

ENVIRONMENT, PLANNING and AGRICULTURE COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Environment, Planning and Agriculture Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Wednesday, **August 4, 2004**.

MEMBERS PRESENT:

Leg. Daniel P. Losquadro, Chairman
Leg. Jay H. Schneiderman, Vice•Chairman
Leg. Michael Caracciolo
Leg. David Bishop
Leg. Peter O'Leary

ALSO IN ATTENDANCE:

Legislator Brian Foley, Seventh District
Legislator Vivian Vioria•Fisher, Fifth District
Mea Knapp, Counsel to the Legislature
Alexandra Sullivan, Chief Deputy Clerk
Thomas Isles, Director of Planning
Lauretta Fischer, Department of Planning
Patricia Zielinski, Division of Real Estate
Roger Podd, County Executive's Office
Vito Minei, Director of Division of Environmental Planning
Walter Dawydiak, Department of Health
Andrew Rapiejko, Department of Health
Kevin LaValle, Aide to Leg. Losquadro
Julie DeBold
William McGintee, East Hampton Supervisor
Chris O'Connor, Neighborhood Network
Richard Amper
Jenny Kahn, County Attorney' Office

Greg Moran, PO's Office

Michael Deering

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING CONVENED AT 1:24 PM)

CHAIRMAN LOSQUADRO:

Okay. Are all Legislators on this Committee present? I call the meeting of Environment, Planning and Agriculture to order. We'll begin with the Pledge of Allegiance led by Legislator O'Leary.

(SALUTATION)

CHAIRMAN LOSQUADRO:

Thank you. Okay. We'll begin with the public portion. I have several cards. First card is Julie •• is DeBold or DiBold? For Joseph Gergela. Please come forward to the podium. Put that aside. Next card Supervisor of East Hampton Bill McGintee. Please come forward. Is the microphone on?

MR. McGINTEE:

I can speak loud.

CHAIRMAN LOSQUADRO:

We need it for the record, sorry.

MR. McGINTEE:

Thank you very much. My name is Bill McGintee. And I'm the East Hampton Town Supervisor. It's a pleasure to be up here in western Suffolk, get out of some of the traffic. I might stay up here for vacation; such a beautiful area.

The reason I'm up here today is to actually, number one, sing the praises of Lisa Greci, who is unanimous choice of the East Hampton Town Board both Republicans and Democrats to be the representative for East Hampton on the Suffolk County Planning Commission. I have received information. I don't know whether it's true. I don't know whether it's false. But there seems

to be a charge being led to keep this appointment from going through. Again, with all due respect, the County Legislators certainly have the right to do what they think is best at the County level. What I am concerned about is that I think we're heading down a slippery slope when a unanimous •• unanimous town board in a nonpartisan fashion choses an individual that we feel is highly qualified, to represent that municipality; and for my understanding is then that the Legislature for whatever their reason may be, decides that they don't want this individual. My question would be is why ask for a recommendation and then turn it down? Perhaps that the process is flawed and maybe the Legislator from each district should make that choice. And then deal with the consequences later on when they were run for reelection.

I would urge you, those of who that have decided before hearing me and hearing no one else that speaks, to reconsider if you decided to vote against this candidate. She is a licensed real estate broker. She has been the past President of the Concerns Citizens of Montauk and is on their Board of Directors. She is the President of our local CAC, the Chair and has been for a lengthy period of time. And she was three years a board member on our housing authority. I personally know her as a friend. She has three children, lovely children. She's married to a police officer, a detective who was just promoted to Sergeant, who I had the good fortune of working with. He worked for me for a number of years.

This is a quality lady who will do a quality job in representing East Hampton Town. And I plead with you to consider voting and passing her into this position because you will not be disappointed. I thank you very much for your time. Anyone would like to speak to me after this meeting on a number of issues that I don't think should be brought up here on the floor, I would be more than happy to do so. Thank you very much for your time.

CHAIRMAN LOSQUADRO:

Thank you. Next speaker Chris O'Connor.

MR. O'CONNOR:

Thank you. For the record my name's Chris O'Connor. I'm the Program Director for the Neighborhood Network, island•wide environmental and public policy organization. I also rise here today to speak in favor of Lisa Grenci's appointment to the Suffolk County Planning Department. I am shocked and dismayed to learn that Lisa could be held up, her appointment. I've known her as a very qualified individual, a caring person; probably one of the most concerned people about issues here in Montauk •• throughout Montauk, East Hampton, Springs, Amagansett, throughout the entire town and throughout the entire community of Suffolk

County. She has been a fighter. And she is a person who takes tough stance. It's unfortunate, perhaps, that there are some individuals here within this body who for personal reasons feel that they can not support her appointment. And that's unfortunate. Because they have differences of views and differences in politics. That becomes overriding. But the real issues here is that it has always been the Town's prerogative to decide their planning representative. And to override that unfortunate. We have before you and you have before you somebody who is very well qualified; probably more qualified than most people that sit on many planning boards throughout the towns. And I know because I've dealt with some of the planning board people over in the Town of Brookhaven and we also know what happened there.

So, we have a person of integrity, we have a person of compassion, and we have somebody who cares and who's willing to take the hard stance. So, I'll be also happy to answer any questions of Lisa's character. But I do urge you to support her. And my organization and other environmental organizations will be watching, too. Thank you.

CHAIRMAN LOSQUADRO:

Thank you, Chris. Next speaker Richard Amper.

MR. AMPER:

Three brief topics; three short minutes. Just in sequencing, let's stay with the appointments to the Suffolk County Planning Commission. We, too, support Lisa Greci's appointment. We support the nominee of the Town of Riverhead Edwin Tuccio. And the Legislature has not moved on that either. My understanding of the Legislature's function here is to make certain that we're not doing anything unethical or wrong, but that these appointments are the town's to make. And we as the Long Island Environmental Voter's Forum take a dim view of the notion that this becomes just an option or random choice of an individual Legislator; that's not the way the Planning Commission is to work. And the east end is at a significant disadvantage if two people who are supposed to be representing on the Planning Commission have their nominations tied up. So, we'd urge you to have to deal with Lisa's differently from Ed's. Ed's was tabled subject to call. So, we'd love that to come out at the meeting on the 10th. And this one could be acted on by this committee today and should be. It's time for the Legislature to reconfirm or to confirm the people who the towns have selected for these key positions that are important to the environment.

The second subject is there are several bills that address funding for next year for farmland and

open space. We think 45, 45, 10 parks split takes care of the east west thing. We think that the number is key. The number is important because the Town of Brookhaven has already approved \$100 million bond act and all of our marketing people are saying that it is better if you are doing the same number than if voters in Brookhaven town are asked to choose between 90 and 100 or 75 and 100. And it doesn't change the bonded indebtedness to any significant way. Otherwise, we're better able to market both the Brookhaven and the Suffolk Bond Act if they're the same number; and even the same language. The Brookhaven proposition is called the Clean Water Open Space Bond Act. It just makes it easier for those of us in the not-for-profit community that just don't have a lot of resources to make it clear to the public. And by the way, all of the information that we have suggests that the public is prepared to do both in Brookhaven. But if we •• if we give them a choice between a 190 or 175, then, they begin to split. And that's •• it's also very much harder for us to send out literature or do television broadcast if we're talking about two different kinds of things. They're more likely to make a distinction and make a choice and do one and not the other if they're different.

And, then, finally, this is not in front of your committee, but I think that it should have been. The proposal to create a Department of the Environment and Energy is one that needs to be debated on the floor of this Legislature. This is not something that this Committee can do, but it's in Ways and Means. And we spoke to them about the need to have this debated. We can like it or we can not like it, but if we don't •• haven't provided specific information as to what's the matter with it, then, that needs to be debated by the full Legislature and we'd urge all of you as individual Legislators to get this to the floor. We've sat together with the County Executive's people and with members of the Legislature and counsel to try to reconcile two differing approaches. It's been pared down considerably, the Legislators' concern and the legislative counsel's concern. I think of an address. I've heard no one come back to me and say that they weren't. So, it may be useful and necessary for this to be done by petition so that it can be addressed at the August 10th meeting; that is we would like to get it out of the committee's stall and get the Legislature at least to talk about it. If somebody's got a problem with it, then maybe that needs to •• it still needs to be tweaked. But at the moment nobody is registering any specific objection to it and yet we're not getting a chance to debate and discuss it and advance it. So, we'd love for you to use your influence on that. Thanks for your time. And I hope we'll get these other things taken of today. Thank you.

LEG. FOLEY:

Mr. Chairman?

CHAIRMAN LOSQUADRO:

Yes, Legislator Foley.

LEG. FOLEY:

Thank you. Thank your for recognizing me even though not I'm not a committee member.

CHAIRMAN LOSQUADRO:

Thank you for joining us.

LEG. FOLEY:

Thank you. Just on Mr. Amper's last point, just let the record reflect that there is a discharge petition that's being circulated to have discharged from the Ways and Means Committee the new Department of Environment and Energy. It's our hope that •• an expectation that we can discuss this and debate this next Tuesday. And I share Mr. Amper's viewpoints. And this has happened in the Health Committee in the past where certain subject matters that are particular to a particular committee whether the Health Committee, or in this case, the Environmental Committee, I for one would have preferred to see that this particular resolution prime in this Committee even though there is some •• maybe some technical jurisdiction that Ways and Means has. But philosophically and policy and programatically certainly creation of that department deserves to have this Committee to be the front line Committee.

But just to wrap up this particular point, I do expect Mr. Chairman next Tuesday hopefully there's will be enough signatures on a petition. If not, there are a number of us that do want to at least have some kind of discussion of this next Tuesday given the importance of creating this particular department.

CHAIRMAN LOSQUADRO:

Thank you, Legislator Foley. I appreciate the comments. I have no more cards. Is there anyone wishing to be heard today? Hearing no one, I'll close the public portion. Could we •• I have a request to take a particular piece of legislation out of order before we begin any presentations. Could Legislator Caracciolo perhaps come back to the auditorium. I know he had a phone call to take. We'll just take a brief pause; see if we can get him back here to take this.

Okay. We had a request to take 1646 out of order. I'll make a motion to take 1646 out of order. Is there a second?

LEG. CARACCIOLO:

Second.

CHAIRMAN LOSQUADRO:

Second by Legislator Caracciolo. All those in favor? Opposed? **1646 is before us.**

(Resolution 1646 Authorizing Brookhaven National Laboratory Environmental Cleanup on County Parkland.) I know Jenny Kahn from the County Attorney's Office was here. Did you want to make any comments or you're just here to answer any questions that may arise?

MS. KAHN:

Just to answer questions.

CHAIRMAN LOSQUADRO:

Okay. Are there any questions regarding this resolution for the County Attorney's Office?

Hearing none ••

LEG. CARACCIOLO:

Make a motion to approve.

CHAIRMAN LOSQUADRO:

Motion by Legislator Caracciolo, seconds by Legislator O'Leary. All in those in favor? Opposed?

Motion passes unanimously. (Vote: 5•0)

We have a presentation upcoming with Mr. Minei and Mr. Dawydiak. Please come forward.

MR. MINEI:

Good afternoon, Mr. Losquadro, members of the Committee, Counsel, staff. I'm Vito Minei. I'm Director of the Division of Environmental Quality for the Department of Health Services. I'm joined today by Walt Dawydiak who serves as our Chief Engineer for the division as well as project manager for the Vector Control and Wetlands Long-term Management Plan and Generic Environmental Impact Statement.

With your indulgence we'd like to give you a full status report of the project. It might take about thirty minutes or so for the full presentation. But, we'd like to, if we could, Mr. Chairman, go over the rationale, put into context the budget and some recent initiatives and resolutions that have come before the Legislature. And also give you a status report on what we believe is

probably the most comprehensive evaluation of Vector Control in the country. So with that, I'd like to turn it over to Walt Dawydiak to give you the presentation.

CHAIRMAN LOSQUADRO:

Thank you, Mr. Minei. I appreciate that even during my short tenure here. This is obviously a subject that has generated much discussion. And I'm sure we're all looking forward to a comprehensive explanation of what direction this department is looking to move in in the future. So, Walter, please.

MR. DAWYDIAK:

I'm better with mosquitos than microphones. Thank you, Mr. Chairman members of the Committee. As Vito mentioned, the County Exec's Office thought this would be good a time to bring everyone up to date. There is some new people that haven't been involved since the beginning.

By way of background we're about a third of the way through this program. This program has about three major elements. The first is essentially collecting a tremendous amount of field data and doing a very exhaustive literature review. All of that will be over by September. Following that will be a detailed analysis of the data, a comprehensive risk assessment, a generation of a number of management alternatives. That'll take approximately six to nine months. And the program will end with a management plan and a Generic Environmental Impact Statement. So, recently this program has grown from a budget of three and a half million dollars to the initially proposed four and a half million dollars. That's another change that we wanted to make you aware of and explain exactly what will happen with that funding.

Please pardon the slides for those of you who have seen them before. I'll try and go over the background slides quickly. If there's any questions, please feel free to interject. If you want me to speed up, I'd be happy too as well.

LEG. O'LEARY:

I have a question.

MR. DAWYDIAK:

Legislator O'Leary.

LEG. O'LEARY:

How many times are you going to present this to us? This is about the third time I've seen

this. Is there some variation to the previous ••

MR. DAWYDIAK:

The first ten minutes or so is essentially the background materials. The last ten minutes will be an update on monitoring and the new protects.

LEG. SCHNEIDERMAN:

Make the first ten minutes to five.

MR. DAWYDIAK:

I'd be happy to.

CHAIRMAN LOSQUADRO:

We're getting preemptive requests for expediency and brevity.

MR. MINEI:

The only reason for repeating is that there's been so much misinformation put out there. And apparently some confusion caused by the misinformation coming from outside the County. We don't look to continue to do this over and over again, but this is some background and we'll go through it quickly.

CHAIRMAN LOSQUADRO:

Please, continue.

MR. DAWYDIAK:

West Nile Virus, not the first disease, certainly not the last. Couple of deaths last year in Suffolk County, a couple a year before. Nationally we've been having hundreds of deaths a year. Major ecological concerns with birds mammals and other species. Clearly this is a bird map. This disease has spread from the west coast to the east coast to the west. Clearly controlling mosquitos is desirable from a public health perspective. How to do this safely for the environment, as well as humans is our challenge. There are chemical concerns. We've developed a tremendous body of monitoring data. In that regard water management is the other piece of this puzzle. One of our most valuable natural resources here in Suffolk County is wetlands. We have over ten thousand acres. Greater than 90% have been fundamentally and radically altered since the 1930's by the ditching which occurred at that time. These are no

longer the marshes that once were. They've been drained, they've reverted from •• they changed from low marsh to high marsh. And they're no longer as bio•diverse as we'd like them to be. This is an example of ditching.

This is a nutshell graphic of our universe of variables. Chemical control and open marsh water management and other water management alternatives. Again, the goal to reduce risk from toxics. Toxicity as well as potentially cancer risks as well as public health, mosquito borne disease risks. At the same time optimizing environmental quality. One point which has engendered tremendous confusion, but we do want to emphasize is that we're not talking about the annual plan of work here. This is related. But it's very distinct for a number of reasons including water management and a number of other issues.

The other point is the Generic Environmental Impact Statement that we speak of. This is not for an annual plan of work. This is for the long term plan of work. There's a lot of annual plan of work baggage out there. We don't want to get into that today. We're only speaking about this long•term plan and the Environmental Impact Statement associated with it.

Very quickly we began in November of '03. We're still on schedule to complete this project by December of '05. One other thing to emphasize is the fact that the County has made a commitment to go with this very comprehensive management plan. Briefly, it's very site specific collecting a lot of original data. This doesn't happen with mere generic environmental impact statements. Very fluid. We have stakeholders involved. We have advisory committees. We have dynamic feedback and adaptive management through the process and after the process where as with a GEIS a consultant goes way, comes back with a document. And you very rarely finish far away from where you started from. That was not our intent here.

We have parallel tracks for the long•term plan in the impact statement. You as a Legislature prove the GEIS scope and ultimately will improve the •• will approve the impact statement.

The Steering Committee meets quarterly. We have a citizens' advisory committee, very robust; meets monthly. The technical advisory committee has met on average once every two months.

A few words about the budget. We started off a two and a half million dollar estimate. That was based on our only internal scoping of what was required. It was also based on similar studies which were much smaller in scope. There were a number of health vector control and

ecological recommendations during public scoping by the public as well as agencies which expanded our scope. We came to 3.6 million. That was a number that this Legislature approved with the understanding that it was really a \$4.6 million study. The public health, Vector Control Impact Statement and internal operating costs were increased to 3.6 million. But there were supplemental investigations where we were directed to look for state and federal funding before we came to the County because a number of those studies were, indeed, requested by the state government. So, essentially the Quarter Percent Committee approved a \$4.6 million budget. The program was scoped as such. It was not fully funded initially.

This is a key slide. This is where we are right now. This \$3.6 millions has been appropriated by the Legislature. Recently three resolutions were introduced and adopted by this Legislature. Open marsh water management is 747, 500 was the Cage Fish Study and 299 was remote sensing. None of those resolutions apparently were specifically discussed before this Committee. They were adopted at different dates. And it was felt that we should give you a presentation to show you what we're intending to do with these projects and how they fit together.

One point to emphasize is that these projects were within the initial scope, as well as the initial cost estimate. Open marsh water management wound up running a little bit more expensive due to DEC requirements for monitoring a lot of the chemical work we're doing in-house. So, the chemical fate and transport work actually came in a little under budget. But as a whole that four and a half million dollar number that we estimated is, indeed, what was appropriated.

The way that the funding actually specifically breaks out is that the cash in Cameron Engineering, which is our leading consultants, they've already begun a lot of this work under the demonstration project line item. They're receiving \$230,000 to do some field work as well as to manage the project, put it into the risk assessment and expand the Generic Environmental Impact Statement. The US Geologic Survey is receiving \$33,000. This is an order to do low level chemical detection monitoring. And about 350,000 is going to experts sub-consultants mainly Stony Brook University, marine sciences research center. They're doing the Cage Fish Study. And a lot of the low level chemical monitoring as well.

Quickly, the purpose of open marsh water management, our goal here is to take these 11,000 acres of wetlands and develop a strategy to restore them •• to restore hydrology, increase biodiversity, at the same time reduce mosquito breeding, minimize public health risk and

reduce or eliminate chemical usage in these marshes. It's been performed successfully up and down the east coast. We haven't done it here because the state DEC is not permitting a full scale OMWM. They are at the table. They are designing Wertheim with us. We'll get to that in just a moment. So, we're making tremendous progress there.

Small scale open marsh water management has been done, ditch impoundment, ditch diking, rather, and small impoundments, but never a full scale OMWM. It's done in Delaware where over 4,00 acres of wetlands do not require chemical treatment. It's done in New Jersey. In Ocean County alone, 50,000 feet of ditches are reconditioned annually. Connecticut has a wonderful state model. There is no operating expense whatsoever to the state of Connecticut. It's all done with federal grant and foundation funding. They restore several hundred acres per year and roughly 5,000 out of their 18,000 thousand acres will have been restored within the next ten years. Connecticut's been very helpful in helping us design this Wertheim open marsh water management project. And what you see here, this is area one and area two. These top two areas comprise approximately 100 acres. The small dots are mosquito breeding areas. And the idea is you find out where the mosquitos breed, you either have to do some filling to prevent the low lying breeding area or you create a pond and you provide circulation and fish access so that the fish can get in there and eat the mosquito larvae. It's essentially reverse engineering a marsh to make it less mosquito friendly and at the same time restoring circulation, natural habitat and biodiversity. It's really a win/win for both the ecology and for public health. This Wertheim project is costing about 300 an acre, about 300,000 for the hundred acres. Again, the cost for the long term plan should be well under a hundred an acre. Once DEC accepts a methodology. And we proceed with larger scale implementation on a regional basis.

A lot of wetlands work has been done. This was within the original three and a half million dollars. We have over 20 sites selected for intensive field studies. These are going to support open marsh water management. They're going to help us determine why certain marshes breed mosquitos more than others. Hydrology, vegetation, some combination thereof. They are also going to help us with the risk assessment. What has water management and chemical exposure on these marshes done to the ecology overtime. One of the earlier products is this map. I apologize for the poor version, but this is actually the first time that a tidal wetlands map has been digitized for all of Suffolk County. It surprised us here that the DEC has never produced one. It's going to be refined for our twenty areas and using remote sensing. But this

is an early consultant project.

What we're looking at here is the Seatuck refuge. This line here is a trans•sect. Seatuck is one of those areas which has been modified many different ways over the years with ditching and small scale open marsh water management. And Steve _Goodbread_ at Stony Brook University Marine Sciences is taking trans•sects of core here. And you can see these darker areas represent one deposition pattern, changes, again, color near the top. By dating this with lead 210 radioisotope monitoring, we can look at what types of activity were going on in the marsh in different time periods. Was it a very wet marsh, was there standing water and ponding water, what the vegetation patterns were. Using aerial photos and historic data, we can reconstruct what ditches did to marshes, what they looked like before and what they should like. This will help us restore them.

Remote sensing is one of the other projects which was funded. This will be done by Stony Brook university again. Up to ten sites •• current satellite imagery resolution has improved dramatically in just the last few years; whereas before we were talking ten to 25 meters. Satellite imagery resolution is down to one meter or approximately three feet. So, satellite imagery needs to be calibrated against actual field conditions. So, we look at spectral signatures in the satellite imagery. We see whether it's fragmities, _bartino_ , water, what the regiment out there is. We can come up with algorithms and routines to use these low cost satellite images to determine what's actually out there in these wetlands. This, again, should be transferrable to all of our wetlands. It'll help us determine how well implementation of this plan is going, how these marshes are changing in response to water management.

The last study is a cage fish study. Chris Gobler at LIU presented some preliminary work to the Legislature that he had performed at Mastic and Oakdale. It's a good monitoring effort, but there were not multiple applications at multiple sites with appropriate controls. That's what we're looking to do here with Stony Brook University, working in cooperation with LIU. So, we're looking at minnows and grass shrimp being exposed to larvicides and adulticides. This is one site at John's Neck in Mastic. Haven's Point is one of the controls. We surprisingly found this study to be really difficult. We have deployed fish at Gilgo and Tanner's Neck and the Speonk River. And they've just not survived. And we're not really sure why. The water chemistry seemed pretty good. The dissolved oxygen was not bad. There's kind of an art to performing this type of a study. And both LIU and SUNY have found sites appropriate for fish survival. So now that we've documented water equality and fish survival, we can now expose

those organisms to chemicals under certain conditions to see whether there are lethal or sub-lethal effects.

The Health Department's begun the biological monitoring in mussels and blue crabs to see whether or not areas which are subject to chemical exposure, whether any of these spots actually are being impacted by these chemicals. We took over a hundred deposition samples following Vector Control, spray trucks in 2003. We're expanding that effort this year. Water quality and sediment sampling is going down to the one part per trillion level. Again, before about this year we were at 200 parts per trillion, which was very, very low. We're orders of magnitude below that in terms of sophistication, which has been developed for the lobster studies as well as this study.

This is Dominic Ninivaggi testing the wind at Cathedral Pines as the truck rolls down. It's an interesting study because they try and keep 100 feet away from the wetlands. It's surface waters and the presumption is the chemical will break down by the time it reaches that area. But nobody's ever been able to measure down low enough to see whether this is really true. This high tech device is affectionally referred to as lasagna pan. It's in a refrigerated cooler to prevent the chemicals from being lost through volatile evaporation going into the atmosphere. And this is how we're measuring whether low levels are reaching surface waters. To date, the 100 feet setback seems like it's a reasonable setback. But, again, we haven't seen all of our data yet.

The US geological survey is using something called a semi-permeable membrane device so that's soaking up any chemical in the water for a period of a week. Levels that might be too low to measure an instantaneous sample will be absorbed. And it will be a accumulative sample of what's in the water column of Vector Control chemicals as well as other pesticides.

CHAIRMAN LOSQUADRO:

I must say

MR. DAWYDIAK:

Yes?

CHAIRMAN LOSQUADRO:

Semi-permeable membrane seems far more sophisticated than a lasagna pan.

MR. DAWYDIAK:

That's why people seem to respect us.

MR. MINEI:

Shame on you, Legislator Losquadro.

MR. DAWYDIAK:

We're looking at mosquito magnets and garlic oil impacts on non-target species. Storm water is a big issue, both in terms of what ditching has done potentially to storm water conveyance as well as storm devices themselves. Some of these catch basins, recharge basins hold water that breed mosquitos; and that may be a big piece of the puzzle for controlling mosquito infestation.

The literature review is being released in sections. We've already received information on mosquitos and salt marshes. Within the next month, all ten of these books, as they are called, and they are hundreds of pages each, will be released. Again, a large portion of the cost of the study is attributable to the multiple disciplines that are involved from mosquito ecology risk assessment, air, water, sediment chemistry, marsh geo chemistry, public health in terms of disease control, cancer and toxicology; and the list goes on.

So, this is where we are right now. By the end of September, early October, we should have a lot of the monitoring results compiled; then we'll move into our next phase, which is analyzing using this information. It's been a very active period. But it's been a good start. And we're still on schedule to finish by December of 2005.

MR. MINEI:

And, again, thanks for your patience. But we and the County Exec's office thought it would be a good idea to bring you this task report. There's been questions about how comprehensive it is, how much field work is being done. And Walt just gave you a brief glimpse •• even the lasagna pans, believe it or not, is pretty sophisticated in that it took a number of trial runs. The semi-permeable membrane device has been used throughout the country by the USGS. So, there's been a lot of work done. It's not very easy sampling work that we're used to in many cases. So, there's considerable effort being extended, going out at night when the spraying is being done, retrieving these sampling devices. So, again, the point here is that

while we have a very thorough literature view, there's going to be a lot of risk analysis done. There's a tremendous amount of work being done in the field as well. And we also wanted to make clear to you all the budget still remains intact at \$4.5 million. We came originally with 3.6 million. We sought other funding sources, but you and the County Executive have reinstated the million dollars for these extra studies.

CHAIRMAN LOSQUADRO:

Very good. So, as I understand, then, the data collection will be done by this September. And then you're looking at •• if you're saying the end of 2005, so, talking better than a year to complete the final analysis and come out with a report?

MR. DAWYDIAK:

Yeah, actually the schedule for the analysis and the risk assessment really runs through the springtime; so, that's sort of that second phase where we sort of compile all the data, see what it means, and figure out what to do with it in terms of alternatives. The last phase is actually consensus building on what alternatives to actually choose in terms minimizing public health risk and optimizing environmental quality. And that's really the management plan and GEIS piece that will happen next summer and next fall. But by spring we should have a pretty good idea at what the impacts are and what the desirable alternatives are.

CHAIRMAN LOSQUADRO:

Very good. Any questions? Legislator O'Leary.

LEG. O'LEARY:

Walter, I have a specific question. It's come to my attention through my office that the Village of Bellport had requested to be included in some sort of analysis with respect to this study.

MR. DAWYDIAK:

Yes.

LEG. O'LEARY:

Has that been done?

MR. DAWYDIAK:

We've received that information. We contacted the village. And we're going to try to work

them into one of those early demonstration projects. It's a mosquito repellent of some sort as I recall.

LEG. O'LEARY:

Yes.

MR. DAWYDIAK:

So, we are working with them, yes, thanks.

LEG. O'LEARY:

Okay, good. All right. Thank you.

CHAIRMAN LOSQUADRO:

Very good. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Walter, you said basically you're doing a management plan and you're doing the GEIS on the program, which I know the EIS part was part of that. I guess litigation brought by the Peconic Baykeeper, although we probably were doing it anyway. Has anything changed? Are we waiting now at all for the results or we're continuing with the program? Has any changes been made to the program before the results of that GEIS are ••

MR. DAWYDIAK:

Actually, I first wanted to clarify. Part of the litigation was whether or not an EIS should be done on an annual plan of work, which is an operating document. This EIS that we're preparing is not related to annual plans of work at all. It's related to this long-term plan, which will help future annual plans of work. But as of right now, I don't believe that the County has any plans on doing any EIS on an annual plan of work.

As to changes in operation that may have resulted from litigation, Jenny Conn is not here, as she would be the one to speak to that. But my understanding is that we're still operating under a scale back 2002 plan of work, which is minimal ditch maintenance and strictly control pesticide usage. And no new ditching, as Vito just mentioned.

CHAIRMAN LOSQUADRO:

Very good. Thank you for coming. Are there any other questions? No, gentlemen, thank you for the presentation. Very informative as usual.

Mr. Isles, if you would like to come forward for a moment. I know I have a question or two; to give us a brief update. I don't know if any of the other Legislators have any questions for you. I'll start things off. Just a general overview question for you. How's the status of the planning steps going on, the master plan parcels? And that leads into part B of the question, which is, has the staffing in your office •• I know we had a lot of discussion about that. Would it be adequate to handle the volume ••

MR. ISLES:

Right.

CHAIRMAN LOSQUADRO:

•• on top of the additional volume of new planning steps another on the part of other legislators coming in. So, A, how is the progress going on the master list; and B, has your staffing been adequate to handle the volume?

MR. ISLES:

Okay. In terms of the first question, Mr. Losquadro, we have •• the master steps •• the master list was approved in June and signed by the County Executive, I think, in the third week in June. We have accomplished so far is that the •• as I indicated to you the Planning Department was going to work with Real Estate.

CHAIRMAN LOSQUADRO:

First contact, correct.

MR. ISLES:

We've done that to phase the list of ••

CHAIRMAN LOSQUADRO:

Ms. Zielinski, would she like to come up and join you? Or ••

MR. ISLES:

Sure.

CHAIRMAN LOSQUADRO:

This way if there are questions for either of you, we don't have to go back and forth.

MR. ISLES:

So we split the list in two in terms of a phase one and a phase two. Phase one has been referred to the Real Estate Division. They have •• and that's about half of the acreage of the total •• of open space parcels, which is about 4,000 acres. Real Estate has began that immediately doing the process •• of doing a last owner search and actually dedicating a staff member out of the County Clerk's Office in Riverhead to go through the multiple parcels and ownerships out there. From that, the next step in the process is to generate letters to the property owners to determine their interest. And that is, I believe, ongoing at this point. So, we're about a month into this at this point; maybe five weeks at this point. The last owner search is completed. And the contact with the owners is commencing.

The other thing we've done, the County Executive met with the east end Supervisors approximately three weeks ago. This matter was discussed with them as well. And I believe, Legislator Losquadro, you may have been present at that. It was indicated by the County Executive that the Planning and Real Estate Department representatives would meet with the individual representatives from the towns out there to coordinate our efforts with their efforts. We have begun that. We had a meeting last week with a representative from the Town of East Hampton. We have meetings scheduled for next week with three other towns. And that's been helpful in terms of finding things that were •• that are on the matter list that the towns were already working on. So, we can •• obviously if they're making actions to acquire those properties, we don't need to be doing the same thing. So, in terms of the status of the program and not speaking for Pat Zielinski, Ms. Zielinski on this, but we are definitely off the ground and running on that.

In terms of staffing, your question is staffing levels adequate? At this time, no. What they are, however, is that we do have a full staff utilization working on this. The County Executive has authorized a number of positions for hiring. We have these signed SCIN forms for, I believe, seven positions. And we are now proceeding with Civil Service on actually canvassing the Civil Service list itself to actually interview those who place within the top three of that list and so forth to begin that hiring process. The Director of Real Estate has actually started interviews in some cases on some of those positions as well. So, we are moving on that. We do have the

authority in terms of the budget and the sign-off from the County Executive's Office. It does take time to canvass lists, interview people and things like that. But, here again, all the approvals are in place. It's a matter of finding the right people and making sure they are properly qualified and will fit into the County's program.

CHAIRMAN LOSQUADRO:

Very good. I'm glad to hear that. That was a, you said, a SCIN form signed for seven new positions?

MR. ISLES:

Seven, I believe. Seven yes. First up, Legislator Schneiderman, I know. You've got to have a list.

LEG. SCHNEIDERMAN:

Commissioner Isles, if I could ask for, or Director Isles, on 1658 •• I'm sorry. Yes, 1658, which is the Critical Wildlands Plan resolution, supporting Southampton in their efforts to protect their aquifer, I just want to go on the record you're asking for more time to review that to try to decide how to prioritize those properties, which ones are more likely for county partnership, and which ones are more likely for just simple town only acquisition; is that correct?

MR. ISLES:

That is correct. And we would certainly appreciate your cooperation on that. We certainly do support the preservation of the critical wildlands of the south fork special ground water protection area. What we'd to have do is you've just indicated is to make sure we coordinate that well with the town. We are meeting with the Town of Southampton's representative next week as a matter of fact. Also do a little bit of mapping work to check overlap with other projects we have going. So, if we could have some additional time, that would be very helpful to us.

LEG. SCHNEIDERMAN:

On the resolution that follows 1659, which is WJF property, which is a three hundred acre property in the Pine Barrens, I spoke with Mike Deering, who may not be in the room at the time, but he's indicating that technically it could be done under •• because it's within the Pine Barrens, there's a generic Pine Barrens plan, so it could be taken under that plan. So, the authorization may already be in place. Can you clarify that?

MR. ISLES:

Yes. It is included within the core of the Pine Barrens. As such it's covered under an omnibus resolution approved by the Legislature previously that gave authorization to the acquisition of lands within the core directly. So, whether it's a separate resolution or whether it's covered under the omnibus, we think we would have the authority to do it. And that perhaps it's not necessary to have a separate resolution at this time if we already have one that's covering it and permitting us to go forward. Whether we should go forward is another matter, but at least in terms of the authority.

LEG. SCHNEIDERMAN:

You want to hold that for a cycle, too, if you want another month to ••

MR. ISLES:

Okay.

LEG. SCHNEIDERMAN:

•• to advise me on that ••

MR. ISLES:

Okay.

LEG. SCHNEIDERMAN:

•• whether we should do the resolution or not.

CHAIRMAN LOSQUADRO:

Very good. Any other questions, Legislator Schneiderman? Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you.

LEG. CARACCIOLO:

The question I have relates to funding. As you know, for the longest time I've been a proponent of additional funding particularly for our Farmland Preservation Program. Given what we now know even better is that we're going to materialize with a shortage of funds in the very

near future. My first question relates to what is the status of funds in the individual towns in Suffolk County that have either CPF fund balances or fund sources, town by town, particularly on the east end; to your knowledge where they stand right now.

MR. ISLES:

I don't have available to me right here at this moment what the town account balances are. That's not something we traditionally monitor. Certainly we do have the county funds that are in the various programs that we have. The individual towns would have to be contacted. The County Clerk's Office, of course, does keep track of the funds coming in under the CPF, so certainly if you wanted to get a snap shot what are the CPF collections, up until this point in time the County Clerk's Office can provide that. In terms of the spending, that is at the town level and the towns would be the source of that information.

LEG. CARACCIOLO:

To my knowledge Town of Huntington, Babylon, Islip and Smithtown do not have CPF or any other dedicated environmental funding •• significant, let me put it that way •• significant fund balances.

MR. ISLES:

Right. They certainly don't have transfer tax community preservation funds in the five eastern towns. Some of the towns do have open space bond act funds, I think Huntington, in particular. Brookhaven also has some bond act money that they've done locally. I'm not aware that the other three towns have at this point.

LEG. CARACCIOLO:

Brookhaven fund is the Macchia Fund.

MR. ISLES:

There's the Macchia Fund, which I believe comes from •• I thought it was from subdivision fees or park fees. They also have a capital bond that was approved previously, I think, in the tune of \$20 million. Here again ••

LEG. CARACCIOLO:

What is your understanding as to what direction the Town of Brookhaven is moving in currently

with the ballot referendum this fall regarding the environmental, you know, preservation?

MR. ISLES:

I don't think I can really speak on that firsthand. I mean, I've heard things and I've read things in the press and so forth that they are certainly talking about it. They certainly seem to be very interested and motivated to having a program. What they're specifically proposing at this time the exact nature of it, I don't know that firsthand so, I'd feel uncomfortable speaking about that.

MS. ZIELENSKI:

He's on vacation.

MR. ISLES:

Yeah, I've been on vacation.

LEG. CARACCIOLO:

Okay.

MR. ISLES:

For three days.

LEG. CARACCIOLO:

Okay. If Michael Deering is in the building, we'd appreciate it if he'd come into the auditorium. I ask you that, Tom, because he and I and I know other Legislators over the last week had had conversations with the executive branch about several of the current resolutions on the our agenda. There are two 1329, 1330 sponsored by Legislator Vivian Vilorio•Fisher and myself. Hers speaks to save open space funding initiative. Mine strictly to farmland. Recently she and I have agreed to collaborate on a single resolution. And the only thing I need to know and I know Legislator Bishop had an initiative along with Legislator Fisher to set aside additional \$10 million for the active Greenways infrastructure fund. So, we have been talking in general terms about a new resolution that would require a CN to get this on the ballot this fall. What I am not certain of while we Legislators have agreed on the dollar amount, we need to know where the executive branch stands. So, if you had any conversation recently with Mr. Deering? Here he comes.

MR. ISLES:

Yeah.

LEG. CARACCIOLO:

Michael.

CHAIRMAN LOSQUADRO:

Mr. Deering.

MR. DEERING:

How are you today?

CHAIRMAN LOSQUADRO:

Good.

LEG. CARACCIOLO:

I'm trying to get a sense based on our recent conversations if there is agreement on the new initiative between myself and Legislator Fisher to come up with a single bond referendum resolution in the order of 85 to a \$100 million if the administration now is in a position to comment on that.

MR. DEERING:

On the uniform resolution, yes. On the number we're still working on. Somewhere in that general area. We have not come to the number yet. We want to have some further discussions with the sponsors and the Legislature.

LEG. CARACCIOLO:

I know one of the things the executive is very sensitive to given what we just went through with the capital budget, is the amount of increased debt to county taxpayers. So, what would you say on the low end and on the high end are numbers he's comfortable with?

MR. DEERING:

I don't know what the high end is. I know we have had some discussions, there a \$75 million proposal on the table now. We want to talk about that with the sponsors and the Legislators and to see what you folks would feel comfortable with as well as what our needs are. So, I think that's going to be a discussion that's going to incorporate some of the information from Fred Pollert's office as well as Planning and Division of Real Estate.

LEG. CARACCIOLO:

When would you expect that information sense we have deadline?

MR. DEERING:

I would hope to have that in the next 24 hours at the latest.

LEG. CARACCIOLO:

Okay.

CHAIRMAN LOSQUADRO:

Can you suffer an interruption for a moment?

LEG. BISHOP:

I have relevant information. I had a ••

CHAIRMAN LOSQUADRO:

Legislator Bishop.

LEG. BISHOP:

I had a conversation with Paul Sabatino earlier. Mike, you have about how much? \$30 million left in the accounts?

MR. DEERING:

There's about \$37 million that will be left based on projected sales, yes.

LEG. BISHOP:

And I indicated to Paul that in my conversations with Legislators there was a desire to do the quarter cent extension and recognize money upfront. You need specific legislation from Albany. And that would be impossible to obtain this year. And that we would also work

towards that next year. So, even if you got it next year, you'd probably have six months beyond next year. So, it's like an 18-month to two year situation we're looking at. And he seemed to feel from his conversations with Mike that Mike needs the 37 million plus about another 75 million. Is that accurate?

MR. DEERING:

That is we're at now. There could be some additional discussions, but that's where we're at.

LEG. BISHOP:

So, \$50 million a year approximately for the next two years is what they anticipate spending on open space, farmland and community parks.

LEG. CARACCIOLO:

Okay. Thank you very much, Legislator Bishop. Well, then let me request a meeting of the minds very shortly so that at the same time I would request a CN. And, as you know, Vioria Fisher and I have discussed this. I would be the lead sponsor. She would be the first primary sponsor. And we can certainly invite other Legislators to join us and the Executive to join us in co-sponsoring this resolution.

MR. DEERING:

We look forward to having that meeting sooner rather than later.

LEG. CARACCIOLO:

Well, we have to do it by Tuesday.

MR. DEERING:

Yep. Hopefully in the next 24 hours, as I say.

LEG. CARACCIOLO:

Then we run into very tight strictures with respect to the referendum process.

MR. DEERING:

We recognize that. And the County Executive, we would like to see a bill passed on the 10th so that we can get this up and running and make all the deadlines that we need, too, to have the referendum on the ballot in November.

LEG. CARACCIOLO:

Very good. Thank you.

CHAIRMAN LOSQUADRO:

Thank you.

LEG. CARACCIOLO:

I want to thank •• Mr. Chairman, I'd like to thank and she's not here, but I certainly did thank her and like her to know on the record that I appreciate her cooperation.

CHAIRMAN LOSQUADRO:

Thank you. Any other questions for any of the departments? I just have one quick question for Miss Zielinski. I know we've an inquiry as to the status of the appraisals on the Rails to Trails program, the lands up there. I don't know if you have that information with you or if you could just please get it over to my office, I would certainly appreciate it.

MS. ZIELENSKI:

We're not staffed to equip to handle that in house.

CHAIRMAN LOSQUADRO:

Oh, okay.

MS. ZIELENSKI:

So, when I discussed it with the other interested parties, I said that I would get to them a list of qualified appraisers, which has been sent to them.

CHAIRMAN LOSQUADRO:

Okay.

MS. ZIELENSKI:

So, that's where we are. If they need any further help in actually ordering appraisals, we'll be happy to help with them.

CHAIRMAN LOSQUADRO:

Okay. Very good. Thank you. Thank you very much. If I could ask Legislator Schneiderman to please return to the horseshoe, we'll move forward with the agenda.

First to Tabled Resolutions, I believe the discussions that we just had, the first 1239 (**Adopting Local Law 2004, a Charter Law adding Article XXXVI to the Suffolk County Charter to provide a Suffolk County Open Space**), Legislator Viloría Fisher's bond act ••

LEG. CARACCIOLO:

Mr. Chairman, let me just make an inquiry of counsel because we did have this conversation earlier. Would it be prudent in the absence of a resolution, which we are now have formally •• have formally requested via a CN on a number to be agreed upon in the 75 to \$100 million range, would it be prudent to report these out without recommendation as opposed to just tabling them? So, we have something?

LEG. BISHOP:

That's Legislator's Fisher's wish also.

LEG. CARACCIOLO:

Is it? Okay.

MS. KNAPP:

Again, either, if you want them to be live with no other action, it would be a discharge without recommendation. Or as •• at least as one other Legislator has mentioned, we could do a discharge petition. Either one.

LEG. CARACCIOLO:

Okay. I'll make a motion, then, to discharge without recommendation.

LEG. BISHOP:

Second.

CHAIRMAN LOSQUADRO:

Motion to discharge without recommendation by Legislator Caracciolo, already seconded by Legislator Bishop. All those in favor? Opposed? **1239 is discharged without recommendation. (Vote: 5•0)**

LEG. CARACCIOLO:

Same motion on 1230.

CHAIRMAN LOSQUADRO:

Same motion on 1230 **(Adopting Local Law 2004, a Charter Law adding Article XII•B to the Suffolk County Charter to establish the 2004 Suffolk County Farmland**

Preservation Fund), Legislator Caracciolo's \$30 million ••

LEG. CARACCIOLO:

50 million.

CHAIRMAN LOSQUADRO:

Excuse me. \$50 million farmland preservation bond. Same motion, same second, same vote.

1330 is discharged without recommendation as well. (Vote: 5•0)

1331, Charter Law adopting the extension of Common Sense Tax Stabilization Plan for sewers, environmental protection and County taxpayers, motion to table by Legislator Bishop, seconded by myself. All those in favor? Opposed? **1331 is tabled. (Vote: 5•0)**

1402 (Amending the 2004 Capital Program and Budget and appropriating funds for improvements to active parkland/recreation areas at Maxine Postal County Park, Town of Babylon).

LEG. BISHOP:

Motion to table.

CHAIRMAN LOSQUADRO:

Okay, I have a tabling motion by Legislator Bishop.

LEG. BISHOP:

I'm talking about my own bill. I don't know about 02.

CHAIRMAN LOSQUADRO:

On 02 was there still a question on CEQ?

LEG. BISHOP:

Yeah, there was a question of open CEQ ••

CHAIRMAN LOSQUADRO:

Is that correct?

MS. KNAPP:

Wait. Jim Bagg is here. I was about to say yes, but I think Jim is •• I better put my glasses on to see which way his head is going. Did you get all the plans or not?

MR. BAGG:

No, we have not. I had contact from the village. They are preparing an EAF pursuant to CEQ.

CHAIRMAN LOSQUADRO:

Very well.

MS. KNAPP:

SEQRA's not complete on that one.

CHAIRMAN LOSQUADRO:

SEQRA's not complete. 1402 motion to table by Legislator Bishop.

LEG. O'LEARY:

Second.

CHAIRMAN LOSQUADRO:

Seconded by O'Leary. All those in favor? Opposed? **1402 is tabled. (Vote: 5•0)**

1403 (Amending the 2004 Capital Program and appropriating funds for improvements to active parkland/recreation areas at Our Lady of Grace Roman Catholic Church property within Van Bourgondien County Park, Town of Babylon) I heard a request from the sponsor to table.

LEG. O'LEARY:

Second.

CHAIRMAN LOSQUADRO:

Seconded by Legislator O'Leary. All those in favor? Opposed? **1403 is tabled. (Vote: 5•0)**

1518, establishing a Task Force to develop a Common Sense Plan to Expedite County Land Acquisition Program and Improve Accountability in Land Acquisitions. Motion to

table by the sponsor Legislator Schneiderman, seconded by ••

LEG. O'LEARY:

Second.

CHAIRMAN LOSQUADRO:

•• Legislator O'Leary. All those in favor? Opposed? **1518 is tabled. (Vote: 5•0)**

1570, authorizing planning steps for acquisition under the new Suffolk County Drinking Water Protection Program for the Williams property, Cold Spring Harbor, Town of Huntington, was this on the master list.

Is that why we tabled it the first time?

MR. ISLES:

It is on the master list, yes.

LEG. BISHOP:

Portable housing skyscrapers now, right?

MR. ISLES:

Exactly. So, it is approved. It's on the Phase I. We've begun the process to contact the owners officially and so forth. So, this bill seems to be redundant to that.

CHAIRMAN LOSQUADRO:

Yes. Well, I'll make a motion to table. If the sponsor wishes to withdraw it ••

LEG. O'LEARY:

Second.

CHAIRMAN LOSQUADRO:

•• he can do so. Motion to table by myself, second by Legislator O'Leary. All those in favor? Opposed? **1570 is tabled. (Vote: 5•0)**

Onto Introductory Resolutions. 1646 was addressed already and passed.

1658, authorizing planning steps for acquisition under the New Suffolk County Drinking Water Protection Program.

LEG. SCHNEIDERMAN:

Motion to table.

CHAIRMAN LOSQUADRO:

This was discussed earlier. The sponsor Legislator Schneiderman has made a motion to table.

LEG. O'LEARY:

Second.

CHAIRMAN LOSQUADRO:

Which Legislator O'Leary will second. All those in favor? Opposed? **1658 is tabled. (Vote: 5•0)**

1659 (authorizing planning steps for acquisition under the Suffolk County Drinking Water Protection Program (WJF Realty Parcel) Town of Southampton), same motion, same second, same vote. 1659 is tabled. (Vote: 5•0)

1660, authorizing planning steps for Greenways Program in connection with acquisition of Farmland Development Rights at Babinski Farm, Town of East Hampton.

LEG. SCHNEIDERMAN:

Motion to approve. I'm sure we'll hear from Mr. Isles.

MR. ISLES:

Yeah. We want to add to that, that also was on the master list. I understand that there may have been some doubt as to whether the master list was going to be approved and what was going to be approved to it. This one did get through and is on the master list.

LEG. SCHNEIDERMAN:

Was there farmland on the master list.

MR. ISLES:

Yes.

LEG. SCHNEIDERMAN:

I don't recall this.

MR. ISLES:

It was exhibit A on the master list. The actual booklet we made was exhibit B, which was all the open space.

LEG. SCHNEIDERMAN:

So it did make it onto that list?

MR. ISLES:

Yes. And we have started the process.

LEG. SCHNEIDERMAN:

I'll table it and I'll withdraw it.

CHAIRMAN LOSQUADRO:

All right. There's a motion to table by Legislator Schneiderman, seconded by myself. All those in favor? Opposed? **1660 is tabled. (Vote: 5•0)**

1663, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, the North West Harbor property, Town of East Hampton.

LEG. SCHNEIDERMAN:

Motion to approve.

CHAIRMAN LOSQUADRO:

Motion to approve.

LEG. O'LEARY:

Second.

CHAIRMAN LOSQUADRO:

We'll have that passed around right now by Legislator Schneiderman, seconded by Legislator O'Leary.

LEG. SCHNEIDERMAN:

This property is •• just for the Committee, this property was brought to my attention by the Supervisor of the Town of East Hampton who happens to be here, Mr. McGintee, who thought

this might make a nice county park. It's very •• it's kind of tied in with the Cedar Point park, a popular park in the area. There's town holdings and county holdings all around it. And it seemed worthy of our attention. And I'd like to hear from Mr. Isles who I know has had an opportunity to review it.

MR. ISLES:

Right. We have looked at it briefly and done some preliminary examination of it. Certainly the aspect of public acquisition of this property we think makes sense. It's a good acquisition in terms of enhancing and access to the water. It is part of the Peconic estuary. There is adjacent land owned by the state of New York in the Town of East Hampton and also in the vicinity is other county-owned land. What we're a little less sure about and what we'd want to study a little bit further is that should this be a county acquisition or possibly a town or state acquisition, the state does have programs for •• the Director of Real Estate advises me •• for fishing access so it might qualify for that. I think the key thing we would want to just look at a little closely is if it were county acquisition to consult with the Parks Department in terms of managing and taking care it, if it is an actively used park for fishing access or boating access and so forth. So, overall in terms of public acquisition, here again, we think that's a good proposal in terms of the actual active recreation part of it; and the details of how that would actually work, we would like to learn a little bit more about that as this proposal moves forward and to consider the option if, you know, what role would the state have if they do have a fishing access program or what role might the town have in assisting us with this. During that time I would certainly want to speak with the Parks Commissioner about, you know, if he's going to use Cedar Point county park staff to take care of this, does he have the staffing to do that and so forth.

LEG. O'LEARY:

Mr. Chair?

CHAIRMAN LOSQUADRO:

Yes, Legislator O'Leary.

LEG. O'LEARY:

Tom, on the rating sheet, there's a total there of 20 points. Isn't there a standard about 30 or 35 or so?

MR. ISLES:

It's about 25. And the one thing with the rating is, this is for active recreation. This is one of the first times we're using the rating form for active recreation based on the report we did a couple mosquito ago. And a lot of this depends on information we don't necessary have at this point. I did speak with Legislator Schneiderman a few weeks ago on this to fill in as much as we could. But my only point on that is that that's very tentative. The point value could be increased as we get more information to add to this. I don't know the ••

LEG. SCHNEIDERMAN:

Just looking at this, I'm not sure why it was rated for active recreation when •• other than like canoeing and kayaking, I don't really see how this would be active. I would think it would be more passive. Well, fishing, is that considered active?

MS. FISCHER:

Under the first page of the rating form, under the •• if it's considered under Multifacet Land Preservation Program for parkland purposes, we put up under this rating form as opposed to a natural environment rating form. So, because of its designation into that category, that's why we put it here because we weren't sure what the use was at this point. And we didn't want to preclude it nor did we get the indication that this was going to be left for •• you know, for no further, you know, active recreational uses. So, we put it in this category just to give us some flexibility and to identify whatever uses come to be through this grade system.

LEG. O'LEARY:

If I may, unless my math is off, this doesn't add up to 20.

MR. ISLES:

25. No, at the present time it doesn't add up to 25. I think ••

LEG. O'LEARY:

No, no, it doesn't add up to 20. It adds up to 17.

MS. FISCHER:

Oh, I'm sorry. Yes, you're right. 17. It must have been •• yeah, you're right. And I'll have to go back and look at my ••

LEG. BISHOP:

You double counted the three. I know what happened.

LEG. SCHNEIDERMAN:

When I look at this parcel, you can see it in the aerial ••

MS. FISCHER:

I was trying very hard here.

LEG. SCHNEIDERMAN:

This is a parcel with •• it looks like it has a little bit of an inlet, it's a parcel we could do some habitat restoration; maybe remove some of these jetties or bulk heading that might be in and around this area; allow it to go back to its natural state. I mean, I look at this an environmental project that could benefit the County and tie in if somebody says Cedar Point, maybe they can bring a kayak over to a property like this. I'm wondering if our rating form is hurting this parcel in that it's looking at it as something very different than what it is.

CHAIRMAN LOSQUADRO:

Legislator Schneiderman, as was pointed out earlier, I had mentioned that not all the information had been gathered perhaps from the surrounding area. And I saw in the community value section, which is blank right now, perhaps that's one of the areas that you haven't examined sufficiently. I'm sure the community would be supportive of the site and its recreational uses. And that would be a ten point jump right there if the community was in support of an acquisition such as this. So, perhaps this rating is a bit deficient but that may be in part due to lack of, you know, fully exploring all the potential new portions of this rating system.

LEG. SCHNEIDERMAN:

The Town Supervisor is here. Maybe he'd be willing to say something. You brought this to my attention.

LEG. BISHOP:

Why don't you get East Hampton do a resolution in support of it? And that would take care of your town, your local ••

LEG. SCHNEIDERMAN:

That would give it the ten points?

LEG. BISHOP:

I'm sure it would. I'm sure it would go a long way.

LEG. SCHNEIDERMAN:

Mr. Isles?

MS. FISCHER:

Yes.

MR. ISLES:

Yeah, it two give it the ten points. I mean if this is being looked at as open space ••

LEG. SCHNEIDERMAN:

Why don't we table it for now and then we'll ••

LEG. BISHOP:

But I want to ask a ••

MS. FISCHER:

I'll correct the form as well. Sorry.

CHAIRMAN LOSQUADRO:

Legislator Bishop.

LEG. BISHOP:

If I may, the reason it's rated •• it's a Greenways form or an open is because that gives it maximum flexibility? Is that the ••

MR. ISLES:

Because it's coming in as multifaceted parks which is more of a general use category. So, it can be used for any park purpose. If it was multifaceted open space, then, it's a little bit more of a conservation protection type category. So, that would be on an open space rating.

LEG. BISHOP:

So, this came in on the wrong ••

MR. ISLES:

I'm not saying it's under the wrong thing. I think it's part of a process of discovery in terms of what's intended here under this •• the sponsor has just indicated that he sees it more of open space preservation with some mild passive uses, which might then say, okay, maybe it comes in under that category.

LEG. BISHOP:

I'm ultimately not concerned of the planning steps portion because •• but what could conceivably happen, is that you don't want to draw down the big money for the wrong purpose; right? And those are segregated funds?

MR. ISLES:

Yes, they are.

LEG. BISHOP:

Okay. So, if it's going to be open space, at some point it's going to have to switch over to ••

MR. ISLES:

Yeah, and here again ••

LEG. BISHOP:

Because I don't think a canoe is going to get it into the other fund; active recreation.

MR. ISLES:

On the other hand, for open space, then, it's disturbed site, which is not going to help it. It's not that big, you know; so, it's a part of the process of what exactly is intended and what's the most appropriate public use it of the property.

LEG. BISHOP:

What does nine acres in East Hampton on the water go for?

MR. ISLES:

I don't know.

LEG. BISHOP:

It can't be cheap.

MR. ISLES:

I mean it's •• it doesn't have a lot of development potential. It has some development potential. I don't know if it has sub•division potential to it or not.

LEG. SCHNEIDERMAN:

It's probably just one house would go here. You can check the zoning.

LEG. BISHOP:

The zoning's probably Jerry Seinfeld ••

LEG. SCHNEIDERMAN:

I imagine it's eight five, which is one house per five acres. So, in this case you'd need •• you know, to get at least 10 acres to ••

CHAIRMAN LOSQUADRO:

No, I just saw it.

LEG. SCHNEIDERMAN:

What is it?

LEG. CARACCIOLO:

If says residential 40,000 square feet, one acre. Is that accurate? Can we find out? I mean we have representatives from the town here.

MS. FISCHER:

Yes.

LEG. CARACCIOLO:

That is accurate?

MS. FISCHER:

Yes.

LEG. SCHNEIDERMAN:

So, then it would be subdividable.

MS. FISCHER:

Well, it's questionable because ••

LEG. CARACCIOLO:

The motion to table is ••

LEG. BISHOP:

Well, I was going to say after beating it up, I would suggest that ••

LEG. SCHNEIDERMAN:

You should check that. I doubt ••

LEG. BISHOP:

You really don't to table it because ultimately it's a planning steps resolution. And these •• the bigger issues are going to be settled when you have more facts. And planning steps just allows you to gather more facts. So, I don't see why we wouldn't move it forward at this time.

LEG. CARACCIOLO:

I'll support the motion to move it forward. However, I'd like to hear from the Town Supervisor with respect to the recommendation to Legislator Schneiderman and more specifically if the town is in a financial position to make a contribution, a partner with the County on this. So, Mr. McGintee could comment on that.

CHAIRMAN LOSQUADRO:

Would you please come forward, sir.

LEG. CARACCIOLO:

Because we are talking as Legislator Bishop mentioned waterfront property. And we're looking at, you know, big numbers here. Very big numbers.

MR. MCGINTEE:

It's a beautiful piece of property. It's contiguous to some state land, county land and town land. So, if you put them all altogether, it could turn out to be a beautiful park. I don't know what the definition of active recreation is as opposed to passive recreation, but if we have to do something a little bit more exciting to pique your interest, I suppose we can put it down there.

The Town is in a position to contribute financially towards that purchase. We're very interested in picking up that parcel. I don't know if you've had the opportunity to look at our map. We've done a lot of work in putting together pieces to set up a contiguous piece of grain all along the harbor down there. And this is another piece of that puzzle. So, we would certainly be willing to go into partners on it. And my board, I believe, would support me fully in that.

LEG. CARACCIOLO:

That's very encouraging to hear. Thank you.

LEG. BISHOP:

And we have different funds. If you want it as open space, it doesn't have to be an active recreation.

CHAIRMAN LOSQUADRO:

Legislator Foley has asked to be recognized.

LEG. FOLEY:

Thank you.

CHAIRMAN LOSQUADRO:

I appreciate him staying with us.

LEG. FOLEY:

Thank you, Mr. Chairman. I enjoy attending the Environmental Committee meetings. It's important from a county-wide perspective. I just want to just state for the record that I'm happy to see •• and I mean this respectfully, Legislator Schneiderman, that's you're seeking the recommendation of the Supervisor on this resolution as I hope you're going to do for 1683 as well. Thank you.

LEG. CARACCIOLO:

Good observation, Brian.

CHAIRMAN LOSQUADRO:

Any other questions? Okay, I don't think we see a problem with moving forward on planning steps on this. 1663, there's a motion by Legislator Schneiderman, second by Legislator Caracciolo. All those in favor? Opposed? **1663 is approved for planning steps. (Vote: 5**

•0)

1683, appoint a member to County Planning Commission, Lisa Greci.

LEG. BISHOP:

Motion.

CHAIRMAN LOSQUADRO:

Motion by Legislator Bishop. Do I have a second?

LEG. O'LEARY:

I make a motion to table.

LEG. CARACCIOLO:

Second.

CHAIRMAN LOSQUADRO:

I have a motion to table by Legislator O'Leary, second by Legislator Caracciolo. Motion to table takes precedence. On the motion.

LEG. BISHOP:

Is Ms. Greci here?

CHAIRMAN LOSQUADRO:

I believe she is.

MS. GRENCI:

Yes, I am.

LEG. BISHOP:

She lives very far away. So, maybe we can •• even for tabling maybe we should have an opportunity to interview her now so you don't have to bring her back.

LEG. O'LEARY:

I understand that. But there's been statements made here today, which I think necessitate the approval of the tabling motion.

LEG. BISHOP:

That's fine. But I just don't want to have to make her come back if there's a change of heart among the committee members.

LEG. O'LEARY:

Oh, you mean to grill her now rather than later?

LEG. BISHOP:

Yes, grill her now. Use your detective skills.

LEG. O'LEARY:

I would defer to Legislator Schneiderman on that. But my tabling motion stands.

CHAIRMAN LOSQUADRO:

Very well. Ms. Greci, would you like to address the committee?

LEG. BISHOP:

I'll just ask the basic question that we all nominees is why do you want this position and what do you think you can bring do it?

MS. GRENCI:

Actually, I would love to have the position. For the last years I've been very active in our community on different various boards and following planning and zoning processes throughout the Town of East Hampton. I feel I could be a big asset, work with the Planning Commission and our local zoning and planning board. I feel that I have the qualifications for it. And I have a great knowledge of Suffolk County in general having been born in Brookhaven Town. And I think that I can offer a lot of insight for the east end on this commission.

LEG. BISHOP:

You come from a real estate background?

MS. GRENCI:

I'm a real estate broker for 15 years. I'm also past President of Concerned Citizens of Montauk, a 30-year old environmental organization. I've served on the state campaign advisory committee as well as the Town's Comprehensive Master Plan. I've been the Chairwoman of the

Montauk Citizens Advisory Unanimously for eight years. I'm past Chairwoman of the East Hampton Housing Authority and was successful in securing \$7 million in grant money, federal tax credits to get a 50•unity affordable housing project underway in East Hampton. And just basically been involved.

LEG. BISHOP:

So, you respond to criticisms, and I don't think it's just directed only at you, but obviously specifically at you because you're the nominee, but it's been suggested that we have a board that's very heavy tilted towards real estate interests and not enough environment interest. And your response is that the work that you laid out ••

MS. GRENCI:

My environmental background is more strong than my realty background. I have not actually practiced for several years. I've been busy raising my children, but I do retain my license and I use that as background knowledge for planning issues and zoning issues.

MR. McGINTEE:

I don't know if I'm allowed to interject, but I would just like to add that there are a number of environmental groups that have contacted us. And none of them have any opposition to Ms. Greci's appointment.

LEG. BISHOP:

Right. Now, can I ask to the elephant in the room question? What's going on out there politically that this is stalling like this from your •• as Supervisor?

CHAIRMAN LOSQUADRO:

You don't have to respond to that if you don't want to.

MR. McGINTEE:

That's okay. I mean I don't mind responding. I think the better way to approach this is would be to turn around for the record and just ask Legislator Schneiderman what his oppositions are.

LEG. BISHOP:

Well, let me ask this before you •• he can choose to answer that or not. Have you reached out to Legislator Schneiderman? Have you •• with your nominee and said can we sit down and see if ••

MR. McGINTEE:

By way of background •• Mr. Thorsen has been on the Planning Board Commission, I believe, for five years. He requested that he be removed. The Town Board met. We discussed possible nominees. Ms. Grenco's name came up. And it was unanimous. Not long after that, not having received a phone call from Mr. Schneiderman or there was no discussion prior to that, and quite frankly I didn't think it was necessary as a board, because we were making the recommendation to consult with Mr. Schneiderman as to whether that recommendation would be acceptable or not, I received a phone call in my office from Mr. Schneiderman asking me not to nominate this individual. And I told Mr. Schneiderman that it had already taken place. And I was not in a position nor would I after unanimous support from the board reverse our decision on that.

LEG. BISHOP:

I appreciate the candor. Thank you.

MS. GRENCI:

I'd just like to say I don't have any personal problem with Legislator Schneiderman. I know we agree on certain things. I've actually spoken in favor of his Dark Sky legislation before the Legislature. We do have a difference of opinions. And I think it's okay to disagree. Agree to disagree. That's my personal input. I'm actually shocked.

LEG. BISHOP:

Yeah, I understand.

CHAIRMAN LOSQUADRO:

I don't think we'll engage in any more speculation or, you know, get into •• now we have questions of hearsay. What we've had is factual for the moment, but I don't want this to degenerate into anything else. Legislator Foley?

LEG. FOLEY:

Factual question, Mr. Chairman. And thanks again for recognizing me. It was mentioned earlier that •• Supervisor said there was a number of organizations support this particular appointment. It's my understanding there's about 15 organizations have chimed in on support. Can you for the record •• it's my understanding those letters have been submitted to the committee, but if they can also be mentioned on the record who they are what and what their background is, that's important. Because I would say, Mr. Chairman, in the years that I've been here, a number of times when we have supported the recommendation of different Town

Boards, you did not always have as many or near as many organizations submitting letters of support for the Town Board's recommendation.

CHAIRMAN LOSQUADRO:

Legislator Foley, if I may, during my short tenure here, I have seen many other candidates who have received many recommendations be not confirmed for many reasons as well.

LEG. FOLEY:

Planning Board, though. Planning Board •• Planning Commission is a little different animal.

CHAIRMAN LOSQUADRO:

I think ••

LEG. FOLEY:

I think Planning Commission is a little different. But if ••

CHAIRMAN LOSQUADRO:

I understand.

LEG. FOLEY:

If we could just hear from which organizations, would that be ••

CHAIRMAN LOSQUADRO:

We'll have the organizations read into the record.

LEG. FOLEY:

Thank you.

CHAIRMAN LOSQUADRO:

And then we'll proceed to the vote.

LEG. FOLEY:

Thank you, Mr. Chairman.

MS. GRENCI:

The Dark Sky Society who also spoke in front of the Legislature about changing the lighting

laws. Montauk Beach Property Owners Association; consists of over a thousand residents in the Hither Hills District of Montauk. The Concerned Citizens of Montauk, a 30-year old environmental organization. Mr. Amper already spoke on behalf of the Long Island Pine Barrens Society. Eastlake Drive Association; that's about 150 members of the community on Eastlake Drive in Montauk. I believe the group for the South Fork also sent in something. I don't have a copy of that. The Friends of Long Island Sound, which has been advocates for the Long Island Sound and the Peconic Estuary. And the Peconic Land Trust. These are just the ones that I have copies of.

If you want more, I'd be happy to ••

MR. McGINTEE:

If I might add, I was not aware that letters of recommendation from different groups would be necessary or part of the record. I thought the recommendation of the unanimous board would be enough. But had I known, it would have been no problem from my perspective to get numerous, numerous letters from many organizations and the Town of East Hampton to support Ms. Greci's nomination for this position.

CHAIRMAN LOSQUADRO:

I appreciate it, Mr. Supervisor. Obviously this board has questions amongst itself. And through the community as a whole that it needs answered. We have a motion to table and a second.

LEG. CARACCIOLO:

On the motion.

CHAIRMAN LOSQUADRO:

On the motion, Legislator Caracciolo.

LEG. CARACCIOLO:

Let me just say, Supervisor McGintee, that in my mind a Town Board resolution does carry with it a certain amount of weight. For example, we have another resolution which got through this Committee to the floor of the Legislature back in marsh to appoint someone to replace the holdover in the Town of Riverhead. And I couldn't get a second on that resolution when it got to the floor of the Legislature. So, it died. But the same resolution is back. I have been asking for months from that supervisor to get me a Town Board resolution. I haven't gotten it. So, I just want you to know that in my mind that does carry with some significant weight. I think

quite frankly, and if we want to be candid here, some things need to be reconciled between the Town and the district representative. I very much respect Mr. Schneiderman's position and I will support it until such time as someone can demonstrate to me that he has taken an reasonable position. So, I think this is very much, if it's tabled which I will support because I second the tabling motion, a resolution that can be reconsidered. And I would encourage all the parties to see if they can reconcile whatever differences there might be.

MR. McGINTEE:

I appreciate that. And I thank you all for allowing me to have this time to speak. The only thing I would ask is, that in your statement you said that Legislator Schneiderman has provided you with information or his point of view. Yet, I have not nor the Board been made privy to that information. So, for me to be able to respond to that, information that has been provided, I need to know what it is. And on the record. None of it has been put on the record yet so that I can at least respond to it or negate whether their allegations •• and somebody had said before it's just hearsay. Until something is onto •• on the record as to why these objections are being brought forward, I don't know whether they're hearsay. And I am not for one moment suggesting that Legislator Schneiderman does not do a good job. We've known each for a longtime. We, too, have had our differences. But I believe I have a very good working relationship with Legislator Schneiderman. But I need to know what the issues are. And they have never been provided to me that I can actually discuss them with him or discuss them with this Legislature. But I do thank you very much for your time.

LEG. O'LEARY:

If I may, Mr. Chair, that's the exact reason for my tabling motion with respect to this issue. I think there to be some sort of dialogue and communication between several parties.

MR. McGINTEE:

Thank you very much for your time. I greatly appreciate it.

LEG. SCHNEIDERMAN:

For the record, I'll be happy to meet with Supervisor McGintee in the interim.

CHAIRMAN LOSQUADRO:

Legislator Bishop.

LEG. BISHOP:

I thought that meeting was going to occur between the last time that we tabled this and today.
And I ••

CHAIRMAN LOSQUADRO:

It has not.

LEG. BISHOP:

Obviously you have your schedules.

LEG. SCHNEIDERMAN:

It's never been tabled.

LEG. O'LEARY:

This is the first tabling.

CHAIRMAN LOSQUADRO:

First time it's before us. So ••

LEG. O'LEARY:

Tuccio is the one that you're thinking of.

LEG. BISHOP:

What was the one where you said it was real estate heavy.

MR. McGINTEE:

I will provide a resolution from the Board at this Friday's meeting.

CHAIRMAN LOSQUADRO:

This is something that hopefully will be worked out by the interested parties and we can address it at a later date.

LEG. O'LEARY:

Can we move the motion, Mr. Chair?

MR. McGINTEE:

I would just ask, I took a lot of time out of my day. And not that I'm complaining about it but

as you, I am very busy. I would hope that the next time this is brought up that we can come up and at least get some type of conclusion to this issue.

CHAIRMAN LOSQUADRO:

Well, hopefully the matter will be worked out amongst the interested parties before it comes back before us. And, you know, we'll know what the potential outcome could be prior to having it before it us. So, we have a motion and a second to table. All those in favor? Opposed? Abstentions? Abstention by Legislator Schneiderman. **1683 is tabled. Thank you. (Vote: 4•0•1•0) Abstention by Legislator Schneiderman)**

LEG. CARACCIOLO:

Is Mr. Isles still in the auditorium?

CHAIRMAN LOSQUADRO:

Yes, he is. Would you like Mr. Isles to come back?

LEG. CARACCIOLO:

Just a quick inquiry with respect to ••

CHAIRMAN LOSQUADRO:

Mr. Isles, could you come forward, please? I have a question by Legislator Caracciolo.

LEG. CARACCIOLO:

Mr. Isles, as Chair of the Planning Commission •• I believe you're Chair; correct?

MR. ISLES:

No, I'm not.

LEG. CARACCIOLO:

You're not. Who is?

MR. ISLES:

The Chairman •• the acting Chairman is Mr. Robert Martin. I am the Director of the Planning Department; so, I serve as the Chief Staff member to the Commission.

LEG. CARACCIOLO:

I stand corrected. The current Planning Commission has •• should have how many members, the total composition?

MR. ISLES:

Total composition is 15.

LEG. CARACCIOLO:

Right.

MR. ISLES:

The current covered number of filled positions is eleven.

LEG. CARACCIOLO:

Does the Town of East Hampton have a holdover representative?

MR. ISLES:

Yes, they do.

LEG. CARACCIOLO:

As does the Town of Riverhead.

MR. ISLES:

Yes.

LEG. CARACCIOLO:

Which I only found out about recently. I was told months ago he had resigned. And apparently that never happened.

MR. ISLES:

No, he didn't resign. He may have been talking about that but ••

LEG. CARACCIOLO:

Okay. How many of those individuals have what former Legislator Ginny Fields would have subscribed to as real estate backgrounds or interests?

MR. ISLES:

Let me just add one thing. I think Mr. O'Dea did send a letter in indicating his interest in resigning. Let me just clarify that.

LEG. CARACCIOLO:

But he has, in fact, not resigned?

MR. ISLES:

No, no. And I appreciate the fact that he stayed on because it's important to maintain a quorum for the meetings. In answer to your latter question in terms of how many have a real estate background ••

LEG. CARACCIOLO:

Background or interest. I have the list in front of me.

MR. ISLES:

Yeah. Let me ••

LEG. CARACCIOLO:

You know who they are.

MR. ISLES:

Yeah, I do know who they are.

LEG. BISHOP:

Do you know the answer to the question?

LEG. CARACCIOLO:

I do not.

MR. ISLES:

Just give me a moment to run through the members.

LEG. CARACCIOLO:

Is Mr. Iversoll an at•large member?

MR. ISLES:

No, he is not. He resigned from the Commission the latter part of last year.

LEG. CARACCIOLO:

Because he certainly would fall in the developer•real estate interest category.

MR. ISLES:

Yes. He no longer is, yeah.

LEG. CARACCIOLO:

So, there's a vacancy there?

MR. ISLES:

Yes, there is, yeah. We have one member who's an attorney, who I believe does some real estate work. So, whether that qualifies as having a real estate interest, maybe, maybe it doesn't. But there is one attorney who does private practice.

LEG. CARACCIOLO:

How about Mr. Parr?

MR. ISLES:

Mr. Parr is no longer a member of the County Planning Commission. He resigned.

LEG. CARACCIOLO:

Another at•large position that's vacant?

MR. ISLES:

Yes.

LEG. CARACCIOLO:

Okay. So, out of the 15, how many vacancies currently exists?

MR. ISLES:

Well, we now have four vacancies right now. And then we have a number of holdovers.

LEG. CARACCIOLO:

Have you had any difficulty in recent months to have a quorum to conduct business?

MR. ISLES:

We've had quorums in recent months. I think we had one meeting, I believe it was February or March that we did not have a quorum.

LEG. CARACCIOLO:

So, which other positions are vacant? You mentioned there four. You have two at-large.

MR. ISLES:

Yes, there are two at-large positions that are vacant. The Town of Southampton is vacant. And ••

LEG. CARACCIOLO:

And what were the circumstances regarding Southampton?

MR. ISLES:

The member from the Town of Southampton was elected to the Southampton Town Board, Nancy Grabowski. The county law prohibits an elected official from serving on the County Planning Commission. So, she resigned.

LEG. CARACCIOLO:

So, that would make three.

MR. ISLES:

That's three. Also, the Town of Brookhaven position is vacant.

LEG. CARACCIOLO:

When did that become vacant?

MR. ISLES:

That became vacant sometime last year.

LEG. CARACCIOLO:

So, it's been vacant since that time? They have not had a representative on the Planning Commission?

MR. ISLES:

They have not had a direct representative on the Planning Commission. I will point out that one of the at-large positions is held by a resident of the Town of Brookhaven.

LEG. CARACCIOLO:

Okay. But that's ••

MR. ISLES:

That's indirect, yeah.

LEG. CARACCIOLO:

Has there been any indication by town government in Brookhaven that they intend to provide a member?

MR. ISLES:

Well, let me make a •• make something clear. And that is that the membership in the County Planning Commission is made by the County Executive subject to the confirmation of the Legislature. There's no requirement that there be a town appointee or anything like that. The only requirement is geographic. And that is there must be one member from each of the ten towns in the county; two from villages in the county and then three at-large positions for a total of fifteen. So, the County Executive must select from one of the ten towns for those ten positions.

LEG. CARACCIOLO:

What does the Charter speak to in terms of •• obviously it's a County Executive appointment.

MR. ISLES:

Right.

LEG. CARACCIOLO:

To be confirmed by the Legislature. But in terms of the nominee, does the nominee come from the town government or from the Town Supervisor?

MR. ISLES:

Neither.

LEG. CARACCIOLO:

Neither.

MR. ISLES:

Just strictly the •• the County Executive. By traditional, customary practice or something, there may be a courtesy to request ••

LEG. CARACCIOLO:

I think that's an important fact to be put on the record because there are certain Supervisors that have this impression that it is their right to appoint the Planning Commission member to the County Planning Commission. And that's clearly not the case. I appreciate your answers. Thank you.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Yeah. Mr. Isles, this Planning Commission, I've asked you this before about the various things that this Commission is asked to do. And, you know, maybe if you can go a little bit into what type of skill sets would help with that, and maybe once again talk about the various areas; and whether this makes sense to have this random composition or whether we should be looking at bringing particular areas expertise into a Commission like this.

MR. ISLES:

Well, I'll just speak •• answer that by beginning with General Municipal Law which enables the formation of County Planning Commissions does speak of membership. And what it talks about in membership is that membership should reflect a broad cross•section of interests of the County, meaning that it's supposed to be a sounding board of citizens in the County. And that's reflected both geographically in our local code as well as, here again, I think the intent being to get a cross•section of the common man, sort to speak, in the community. So, there's nothing specific in General Municipal law. In terms of the skill sets, the nature of the work that the County Planning Commission does is, the first and foremost would be referral of zoning and sub•division matters, which last year counted for about 2200 cases that were referred to the County Planning Commission. Those are matters that may have inter•municipal or county•wide significance such as large projects, developments, things like that that are on county roads adjacent to municipal boundaries and so forth. So, that forms a large part of what the County Planning Commission's work is.

Also, the County Planning Commission oversees and directs the staff in terms of special studies that the County Planning Department may be doing. So, from time to time we will give the Commission updated information on office market activity, hotel activity, which we just gave a recent report to the Commission on that; various things that are happening with demographic, economic and development information in the County itself. Thirdly, the County Planning Commission can conduct special studies when specifically requested by the individual towns. In that case a local Town Board or Village Board must pass a resolution requesting the services of the County Planning Commission. The County Planning Commission then can take that under advisement and direct the staff to do work. We did that fairly recently with a report we did for the Village of Patchogue. So, those are three examples of the type of work that the County Planning Commission does. Obviously, it's a planning body. It's intended to be there to look at the big picture of what's happening in the County. And I think to also coordinate with the towns and villages.

LEG. SCHNEIDERMAN:

There's two individuals before the Legislature, both who have active real estate brokerage licenses. The committee •• it seems •• although it's an advisory committee deals heavily with land use. It also has this referral capacity back to the towns for this super majority override, which I've talked to about in the past. Can you speak to or not speak to, whichever you feel more comfortable with, whether it's a potential conflict of interest to have somebody who's actively involved in real estate transfers within the region making these types of decisions?

MR. ISLES:

Well, I think the •• number one, they would certainly be subject to the County Code of Ethics obviously. And any activity that they would be involved in in the County level that potentially could be a conflict, they would have to recuse themselves. If that got to the point where they were recusing themselves so often that they really were not functioning as a, you know, integral member of the County Planning Commission, then, I think that would be a problem. I think it would be hard to say that just on a blanket basis there should be no real estate brokers in the County Planning Commission. I think that would probably be •• to me I think that might be a little bit extreme. Just as I don't think you can say there can be no environmentalists or planners or anything like that. So, I think it would be a little bit of a yellow flag that the person would have to be cognizant of the fact that there are cases that come to the County Planning Commission. And they would have to be familiar enough to •• to ensure that there's no conflict

with either that direct parcel or any of the parties involved in that matter; other agents or brokers or anybody else that might be involved with that.

The candidate that was just before you indicates she doesn't practice at the present time. I'm not sure if that would continue into the future or not. But obviously there would have to be a clear separation. And the County Planning Commission, I believe, has been pretty good on that in terms of the members that do potentially have conflicts do recuse themselves, do remove themselves from any consideration. And I think has avoided any sort of stain on the reputation of the Commission.

LEG. SCHNEIDERMAN:

Thank you.

CHAIRMAN LOSQUADRO:

Thank you, Mr. Isles. I appreciate you coming forward to answer that.

And last but not least, Mr. Bagg, if you would please come forward, come on down. We'll address our CEQ resolutions. Good afternoon. We'll begin with **37•04, proposed SEQRA classification of legislative resolutions laid on the table on June 8th.**

MR. BAGG:

This is CEQ'S recommendations for those resolutions and basically the Type II actions. They were already reviewed by the Legislature, I believe, on the 28th meeting and are done. There were no problems with them.

LEG. O'LEARY:

Motion.

CHAIRMAN LOSQUADRO:

We have a motion by Legislator O'Leary, second by Legislator Caracciolo. All those in favor? Opposed? **Approved. (Vote: 5•0)**

38•04, proposed replacement of heating system in Main House at Sagtikos Manor.

MR. BAGG:

This project involves installation of both heat and air conditioning in order to open the Sagtikos Manor House to the public on a year-round basis and to protect the antique furnishings therein. Council recommends that it's a Type II action since it involves maintenance or repair involving no substantial changes to an existing structure or facility or replacement, rehabilitation or reconstruction of a facility in kind on the same site including upgrading buildings to meet building and fire codes. And the Historic Trust approves the action.

CHAIRMAN LOSQUADRO:

Fantastic.

LEG. O'LEARY:

Motion.

CHAIRMAN LOSQUADRO:

Same motion, same second, same vote. **(Approved. Vote: 5•0)**

39•04 proposed restoration of buildings at Meadow Croft County Park.

MR. BAGG:

This is a similar resolution. The project involves restoration of the stable, barn and shed out buildings and repair, replacement of the roof on the servants wing of the main house. Cedar wood roofs will replace on those structures. And all building materials will match the original including the stucco finish on the stable building. Plans for the ultimate stable barn building will be submitted to the Historic Trust. The Historic Trust approves of the project and the Council says that it's a Type II action for the same reasons as the former resolution.

CHAIRMAN LOSQUADRO:

Same motion, same second, same vote. **(Approved. Vote: 5•0)**

40•04 proposed acquisition of property known as Terry Hill, Town of Brookhaven.

MR. BAGG:

This project involves the acquisition of 6.17 acres by Suffolk County through the transfer from the US government for park purposes. Council recommends that it's an unlisted action. It will not have significant effect on the environment. I believe this bill went through the Legislature and was approved with the SEQRA clause in it. The SEQRA recommendations were contained in

that bill.

CHAIRMAN LOSQUADRO:

Same motion, same second, same vote. **(Approved. Vote: 5•0)**

41•04 proposed acquisition of land known as AVR realty property under the new Suffolk County Drinking Water Program in the Town of Brookhaven.

MR. BAGG:

This project involves the acquisition of 339.9 acres of undeveloped property under the new Suffolk County Drinking Water Protection Program in the Carman's River watershed for open space and passive park purposes. Council recommends it's a Type I action that will not have a significant effecting environment. I believe this also went through the Legislature with the appropriate SEQRA clause in it.

CHAIRMAN LOSQUADRO:

Same motion, same second, same vote. **(Approved. Vote: 5•0)**

42•04 Proposed SEQRA classification of Legislative Resolutions laid on the table on June 22, 2004.

MR. BAGG:

This is fairly pro forma. Council lists in the left-hand margin those actions that they think are Type II and need further SEQRA review.

CHAIRMAN LOSQUADRO:

Same motion, same second, same vote. **(Approved. 5•0)**

43•04, proposed Suffolk County Access Agreement for the Peconic River Restoration Program, Robert Cushman Murphy County Park, Towns of Brookhaven and Riverhead.

MR. BAGG:

This is for the access agreement that your Committee already discharged for the BNL from Legislator Caracciolo. The Councils's recommendations have been included in that bill which will be before the Legislature; that it's a action with a negative declaration.

CHAIRMAN LOSQUADRO:

Same motion, same second same vote. **(Approved. Vote: 5•0)**

44•04 proposed reconstruction of County Road 80, Montauk Highway from County Road 46 William Floyd Parkway to Mastic Road in the Town of Brookhaven.

MR. BAGG:

This project, which is federally funded involves rehabilitation of the pavement to improve ride ability and safety construction in new drainage facilities to eliminate flooding had provide treatment to storm water prior to discharge to the Forge River. And incorporation of decorative sidewalk, crosswalk treatments and landscaping to improve aesthetics. Council recommends that it's a Type I action that will not have a significant impact on the environment. One, none of the criteria as outlined in SEQRA will be exceeded that determines significant impact. Proposal does not appear to significantly threaten a unique or highly valuable environmental, cultural resources identified and regulated by the Environmental Conservation Law and SEQRA. The parcel does not appear to suffer from any severe environmental developmental constraints. Direct discharge ••

CHAIRMAN LOSQUADRO:

Sounds good.

LEG. O'LEARY:

Stop, Jim. Motion.

CHAIRMAN LOSQUADRO:

Motion by Legislator O'Leary, second by Legislator Bishop. All those in favor? Opposed? **44 is approved. (Vote: 5•0)**

45•04 proposed improvements to Van Bourgondien County Park.

MR. BAGG:

Council recommends this is an unlisted action which will not have a significant impact to the environment. And it was a subject of a bill before you.

CHAIRMAN LOSQUADRO:

Motion by Legislator Bishop, second by Legislator O'Leary.

LEG. SCHNEIDERMAN:

What's the improvement? .

MR. BAGG:

They are going to build a soccer field in an active recreational park.

CHAIRMAN LOSQUADRO:

All those in favor? Opposed? **45 is approved. (Vote: 5•0)**

46•04, proposed planning and design for improvements to Sewer District #21 at State University of New York.

LEG. BISHOP:

Motion.

LEG. O'LEARY:

Second.

CHAIRMAN LOSQUADRO:

Motion by Legislator Bishop, second by Legislator O'Leary. All those in favor? Opposed? **46 is approved. (Vote: 5•0)**

Thank you, Mr. Bagg. That concludes our agenda for today. Meeting is adjourned. Thank you.

(THE MEETING CONCLUDED AT 3:05 PM)

Denotes spelled phonetically