**CHAIRMAN BISHOP:**

*What the heck is this?*

**LEG. CRECCA:**

*It sounds important, though.*

**MR. SABATINO:**

*A public hearing will be held on March -- April 30th, so you have to wait at least one more cycle.*

**LEG. FIELDS:**

*Motion to table.*

**CHAIRMAN BISHOP:**

*All right. I'll get the explanation, I guess, at the close of the public hearing.*

**LEG. CARACCIOLO:**

*Do we have any agricultural land in the Town of Babylon? And I'm not being facetious.*

**CHAIRMAN BISHOP:**

*We have one farm, Mr. Wade's.*

**CHAIRMAN CARACCIOLO:**

*How many acres is that?*

**CHAIRMAN BISHOP:**

*We'll he's desperate to develop it.*

**MR. ISLES:**

*About 20 acres.*

**MR. CARACCIOLO:**

*A couple of acres? How many, 20?*

105

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**MR. ISLES:**

*We think about 20, yeah.*

**LEG. CARACCIOLO:**

*Really.*

**MR. ISLES:**

*As Mr. Bishop indicated, it's the --*

**CHAIRMAN BISHOP:**

*We have numbers of new immigrants who are bringing live chickens, fowl, and such.*

**LEG. CRECCA:**

*We have a lot of live chickens in Smithtown you know.*

**CHAIRMAN BISHOP:**

*So if that counts as farmland. Motion to table by myself, seconded by Legislator Cooper. All in favor? Opposed? TABLED (VOTE: 5-0-0-0)*

*1388. Implementing Real Estate Division reform. (BISHOP)*

**CHAIRMAN BISHOP:**

*Now this -- all the changes that we've requested through the various committee meetings have all been placed into the legislation. However, I did e-mail each and every one of you the 10% thing, and I don't think I received e-mails back, which I assume means that you are not in favor of limiting our discretion to only 10%.*

**LEG. CRECCA:**

*This is on the auction?*

**CHAIRMAN BISHOP:**

*No. This is on the -- this is on a significant policy question, which is when you have an appraisal by a licensed appraiser, currently the way the bill is structured, if that -- if the seller says, I will sell to the County, but I want 20% more or 10% more or 5% more than the appraised value, it comes back to us. The Presiding Officer said -- contacted me and objected to that provision. I said to him, well, what if we put a 10% cap on that, and he said it would help. I don't know if I have his commitment that he would vote for it. So I e-mailed committee members saying, what do you think of the 10% cap, and all of you responded with deafening silence. Nobody e-mailed me back a thing. So we like it the way it is, is that what I'm --*

**LEG. FIELDS:**

*No. No.*

**CHAIRMAN BISHOP:**

*Motion to approve by myself, seconded by Legislator Caracciolo. All in favor? Opposed?*

**LEG. FIELDS:**

*I'm opposed.*

106

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**CHAIRMAN BISHOP:**

*You're opposed to the entire reform because of the one aspect.*

**LEG. FIELDS:**

*That's why I thought it should all be kind of separated out, because I thought this kind of situation might happen. And there are a couple of problems I have.*

**CHAIRMAN BISHOP:**

*I mean, Legislator Crecca has objected to numerous things throughout, but he's, you know.*

**LEG. FIELDS:**

*You know, we all have. And that's also why we all have individual thoughts and we're independent thinkers.*

**MS. COSTIGAN:**

*Can we comment. I think there's at least one section that -- that has -- that simply wasn't written down on, whatever it is you intend on Section 10, the auction deposit fee.*

**CHAIRMAN BISHOP:**

*Do you realize that if raise an objection now, we have to delay it another month, and we have to do our --*

**LEG. CRECCA:**

*Well, let's just hear what -- can we still hear what the Director of Real Estate has to say?*

**MS. COSTIGAN:**

*We had discussed whether we wanted the upset amount or 20% of the purchase price. And I thought you had ended up leaving it the same at the purchase price, which was a higher amount. In other words, taking from the people the higher amount. And it came through as the upset amount, which would be the lower amount, having people deposit less. I didn't think that's what you had concluded the last time.*

**CHAIRMAN BISHOP:**

*I thought we had, in the name of certainty, adopted whatever -- it was 20% of the upset price.*

**MS. COSTIGAN:**

*That does give you certainty with less money.*

**CHAIRMAN BISHOP:**

*And I thought that's where we left it, although, there was sympathy to the other argument as well, but I thought we had determined that we would leave it at that.*

**LEG. CRECCA:**

*My recollection is -- not that I really have strong feeling one way or the other on this issue -- was that I think I disagreed with it, but that the committee wanted the 20%.*

**CHAIRMAN BISHOP:**

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*You were the one who said take the upset.*

**LEG. CRECCA:**

*I didn't want anything in there. I think the auction rules should be approved once a year. I know --*

**MR. SABATINO:**

*My notes were to strike it.*

**CHAIRMAN BISHOP:**

*Your notes were to strike it, which means that what -- what is the --*

**MR. SABATINO:**

*It means that the auction deposit fee provision that was in the --*

**CHAIRMAN BISHOP:**

*Auction deposit payment -- you didn't think the Chairman was so organized, "legislation arose out of a past experience where buyer paid a closing with certified personal funds. Crecca did not want to confuse auction rules with this proposal, which is why there are auction rules essentially."*

**LEG. CRECCA:**

*That's actually what my argument was, and I'll reiterate it now. I mean, we can get to some consensus --*

**CHAIRMAN BISHOP:**

*We voted down the change two to three, right?*

**LEG. CRECCA:**

*Right. So it should remain the same.*

**CHAIRMAN BISHOP:**

*So it should remain the same.*

**MS. COSTIGAN:**

*So I believe you intended it to remain the same.*

**LEG. CRECCA:**

*I have an idea. It's -- as scary as this is -- no the idea is --*

**MR. SABATINO:**

*Vote down the change. I -- you know, voting down the change to me was voting down, you know, the provision.*

**LEG. CRECCA:**

*If we can get a CN, my suggestion is go back to my thing, where we have to approve the auction rules once a year, and that allows flexibility.*

**CHAIRMAN BISHOP:**

*That will reopen the whole thing.*

**LEG. CRECCA:**

*But the auction rules -- we talked about this, because of technology -- I'm not going to make the arguments again. I just think that --*

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*I'm not, because it's late.*

**CHAIRMAN BISHOP:**

*Okay. This is -- I really don't think we want to reopen and -- could this be a scrivener's error since, I mean, essentially that's what it is.*

*MR. SABATINO:*

*What we can do is go find -- let's go find the stand-alone resolution that had it, and pass that one.*

*LEG. CRECCA:*

*Well, how will that -- well, how will that affect this one, though?*

*MR. SABATINO:*

*It won't. It will be something in addition. You'll just have to -- no we strip the clause out, it's gone.*

*CHAIRMAN BISHOP:*

*If we strip the clause out, we can move forward then?*

*MR. SABATINO:*

*The clause is already gone. The clause is gone. The clause was deleted in its entirety.*

*MS. COSTIGAN:*

*If you take it out, we will do --*

*MR. SABATINO:*

*If I can go find -- it's just a question of looking for the cross reference.*

*LEG. CRECCA:*

*I'm sorry. Christine, what will you do -- if we leave it out, what happens?*

*MS. COSTIGAN:*

*We are operating under the old procedure, which is 20% of the purchase price.*

*LEG. CRECCA:*

*We need to do nothing. We can adopt this the way it is.*

*CHAIRMAN BISHOP:*

*Counsel, is that true?*

*MS. COSTIGAN:*

*This says 20% of the upset price.*

*LEG. CRECCA:*

*The bill that's there now says 20% of the upset price?*

*MR. SABATINO:*

*The bill right now has no provision on the upset -- on the upset fee because that was deleted in the most recent version. So what I'm suggesting is if I can just have a minute --*

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*CHAIRMAN BISHOP:*

*There's no provision of the upset fee, so you go by the rules that already exist. That's what we want.*

*LEG. CRECCA:*

*But the Director of Real Estate is looking at a bill that has it in there.*

**MR. SABATINO:**

*Then we did what you wanted then by taking out the clause.*

**LEG. CRECCA:**

*Yes. You're right. But she has a different copy of the bill.*

**MS. COSTIGAN:**

*The corrected copy I have is of 4/9. We get it about this morning.*

**MR. SABATINO:**

*April 9th, and it was filed on the 10th. We eliminated the 10th Resolve Clause, which in the previous version --*

**CHAIRMAN BISHOP:**

*Do you agree that's what you're reading?*

**MR. SABATINO:**

*What clause are you reading in the -- in the April 9th version? Because I was going from the letter reading back to the earlier draft. But which clause in the April 9th version are we talking about?*

**MS. COSTIGAN:**

*If the town is gone, then that's resolved.*

**MR. ISLES:**

*Nevermind.*

**MR. SABATINO:**

*See, the 20% provision was the 10th Resolve Clause in the prior version, but I thought the committee instructed me to take it out, which I did.*

**CHAIRMAN BISHOP:**

*It was -- it was -- it's a complicated bill, many copies. We now have -- Counsel, you are redeemed.*

**LEG. CRECCA:**

*Can I make a suggestion though for Tuesday's meeting? Is that, David, that you of your staff have -- because I do have many different versions also at this point, it's not Counsel's fault -- but why don't you have a final -- and just write -- handwrite final on it and have that distributed at Tuesday's meeting to make sure that everyone's looking at the right bill.*

**CHAIRMAN BISHOP:**

*That's very good. My staff will then send you a bill for their time.*

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**MS. COSTIGAN:**

*There is -- there is one other scrivener's comment, we had mentioned at this that we have -- our staff does in the include review appraisals. That indeed, what we do is appraisals reviews and that is a different animal. That did not take it into this bill. It still refers to review appraisals.*

**LEG. CRECCA:**

*We did direct that change.*

**CHAIRMAN BISHOP:**

*That I assume is a scrivener's error.*

**MR. SABATINO:**

*Which paragraph are we in?*

**MS. COSTIGAN:**

*It's all over the place, but it's, for instance Page 7, that's eight with subset one goes over committee generated appraised values has been made by the County's appraiser, which -- and the County's review appraiser. In neither case, the County doesn't have an appraiser or a review appraiser in the sense it's talking about here.*

**MR. SABATINO:**

*I'm on Page 7, are we at the bottom?*

**MS. COSTIGAN:**

*It's the text, which carries over to the top of eight.*

**MR. SABATINO:**

*Oh, okay. All right. So it has been by the County's appraiser, County's review appraiser -- the point is we don't have a review appraiser.*

**MS. COSTIGAN:**

*No.*

**CHAIRMAN BISHOP:**

*Appraisal review.*

**MS. COSTIGAN:**

*Appraisal reviewer. It's a different thing. It's actually a job title.*

**CHAIRMAN BISHOP:**

*A review appraiser is a de novo appraisal, whereas --*

**MR. SABATINO:**

*Just let the record show that it's been changed. I mean, at this point --*

**MS. COSTIGAN:**

*It's on Page 9, subsection eight.*

**CHAIRMAN BISHOP:**

*The words, they have different meanings is what she's saying. If you*

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*-- the meaning it has now is a new appraisal done by somebody who's a civil servant. That's not what we want, we want the civil servant to review the appraisal to see if it was done in accordance with the --*

**MS. COSTIGAN:**

*Anywhere that it says review appraisal, it means appraisal review.*

**LEG. CRECCA:**

*I'm going to make a motion to --*

**MR. SABATINO:**

*It doesn't make any sense. It doesn't make any sense. What it says is that you're going to have presentation made by somebody dealing with the County generated appraiser, which was done either by an appraiser or a review appraiser, the director of, you know, the County Division Real Estate.*

**CHAIRMAN BISHOP:**

*It's not a review appraiser. It's a civil servant who looks at the appraisal and reviews it. That's why the words are reversed.*

**LEG. CARACCIOLO:**

*Instead of review appraiser it should be appraisal review.*

**MS. COSTIGAN:**

*Any it's actually defined --*

**MR. SABATINO:**

*It makes no sense in that sentence, okay, because you're looking at --*

**CHAIRMAN BISHOP:**

*Read the whole sentence in context, if you can.*

**MR. SABATINO:**

*"A presentation and an explanation", so you're getting a presentation and an explanation, "of a County generated appraised value." So that means somebody is making an explanation --*

**CHAIRMAN BISHOP:**

*That's the appraiser, the guy who is --*

**MR. SABATINO:**

*That's got to be a County appraiser, a review appraiser --*

**CHAIRMAN BISHOP:**

*County contracted appraiser.*

**MR. SABATINO:**

*-- or a Director of a Division of Real Estate or the director --*

**CHAIRMAN BISHOP:**

*Right. Okay. What doesn't make sense? Now what's the part the that doesn't --*

**MR. SABATINO:**

*Review appraiser is -- is a person.*

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**MS. COSTIGAN:**

*No. There is no such person.*

**MR. SABATINO:**

*Appraisal review is not a person.*

**LEG. CRECCA:**

*Appraisal reviewer.*

**MS. COSTIGAN:**

*That's a person and that's a job title.*

**LEG. CRECCA:**

*Appraisal reviewer. So I'll motion a motion to amend on the record*

**CHAIRMAN BISHOP:**

*It's not -- it's not an amendment. It's too late --*

**LEG. CRECCA:**

*Scrivener's error.*

**CHAIRMAN BISHOP:**

*Scrivener's error.*

**LEG. CRECCA:**

*It's a scrivener's error -- to correct*

**CHAIRMAN BISHOP:**

*We need to add e-r.*

**LEG. CRECCA:**

*No. And switch it.*

**CHAIRMAN BISHOP:**

*And switch it.*

**LEG. CARACCIOLO:**

*Transpose the words.*

**LEG. CRECCA:**

*Why can't we just make a motion to correct a scrivener's error in the bill changing the words where and if the words review appraisal -- --*

**MR. SABATINO:**

*That's not the title that's been referred to in the past. I mean, I've seen all the documents, it always says review appraiser, but if there's a new title, I defer to it.*

**MS. COSTIGAN:**

*No. The documents have been wrong in numerous places, and I sort of keep pointing it out because at once upon a time, it didn't have any meaning. Now it does for a variety of reasons that have changed in the appraisal world, but the job title is appraisal review, the name of the unit is appraisal review, and their function is to function as an appraisal reviewer, not as an appraiser. But you're right, it's incorrectly stated in numerous places. We're trying to straighten*

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*them out.*

**CHAIRMAN BISHOP:**

*So are we ready? Motion by myself, seconded by Legislator Caracciolo. All in favor? Opposed? Legislator Fields, are you opposed?*

**LEG. FIELDS:**

*Yes.*

*CHAIRMAN BISHOP:*

*Yes, she is opposed. APPROVED (VOTE: 4-1-0-0) (LEG. FIELDS: OPPOSED)*

*TABLED HOME RULE MESSAGE*

*1-02. Home Rule Message requesting New York State Legislature to require abandonment of subdivision maps prior to approval of new subdivisions maps. (FIELDS)*

*CHAIRMAN BISHOP:*

*Then we have, finally, home rule message one.*

*LEG. CARACCIOLO:*

*Explanation.*

*MR. SABATINO:*

*This deals with -- just real quickly, this deals with a situation where you've got a subdivision that was in place for one particular use, then somebody comes along, takes the same piece of property, wants to have a subsequent pile on a subdivision approval for a different purposes. Senator LaValle has proposed legislation stating that before you can go to the second subdivision with the different use, you ever to abandon the first subdivision.*

*CHAIRMAN BISHOP:*

*Okay. Motion by Legislator Fields, seconded by Legislator Cooper. All in favor? Opposed? It's APPROVED (VOTE: 5-0-0-0)*

*That concludes our agenda, concludes our presentations, all our good work. Thank you all. Motion to adjourned by myself, seconded by Legislator Caracciolo. We stand adjourned.*

*(\*THE MEETING WAS ADJOURNED AT 7:30 P.M. \*)*

*{ } DENOTES BEING SPELLED PHONETICALLY*