

**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 **August 18, 2005**.

**MEMBERS PRESENT:**

Leg. Daniel P. Losquadro, Chairman  
Leg. Jay H. Schneiderman, Vice•Chairman  
Leg. Allan Binder  
Leg. David Bishop  
Leg. Vivian Vioria•Fisher  
Leg. John M. Kennedy, Jr.

**ALSO IN ATTENDANCE:**

Leg. William Lindsay, Eighth District  
Mea Knapp, Counsel to the Legislature  
Alexandra Sullivan, Chief Deputy Clerk  
Kevin Duffy, Budget Review Office  
Ben Zwirn, Assistant Deputy County Executive  
Thomas Isles, Director of Department of Planning  
Jim Bagg, Chief Environmental Analyst/Department of Planning  
Patricia Zielinski, Department of Real Estate  
Lauretta Fischer, Department of Planning  
Kevin LaValle, Aide to Leg. Losquadro  
Maria Ammirati, Aide to Leg. O'Leary  
Teresa Elkowitz, CEQ  
Lance Mallamo, CEQ  
Charles Bender, PO Aide  
Greg Moran, PO Aide

Vito Minei, Environmental Quality Division, Department of Health  
Jeanine Dillon, County Executive's Office  
Paul Perillie, Aide to Minority Caucus  
Frank Tassone, Aide to Majority Caucus  
Sarah Lansdale, candidate for Planning Commission  
Donald Fiore, candidate for Planning Commission  
Jesse R. Goodale, candidate for Planning Commission.

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

**(THE MEETING CONVENED AT 2:51 PM)**

**CHAIRMAN LOSQUADRO:**

Thank you. Good afternoon. Thank you for waiting. Any remaining Legislators who are in the building I would ask they report to the horseshoe. I call the meeting of Environment, Planning and Agriculture to order. Begin with the Pledge of Allegiance if you'd all please rise led by Legislator Bishop.

**(SALUTATION)**

**CHAIRMAN LOSQUADRO:**

Thank you. I have no cards. Is there anyone wishing to be heard before this Committee? Seeing no one, we will go straight to the agenda. There's a ray of hope ••

**MS. SULLIVAN:**

I'd just like to say that the affidavits of publication are all in order.

**CHAIRMAN LOSQUADRO:**

Thank you very much. You preempted me before I could turn my page.

We do have a public hearing. **1832•05, adopting a local law to strengthen the full disclosure provisions for the County Planning Commission determinations.** We've heard from the Clerk publications are in order. Is there anyone wishing to be heard on this public hearing? We have no cards. Hearing no one, do we have a motion on this public hearing?

**LEG. VILORIA • FISHER:**

Motion to recess.

**LEG. SCHNEIDERMAN:**

Motion to close.

**CHAIRMAN LOSQUADRO:**

Motion to close by Legislator Schneiderman.

**LEG. VILORIA • FISHER:**

Motion to recess to the General Meeting.

**CHAIRMAN LOSQUADRO:**

Motion to recess to the General Meeting.

**LEG. BISHOP:**

Second.

**CHAIRMAN LOSQUADRO:**

Seconded by Legislator Bishop.

**LEG. SCHNEIDERMAN:**

On the motion.

**CHAIRMAN LOSQUADRO:**

On the motion Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

There's nobody here today speaking us to. Are you aware that there is particular public comment that couldn't be hear today? Is there a reason for a recess •• recessing it?

**LEG. VILORIA • FISHER:**

Yeah. I think at the General Meeting that there might be a greater awareness if there's a public hearing and people might be there. I don't think there was a full awareness of this public hearing. And it's an important issue. I think we should give the public an opportunity to come to speak.

**CHAIRMAN LOSQUADRO:**

Legislator Fisher, it was published the same as any other public hearing. The public was in no way denied the opportunity to comment on that.

**LEG. VILORIA • FISHER:**

My motion stands.

**CHAIRMAN LOSQUADRO:**

That's fine. There's a motion and a second to recess. All those in favor? Opposed?

**LEG. SCHNEIDERMAN:**

Opposed.

**CHAIRMAN LOSQUADRO:**

Opposed. Three, two. Motion to recess fails.

**LEG. SCHNEIDERMAN:**

Motion to close.

**CHAIRMAN LOSQUADRO:**

Motion to close by Legislator Schneiderman, second by Legislator Kennedy. All those in favor?  
Opposed?

**LEG. VILORIA • FISHER:**

Opposed.

**CHAIRMAN LOSQUADRO:**

Legislator Viloría•Fisher is opposed.

**LEG. BISHOP:**

Myself.

**CHAIRMAN LOSQUADRO:**

And Legislator Bishop. Counsel?

**MS. KNAPP:**

Yes?

**CHAIRMAN LOSQUADRO:**

The vote is three/two on this Committee.

**MS. KNAPP:**

We need four.

**CHAIRMAN LOSQUADRO:**

The motion remains recessed.

Before we go to tabled resolutions, we have several individuals here who are here to make some brief presentations. We thank them for coming down. Just on themselves, not on any issue before us. I would like to make a motion •• well, first we'll call the individuals up before we make a motion to take them out of order. I understand that Mr. Cramer could not be here today, but that Ms. Elkowitz and Mr. Mallamo are both here. So, if I could ask Ms. Elkowitz to please come forward first. Hello.

**MS. ELKOWITZ:**

Hello.

**CHAIRMAN LOSQUADRO:**

Thank you for coming down.

**CHAIRMAN LOSQUADRO:**

I see here obviously you're up for reappointment to the Council on Environmental Quality.

**MS. ELKOWITZ:**

Yes, I am.

**CHAIRMAN LOSQUADRO:**

Just in light of some of the things that have gone on in the past, I have asked that all candidates come before the Committee and just a brief explanation •• well, first of all, thank you for serving in a volunteer capacity and tell us why you would like to continue to serve in that capacity.

**MS. ELKOWITZ:**

Well, as you probably know I've been on the Council for, I think, about 15 years now. I've served as Chairperson for, I believe, 13. And I would like to continue to serve because quite frankly I believe that we need to have people on the Council who are aware of not only what the Council does but the fact that the Council is not a policy•making board and is clearly only there to review what you people put forth as policy and to just ensure that it complies with the environmental laws of the State of the New York. That's really our basic purpose. And we would like to continue not to have people there that would try to usurp your purpose which is to create policy, but just to review that what you do complies with law.

**CHAIRMAN LOSQUADRO:**

Thank you. Are there any other questions for Ms. Elkowitz?

**LEG. SCHNEIDERMAN:**

I have a question.

**CHAIRMAN LOSQUADRO:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

First let me say •• this is on? Yes. That it's been a pleasure serving with you on CEQ. I think you do an excellent job as Chair, although I am going to ask you somewhat of an uncomfortable question.

**MS. ELKOWITZ:**

Sure.

**LEG. SCHNEIDERMAN:**

In your other life, your paid life, you are a consultant to many different individuals and companies that are involved in development projects. And I believe you also sit on a board that's also involved with development interest. We just went through a whole procedure with another individual in terms of questioning whether conflicts of interest exists.

Now, I'm under the understanding that you actually have been through the Ethics Commission. So, if you could just tell us why you believe that there are not or if there are how you resolve ethical conflicts; and what the result if there was an ethics opinion on your service to CEQ, what the result was of that?

**MS. ELKOWITZ:**

I voluntarily sought an ethics opinion, I guess, over ten years ago because I was concerned •• I own a private environmental and planning consulting business. And I was concerned that some of the work that we might do, especially since we were being asked to serve as sub•consultants to some engineering firms that work for the County, that whether or not that would present a problem. So I voluntarily sought an ethics commission ruling. And I got an opinion and I was cleared.

What I do in my private business does not conflict with the policies or the operations of the Council, which is what I was trying to explain. The Council doesn't review private development projects. It doesn't review private proposals of private applicants. What the Council reviews is the legislation that the Legislature puts forth, that the County Executive asks for or projects

that DPW comes forth with. And what we review is whether or not they would have adverse environmental impacts. And we review them to ensure that you comply, that the Legislature complies with the State Environmental Quality Review Act.

So, what I do in my private business or whether I sit as a Director of the Long Island Builders Institute or quite frankly as a Director of the YMCA has absolutely nothing to do with what I do on CEQ. And those of you who know me, know that I'm paranoid about ethics and conflicts. And when DPW, for example, comes in with a consultant with whom I'm working on another project, I recuse myself even though that's not technically a conflict. So, I am extremely sensitized to conflicts.

**LEG. SCHNEIDERMAN:**

Thank you.

**CHAIRMAN LOSQUADRO:**

I believe we have a list. Legislator Kennedy, then Bishop, then Vilorina•Fisher.

**LEG. KENNEDY:**

Good afternoon.

**MS. ELKOWITZ:**

Good afternoon.

**LEG. KENNEDY:**

It is nice to see you here. And as a matter of fact I'm going to echo my colleague's thanks to you for having served for a considerable period of time in a position that is not always an easy position to work in. And having in a former life •• had some involvement with CEQ as far as ••

**MS. ELKOWITZ:**

You were there every month.

**LEG. KENNEDY:**

There we go. There we go. As far as being the Exec's representative, I had a good opportunity to go ahead and see and learn from you folks as you sit there. And I guess I just wanted to kind of flush out a little bit the distinction that you have, I think, very adequately put on the

table as far as compliance with SEQRA and the role that the Board plays as opposed to making a substantive determination as to the merits of any particular thing, whether it be a curb•cut or a construction of a roadway or a Vector Control program or anything else. If it's still the same as it was so many years ago, SEQRA is a very detailed and fairly black and white process; isn't it? And where a particular item falls in that list of categorizations is a fairly straight forward process. Or something that needs to be flushed out if a department doesn't provide adequate information; is that correct?

**MS. ELKOWITZ:**

Absolutely. And it's the only law in the State of New York that requires literal not substantial compliance. So, when this County gets sued on SEQRA issues, it's imperative that you comply literally. And there are several of us on CEQ, Mr. Cramer who you mentioned before, is in the same business that I'm in. And Mr. Cramer and I both serve as expert witnesses not only for private entities but also for government. And I have actually volunteered my services as an expert witness to this County on various matters that you were sued on.

**LEG. KENNEDY:**

So, then again when we talk of SEQRA, in essence what we're talking about, I think the old adage was, it's not necessarily that you have to come to a particular conclusion, but you have to do good process in achieving that conclusion.

**MS. ELKOWITZ:**

You have to comply literally with the laws and procedures. So, in my opinion it's very important that you have people on the Council that are well versed in those laws and procedures.

**LEG. KENNEDY:**

And in your initial contemplation of a particular project, you do go through some of that preliminary process to see if, in fact, the submitter has gathered all of the evidence that's necessary to make that black and white determination; is that correct?

**MS. ELKOWITZ:**

Yes, it is.

**LEG. KENNEDY:**

Okay. And if it's not there before you, you go ahead and you table the matter and correspond back with the Department and indicate to them what, in fact, in addition they've got to bring forward?

**MS. ELKOWITZ:**

Yes.

**LEG. KENNEDY:**

Okay. Good. Thank you. Mr. Chair.

**CHAIRMAN LOSQUADRO:**

Thank you. Legislator Bishop. We'll move onto Legislator Viloría•Fisher; then go back to Legislator Bishop.

**LEG. VILORIA • FISHER:**

Hi, Terry. I, too, thank you for the work that you've been doing as Chair. I had been a voting member of CEQ as you know when I was Parks Chair. And I saw a very important role for people who are well versed in historical buildings and that aspect that CEQ addresses. Currently is there anyone who is playing that role? Is one of the members of CEQ ••

**MS. ELKOWITZ:**

Yes.

**LEG. VILORIA • FISHER:**

And who is that?

**MS. ELKOWITZ:**

Mr. Mallamo, who I believe you'll be interviewing after me.

**LEG. VILORIA • FISHER:**

Okay. That's right. Okay. Of course, I've seen him there. Because I also have someone that I was thinking of was Mary Ann Spencer ••

**MS. ELKOWITZ:**

Uh•huh.

**LEG. VILORIA • FISHER:**

•• who had been recommended to me by someone who had served on CEQ. And I would like to see, you know, someone else there in that position. But that's a very critical role. And we've discussed that aspect of CEQ and its function.

**MS. ELKOWITZ:**

Legislator Fisher, I believe that everybody on the Committee knows that the CEQ has two roles. It sits as a CEQ and it sits as a Suffolk County Historic Trust. So, it is important that we have people that are versed in historic issues.

**LEG. VILORIA • FISHER:**

Okay. Thank you, Terry.

**MS. ELKOWITZ:**

You're welcome.

**LEG. BISHOP:**

No. Thank you.

**CHAIRMAN LOSQUADRO:**

Legislator Bishop. No thank you?

**LEG. KENNEDY:**

Mr. Chair, if I can just go to one other piece quickly.

**CHAIRMAN LOSQUADRO:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you. There's just one item, I guess, that I'd like to follow•up on with what Legislator Fisher talked about. She spoke about the historical aspects associated with the CEQ.

**MS. ELKOWITZ:**

Uh•huh.

**LEG. KENNEDY:**

And I guess the other thing that I'll just ask you, it's perhaps asking the obvious, there's a better term utilized to go ahead and characterize appointments •• appointees as environmentalists. I'm somewhat •• I don't know how to go ahead and interpret a statement like that since what we've just discussed is basically the role that the members are playing is to make literal determinations, if I can use your words. Do you have any thoughts about that as far as, you know, an environmentalist as opposed to somebody who's operating on the board?

**MS. ELKOWITZ:**

Well, sitting here you're asking me for my personal opinion? My personal opinion and given the question that Mr. Schneiderman •• that Legislator Schneiderman asked me, it may get me into trouble sitting as a Board of Directors ••

**LEG. KENNEDY:**

I don't want to get you in trouble.

**MS. ELKOWITZ:**

That's all right. As a Director on another •• but quite frankly, Legislator Kennedy, I don't believe that advocates for the builders who live as advocates for the builders or people who are advocates for particular environmental cause, I don't believe that CEQ's the place for them. Because CEQ is not supposed to be a policy•making body. We're not supposed to be telling you what you're supposed to be proposing. You're supposed to be giving us what you propose and we're supposed to tell you how to comply with SEQRA. So, quite honestly I don't care if you're a dentist •• a dentist recently got appointed. And the gentleman actually was •• yesterday was his first meeting. And he was very helpful because he had some particular knowledge about certain things. And he was able to help evaluate a project. But he didn't have a cause. He was just a very competent person.

**LEG. KENNEDY:**

Okay. Thank you. I don't mean to belabor it. And thank you. I appreciate your response. That's it, Mr. Chair.

**CHAIRMAN LOSQUADRO:**

Thank you.

**MS. ELKOWITZ:**

Thank you.

**CHAIRMAN LOSQUADRO:**

I appreciate your time. I just want to call up Mr. Mallamo first. Thank you, Ms. Elkowitz.

**MS. ELKOWITZ:**

Thank you.

**CHAIRMAN LOSQUADRO:**

I appreciate your time.

**MS. ELKOWITZ:**

Thank you.

**MR. MALLAMO:**

Good afternoon, ladies and gentlemen.

**CHAIRMAN LOSQUADRO:**

Good afternoon. Thank you for coming down. Same question. And the same thanks to you for serving on the Council.

**MR. MALLAMO:**

Well, thank you very much. Let me give you a little bit of my background. Many of you may know me as the Executive Director over at the Vanderbilt Museum. I've served on the Council since 2001. I've actually attended almost all of the meetings since 1980 when I was appointed first Historic Trust Manager for Suffolk County. CEQ is the Suffolk County Historic Trust. And I was the County employee assigned to implement that program and get it going. For those of you who weren't here in 1980, it was •• that Historic Trust Program was all on paper. It had never been implemented. And at that time there was probably an attitude that the County

shouldn't be acquiring more historic buildings because they are just a burden on the County.

**CHAIRMAN LOSQUADRO:**

I will just add at this point that I was in third grade.

**MR. MALLAMO:**

Well, I had a full head of hair so ••

**CHAIRMAN LOSQUADRO:**

Had to lighten this up a little bit. Please continue.

**MR. MALLAMO:**

Implementing that program. Did away with that. But I have attend most of the meetings since then. In 2001 or ultimately even before that, I was appointed as Director of Historic Services and also the Suffolk County Historian, which title I still hold today. That's an appointed position by the Legislature. And I was appointed in 1987. So, I've held that position for about 18 years. So I'm the official responder for information on Suffolk County history. So I do consider myself somewhat of an expert on our area's history and historic buildings.

My background professional •• in education •• I have a master's degree in urban planning with a focus on historic preservation environmental studies. I was a •• have my bachelor's from Stony Brook University where I was a history major. I did receive the \\_Jamesfelt\\_ fellowship at Hunter College where I went to planning school. So, I think I'm qualified to undertake this position.

In answer to Legislator Viloría•Fisher's question about the historic preservation angle, that's probably my primary focus with CEQ. Although I do feel qualified to discuss all of the issues. I think we have a great Council for each project. I know every member reads all the materials because we do catch mistakes when they come up and the project is tabled. In answer to what does historic preservation have to do with the environment, well that's actually the built environment. And that is an environmental issue. And it's a very environmental issue for Suffolk County. Not only for the people who live here, but for the quality of life that we all enjoy and to keep people coming to Long Island and enjoying the resources that we have here.

**CHAIRMAN LOSQUADRO:**

Thank you very much. Are there any questions by members of the Committee? Legislator Vilorio•Fisher, do you have one?

**LEG. VILORIA • FISHER:**

I don't have a question. I just want to thank Mr. Mallamo for the work he does throughout the County and his invaluable service as a historian. In my district, you know, he's helped with a lot of projects with the Three Village Historical Society and with Minnasuke School and their work and •• we always look to you. Thank you, Lance.

**MR. MALLAMO:**

Well, thank you very much. And, you know, I think that serving this role has enabled me to further certain projects that I wouldn't have even been able to do otherwise that will impact the County. Right now at the Vanderbilt Museum we have an exhibit on the Long Island Pine Barrens Commission. Probably ten years ago that's not something that Vanderbilt Museum would have been doing. So we're really looking to promote the resources of the county.

I also serve as Co•chair of the Long Island North Shore Heritage area and I'm Chairman of the Management Plan Commission. I'm hoping that that plan, the successful implementation of that project by the end of 2006 will lead to a whole new vision for how the north shore develops. And I'm hoping we'll be then embarking on a south shore plan as well. Long Island South Shore Heritage Plan. So, I think this area has been very good to me and my family. I'm a great believer in public service and I do want to pay the community back.

**CHAIRMAN LOSQUADRO:**

Well, I just wanted to say again thank you. And I certainly didn't want to make you feel like one of those historic relics earlier based on my comment. As a fellow graduate of Stony Brook in the history department, your work is very near and dear to my heart. So, I appreciate the work that you do. I thank you for your time today. And I would just like very quickly before we move onto other matters a motion to take 1926 and 1927 out of order.

**MR. MALLAMO:**

I thank you for the opportunity to be here today.

**CHAIRMAN LOSQUADRO:**

Thank you. Second by Legislator Schneiderman. All those in favor? Opposed? 1926 and 1927 are before us.

**1926, reappointing member of the Council on Environmental Quality Teresa Elkowitz.**

Motion to approve by myself, second by Legislator Kennedy. All those in favor? Opposed?

**1926 is approved. (Vote: 6•0)**

**1927, reappointing member of the Council on Environmental Quality J. Lance**

**Mallamo.** Motion by myself.

**LEG. KENNEDY:**

Second.

**CHAIRMAN LOSQUADRO:**

Second by Legislator Kennedy. All those in favor? Opposed? **1927 is approved. (Vote: 6•0)**

Thank you two for coming down today. Appreciate your time.

**LEG. BINDER:**

Mr. Chairman.

**CHAIRMAN LOSQUADRO:**

Onto business. Yes.

**LEG. BINDER:**

Motion to reconsider the recess of 1832.

**CHAIRMAN LOSQUADRO:**

On the public hearing? You were not present at the time. I'll give Legislator Binder that courtesy as he was not present. I will second that motion.

**LEG. VILORIA • FISHER:**

Doesn't it have to be the prevailing ••

**LEG. BISHOP:**

When was that ••

**CHAIRMAN LOSQUADRO:**

Counsel?

**MS. KNAPP:**

I believe ••

**LEG. BINDER:**

Yes, that is in the rules.

**MS. KNAPP:**

Let me bring it up. Reconsideration.

**LEG. BISHOP:**

Why don't we come back?

**CHAIRMAN LOSQUADRO:**

Counsel almost has it. We will come back to this motion.

Onto Tabled Resolutions.

## **TABLED RESOLUTIONS**

1195•05, authorizing planning steps for acquisition under Suffolk County •• oh, I'm sorry. We got a little sidetracked here. If I could ask Planning and Real Estate to come forward. And while you're doing so, I'll get a ruling from Counsel.

**MS. KNAPP:**

It looks as though it's rule I•one. A motion to reconsider must be made by a member who voted with the prevailing side on the action proposed to be reconsidered except that a member who is absent for the vote may have a right to move for reconsideration of the same.

**LEG. BINDER:**

Right.

**MS. KNAPP:**

Such motion must be approved by the affirmative vote of at least the majority.

**LEG. BINDER:**

I'm going to make that motion.

**CHAIRMAN LOSQUADRO:**

We have a motion and a second. All those in favor? Opposed?

**LEG. VILORIA • FISHER:**

Opposed.

**CHAIRMAN LOSQUADRO:**

Legislator Viloría•Fisher is opposed. 1832 is before us.

**LEG. BINDER:**

Motion to close the hearing on 1832, please.

**CHAIRMAN LOSQUADRO:**

Motion to close 1832, seconded by Legislator Kennedy. All those in favor? Opposed?

**LEG. VILORIA • FISHER:**

Opposed.

**CHAIRMAN LOSQUADRO:**

Legislator Vilorio • Fisher is opposed. **1832 is closed. (Vote: 4 • 2. Legislators Vilorio • Fisher and Bishop opposed)**

**LEG. BISHOP:**

Opposed.

**CHAIRMAN LOSQUADRO:**

Very good. Hello, Tom, Officer Isles. How are you? Hold on one moment.

**LEG. SCHNEIDERMAN:**

My apologies, Chair. But there are other individuals who are here to be interviewed I think as well; at least one. In fact a gentleman I met in the hall who's here, I think for Planning Commission.

**MR. ISLES:**

There are four planning commission appointments.

**CHAIRMAN LOSQUADRO:**

Are all here today?

**MR. ISLES:**

Well, four out of the five, I believe.

**LEG. BISHOP:**

Why don't you go through the tabled resolutions now that they're here? And then we'll get these people ••

**LEG. SCHNEIDERMAN:**

It's up to the Chair. But I would say let's interview those four individuals.

**CHAIRMAN LOSQUADRO:**

Let's try to get through at least a portion of the agenda first. Sorry that we're running a bit late today but ••

**LEG. SCHNEIDERMAN:**

I hate to keep volunteers late.

**CHAIRMAN LOSQUADRO:**

Absolutely. Tabled resolutions. **1195•05 authorizing planning steps for acquisition under Suffolk County, Farmland Preservation and Hamlet Parks Fund. This is the Richter's Orchard property, Town of Huntington.** Has anything changed?

**MR. ISLES:**

I think at the last meeting two weeks ago you had indicated the sponsor requested tabling. I'm not sure if that still stands or not but ••

**CHAIRMAN LOSQUADRO:**

There was no change from the sponsor so we'll continue a tabling motion. Motion by Legislator Bishop, seconded by myself. All those in favor? Opposed? **1195 is tabled. (Vote: 6•0)**

**1467, authorizing planning steps for acquisition under Suffolk County, Farmland Preservation and Hamlet Parks Fund. This is the Moullem property. Moullem. Town of Islip.** Legislator Lindsay, I'd like to recognize you. Thank you for joining us.

**LEG. LINDSAY:**

I'd like to move the resolution. It's planning steps. I'm not sure if the Moullem family is willing to entertain an offer from us, but I'd like to find that out.

**LEG. BISHOP:**

Maybe they'll take the moola.

**CHAIRMAN LOSQUADRO:**

Mr. Isles, what was the determination on this parcel?

**MR. ISLES:**

This is a Hamlet Greens or Active Recreation proposal as we understand it. It is in a commercial strip in Bayport. It is a site that is •• you know, could be a candidate for Hamlet Park. The only issue we had or two issues we had with the initial presentation of this proposal

was to get some sort of sense as to whether or not there would be a local partner, a town partner perhaps. And then secondly to get some sort of sense as to what kind of use was being proposed, whether it was a playground or some other recreational type use.

Obviously as Legislator Lindsay's indicated, we understand that this is a planning steps resolution. But it seemed •• one of the points I would like to make as we're beginning this whole Hamlet Green Program now, it's \$10 million in the SOS Program, we do think and not quarreling with the specific proposals that are before us today, but we do think that we had as a County need to come up with some criteria and standards as to how we're going to be developing these vest pocket parks around the County in a manner that will not become a burden to the County Parks Department and cost burden to the County overall. That there has to be clear alliances with local communities and townships and so forth. So those are general concerns with the program. Here again I do understand this is planning steps. And we would just ask you to consider those concerns.

**LEG. LINDSAY:**

If I might, Mr. Chairman?

**CHAIRMAN LOSQUADRO:**

Yes.

**LEG. LINDSAY:**

The partner in this is a hamlet wide organization that's in •• it's starting to form. I've met with them a few times. And they envision being able to raise the money to actually develop the park and maintain it on behalf of the hamlet of Bayport.

**MR. ISLES:**

Okay. That's •• you know, that definitely does help us a little bit. The one point I'll just take a side note with, and Legislator Losquadro might be familiar with this is a recent case that I read about in Rocky Point where there was a park developed. There was very good intentions of the community group. They raised funds to put in irrigation fountains, statuary and so forth. And that was about five years or so ago. And unfortunately the organization kind of faded, the funding faded. The park was closed in March. It's now a question of what are we going to do with this.

**CHAIRMAN LOSQUADRO:**

Potential for the town to take it over.

**MR. ISLES:**

And here again, I'm not saying that's going to happen everywhere, but it's just something that •• the County typically deals with larger regional kind of park facilities. I respect the fact that there's been a decision made to do hamlet parks. There are great examples. The one I point to is the Lindenhurst Park. It's a wonderful hamlet park. If there are solid arrangements so that we don't look at a situation a few years from now where the County is in a situation that is expensive, is disappointing its residents in saying, well, you told us this was going to be such and such and it no longer is. So, that's the only point. And here again I appreciate the fact that there is an organization that has this interest providing here again I think we protect the County's long term interest. I think that would be our consideration.

**CHAIRMAN LOSQUADRO:**

Yeah, I know exactly the park you're talking about in Rocky Point. And now they're at the point where they're looking for potentially the Town to take the park over because it's a site of vandalism, you know, almost a campground for some of the homeless individuals in the area. So that has become a real problem within the community.

I understand your point completely. And I happen to agree about the County need the focussing •• needing to focus on larger projects and recently just brought it to mind because last night we had the formal dedication for the Wedge property in Mt. Sinai. And that was a very good collaboration between many levels of government. But took the commitment of resources from everyone from the town to the state, even some federal money, to make that project a reality. So I would like to see some sort of formalization of an agreement of, you know, who's the partner, some sort of •• something more concrete before we even •• before I even •• before we even feel comfortable moving forward in a planning steps because I just don't think this is something that the County should be involved in.

**LEG. LINDSAY:**

If there's no interest by the owners of the property in entertaining an appraisal, then, it's really moot to develop fundraising plans and development plans and all the other things that are necessary. The organizations that I'm talking about within the community are the basis of that

community, the Chamber of Commerce, the Civic Association, the Foundation down there, the Lion's Club, the Fire Department, I mean almost every organization within that hamlet has expressed a desire to be involved. But I don't want to get them up and raising money and everything if the owners aren't interested in selling the property. And what's envisioned there is a hamlet park; just like •• that was in the resolution that passed the voters last year, a village•green type of thing. Okay.

**CHAIRMAN LOSQUADRO:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I asked for just for some specifics on this piece. Is it •• if the County funds are going into it, is this something that can be accessible not just to neighborhoods but to a larger region without going through a residential area?

**MR. ISLES:**

Yes. It's on Montauk Highway in Bayport.

**LEG. SCHNEIDERMAN:**

Okay.

**MR. ISLES:**

So that's actually a County road. It is accessible to the arterial roadway system. It is directly in a commercial strip. It is about two•and•a•half acres in size. So certainly in terms of access, it has good access.

**LEG. SCHNEIDERMAN:**

Kids can ride their bicycles to it.

**MR. ISLES:**

Yes, certainly from the neighborhood to the north they can ride their bicycles to it.

**LEG. SCHNEIDERMAN:**

So it's a logical spot for a County park. Can I ask, there's a fund •• I forget the name of it. It's

like 21•E or something like that. It's kind of a dedicated fund. It's County money.

**CHAIRMAN LOSQUADRO:**

12•5 E.

**LEG. SCHNEIDERMAN:**

12•5 E. That goes to the towns or they get to choose where that County funds •• is there money left in Islip's fund that could be used towards this?

**MR. ISLES:**

There is. The money in Islip fund is maybe about 800,000 or so as I recall, approximately.

**LEG. SCHNEIDERMAN:**

Okay. And that could either ••

**LEG. BISHOP:**

Planning steps.

**LEG. SCHNEIDERMAN:**

•• offset it.

**MR. ISLES:**

It's planning steps in this case.

**LEG. SCHNEIDERMAN:**

So this would not preclude, passing a planning steps resolution, the use of those funds toward this.

**MR. ISLES:**

No. It would have to be done at the time of the acquisition resolution.

**LEG. SCHNEIDERMAN:**

Has the sponsor discussed this with the town at all?

**LEG. LINDSAY:**

The town doesn't really show any interest in it. And they haven't in terms of this program right along.

**LEG. SCHNEIDERMAN:**

Okay. I'm not sure that the town's aware of •• maybe they are •• the ability to use this 12•5 E money.

**MR. ISLES:**

Just so you know, too, the town doesn't have any say over how we use •• how you use the 12•5 E money. The money has to be spent within that geographic area. But it's up to the Legislature to decide how it's going to be spent.

**LEG. SCHNEIDERMAN:**

Okay. So we could apply that? Those funds?

**MR. ISLES:**

Yes, you could. It's subject to Parks Trustee's approval.

**LEG. SCHNEIDERMAN:**

Now, does the sponsor have a problem with that?

**LEG. LINDSAY:**

No.

**LEG. SCHNEIDERMAN:**

Okay.

**CHAIRMAN LOSQUADRO:**

One more question, Mr. Isles. You said this property is in a commercial area as I recall from the initial presentation on it. Is this property zoned commercial?

**MR. ISLES:**

The property is zoned as I recall office district in the front, office of funeral home. And then I think residential in the back. It partially fronts on Montauk Highway, Bernice Drive. And then there's a residential street in the back so it's office and residential zoning to the best of my recollection.

**LEG. LINDSAY:**

That's right.

**MR. ISLES:**

Okay.

**CHAIRMAN LOSQUADRO:**

I imagine the two•and•a•half acres fronting on Montauk Highway in a commercial district may exceed the \$800,000 that's in the 12•5 E money. Is it possible to apply multiple funds towards an individual purchase or no?

**MR. ISLES:**

I think that's a little tricky in terms of the ultimate use of the property.

**CHAIRMAN LOSQUADRO:**

Could you exhaust the 12•5 E and then ••

**MS. KNAPP:**

We did it very recently on that large parcel where we used three different funding sources.

**MR. ISLES:**

Yeah. I think so long as they all allow the activity to occur. Just be very careful. That's all.

**CHAIRMAN LOSQUADRO:**

Very good.

**LEG. SCHNEIDERMAN:**

Could I just ask you ••

**CHAIRMAN LOSQUADRO:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I'll assume the answer's no, but, you know, the County •• the Workforce Housing Commission has sent out letters to a lot of the towns and a lot of properties were identified. I just want to make sure this isn't one that's on the list that the County is studying for its potential for workforce housing.

**MR. ISLES:**

We did not receive any sites from the Town of Islip so it is not on the list. It's a site that could be considered for housing in general or higher density housing because it is within the commercial development. But likewise, you know, potentially it could also be a village green central park focus, too. So in the •• I think you could go either way actually in this case. It's not an environmentally sensitive parcel certainly.

**CHAIRMAN LOSQUADRO:**

Okay. Do we have a motion?

**LEG. VILORIA • FISHER:**

Motion to approve.

**CHAIRMAN LOSQUADRO:**

Motion to approve by Legislator Viloría•Fisher. Do we have a second?

**LEG. SCHNEIDERMAN:**

I'll second it.

**CHAIRMAN LOSQUADRO:**

Seconded by Legislator Schneiderman. All those in favor? Opposed?

**LEG. BINDER:**

I'm going to abstain for right now.

**CHAIRMAN LOSQUADRO:**

List Legislator Binder as an abstention. Motion is approved. **(1467 approved. Vote: 5•0•1  
•0. Leg. Binder • abstain)**

**LEG. BINDER:**

I want to hear more on this.

**CHAIRMAN LOSQUADRO:**

**1571, authorizing the acquisition of Westmoreland Farm, Inc., Town of Shelter Island.** I believe this has still not been amended. Is that correct? What is the status of this?

**MS. ZIELENSKI:**

I don't know whether it's been amended or not but it's still in negotiation. We have no contract on this property.

**CHAIRMAN LOSQUADRO:**

Very well. Motion to table by myself, seconded by Legislator Viloría•Fisher. All those in favor? Opposed? **1671 is tabled. (Vote: 6•0)**

**1617, approving Master List II and planning steps for environmentally sensitive land, farmland and recreationally important land acquisitions.**

**LEG. SCHNEIDERMAN:**

Do you have an extra copy? I didn't bring my copy.

**CHAIRMAN LOSQUADRO:**

Motion to approve by Legislator Viloría•Fisher, seconded by Legislator Bishop. On the motion, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Has it been amended? Is this the same list that I looked at last time or has it been added to?

**MR. ISLES:**

There's been one amendment to bring you up to date on. The list remains principally the way it was with something over 3,000 acres total. What has changed is there were 42 parcels •• pardon me •• yeah, parcels added last week encompassing an extension of protection of properties in the Forge River corridor. That was done with discussions with Legislator O'Leary. And the County Executive has agreed to include it in the master list. And Legislator O'Leary has consented to that as well.

And so where we are, then, there's been a slight adjustment upwards to the point where we now have a total of 68 sites within the parks and open space category totalling 3,187 acres. And then 26 sites in the farmland category totalling 686 acres. So therefore there has been an amendment. There was a prior amendment, I believe, in June adding a couple of parcels on. We feel at this point it is now complete and comprehensive and we would respectfully request your approval of this resolution.

**LEG. SCHNEIDERMAN:**

Do you have a copy of the master list II? Can I borrow it for a minute?

**MR. ISLES:**

I think we just gave you one; no?

**MS. ZIELENSKI:**

That was the amendments.

**LEG. SCHNEIDERMAN:**

No, I just got the additions.

**MR. ISLES:**

Oh, okay, you didn't get that? I'm sorry. Okay.

**CHAIRMAN LOSQUADRO:**

Could we skip this momentarily? Legislator Schneiderman, I believe, had a specific question.

**LEG. SCHNEIDERMAN:**

Well, there was a question I had brought up at another point. I see the property is still on

here. I don't know how much I can talk about this on the record. The property I have been told is going to be given for preservation purposes. And I'm not sure whether the placement on the list could hurt that.

**MR. ISLES:**

I'm not familiar with the specific case you're talking about. Certainly this is •• should be viewed as a preservation list, which would then at least •• it's only planning steps and at least opens the door to •• for Real Estate then to contact the owners.

**LEG. SCHNEIDERMAN:**

You're saying we don't have to buy it when it's •• when the owner's intention is to donate it.

**MR. ISLES:**

No, we certainly don't. And everything would be subject to coming back to you, to the Legislature, for an authorization at a future time.

**CHAIRMAN LOSQUADRO:**

Legislator Binder.

**LEG. BINDER:**

Maybe the question that's being asked is by putting it on a list, are you signaling to someone who may want to •• who might want to give it that we would be willing to buy it; now he changes his mind. I mean, that might be the concern he has. By putting it on an official list, he now sees, ah, well, now the County's willing to pay. Maybe I shouldn't donate anymore. And now it costs us money where it will be free.

**MR. ISLES:**

Yeah. I mean, certainly it's no secret that the County has a robust acquisition program. That's always a possibility.

**LEG. BINDER:**

No, no. But the difference is once you put a specific parcel •• that someone is not sure if we're interested in getting •• in taking for money, you put it on a list. Now they see we have now an official interest. And where they were thinking about giving it, they may not want to. And, you know, I don't know which one it is. But we might then incur a cost where we might have gotten

something for free.

**MR. ISLES:**

I mean, a lot of times when there's a donation it's often tied into a certain tax circumstance or personal circumstance or a state circumstance.

**LEG. BINDER:**

That's the question you have to ask the Legislator.

**MR. ISLES:**

I would just be •• I mean, I certainly understand your point, Legislator Binder. I'd just be a little bit careful about tiptoeing too carefully in terms of, you know, avoiding situations for fear of that. But, you know, at some point we need to assert what we feel is worth going to at least the initial step to begin the process. And without knowing the facts in this case, I just think we ••

**LEG. BINDER:**

I think the Legislator would probably, if he has more information, he doesn't have to give specifics on the record but if •• and then the question I would ask Legislator Schneiderman, if you feel that its placement there would inhibit the person from giving us this parcel rather •• when he sees it now listed as something we're now willing officially to buy.

**LEG. SCHNEIDERMAN:**

Well, if •• placing it on the list can't help. It's already the intention •• has been made clear to me to donate this property. So I don't know if it'll affect estate planning or anything like that. It doesn't need to be on the list. I'm concerned that maybe it could harm it. Maybe it won't harm it. You know, you've been at this a long time. I trust your judgement. If you want to leave it on it, I just hope that it doesn't ••

**MR. ISLES:**

Yeah, I'd be happy to have a conversation with you in more detail without jeopardizing anything else.

**LEG. BINDER:**

Is it possible we can skip over this and let Legislator Schneiderman speak to you •• to Planning so you guys can, you know, sit down and ••

**LEG. VILORIA • FISHER:**

Well, a motion has been made so it's hard to skip over it at this point.

**LEG. SCHNEIDERMAN:**

If the Commissioner feels confident that it's not going to jeopardize the status of the gift ••

**MR. ISLES:**

Right. And between now and Tuesday we can talk about it further. Certainly today I'd be happy to do that if you make a motion.

**CHAIRMAN LOSQUADRO:**

You want to discharge it?

**LEG. SCHNEIDERMAN:**

Without recommendation? Okay. Fine.

**LEG. KENNEDY:**

Mr. Chairman, I have a question on the list, though, as a matter of fact.

**LEG. SCHNEIDERMAN:**

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

**CHAIRMAN LOSQUADRO:**

Legislator Vilorina • Fisher.

**LEG. VILORIA • FISHER:**

Whether you discharge it without recommendation, table it or approve it, the document is out there. And a person who is savvy enough to have explored a donation of property and is probably very well aware of the value of their property, and being in Legislator Schneiderman's district, the person is probably very well aware of the high value of his or her property. And I don't believe that having the name on the list of properties that we see as sensitive and

desirable would in any way deter that donor from continuing with an action that obviously has been something that they've already determined if they've reached out to their legislator. Discharging without recommendation would have the same effect of putting it out there as approving it.

And I believe as a committee, as the Environment Committee, we should be approving a master list being out there. It's part of the direction in which we decided several years ago that we needed to move in order to have a robust and clearly defined agenda of land acquisitions and land preservation. I believe that it would do •• I think it would be harmful to the message that this Committee is trying to voice •• to discharge the master list without recommendation. We should approve of this master list and send it the Legislature with an approval from this Committee.

**LEG. SCHNEIDERMAN:**

Okay. I mean •• I agree. We can approve it. But we ought to have a conversation. I should at least make you •• and I mentioned this last time. So if you could reach out to me or vice versa between now and the next meeting to at least make you aware of the property owner that intends to donate this property.

**MR. ISLES:**

Okay. Thank you. We'll do that.

**CHAIRMAN LOSQUADRO:**

Legislator Kennedy?

**LEG. KENNEDY:**

Yes, thank you, Mr. Chair. I think what I'd like to do is just take the opportunity to have a brief conversation with Mr. Isles and/or Mr. Zwirn as far as what the intentions are going to be as far as ultimate acquisitions associated with parcels on the master list. Most recently I've had the opportunity to go through, I guess, a bit of a go•around, if you will, about Gould's Pond. And I know that's something that had been worked on for quite some time. And as a matter of fact, we may have an opportunity to contemplate yet another acquisition today, Hauppauge Springs. I have heard some representations about ultimately the acquisition resolutions. I'm just curious as to what you may know or more particularly what Mr. Zwirn may know.

**CHAIRMAN LOSQUADRO:**

Ben, would you like to come up and give a brief comment on the Executive's stance? This is something I know we've discussed at length. I believe that this has slowed the process in many instances and caused a lot of unnecessary friction. And it is something that we can do, as I've said in the past, to remedy this. And, you know, as Legislator Vilorio•Fisher alluded to •• but she left out a key word. We'll be approving another master list. We already did approve one. We put in some excellent safeguards, some mechanisms by which we streamline the process.

I'm very happy to say thanks to the hard work of Planning and Real Estate, we're really back, you know, especially now with the pipeline full so to speak, we're back on track to where we want to be and there's no reason we can't continue and even improve on where we are. So if we can remove these little hurdles that are still in front of us that hold up the process at the eleventh hour, it would certainly be a great help. So if you can just comment on Legislator Kennedy's statement.

**MR. ZWIRN:**

I'm not sure if Mike Deering has reached •• has Mike Deering called your office?

**LEG. KENNEDY:**

No.

**MR. ZWIRN:**

Okay.

**LEG. KENNEDY:**

As a matter of fact he's not. As a matter of fact that when I happened to be there at Gould's Pond, I had a brief conversation with him. And he expressed to me something that he thought was going to become a policy going forward. That's basically what I'm ••

**MR. ZWIRN:**

And that is the policy going to be going forward. It is. The County Executive has spoke with Mr. Deering and is going to do everything he can to reach out so that we don't have competing bills, you know, going through the Committee and then before the entire Legislature. They're to change the policy. Going to try to do everything they can to make sure everybody is on the

same page from here on in. And that's come down from Steve himself directly to Mike. That's why I asked if he's called you directly. Because if he hasn't, he will.

**LEG. KENNEDY:**

Okay. I would welcome that. And I certainly believe that, you know, all of my colleagues who have, you know, invested a lot of time, effort, work, research and, you know, done quite a bit associated with bringing this to conclusion would like that opportunity to go ahead and partner up and be co-sponsors.

**MR. ZWIRN:**

I'm not exactly sure what •• how they're changing it, but I know that there's a change coming into effect immediately.

**LEG. KENNEDY:**

Okay.

**CHAIRMAN LOSQUADRO:**

Very good. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

And this is really for the Commissioner. This list you said was the 3,000 plus acres. And the other list ••

**MR. ISLES:**

The other list was bigger.

**LEG. SCHNEIDERMAN:**

The other list was also thousands of acres; right?

**MR. ISLES:**

It's about 5,000, I think, yeah.

**LEG. SCHNEIDERMAN:**

And I'm not sure what we're averaging on a per acre price that we're paying. It's probably a

moving target. But land has gone up in Suffolk County as we know it.

**MR. ISLES:**

Right.

**LEG. SCHNEIDERMAN:**

I'm going to assume under the current programs we probably don't have enough money to buy all of these parcels. Maybe they won't all happen, but it's significant. So as this list goes through and other planning steps resolutions go through, I'm a little bit concerned about how we prioritize since some won't get bought for sheer lack of funds potentially down the road. How do we prioritize these properties as you go forward so we make sure that we don't spend our money on things that are lower priorities; that we're spending our limited open space funds on the right pieces.

**MR. ISLES:**

Well, I'll point out that every parcel that's on the master list has been reviewed extensively by the Planning Department. So everything's been culled at that level. Certainly every parcel that comes in as a planning steps as we frequently do in this committee, you will ask for a rating. We provide that to you. And then finally there's the second process that occurs for the actual acquisition resolutions.

And in terms of the prioritization, I haven't seen any parcels thus far and I haven't heard of any parcels where we haven't been able to buy a parcel without •• for lack of money. I have •• we have had many cases where we've had to find partners such as Amsterdam Beach and so forth. I understand your point.

At this point in time, we've gone through the master list I completely. Everybody's been contacted. Obviously there's a certain attrition in terms of the number of people that are interested. This is a smaller list than that. It has been reviewed. It's been edited. And, you know, we think that the current process as Chairman Losquadro spoke of in terms of the initial master list, there's subsequent reviews that are done. And also looking at the fact and the reality that at this point in time in Suffolk County's history of land development and open space preservation, a lot of these are acquisitions of opportunity. And timing does become a factor where the priorities can shift based on who's willing to sell at a particular time. And that's where we move and act upon it.

**CHAIRMAN LOSQUADRO:**

Thank you. Any further questions? We have a motion and a second. And I'd just make one last comment. I know we had discussed at length over the course of a year or so ago and moving forward, the staffing levels within your department, obviously you've been able to dedicate the resources to research two master lists now, go in depth on many, many parcels. Moving forward with putting out the offer letters on this many acquisitions and the constant influx that we get from additional planning steps, you're confident in the Department's ability to keep up with that?

**MR. ISLES:**

Real Estate or Planning?

**CHAIRMAN LOSQUADRO:**

Both.

**MR. ISLES:**

Both. Okay. I'll let Pat speak for Real Estate. Yeah, I'll give a lot of credit to the Suffolk County Planning Department and Laretta Fischer in particular and Ron Verbarg and others who worked 8 or 9 o'clock at night each night to get their master list done, which is what they did. We also did put in for an environmental planner, an additional position, which is a 25% increase our Environmental Planning Division, we did secure an excellent candidate this year. We have put in for several positions in the 2006 budget, which we've presented to the County Executive. And we're, you know, continuing discussions on that real estate.

**CHAIRMAN LOSQUADRO:**

And from Real Estate?

**MS. ZIELENSKI:**

Well, we do have a dedicated staff. Janet ••

**CHAIRMAN LOSQUADRO:**

Could you get a little closer to that mike?

**MS. ZIELENSKI:**

Janet Longo and her staff have worked diligently. But as you know, acquisition is just a piece of the Real Estate Department. And I find that we are now in a position to start stealing staff from other units to help out the acquisition staff. If that becomes a point where anything seems to be suffering for it, I would write a plan to increase our staff. But right now we're holding our own.

**CHAIRMAN LOSQUADRO:**

All right. Well, as Mr. Isles pointed out, this is the time with the budget process coming up to go through a comprehensive analysis. And if you see based on moving forward with another master list, you know, to really examine the needs of the Department and possibly move forward with some recommendations to the Executive's Office. You know this Committee has been very supportive in the past to give you the resources that you need to get these jobs done. We're committed to this process. So we have a motion and a second. All those in favor?

**LEG. SCHNEIDERMAN:**

Can I be added as a co•sponsor, please?

**CHAIRMAN LOSQUADRO:**

List Legislator Schneiderman as a co•sponsor. Opposed?

**LEG. VILORIA•FISHER:**

To the master list? Co•sponsor? Me, too.

**CHAIRMAN LOSQUADRO:**

And Legislator Viloría•Fisher. **1617 is approved.** Thank you for the comprehensive explanation. **(Vote: 6•0)** Legislator Viloría•Fisher.

**LEG. VILORIA•FISHER:**

I'd like to make a request on behalf of the people who are candidates here who have been here for almost two hours. Could we bring them forward? We still have quite a bit of agenda. And I would just like to see them ••

**CHAIRMAN LOSQUADRO:**

Well, I believe we could have them come up and make presentations one right after the other if

we could take a break and then address them as we did last time.

**LEG. VILORIA • FISHER:**

Thank you, Mr. Chairman.

**CHAIRMAN LOSQUADRO:**

Very well. We do seem to be going a bit slower than I think any of us had hoped. All right. Let's see who's first on the list here. I believe •• I don't believe •• is Mr. Pruitt here or no? That's probably the one that is not here.

**LEG. SCHNEIDERMAN:**

He was here before.

**LEG. VILORIA • FISHER:**

He was here.

**CHAIRMAN LOSQUADRO:**

He was here?

**LEG. VILORIA • FISHER:**

He was sitting in the back. He might be outside.

**LEG. SCHNEIDERMAN:**

Skip to the next one.

**CHAIRMAN LOSQUADRO:**

I didn't see her but, I'll ask, is Mary Daum here? No, I don't believe Mary's here. Sarah Lansdale? Sarah, if you could come forward. I'll just announce we're not taking these out of order at the moment but we will hear a short presentation by each candidate. This is Sarah Lansdale. This is an at large appointment to replace Linda Petersen on the Commission. So, Ms. Lansdale, tell us a little bit about yourself.

**MS. LANSDALE:**

Sure. I'm Sarah Lansdale. I live in Huntington. I have a master's degree in urban planning from New York University as well as an undergraduate degree Bachelor of Science in environmental studies. Currently I'm the Executive Director of Sustainable Long Island, which is the regional organization that promotes Smart Growth.

**CHAIRMAN LOSQUADRO:**

Very good. Any questions from the Committee? Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Sarah, you're Executive Director of Sustainable Long Island? Is that what you said?

**MS. LANSDALE:**

That's correct.

**LEG. SCHNEIDERMAN:**

What comes before Planning Commission typically, you know, will be, I would imagine, some projects that you may through your executive directorship have commented on in that capacity. Typically comprehensive plans or zoning changes all go to this •• all go to Planning Commission. Do you see that creating any potential conflicts? And which hat are you wearing the hat; as citizen or the hat as Executive Director of Sustainable Long Island when you serve on the Commission.

**MS. LANSDALE:**

When I serve on the Commission I would be representing not Sustainable Long Island but as a resident of Suffolk County, of Huntington. And if there was any •• if there was any conflict of interest, I would recuse myself. If there were any matters that came before the Planning Commission where Sustainable Long Island had a role in any part of the project, I would recuse myself.

**CHAIRMAN LOSQUADRO:**

Legislator Kennedy.

**LEG. SCHNEIDERMAN:**

I have a follow•up question.

**LEG. KENNEDY:**

Yes. Can you tell me just little bit then about, I guess, the mission of Sustainable Long Island or what, in fact, it is that the group advocates for?

**MS. LANSDALE:**

Definitely. Sustainable Long Island is a non-profit organization. And we promote economic development, environmental health and social equity. But specifically our programmatic work focuses on community based planning. We've worked in Suffolk County specifically in the Town of Babylon, in Wyandanch to sponsor a community wide visioning process. And the Wyandanch •• out of that visioning process came a plan that was drafted by Sustainable Long Island.

**LEG. KENNEDY:**

In other words •• so it sounds like a visioning plan. My experience with visioning is for doing County roads over and things such as that. Are you talking about rehabilitation of dilapidated properties or traffic infrastructure or placement of health centers or community development or things such as that?

**MS. LANSDALE:**

Let me be a little bit more specific. It's a community vision plan. Represents what comes out of the visioning process. So in the case of Wyandanch, for instance, it did address the identification of Brownfields or abandoned properties and the redevelopment of the downtown. Looking at •• it creates basically an outline of a short-term, medium-term and long-term goals for the community.

**LEG. KENNEDY:**

There may be, though, times on a Planning Commission where your role there, though, would perhaps be not in direct conflict but •• the thought that comes to mind is most recently I know that the Suffolk County Planning Commission had before it changes associated with the southwestern corner of the town where the Walmart and other projects are being developed at this point because it lied proximate to the boundary lines for Islip and Huntington and Smithtown as well.

So, where an individual project might have very laudable goal as far as community

rehabilitation, if it is proximate to adjoining towns and there's impacts, you may be looking at positions that are juxtaposed. How do you see sitting with that?

**MS. LANSDALE:**

Well, I see myself as taking •• a lot of people wear many hats. And I see myself as taking off the advocate for sustainable development or smart growth and looking at things in a fair and balanced way while serving on the committee.

**LEG. KENNEDY:**

Does your group advocate here only at a local level or do you advocate at a state level as well?

**MS. LANSDALE:**

We do advocate on a state level specifically on Brownfields issues.

**LEG. KENNEDY:**

Are you a lobbyist? Are you a registered lobbyist?

**MS. LANSDALE:**

No, I'm not.

**LEG. KENNEDY:**

You're not. And you're not compelled to have to register, I guess, just because of the nature of the work the group does?

**MS. LANSDALE:**

Correct.

**LEG. KENNEDY:**

Okay.

**MS. LANSDALE:**

I just do want to clarify. We advocate. We do not lobby.

**LEG. KENNEDY:**

What's the difference?

**MS. LANSDALE:**

Well, we advocate for issues and not lobby for specific legislation.

**LEG. KENNEDY:**

Okay.

**CHAIRMAN LOSQUADRO:**

Legislator Viloría • Fisher.

**LEG. VILORIA • FISHER:**

Hi, thank you for coming down. Sarah, the Wyandanch project, did it involve the railroad station that was •• the plans for the railroad station there and the redevelopment and restructuring of the railroad station? I thought that was mentioned in the article recently in the newspaper that that was part of that visioning process?

**MS. LANSDALE:**

The study area for the Wyandanch visioning process was the study •• boundaries were the •• north side was the railroad tracks along Straight Path. And then the south •• the southern boundary was Mount Avenue in Wyandanch. So, yes, it did include the train station.

**LEG. VILORIA • FISHER:**

So that was really a very successful feature of that visioning process.

**MS. LANSDALE:**

Yes.

**LEG. VILORIA • FISHER:**

And the outcome. I also noticed in your resume that you're a member of Woman Economic Developers of Long Island. And how do you see that informing your judgement or your positions as a member of the Planning •• or would it have any impact do you think?

**MS. LANSDALE:**

I really don't think it would have any impact on decisions made at the Planning Commission

level.

**LEG. VILORIA • FISHER:**

Okay. Sarah, Sustainable Long Island also did some work with groups that were forming an energy master plan if I recall. Is that •• did you work with the Sustainable Long Island groups that were doing the master plan; energy master plan?

**MS. LANSDALE:**

If Sustainable Long Island worked on that, that pre•dates me.

**LEG. VILORIA • FISHER:**

Thank you, Sarah.

**CHAIRMAN LOSQUADRO:**

Legislator Schneiderman; then Kennedy.

**LEG. SCHNEIDERMAN:**

I'm still trying to resolve some questions. So Sustainable Long Island I would imagine frequently goes before town boards when they're holding public hearings on zoning changes if it has to do with a smart growth type of application. Would that be a fair statement?

**MS. LANSDALE:**

That's actually not a hundred percent correct. If we're working on a visioning process, for instance, in New Castle or in Wyandanch •• I'll speak specifically to Suffolk County. We do work in both Nassau and Suffolk County. We would •• if we're working with a particular municipality, part of our efforts would include proposed zoning changes as part of the •• the comprehensive plan or the vision plan.

**LEG. SCHNEIDERMAN:**

And you would recuse yourself in those situations if the organization has taken a position on a Smart Growth Plan? You would recuse yourself? And that's fine. I just •• you know, I've been •• this is like déjà vu for me because years ago we had a situation where somebody had to recuse themselves so often that they weren't able to participate in a lot of the votes. And it was almost like a wasted seat on a board. And eventually that person •• we were able to get that person to leave so we could put somebody in who could vote frequently. So I just want to

get a sense •• is that something you're going to have to recuse yourself fairly often from Planning Board decisions or •• I don't know the scope of Sustainable Long Island's work.

**MS. LANSDALE:**

I don't believe so. The majority of our work is concentrated in Nassau County, in New Castle, Roosevelt, as well as Port Washington. The only current project that we have right now in Suffolk County is Wyandanch.

**LEG. SCHNEIDERMAN:**

Okay. My last question is really a philosophical question because I believe that, you know, Suffolk County really is in a bind with so many young people leaving. And we really do need to create more workforce housing. I think everybody agrees with that. The question really •• the problem seems to be on a local level where the zoning is not allowing the private sector to do it. And sometimes towns move forward and do create zoning. But they do have to change the current zoning which would then go to the Planning Commission. And if the Planning Commission does not support that change, then it comes back and now you need a super majority override which is even harder to get. So it's already hard to get the zoning on a local level for housing. And if the Planning Commission is voting against zoning changes for affordable housing, it's going to be that much harder.

So, I just really philosophically wanted to get •• Sustainable Long Island has been good on this issue, but I wanted to hear particularly from you your opinions on the housing issue and the zoning changes that would facilitate housing.

**MS. LANSDALE:**

Well, I have firsthand experience being someone who has just recently purchased a house in Huntington. Looking at the housing crisis on Long Island, but particularly in Suffolk County, I do think that there are some very creative tools that municipalities on Long Island as well as across the country have used to create affordable housing. Did that answer your question or do you want some more specific ••

**LEG. SCHNEIDERMAN:**

Well, I want to know if on the Commission you'll be a voice for promoting workforce housing.

**MS. LANSDALE:**

Most definitely.

**LEG. SCHNEIDERMAN:**

Okay.

**CHAIRMAN LOSQUADRO:**

Thank you very much. Any further questions? Thank you.

**MS. LANSDALE:**

Thanks.

**CHAIRMAN LOSQUADRO:**

Mr. Donald Fiore.

**LEG. BISHOP:**

Let's take a half hour with him.

**CHAIRMAN LOSQUADRO:**

This is for the Islip seat on the Planning Commission. Hello, Mr. Fiore, how are you?

**MR. FIORE:**

Good afternoon.

**CHAIRMAN LOSQUADRO:**

Thank you for coming down this afternoon. Tell us a little bit about yourself.

**MR. FIORE:**

My name is Donald J. Fiore. I'm a resident of Islip. I live in Holtsville. It's a small portion of it that is in the Islip Town. And I'm the business manager with Local Union 25, the International Brotherhood of Electrical Workers. Starting September of this year I'll start my 40th year in that organization. I'm married. I have two grown children, I have two grandchildren. And I am here before you.

**CHAIRMAN LOSQUADRO:**

Thank you. Any questions for Mr. Fiore? We're not debating the bill just yet. I just wanted to go through the applicants; and then we'll discuss the bills when we get to them. This is 1899. It's for the Islip seat on the Commission. On the Suffolk County Planning Commission. Any questions for Mr. Fiore? Just about him personally? We'll get to the bill. We have another applicant I'd like to get up here.

**LEG. SCHNEIDERMAN:**

Again, your interest in planning issues, what do you see as the direction for the County? Just very briefly.

**MR. FIORE:**

My issues are for the residents of Suffolk County. That's what I'm here for. Or that's what I hope to be here for on the Planning Commission. Smart Growth, sensible growth. And I'm not sure exactly what the Planning Commission does. I'm just going to be a new person on it. And whatever will happen, I will use my sense and sensibility. And I've heard some of the questions here that you asked of the last young lady here. And if something does happen to come up that is juxtaposed to my organization and the Planning Commission I, too, will recuse myself from that vote.

**LEG. SCHNEIDERMAN:**

Thank you.

**CHAIRMAN LOSQUADRO:**

Thank you. Legislator Binder.

**LEG. BINDER:**

In this particular position for I guess interacting and watching out particularly for Islip interest on the board, have you had conversations with the supervisor, the town board members, have they discussed this with you? Because that's the •• at least right now the government that you would have to interact with. I mean, we had in Huntington •• a member came from Huntington proposed by the Supervisor and didn't watch something that happened on our border and missed something. I mean, are you planning to have that kind of •• a close relationship with the government of Islip to keep them informed?

**MR. FIORE:**

Yes, sir.

**LEG. BINDER:**

Have you had conversations with them about ••

**MR. FIORE:**

No, I have not had conversation. I was asked by County Executive Levy if I would entertain sitting on this position. And that I would have to be appointed by the Legislature. And I told them that I would gladly accept the position. It would be my honor. But I haven't moved in that direction not knowing what's going to happen here.

**LEG. BINDER:**

Thank you.

**MR. FIORE:**

But I •• I mean we talk with the people from the Town of Islip and we have a good rapport with them. I don't see any type of a problem. I don't anticipate one anyway. I don't see one. Thank you.

**CHAIRMAN LOSQUADRO:**

Thank you. Any further questions? Mr. Fiore, thank you for your time. Appreciate it.

**MR. FIORE:**

And thank you for doing the job that you're doing.

**CHAIRMAN LOSQUADRO:**

Jesse R. Goodale. Mr. Goodale, if you could please come forward. Good afternoon.

**MR. GOODALE:**

Good afternoon.

**CHAIRMAN LOSQUADRO:**

Thank you for coming down. This is again another •• to appoint another member on the

Planning Commission. This is for the Riverhead seat on the Commission. So tell us a little bit about yourself, sir, along the same line as the other individuals who came before you.

**MR. GOODALE:**

Yes, I'm a principal, along with my brothers, of the Riverhead Building Supply Corporation, which is headquartered in Riverhead and has a number of locations throughout Suffolk County and one in Nassau County. We sell building materials of various types for the building of basically of houses, individual houses in that area. We've been in business for over fifty years. It's a family company.

Before I was employed there, which there are three of us, three brothers, I was a professor of political science. My doctorate is from Columbia University in political science and I taught at various colleges for a numbers of years after I got my doctorate. What might be of particular interest for this is that I have been Chairman of the Riverhead Development Corporation for a number of years. That is an advisory body that advises the Riverhead Town Board on proposals for the redevelopment of the former Navy facility that Grumman had in Riverhead.

**CHAIRMAN LOSQUADRO:**

Thank you.

**LEG. BISHOP:**

Another over-qualified applicant.

**CHAIRMAN LOSQUADRO:**

Any questions for this applicant? Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I'll ask the hard question. Now, I'm familiar with your business. You've got in my district •• I don't know, four or five, I don't know how many ••

**MR. GOODALE:**

Three of them, yes, sir.

**LEG. SCHNEIDERMAN:**

Three. Okay.

**MR. GOODALE:**

Oh, four actually.

**LEG. SCHNEIDERMAN:**

You are obviously in a business that profits from additional development.

**MR. GOODALE:**

Yes, indeed.

**LEG. SCHNEIDERMAN:**

You'll be reviewing applications that, if approved, if these zoning changes are approved would •  
• and in certain cases facilitate additional development. Some cases it may actually be up  
zoning that facilitates less development. Is there a conflict there? Do you ••

**MR. GOODALE:**

I would say that in general on the issue, and particularly on the east end, I think the •• and as  
a lifelong resident of eastern Long Island, I think as that, we know how important it is to  
maintain what makes the east end the east end. And I think that for me comes first and  
foremost.

Having said that, it is certainly possible •• we don't do where a builder is not a developer of  
projects. Certainly it has been the case. Although we don't do very much of it that a developer  
who has a project may come to us to buy materials although that is not exactly what we do.  
Basically we supply materials to contractors who are building single homes for individual  
families.

**LEG. SCHNEIDERMAN:**

And you have no guarantee even if a project was approved that they'd be coming to your  
company to buy the lumber.

**MR. GOODALE:**

No, no. I haven't •• I'm sure there have been ones that have been approved that come to us.  
I couldn't name you one. I'm sure there are, but I don't •• I'm not personally •• I wouldn't be

able to name you one. As I say, we're not developers. But certainly you can see where there might be a possibility that we would have •• that I would know that we had some interest if that developer got •• and, of course, I would have to •• with guidance would have to recuse myself in those circumstances. I don't believe I would feel the necessity of recusing myself on a regular basis, however, unless I was informed otherwise. But I don't see that.

**LEG. SCHNEIDERMAN:**

On the earlier question from the last candidate, have you spoken at all with the Town Board in Riverhead? Because you'd be the Riverhead choice for this position. Have they weighed in on this at all?

**MR. GOODALE:**

I have spoken to •• the only person on this matter that I've spoken to for the Town Board was the Deputy Supervisor. And he was very supportive. But officially no, I didn't •• wasn't screened or anything. And it is a little bit •• I suppose there might be some question. My residence is in Flanders, which happens to be in the Town of Southampton. My business has always been Riverhead. Of course a lot of us believe Flanders ought to be part of Riverhead anyway. So •• but outside of that my business and my central offices has always been in Riverhead and we consider ourselves very much a Riverhead entity.

**LEG. SCHNEIDERMAN:**

I asked the question but there's no statutory requirement that the Supervisor or Town Board make a formal recommendation.

**MR. GOODALE:**

I did check that but there was no •• there was no discussion with any board member about this.

**CHAIRMAN LOSQUADRO:**

Thank you. Legislator Kennedy.

**LEG. KENNEDY:**

Mr. Goodale, I have a question about your role as Chairman of the Riverhead Development Corporation. Is that it?

**MR. GOODALE:**

Yes.

**LEG. KENNEDY:**

Okay. And that group is charged with the development of the Calverton site.

**MR. GOODALE:**

Well, not exactly, although we're involved in it. What we do, we are of •• the corporation is made up of private individuals and planning members that •• some from the County, from the State and so forth. And what we do •• as well as private individuals. And what we do is review applications for development of parks at the site under direction of the Town Board. It is strictly advisory. And we have a set of rules that we follow. My •• in that regard I have been rather conservative in the sense that I believe that it is the Town Board's business in the end to determine the development, the direction of theirs. It is us to help them once they've determined the direction which they wish to go. And basically what we do is to kind of confirm that the people who are making a proposal is a proposal that fits the zoning, the potential land use. And if they have the financial and managerial ability to do what they say. Basically is what we do there.

**LEG. KENNEDY:**

And it's a very important function. And I know that there's been a lot of various proposals that have come forward, up and down. And we've talked about a whole bunch of things. A race track, a this, a that, all kinds of stuff.

**MR. GOODALE:**

Yes, sir.

**LEG. KENNEDY:**

Would you continue were you to be appointed to the Planning Commission to also be the Chairman of the Riverhead Development Corporation? And would there be any kind of ••

**MR. GOODALE:**

I have thought a little bit about that. I don't believe there would be much conflict at all. But I have thought a little bit about that. I would be open to suggestions on that regard. I don't see

where there would be a real conflict there. But if •• if there were, well then I would have to determine what to do. It was not my present plans to resign as Chair but I can ••

**LEG. KENNEDY:**

Again, I don't know, but I mean there's been talk. There's been talk of, you know, even a jet port out in Calverton.

**MR. GOODALE:**

Oh, yes, there has. Indeed.

**LEG. KENNEDY:**

And certainly transportation and other issues are things that come before the Suffolk County Planning Board.

**MR. GOODALE:**

Exactly.

**LEG. KENNEDY:**

Okay.

**MR. GOODALE:**

Again, it would be a question of •• again, some members of the Redevelopment Corp have taken a more expansive view of what that organization ought to do. My understanding of it and the way it's been directed under my Chairmanship is to follow the planning lead of the Town Board. And we are more of an advisory •• business advisory about the quality of the proposals that are brought forth under the established zoning that is established by the Town.

**LEG. KENNEDY:**

Okay. Thank you.

**CHAIRMAN LOSQUADRO:**

Legislator Viloría•Fisher.

**LEG. VILORIA • FISHER:**

I'll pass.

**CHAIRMAN LOSQUADRO:**

Okay. No further questions. Thank you very much, sir. I appreciate all of your time. Legislator Schneiderman, if you could please return to the horseshoe. We're going to go back to the agenda.

**LEG. VILORIA • FISHER:**

Mr. Pruitt didn't come back? It's a shame. He was here waiting.

**CHAIRMAN LOSQUADRO:**

No. I believe Mr. Pruitt is no longer •• I don't want to sound too ominous but I was going to say that he's no longer with us.

**LEG. BINDER:**

Don't say that.

**LEG. VILORIA • FISHER:**

In attendance.

**CHAIRMAN LOSQUADRO:**

No longer in attendance.

1626, back to Tabled Resolutions. **1626•05, authorizing the acquisition of land under the first 1/4% Suffolk County Drinking Water Protection Program. This is the Pines property.**

**LEG. BISHOP:**

Motion to table.

**CHAIRMAN LOSQUADRO:**

Motion to table by Legislator Bishop, seconded by Legislator Kennedy. All those in favor? Opposed? **1626 is tabled. (Vote: 6•0)**

**1629, appointing member to the Council on Environmental Quality, Mary Ann**

**Spencer.** This seat was already filled. This was Mr. Finkenberg's seat. It was already filled. Would it be appropriate to make a motion to table subject to call?

**LEG. VILORIA • FISHER:**

Just leave it tabled.

**LEG. BINDER:**

Motion to table subject to call.

**LEG. VILORIA • FISHER:**

I would just like to have a discussion about it next time. But it's too late now. So, I'd just like to table it.

**CHAIRMAN LOSQUADRO:**

Motion to table by Legislator Vilorina•Fisher.

**LEG. SCHNEIDERMAN:**

I'll second.

**CHAIRMAN LOSQUADRO:**

Second by Legislator Schneiderman. All those in favor? Opposed? **1629 is tabled. (Vote: 6 •0)**

**1642, adopting a Local Law, a Charter Law to promote non•political professional diverse County Planning Commission.**

**LEG. BISHOP:**

Motion to table subject to call.

**LEG. BINDER:**

Second.

**CHAIRMAN LOSQUADRO:**

Very well. Motion to table subject to call by Legislator Bishop, seconded by Legislator Binder.

**LEG. BISHOP:**

I just want to put on the record that I think it goes far too far to ban people who are committee people in political parties from serving in volunteer capacity.

**CHAIRMAN LOSQUADRO:**

I was just going to say just read the title. A Charter Law to promote non-political professional diverse County Planning Commission. I have a number of questions that this raised to me. So I am fully supportive of that motion.

**LEG. BISHOP:**

I think that serving as a committee person in political parties is a noble cause and not one that we should ban people from.

**LEG. SCHNEIDERMAN:**

Does it imply that the current Planning Commission is political, unprofessional and homogenous?

**CHAIRMAN LOSQUADRO:**

Legislator Binder, on the motion table subject to call.

**LEG. BINDER:**

I would say that it is unfortunate in the title that it would make the implication that all those things •• that this is a bad Planning Commission. Second, there should be people representing towns. And I think it's also unfortunate we see people come before us that are supposed to represent towns haven't even spoken to their town governments. So maybe that's the problem internally in the Exec's Office.

**CHAIRMAN LOSQUADRO:**

Motion and a second to table subject to call. All those in favor? Opposed? **1642 is tabled subject to call. (Vote: 6•0)**

**1698, adopting the amended 2005 Operating Budget to transfer funds**

**From 477 Water Quality Protection.** This is with the Frederick Canal Sediment and Water

Quality Improvement Strategy.

**LEG. BISHOP:**

This is an issue about unhealthy grading eel grass. So, I don't know how it's Water Quality Protection.

**CHAIRMAN LOSQUADRO:**

Legislator Bishop. Did we finally receive an application?

**MR. DUFFY:**

Yes, we received applications.

**CHAIRMAN LOSQUADRO:**

And your review?

**MR. DUFFY:**

We received an application dated February 2003 from the Suffolk County Department of Health Services. It did not contain a budget, but the backup to the resolution indicated that they're seeking \$85,000 for various things such as 10,000, for review, review and analysis 10,000, supplemental monitoring 10,000, feasibility study 20,000, plan design 35,000.

What I can't tell is I can't tell whether or not they are seeking to hire an outside consultant. Mr. Minei, whose report this is, had prepared the report. I'll let him answer that question.

**MR. MINEI:**

The answer is yes. All of that was to hire an outside consultant.

**CHAIRMAN LOSQUADRO:**

Very well. Legislator Bishop.

**LEG. BISHOP:**

All right. Let me •• since nobody understands •• you'd have to be there to understand it. I'm still opposing it. The Fred Canal is in Babylon Village. Many, many years ago Babylon Village land filled the end of the •• a point on the bay and it created in effect a funnel which funnels all

the eel grass when it blows a southwest wind up the Fred Canal. It's now very shallow. The canal degrades and you actually have a white miasma forming and dead ducks. And it smells. And people get sick in the area. It's really a unique and horrible situation, which I've tried for years to get the Health Department to become interested in. I didn't know they were interested in it. And frankly, they've denied interest up until this point for the most part.

**MR. MINEI:**

That's not true.

**LEG. BISHOP:**

So now this pops up under a 477. I'm certainly for this initiative. I don't know if I'd be for it under 477 which is Water Quality Protection. This is like eel grass erosion. The two are ••

**MR. MINEI:**

In following the course of this Committee and also the questions with regard to the Quarter Percent Committee and the recommendations, there have been many questions as to how these projects come forth. I think I was asked to speak because I wanted to assure the Legislature that the Committee is in force. We do use a very objective ranking system. This was one of the projects that did score well on the three part ranking system. And it was under aquatic •• excuse me?

**LEG. BISHOP:**

What is the three part system? I don't •• I mean, maybe I should know it. I just don't.

**MR. MINEI:**

No, I mean, I think you should. And there's been a lot of remarks made in this Committee with regard to the reviews being done by the Quarter Percent Committee. And we worked long and hard on the ranking system. And the three parts are comprised of an environmental significance portion of fifty points. And there are many questions. And there are three sub •parts under that; whether it's remediation •• something we wanted was a preservation component to be evaluated, or aquatic habitat restoration. And that's the •• 1•c was what the Frederick Canal was ranked under.

Another part was programmatic significance. I hear from many of you does the Peconic Estuary Program support it, does the South Shore Estuary Reserve, does the Long Island Sound Study.

Part two of the ranking system was specifically intended to incorporate that concept. Does it or does it not have the support and is it highlighted in the recommendations of that of report? And then we comprised what I thought was a rather resourceful third component. We called it adjustment factors where you get into sort of subjective issues of are we convinced there's a lot of support either from the town, are there matching funds, is it really implementable. And there are five sub•parts to that. So I was here to discuss Frederick Canal but •• first of all, the Health Department has been very interested from the beginning, at least the Environmental Quality Division has been.

**LEG. BISHOP:**

That's true. The Division has, but the acting Commissioner stopped spending on this project. I had a difficult loud conversation with her about this.

**LEG. VILORIA • FISHER:**

Mr. Chair.

**MR. MINEI:**

Frederick Canal is very interesting. I think it may indeed be the worst case of what we're hearing more and more of materials being trapped in canals or some of the tributary systems on the south shore. People complaining about odors. It is coupled with both environmental concerns as well as possible public health implications. But the Frederick Canal was reviewed by the Quarter Percent Committee and was ranked and, therefore, submitted to the Legislature for funding. And I would, you know, very strongly recommend that the Leg approve this project.

**LEG. BISHOP:**

Do you have the ranking sheets?

**MR. MINEI:**

I don't have them here.

**LEG. BISHOP:**

I'll just table it.

**MR. MINEI:**

I was under the impression that they were submitted as part of the overall information.

**LEG. BISHOP:**

I may have it. Does anybody have it in their backup?

**CHAIRMAN LOSQUADRO:**

Budget Review?

**MS. KNAPP:**

It was not in the packet certainly that I got as backup to this resolution. Mr. Duffy may have it.

**MR. DUFFY:**

No, I've gotten the same backup as you have.

**MR. MINEI:**

It's about a 20•page application package. And usually each project, depending on which ones they qualify, fill out maybe half of the package.

**LEG. BISHOP:**

Perhaps we should have all of that. But what I was looking for specifically was how it scored. As we do with the purchases, we get the score sheet.

**MR. MINEI:**

Right. I understand. This scored 60 points out of the total of a hundred. 1•C attained 30 of the 50 points. Part two with regard to programmatic significance in terms of south shore estuary recommendations, it scored 30 out of a maximum of 50 points. And then on part three it got the 1.0 adjustment factor out of all five sub•parts.

**LEG. BISHOP:**

If we approve this resolution, when would the study commence?

**MR. MINEI:**

By the time we prepared an RFP and released it and got responses, it probably wouldn't be •• a

selection of the consultant probably wouldn't happen until the end of the year and probably start as soon as, you know, the contract could happen. So probably the spring of '06 is really where you would think work would begin.

**LEG. BISHOP:**

If it were funded out of the Operating Budget as opposed to though out of the 477 account, would that make a significant difference to your operations?

**MR. MINEI:**

No. I mean really the work is in the preparation of the RFP soliciting input, selecting the consultant, then doing the contract.

**LEG. VILORIA • FISHER:**

Mr. Chair?

**LEG. BISHOP:**

It's my intention to have this funded, but •• it scored 60 which is very high on their system. But intuitively it strikes me as something that should be done out of the Operating Budget and not out of the 477 account. And so I'm going to look into this further. I'll need to •• I have a meeting that I've requested from Mr. Zwirn now for about three weeks that allegedly is supposed to happen with the County Executive regarding 477. So, I'll table this for one cycle.

**CHAIRMAN LOSQUADRO:**

Do you still want to comment Legislator Vilorina•Fisher?

**LEG. VILORIA • FISHER:**

I do, because I don't think •• I think you could look at it scientifically and not intuitively and look at the executive summary that's attached to the resolution. And if this is not about water quality, then what would be? It says here the result has been a decrease in the depth of the canal, poor water quality in terms of dissolved oxygen. What happens when you have dissolved oxygen, Vito?

**MR. MINEI:**

Well, you're trying to maintain a healthy level of dissolved oxygen for not only the vegetation but the fish so ••

**LEG. VILORIA • FISHER:**

You need oxygen in order for the fish to live and any kind of life to exist in the water.

**MR. MINEI:**

Basically Legislator Bishop's scholarly presentation about the eel grass washing up and decomposing consumes the dissolved oxygen. What happens is the system goes into a •• into what's referred to as a hypoxic or low dissolved oxygen condition. It actually starts to function like a septic tank.

**LEG. VILORIA • FISHER:**

So there's not enough oxygen in the water and the animals are suffocating because they don't have enough oxygen.

**MR. MINEI:**

Yes. And that creamy white miasma •• wasn't quite the engineering term I would use but that's really •• iron sulfides are created in this low oxygen environment and that gives off that rotten egg hydrogen sulfide smell.

**LEG. VILORIA • FISHER:**

Sulfide gas.

**MR. MINEI:**

We have a similar condition in the Forge River in Mastic. You're getting bottom sediments without oxygen decomposing.

**LEG. BISHOP:**

This is not even to remedy it. This is to study it.

**LEG. VILORIA • FISHER:**

Well, they can't remedy it until they study it. They have to have some idea of where they're going.

**CHAIRMAN LOSQUADRO:**

Let's not have a back and forth here.

**LEG. VILORIA • FISHER:**

I have the floor. Can I just finish?

**CHAIRMAN LOSQUADRO:**

Let's not have a back and forth here. Legislator Viloría•Fisher.

**LEG. VILORIA • FISHER:**

Please, I know it's your district, but this is a philosophical argument that you bring up every time we talk about using 477 account. And 477 •• we do have a committee that votes on this. A committee that ranked it very high. We do have a clear case if you look at the resolution and read it and read what it's saying that's happening in scientific rather than intuitive terms, which is that you have dissolved •• poor water quality in terms of dissolved oxygen. You need oxygen in order to have a thriving community of organisms. And you have high levels of hydrogen and sulfide gas which means it's going to stink. And probably putrefaction will be occurring there and it's just not a good thing •• good water quality. And I have a hard time understanding why we're opposing it.

**LEG. BISHOP:**

It's a terrible situation. Let me just ••

**CHAIRMAN LOSQUADRO:**

Legislator Bishop.

**LEG. SCHNEIDERMAN:**

He's not opposing it.

**CHAIRMAN LOSQUADRO:**

Legislator Bishop.

**LEG. SCHNEIDERMAN:**

He didn't say he's opposing it.

**LEG. BISHOP:**

In the 2003 •• in the 2003 ••

**CHAIRMAN LOSQUADRO:**

Legislator Bishop.

**LEG. BISHOP:**

I don't know what's wrong with you today. Will you just ••

**LEG. VILORIA • FISHER:**

Excuse me.

**LEG. BISHOP:**

•• calm down.

**LEG. VILORIA • FISHER:**

Excuse me.

**LEG. SCHNEIDERMAN:**

He's not opposing it. He asked for one cycle.

**CHAIRMAN LOSQUADRO:**

Legislator Bishop has the floor. Please.

**LEG. BISHOP:**

Thank you.

**LEG. VILORIA • FISHER:**

I had not quite finished and I was interrupted.

**CHAIRMAN LOSQUADRO:**

I had already recognized Legislator Bishop. Please. I'll give the floor right back to you.

**LEG. VILORIA • FISHER:**

I really don't want somebody saying on the record what is wrong with you today.

**CHAIRMAN LOSQUADRO:**

Legislator Viloría•Fisher.

**LEG. VILORIA • FISHER:**

I would like him to just apologize for that because he said I don't know what's wrong with you today and I don't think that's necessary.

**LEG. BISHOP:**

In the 2003 •• in the 2003 ••

**LEG. VILORIA • FISHER:**

Excuse me, Legislator Bishop.

**LEG. BISHOP:**

The 2003 Operating Budget ••

**CHAIRMAN LOSQUADRO:**

Legislator Viloría•Fisher, please just let him continue.

**LEG. VILORIA • FISHER:**

No. I just don't want somebody saying "I don't know what's wrong with you today."

**CHAIRMAN LOSQUADRO:**

I'm going to cut off this debate and take the vote if we do not maintain order here. That is my promise.

**LEG. VILORIA • FISHER:**

As a point of personal privilege I would like Legislator Bishop ••

**CHAIRMAN LOSQUADRO:**

We had a motion to table by Legislator Bishop, seconded by myself. All those in favor?  
Opposed?

**LEG. VILORIA • FISHER:**

I'm opposed.

**CHAIRMAN LOSQUADRO:**

List Legislator Viloría • Fisher as opposed. **Motion is tabled. (Vote: 5 • 1 • 0 • 0. Legislator Viloría • Fisher opposed.)**

**LEG. BISHOP:**

That doesn't solve my •• I would have liked to be recognized.

**CHAIRMAN LOSQUADRO:**

We will discuss it at a later date. **1705, amending the 2005 Operating Budget to transfer funds from the Suffolk County Water Protection Fund Sanitary Wastewater Reuse.**

This, I believe, is for a golf hole.

**MR. DUFFY:**

Well, it's a two phase project. They're seeking a \$165,000 from the County. And the total project will be one million five. I'm reading from what they're describing what they're going to do. The project consists of the sanitary wastewater reuse phase I on site improvement by irrigating a 3,750 square foot of a model golf course hole with ••

**CHAIRMAN LOSQUADRO:**

Could you hold on one moment? Could we please show some respect for the Budget Review Office? Everyone. Thank you.

**MR. DUFFY:**

Okay. That they're creating a 3,750 square foot model golf course hole with 560 GPD of advance treated Riverhead Sewer District effluent. And phase II, if they find under phase I it succeeds •• I've read this. I don't have a background to, you know, really discuss the merits of it. I guess Vito does.

**MR. MINEI:**

Yes. I'm sorry. I was under the assumption when you requested an information package that you were getting these ranking packages and reports that went with them. This Riverhead effluent reuse is, again, I think the first time that Suffolk County is actually involved in wastewater reuse. If you're following the saga of other states, Florida now reuses about 50% of its wastewater for irrigation. Florida is in big time trouble with regard to drinking water issues. New England reuses a lot of wastewater for irrigation. Most often in golf courses, certainly in non-food crop agricultural examples.

What we were trying to do here is, this rated very highly, 78.4 points, because it is a key recommendation of the Peconic Estuary Program. You have to envision first where the Riverhead sewage treatment plant is. It discharges at the head end of the Peconic Estuary. It's the poorly hydraulically flushed area. There's a lot of build up of nutrients in that area. So even though Riverhead has made grade strides in upgrading the sewage treatment plant, there may well need to be even further actions.

What we investigated was diverting a portion of the effluent. Riverhead hired a consultant. And because we work in the County Health Department, we asked them to go a little bit further than other states do so they filtered it even further. They disinfected it even further with ultraviolet light. And they did indeed build a small golf hole right adjacent to the County Indian Island golf course, hole number 11, I believe. It was a little bit more than we asked them to do, but Parks did •• we asked them to replicate the spraying patterns that the County does on the golf course, replicate the fertilizer use, replicate the same grasses used and to replicate even the spray headers. I was concerned that maybe as sewage effluent, it may clog the irrigation headers.

What they did was they actually built a model of a small golf hole. And the joke is even I could par the hole. It's small enough. But even though I've endured the jokes for the last two years, it was a rather resourceful approach to meeting the requirements we asked them of looking at spray irrigation.

The Town is putting in considerable funds, I believe, to the tune •• if the County's total is about 175, I believe the Town's is about double that. And then we supported the Town in a state bond act of about a million dollars for the implementation. The implementation is to connect to the County Indian Island Golf Course irrigation system so that the County golf course would use

this. Obviously they'll have to irrigate at night, not during the day when golfers are using this. But we're looking at other applications of the possibility of sewage treatment or wastewater reuse.

I know Stony Brook University wants to look at it. DPW is evaluating the potential of Bergen Point reusing some of the wastewater on the Bergen Point Golf Course. So there may indeed be several applications of wastewater reuse. And again, I would very strongly recommend this project to the Legislature.

**LEG. SCHNEIDERMAN:**

Questions.

**CHAIRMAN LOSQUADRO:**

Questions. I know I have •• I know I have one, but Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Vito, this is commonly called gray water? Is that the same ••

**MR. MINEI:**

No. This is actually black water.

**LEG. SCHNEIDERMAN:**

That's different?

**MR. MINEI:**

This is •• gray water is usually shallow water or dishwashing water. This is sewage effluent.

**LEG. SCHNEIDERMAN:**

Okay. Which might make sense in an area where you have very limited ••

**MR. MINEI:**

Listen guys, I usually give this presentation at dinner functions. Okay, I'm sorry.

**LEG. SCHNEIDERMAN:**

Mr. Minei, so that concept could make sense in an area where you have very limited supplies of water. This is not an area where you have a limited supply of water. We have plenty of quantity.

**MR. MINEI:**

Yeah, but it is in an area where we may have to go further than even what Riverhead has done with their sewage treatment upgrade because the system at that section of the estuary is really still overloaded with nitrogen. So we're looking at all elements of diverting wastewater out of the system at that point. So, yes, you're correct. Usually it's in water starved areas, but this is actually nitrogen enriched areas. So we're trying to divert different inputs to the system at that point.

**LEG. SCHNEIDERMAN:**

I'm not quite seeing the environmental benefit. Is there a possible negative environmental impact by reusing this water? Is there anything that could be atavised or, you know ••

**MR. MINEI:**

Well, no, that's a good point. That's exactly why we didn't let them jump right into implementation.

**LEG. SCHNEIDERMAN:**

Is it going to stink up the area? I mean, is it something that's going to smell?

**MR. MINEI:**

No, no. Actually odors aren't a problem. Because of the level of treatment, the concern was even with the treatment that's going on at the Riverhead Treatment Plant, even with the disinfection with ultraviolet, could it be possible that viruses, you know, could resist all this? So we •• that's why we asked them to go even further. They have two additional filtration systems, a cloth filter and a micro filter plus additional ultraviolet disinfection. So we're comfortable in reviewing the engineering report that they've addressed the public health implication.

The environmental implication, I believe, is positive because we're hopefully going to divert

even more of the treated sewage effluent out of the estuary at this point and divert it to irrigation of the golf course.

**LEG. SCHNEIDERMAN:**

Now •• and this is along •• I'm going to ask actually to table this. I would like to see the science on this one just to make sure I'm comfortable on the public health aspects.

**MR. MINEI:**

Sure, there's an engineering report. Sure.

**LEG. SCHNEIDERMAN:**

Okay. I'd like a opportunity to read it. If you could provide myself and my office with it. Just for one cycle. It sounds like it might be a good idea, but you know, as somebody with a background in science •• I would like an opportunity ••

**MR. MINEI:**

As I mentioned there's at least two other applications being considered for wastewater reuse in Suffolk County.

**LEG. SCHNEIDERMAN:**

I'm not saying that I'm opposed to it. I just want that opportunity.

**MR. MINEI:**

I understand.

**CHAIRMAN LOSQUADRO:**

Before I recognize Legislator Kennedy, in my head I was trying to figure out how this ties in as surface water protection. I guess the only way that •• and I heard you mention it is •• and it seems a little bit removed from the intention of 477 as far as I'm concerned, is it would result in less discharge ••

**MR. MINEI:**

Yes.

**CHAIRMAN LOSQUADRO:**

•• into the estuary but you're still putting it •• like, as I said, to me that seems like a bit of a stretch from the intent of it. Legislator Kennedy.

**LEG. SCHNEIDERMAN:**

It almost seems like a water saving measure. And we don't need to save water.

**MR. MINEI:**

Well, I can respond to that. Right now the effluent discharges at the bulkhead of the Riverhead Yacht Club in the shadow of County Road 105 as it goes over the Peconic River. The intent is physically to do just what you explained. Remove a portion of that effluent, divert it to irrigation water so that the grass on the golf course would use up even further the nutrients that remain in that effluent.

**LEG. KENNEDY:**

Some of the questions that I had you've answered already. Although I do think that there is still something going on here as far as this specific purpose associated with the 477 money. And I'm wondering if we do still have a bit of a stretch here. Is storm water run•off part of what the Riverhead Waste Treatment Facility receives in the first instance?

**MR. MINEI:**

No. It's sewage.

**LEG. KENNEDY:**

It's not.

**MR. MINEI:**

Sewage.

**LEG. KENNEDY:**

It's only sewage.

**MR. MINEI:**

We did not have combined sewers like New York City has. Only domestic sewage including the Riverhead County Center goes to the Riverhead Treatment Plant. They're treating about seven

or 800,000 gallons per day of sewage including Tanger Mall.

**LEG. KENNEDY:**

All the Riverhead complex? The jail as well? Is all that pumped over to Riverhead?

**MR. MINEI:**

Yes, yes, yes. There is a pump station right by the library. You can see it says Suffolk County DPW. There's usually a DPW pickup truck parked there working on the force main there ••

**LEG. KENNEDY:**

Perpetually, yeah.

**MR. MINEI:**

But, yes, it's only sewage that's treated there. The domestic wastewater. No storm water.

**LEG. KENNEDY:**

It does seem like it's a bit of a stretch then as far as the source. Environmentally it sounds like a great idea. But it's •• just I think it's a stretch.

**MR. MINEI:**

You know, I would really recommend, there's been questions now about the quarter percent and the categories for use. You may want to see a presentation on the Quarter Percent Program. We're three years into it and there still seems to be really profound basic questions about the use of the funding. And I would recommend that we just pass this out. I mean ••

**CHAIRMAN LOSQUADRO:**

Well, if I may, I would agree with that. But it seems almost a bit late. I'm sure you're aware of the memorandum that the County Executive issued telling us essentially that we were at our limit with 477 anyway; that we should exercise restraint and not approve any projects because the projects that he already had in •• this is not my words. These are the County Executive's words. I'm sure you saw the memorandum. So, I don't really know where to go with that. I think this project as the previous one was are very laudable goals. And I think that should be done. But I truly believe that this, based on my understanding of the intent, is a very big stretch. So, Legislator Bishop, I'll give you the last word. I spoke for Legislator Bishop. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Vito, the current septic effluent at this property, this is the golf course property, is it currently being treated? Is there a sewage treatment plant there?

**MR. MINEI:**

At the golf course? I'm not sure if the golf course itself, the clubhouse, if it's connected to the Riverhead Treatment Plant. I don't believe it is.

**LEG. SCHNEIDERMAN:**

Okay.

**MR. MINEI:**

I honestly don't know the answer to that one.

**LEG. SCHNEIDERMAN:**

So we would be taking water from the Riverhead Treatment Plant and using it to irrigate the golf course which borders right on the Peconic. Right? So we might actually be bringing this material in closer proximity to the harbor.

**MR. MINEI:**

Well, the extra level of ••

**LEG. SCHNEIDERMAN:**

Is it •• where does it go now? Does it go •• discharge right into the Peconic or there is no leaching field?

**MR. MINEI:**

Right. It discharges right at the bulkhead of the Riverhead Yacht Club again literally in the shadow of County Road 105.

**LEG. SCHNEIDERMAN:**

So it goes directly in?

**MR. MINEI:**

Yeah, yeah. So what •• the benefit to the County is really twofold. You're not only removing part of the effluent from directly discharging into it, but you're reducing the irrigation water that the golf course uses with its own wells is what you're doing.

**LEG. SCHNEIDERMAN:**

Okay. And are we making efforts to reduce nitrogen at the golf course itself?

**MR. MINEI:**

Right.

**LEG. SCHNEIDERMAN:**

Fertilizers.

**MR. MINEI:**

Right. The County golf course is one of the 36 in the Peconics who have signed a pledge to reduce fertilizer as well as pesticide use. There are multiple benefits to wastewater reuse even in a setting that isn't water short like Florida.

**LEG. SCHNEIDERMAN:**

I just ask you for one cycle to review that; the health questions. Motion to table one cycle.

**CHAIRMAN LOSQUADRO:**

Motion to table by Legislator Schneiderman, second by Legislator Bishop. All those in favor? Opposed? **1705 is tabled. (Vote: 6•0)**

**1708, adopting the amended 2005 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2005 Capital Budget and Program and appropriating funds in connection with wetland restoration at West Islip High School.** Another 477. This is in connection with wetland restoration at West Islip High School. Again, to Budget Review.

**MR. DUFFY:**

We had received the application. And under the application, the West Islip High School is proposing that they will construct a man•made wetland area to act as a natural filter for storm

water run•off collected on the parking area prior to the run•off being discharged into the creek. They've designed a 22,000 square foot wetland system with vegetation specifically selected to filter the storm run•off prior to the discharge into the creek. Their guesstimating that the construction costs will be \$250,000 and they're requesting \$25,000 from the County from the 477 funding.

**LEG. BISHOP:**

25,000?

**MR. DUFFY:**

25,000 of the 250.

**CHAIRMAN LOSQUADRO:**

Legislator Bishop.

**LEG. BISHOP:**

I was concerned at first because it seems like there' probably an educational aspect of it, and not that I'm against education, but that the •• this 477 account in that case would be used primarily for an educational initiative. If they were simply to put the filters on there, it would cost about 25,000. So, to me that's a •• it's a wash and probably make some sense then. It's a filter.

**CHAIRMAN LOSQUADRO:**

Any other questions? Do we have a motion?

**LEG. BISHOP:**

Motion to approve it.

**CHAIRMAN LOSQUADRO:**

Motion to approve by Legislator Bishop. Do I have a second?

**LEG. SCHNEIDERMAN:**

I'll second.

**CHAIRMAN LOSQUADRO:**

Second by Legislator Schneiderman.

**LEG. BISHOP:**

Where are they getting the rest of the money?

**CHAIRMAN LOSQUADRO:**

All those in favor? By the way, before we take the vote, where's the rest of the money coming from?

**MR. MINEI:**

From the youth school district, I believe, and from the town. It is treating the storm water from the parking lot of the West Islip, so it has more than an educational component.

**LEG. BISHOP:**

Right.

**CHAIRMAN LOSQUADRO:**

Very good.

**LEG. SCHNEIDERMAN:**

It's a good project.

**LEG. BISHOP:**

On a project like that, is there a measurable impact? Positive impact? Is that part of the application process? That's something I've advocated for. I don't know if it's ••

**MR. MINEI:**

Typically what you would do is, this is Willets Creek in Islip. Typically what you would have to do is evaluate the entire watershed that discharges storm water to the Willets Creek itself and sort of subtract out this portion. But obviously it has a beneficial impact in that if no •• if no other reason you're addressing an existing source of storm water. So, I couldn't tell you if it's 2%, 5% or 10% of the storm water, but certainly it has a beneficial effect on reducing storm water inputs to the system.

**LEG. BISHOP:**

Do you think that approach where we would measure would be beneficial to policymakers? That's what I've been advocating. That we should have projects that make an appreciable, measurable difference in the surface water quality when they're completed.

**MR. MINEI:**

Right. And that's why I think you and I have had this discussion that if you want to address storm water runoff in Great South Bay, probably you would just focus your attention on maybe three stream corridors, Carll's, Sampleones and maybe Santipoke. But what happens is that typically when villages get involved and townships and they want to do storm water remediation, we pitch in as well because under the general ambit, if nothing else you're backtracking from the total input of storm water to the system. So that's why personally I've pretty endorsed almost every project whether it was small, Cachem Creek or Amityville Creek or trying to do portions of Carll's River. But as early as the nationwide urban runoff program when we were involved •• we said if you really wanted to open shellfishing beds, you should concentrate all your efforts on the Carll's and Sampleones which are the two major corridors in the middle of Great South Bay. But yes, yes, you can measure the reduction. It may not be that significant, but you always have to keep in mind at least you're not making it worse, you're not expanding the closed shellfishing beds. And you may indeed obtain some improvement in open shellfishing.

**CHAIRMAN LOSQUADRO:**

We have a motion and a second. All those in favor? Opposed? **1708 is approved. (Vote: 6 •0)**

**1715, further implementing the Suffolk County Water Quality Protection and Restoration Program.** Legislator Bishop.

**LEG. BISHOP:**

Mr. Minei, do you have comments on this? I'm going to make a motion to table because I'm ••

**MR. MINEI:**

Yeah, I would appreciate that because I'd like to talk to you. We were unclear as to the point.

I mean, when you say the town, you know, should qualify, they already do. You want a ranking system. We already have one. You've asked only that storm water pollution •• I would ask you to expand to all the categories in the Quarter Percent. And also I would ask you to reconsider the funding, that 50/50 funding you asked for. So I would appreciate ••

**CHAIRMAN LOSQUADRO:**

You can have this conversation •• I'm sure it's going to go more in depth than this but can ••

**LEG. BISHOP:**

Mr. Zwirn, do you have •• is that a meeting we're waiting for?

**CHAIRMAN LOSQUADRO:**

I'm sure that dialogue will be continued. So we have a motion to table by Legislator Bishop, seconded by myself. All those in favor? Opposed? **1715 is tabled. (Vote: 6•0)**

1722. Unfortunately we have a ••

**LEG. SCHNEIDERMAN:**

What happened to 1727?

**CHAIRMAN LOSQUADRO:**

Excuse me. **1727, adopting Local Law No. 2005, a local law to prevent the spread of invasive non•native aquatic plants in Suffolk County.**

I thought that's what I said.

**LEG. SCHNEIDERMAN:**

It was close.

**CHAIRMAN LOSQUADRO:**

Yes, but unfortunately I have a motion from the sponsor to table. They're making an amendment to it.

**LEG. SCHNEIDERMAN:**

Okay.

**CHAIRMAN LOSQUADRO:**

So, we'll have to table this one more cycle. And then hopefully we'll be able to •• they'll have it ready to move. So motion to table by Legislator Binder, seconded by Legislator Kennedy. All those in favor? Opposed? **1727 is tabled. (Vote: 6•0)**

**1728, adopting a Local Law, a Charter Law to professionalize the qualifications of the County Planning Commission and promote Smart Growth principles by revising the composition of the County Planning Commission.** This is, to me, inextricably tied with 1642 which is one that the County Executive put in.

**LEG. VILORIA•FISHER:**

Motion to table.

**CHAIRMAN LOSQUADRO:**

That's fine. Motion to table by Legislator Vilorina•Fisher, seconded by myself. But I feel that the County Executive is putting the cart before the horse here. He's made some recommendations for the Planning Commission based on his wants and desires. And I think he and Legislator Caracciolo and others should get together. I think everyone recognizes a need to make some modifications. I think we just need to come together, the meeting of the minds of what those modifications are going to be. All those in favor? Opposed? **1728 is tabled. (Vote: 6•0)**

**1741, authorizing planning steps for the acquisition of land under Multifaceted Land Preservation Program.** This is the Hawkins Avenue property, Town of Brookhaven. This is the half acre, Mr. Isles? Is that correct? But I believe this is surrounded by another piece that we already did planning steps for?

**MR. ISLES:**

That's correct.

**CHAIRMAN LOSQUADRO:**

In speaking with the sponsor, obviously I believe the intention much as Legislator Lindsay enumerated earlier is to make a community accessible park in an area that is easily accessible

obviously being, you know, the road that it's on. I know we had some questions as to the improvements on the site. Have we had any feedback as to the other planning steps? Was there a letter of intent sent? Was there any response?

**MR. ISLES:**

Yes. In terms of the one that was previously approved? Yes. There was a response. There is an interest in the property owner and Real Estate is proceeding with that at this point.

**CHAIRMAN LOSQUADRO:**

Then I'll make a motion to approve this one as well. And if this something that we could perhaps do together to create a slightly larger parcel in a pocket park, I think it at least bears a look based on, as I said, the same criteria Legislator Lindsay was discussing. Whether or not we move forward with it, it'll obviously come back to us and we would need a more concrete proposal as to what was planned for the site before we moved ahead with any acquisition, so •

**MR. ISLES:**

Yeah. We had two issues with it two weeks ago when we had this on. One was the issue of the parking lot on part of the property. Our conversations with Real Estate indicated the owner does not want to sell that. We've transmitted that message back to the sponsor's office. So this would be presumably a partial acquisition. And the resolution does typically include or a lessor interest and maybe a partial appraisal could be done.

And then secondly, as we've talked about earlier with the Bayport acquisition, we do think at the time of the acquisition resolution, at the very least, there needs to be further explanation as to what this park is supposed to be and expressing our concerns for management and so forth.

**CHAIRMAN LOSQUADRO:**

Okay. Understood. We have a motion to table by Legislator Schneiderman, second by Legislator Binder. All those in favor? Opposed? **1741 continues to be tabled. (Vote: 6 •0)**

**1767, authorizing an acquisition under the New Suffolk County Drinking Water Protection Program Open Space component.** This is the Rawluk property in the Town of Smithtown.

**LEG. KENNEDY:**

Mr. Chairman, I'm going to make a motion to table on this. There is •• I have a resolution sponsored for acquisition of this same parcel. This was a 12th Legislative District initiative.

**CHAIRMAN LOSQUADRO:**

Very well. Motion to table by Legislator Kennedy. Mr. Isles.

**MR. ISLES:**

Yeah, this is a resolution that filed on June 28th. It is on the master list and it is ready for an acquisition at this point. That's all.

**CHAIRMAN LOSQUADRO:**

Seconded by Legislator Binder. All those in favor? Opposed?

**LEG. BISHOP:**

Opposed.

**CHAIRMAN LOSQUADRO:**

Legislator Viloría•Fisher is opposed. **1767 is tabled. (Vote: 4•2•0•0. Legislators Viloría •Fisher and Bishop opposed.)**

**INTRODUCTORY RESOLUTIONS**

**CHAIRMAN LOSQUADRO:**

Introductory Resolutions. **1790•05, reappointing member on CEQ, Thomas W. Cramer.**  
He could not be here today.

**LEG. SCHNEIDERMAN:**

Motion to table.

**CHAIRMAN LOSQUADRO:**

He has said he will be here next time. Motion to table by Legislator Schneiderman, seconded by

Legislator Bishop. All those in favor? Opposed? **1790 is tabled. (Vote: 6•0)**

**1821, adopting a Local Law, a Charter Law adopting the extension of the Smart Government Plan for environmental protection, for County taxpayer protection and for sewer tax stabilization.** This needs to be tabled for a public hearing. I make that motion. Second by Legislator Schneiderman. All those in favor? Opposed? **1821 is tabled. (Vote: 6•0).** Public hearing will be set.

**1823•05, authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program, Roehrich property, Village of Lake Grove, Town of Smithtown.** Presentation.

**MR. ISLES:**

This is property located in Lake Grove as you indicated. It is directly adjacent to the Gould's Pond parcel that Legislator Kennedy spoke of recently. The parcel is one that the Gould's Pond was included in 1999 acquisition. In terms of this particular parcel it is a logical extensions of the Gould's Pond piece. It did rate about 33 points. We have some issues with •• part of the property is developed with a house and lawn area and certainly we would not suggest that that be included.

**LEG. SCHNEIDERMAN:**

Right. I'll second Kennedy's motion.

**LEG. KENNEDY:**

Right. I make a motion to approve. As a matter of fact I think as Mr. Isles pointed out, it would make an excellent acquisition and once acquired would yield approximately 12 acres. Ben requested by the Village, by the Mayor, Mayor Middleton, to go ahead and proceed with this. So I believe that we have a good opportunity here. And I believe that the owner is disposed to possibly segment and the Village is inclined to segment out to develop a portion from the balance of the parcel yielding about five and a half that we would acquire undeveloped.

**CHAIRMAN LOSQUADRO:**

Good. So we have a motion by Legislator Kennedy, second by Legislator Schneiderman. On the motion, Legislator Vioria•Fisher.

**LEG. VILORIA • FISHER:**

I could ask the sponsor or Planning. Now, this had originally been a farm. And that was a pond that was •• it was a man•made pond, wasn't it, for the farmers' use? It was just that I looked at this property in 1999 to put a resolution in for this and I thought it had been a working farm for a long time.

**LEG. KENNEDY:**

There is agricultural lay•out there as a matter of fact. I believe there is a barn that the lake •• the pond itself, I was under the impression that it was actually a kettle hole pond and it was an actual formation.

**LEG. VILORIA • FISHER:**

Okay. I thought it was at the time when I discussed it with Mayor Middleton. He had just become Mayor. And I thought it was •• I thought it was there on the farm for, you know, farm use. I thought it was a man•made pond but •• it was just an inquiry. I wasn't certain how that was •• but it hasn't been used for farming in recent times?

**LEG. KENNEDY:**

No.

**LEG. VILORIA • FISHER:**

Okay. Thank you.

**CHAIRMAN LOSQUADRO:**

We have a motion and a second. All those in favor? Opposed? **1823 is approved. (Vote: 6 •0)**

**1824•05, authorizing an acquisition of land under the New Suffolk County Drinking Water Protection Program. Open Space Component.**

**LEG. KENNEDY:**

Motion to approve.

**CHAIRMAN LOSQUADRO:**

This is the Springs property, Town of Smithtown. This is 1.37 acres, \$325,000. Motion by Legislator Kennedy, seconded by myself. All those in favor? Opposed? **1824 is approved.**  
**(Vote: 6•0)**

1832.

**LEG. BISHOP:**

1824. Excuse me.

**CHAIRMAN LOSQUADRO:**

Yes.

**LEG. BISHOP:**

That's acquisition; that's not planning steps?

**CHAIRMAN LOSQUADRO:**

No, that was an acquisition. This was ••

**LEG. KENNEDY:**

This is combination. Actually the planning steps resolution was introduced back in 2003, I believe it was, by my predecessor.

**LEG. VILORIA • FISHER:**

By Andrew, yes.

**LEG. KENNEDY:**

Right. It was subsequently placed on the master list and we're now at the point of purchase.

**LEG. SCHNEIDERMAN:**

Sandy, just add me with the majority on that last vote.

**LEG. BISHOP:**

Can we just get a comment from the Executive?

**MR. ISLES:**

Those facts are correct. It was originally approved in 2003. The County Executive included this with a number of other parcels in the Hauppauge Springs area totaling about 30 acres. Real Estate Division has been negotiating the acquisition. We do have a contract. And it is •• we would recommend the approval of this even though the County Executive put the bill under 1767 on June 28th. That's all.

**CHAIRMAN LOSQUADRO:**

As I pointed out earlier, that's one of those hurdles that I alluded to. I wish that had not been done and we could have moved this forward sooner. But the vote has been called. 1824 is approved. So, good luck, close on it, and be a good addition for the County.

**1832, adopting Local Law No. 2005, a local law to strengthen the full disclosure provisions for County Planning Commission determinations.**

**LEG. BINDER:**

Motion. Motion to approve.

**LEG. BISHOP:**

Is it closed, the hearing?

**CHAIRMAN LOSQUADRO:**

Yes, we did close it. Motion to approve by Legislator Binder, seconded by Legislator Schneiderman.

**LEG. VILORIA • FISHER:**

Explanation.

**CHAIRMAN LOSQUADRO:**

Explanation, please, Counsel.

**LEG. BINDER:**

I can do it.

**CHAIRMAN LOSQUADRO:**

Or sponsor.

**LEG. BINDER:**

By way of explanation, the Planning Commission often will look at a number of decisions that have to do with things that neighboring •• where there are neighboring towns. This happened recently between Smithtown and Huntington. And the notice goes to the Town and it goes to •• you know, they discuss it in the Planning Commission. The Legislators have no idea about this. So Legislators never get an opportunity to weigh in or discuss something in their districts. Instead of letting the Clerk decide whose district this would be in, this just says that when they send out these notices to the towns, they have to send it to the Clerk of the Legislature. And the Clerk has to distribute it among the 18 Legislators. So you'll see •• when it comes in, you're going to get notification.

**LEG. BISHOP:**

And that requires a local law?

**LEG. BINDER:**

To force them to make the notification, apparently it does. According to Counsel we need to •• why don't we ask Counsel.

**CHAIRMAN LOSQUADRO:**

Counsel.

**MS. KNAPP:**

The only reason it needed a local law is that all of the notification provisions already exist. And they were already enacted by local law. And that this was basically •• it was really a very simple amendment of each section that said that when you send it to the Legislative Clerk, the Clerk now has to distribute it to every Legislator.

**LEG. BINDER:**

So this way you'll see what's happening in your district and around your district.

**LEG. BISHOP:**

Do you have any objection?

**MR. ISLES:**

Well, two points I'd like to make is the current legislation does require the Planning Commission to notify all County departments, offices and agencies. We do that through an intranet posting right now. I'm not sure, you know, if you have access to that but certainly that's something we could make available because it is ••

**LEG. BINDER:**

I'm sure we don't look at all the County intranet postings.

**MR. ISLES:**

But that's the method we currently use. And certainly it could accommodate legislative inquiries as well. The second point ••

**LEG. BINDER:**

No, but there were problems. We don't know to inquire. Unless someone's going to be sitting there on a regular basis, yeah. We have a few people in an office and saying constantly, okay, keep checking to see if there's a notification. We're not going to be notified and not affirmatively.

**MR. ISLES:**

Yeah. Here again, it's a once a month posting. There's just one other clarification I want to make. And that is what we do post are those matters that are actually scheduled for the meeting of the Planning Commission. The Commission receives hundreds of applications each month that are referred. A small fraction are deemed to be of County wide or intramunicipal significance that go to the Commission. So, therefore, I'm interpreting this to include that category only and not the fence variances and things of that nature.

**LEG. BINDER:**

Right. Well, that's what we need to know about because that can affect our districts and we

won't end up knowing. And we don't know about it normally. We don't get •• we don't really get notification. This is just to enhance a notification opportunity for us because it would come to our district offices. Someone in our office will open the mail and say, oh, I think this is in our district. That's really what that's about.

**MR. ISLES:**

I'm not quarreling with the intent. In terms of the process we currently do have a process. We'd like to continue to use that, perhaps to maybe get the word out a little bit more about that process. But I understand your difference.

**LEG. BINDER:**

Right. This just enhances it and makes sure that we're notified so we have an opportunity to speak on it. That's really ••

**CHAIRMAN LOSQUADRO:**

Hold on, hold on. Legislator Viloría•Fisher; then Legislator Schneiderman.

**LEG. VILORIA•FISHER:**

So, Tom what you're saying is that when these determinations are made, we do get an e•mail? Or we can get just an e•mail coming to our offices?

**MR. ISLES:**

Well, it wouldn't be an e•mail. There's an intranet site in the County that we post the applications that are ••

**LEG. VILORIA•FISHER:**

So we would have to go looking for it?

**MR. ISLES:**

Right. If someone was interested within County government, you could go to the intranet site.

**LEG. VILORIA•FISHER:**

Okay. But we would have to be proactive in looking for it. It wouldn't be coming to our

offices.

**MR. ISLES:**

That's true.

**LEG. VILORIA • FISHER:**

Okay.

**MR. ISLES:**

I mean, whether the Clerk could do that is another option.

**CHAIRMAN LOSQUADRO:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Under this bill, and maybe this is a question for Counsel. I mean, I don't want to get another sheet of paper. I feel like, you know, we as a County are like wiping out forests every week. We use so much paper as a governmental entity. Will this allow for electronic notification? I'd rather get an e•mail.

**LEG. VILORIA • FISHER:**

Me, too.

**LEG. SCHNEIDERMAN:**

I'm not going to object to notification. Information never hurts. But I just •• we just use much too much paper.

**MS. KNAPP:**

It does not specify. It simply says that in each case where it says notify County departments, offices and agencies, we've added including the Clerk of the Legislature who shall forward such notice to all County Legislators. So I don't know how Planning does it right now when they send something to the Legislature, whether they do it in paper or by e•mail. I assume Henry would probably choose the mode that ••

**LEG. BINDER:**

If I can ••

**CHAIRMAN LOSQUADRO:**

Legislator Binder. But I was just going to say to the Clerk's Office consider yourself so notified.  
Legislator Binder.

**LEG. BINDER:**

Right. The point is that even if they're notified •• even if the Clerk's Office is notified by paper, we can ask the Clerk's Office to scan it in and e•mail it to us. It doesn't say how to do it but we can let the Clerk's Office know how we want to receive this notification.

**MS. SULLIVAN:**

Correct.

**LEG. BINDER:**

Right. Consider this a request to make sure that these notifications, we receive them by an e•mail notification. And then we're covered. But this way we will get the notification. It will come to us. Our staff will see it and we won't be surprised by these things.

**CHAIRMAN LOSQUADRO:**

If I may, Madam Clerk, who was the motion and the second on this? Did we have a motion and a second?

**MS. SULLIVAN:**

Yes. Legislator Binder and Kennedy, Jr.

**CHAIRMAN LOSQUADRO:**

Very good. So we have a motion and a second to approve. All those in favor? Opposed?

**1832 is approved. (Vote: 6•0)**

**1864•05, to appoint member of the Suffolk County Planning Commission, Edward James Pruitt.** He was unable •• well, I won't say unable to be here. He was unable to stay. I'll make a motion to table.

**LEG. BINDER:**

Second.

**CHAIRMAN LOSQUADRO:**

Second by Legislator Binder. All those in favor?

**LEG. VILORIA • FISHER:**

On the motion.

**CHAIRMAN LOSQUADRO:**

On the motion, Legislator Viloría•Fisher.

**LEG. VILORIA • FISHER:**

I would just like to suggest that rather than delay a meeting, a Committee meeting for 45 minutes, when we have a quorum, which is what occurred today, we had a quorum and we delayed the start of this meeting for 45 minutes, perhaps in the future when •• particularly when we have members of the public who are voluntarily coming here to sit on one of our commissions or committees, that we do them the courtesy perhaps of using that time to allow them to come forward, begin the meeting and the late member could then be here when we begin the agenda. It just seems to lack decorum. And certainly not to be fair for someone to take time out of their own private day to come and sit here for two hours and not be allowed to speak and certainly not to be here when the issue is voted on. I just don't think it should be a practice of this Legislature to postpone a meeting for 45 minutes when there is a quorum present.

**CHAIRMAN LOSQUADRO:**

Thank you for that. It is not a practice nor is it a policy. The previous meeting ran almost 20 minutes long so I apologized that we were 25 minutes after that in starting the meeting. But as I did mention to you out in the hallway, I gave a bit of extra consideration considering one of our members has certain religious needs with securing his food and his lunch. And I always give extra consideration for that. But thank you for that comment.

Motion to table and a second. All those in favor? Opposed? **1864 is tabled. (Vote: 6•0)**

**1865, to appoint a member of the Suffolk County Planning Commission, Mary Daum.**

This is someone who happens to reside in my area. She is on vacation. She was unable to make it today. Motion to table by myself, second by Legislator Schneiderman. All those in favor? Opposed? **1865 is tabled. (Vote: 6•0)**

**1866, to appoint a member to the Suffolk County Planning Commission Sarah Lansdale.**

**LEG. BISHOP:**

Motion to approve.

**CHAIRMAN LOSQUADRO:**

Motion to approve by Legislator Bishop, second by Legislator Viloría•Fisher. Motion to table by Legislator Binder, seconded by Legislator Kennedy. Motion to table takes precedence. All those in favor?

**LEG. VILORIA•FISHER:**

Why? Why are we tabling this?

**LEG. BISHOP:**

On the motion. Can I ask what could a woman with a planning degree from NYU fail to meet the qualifications of the Suffolk County Planning Commission for service?

**CHAIRMAN LOSQUADRO:**

The issue is not really Ms. Lansdale. I have a couple of questions that I need answered. Miss Peterson's •• and it's fine if you want to replace someone whose term has expired. This term is set to expire in 12/31 of '05. There's been no indication of a resignation from Ms. Peterson. Like I said, if a term is expired and you want to replace someone, but I'm really ••

**LEG. BISHOP:**

That's a valid concern. Counsel, is that true.

**MR. ISLES:**

Her term is expired.

**CHAIRMAN LOSQUADRO:**

This says term to expire 12/31 of '05.

**MR. ISLES:**

No. No. Her term expired a while ago. I can give you the exact date but it's not '05.

**CHAIRMAN LOSQUADRO:**

That's what we have on our backup here.

**MR. ISLES:**

I'm sorry. But it's ••

**CHAIRMAN LOSQUADRO:**

That was question number one. Question number two is as I stated earlier when discussing Legislator Caracciolo's and the County Executive's bills, I really believe that the County Executive has put the cart before the horse here in some of his recommendations. And I think that this needs to be worked out. And as Legislator Binder also pointed out, we have •• we also have individuals •• this happens to be an at large position. But we have town individuals who have not even conversed with the Town.

I know it seems that the County Executive has changed direction. He was very fixed in his position as to how these appointments should be made. And then when he seems to have gotten to the end of his ability to make those appointments, he now seems to have completely changed direction and said, oh, I've seen the light and I want to do it a different way. So I'm not entirely convinced. I think he's put the cart before the horse here.

**LEG. VILORIA • FISHER:**

What does that mean, the cart before the horse?

**CHAIRMAN LOSQUADRO:**

You never heard that expression?

**LEG. BISHOP:**

I mean I know what it means colloquially. How it applies here I don't understand what you're talking about.

**CHAIRMAN LOSQUADRO:**

How it applies here is I believe he is making recommendations based on •• as if his previous bill was already approved. And that's why I feel the cart is before the horse.

**LEG. BISHOP:**

What is the previous bill? What does that do? That changes the ••

**CHAIRMAN LOSQUADRO:**

The one that we •• the makeup of the •• changes the makeup of the Commission.

**LEG. BISHOP:**

But whether that bill was approved or not, this particular slot is a vacancy or it's a holdover. It's eligible. And he's •• I mean, I don't see how it's cart before the horse. I mean, if you play by the rules that currently exist now, this would be an appropriate resolution.

**CHAIRMAN LOSQUADRO:**

Mr. Zwirn, did you want to comment?

**MR. ZWIRN:**

I just would say that the applicant should be judged on her merits. If there's a slot that's •• there's a holdover position, I would just ask that the Legislature be consistent and should be judged on her merits. I think her resume and presentation was certainly admirable and would merit the review of this Committee and make a recommendation to the entire Legislature.

**CHAIRMAN LOSQUADRO:**

Hold on, hold on, hold on. Legislator Binder, did you want to make a comment?

**LEG. BINDER:**

No, no, I made my comment. My sarcastic comment.

**CHAIRMAN LOSQUADRO:**

Legislator Viloría•Fisher.

**LEG. VILORIA • FISHER:**

Okay. I will just reiterate that this is certainly a position that is not an encumbered position. The term has expired. It's an at•large position. Ms. Lansdale, I believe, did a very •• was very patient in waiting as long as she did and was eloquent in her presentation. And certainly more than qualified. She would be a tremendous addition to this Commission. On the merits of the bill there is absolutely no reason to table it.

**LEG. BISHOP:**

On the motion.

**CHAIRMAN LOSQUADRO:**

On the motion, Legislator Schneiderman; then Bishop.

**LEG. SCHNEIDERMAN:**

I just want to say I'm happy to see somebody with a degree in planning who's willing to serve and being recommended for a Planning Commission. You know, planning questions are difficult and there really is a tremendous amount of things to consider. And to have somebody with a background in planning, particularly urban planning, who understands not just the environmental side but some of the other social and economic sides, I think is a good addition.

**CHAIRMAN LOSQUADRO:**

Legislator Bishop.

**LEG. BISHOP:**

At the last general session when the Legislators from Smithtown had ••

**MS. SULLIVAN:**

Is your microphone on?

**LEG. BISHOP:**

It is, but I don't know if it's projecting. But it is on. When the Legislators from Smithtown had

a change in the Smithtown member of the Planning Commission, I supported it based on the merits. And this is not a town •• when this doesn't enter into the general argument you've been making, in fact you've said that when the Executive has somebody who they •• who the Executive wants, that he should do it as at large general appointment, which this is. And this is clearly somebody that •• you couldn't even begin to argue is not qualified. This is the epitome of somebody who should be serving. So I don't •• you know, I understand you have your politics and I appreciate that. And it should be applied perhaps in certain situations. But this would be entirely appropriate.

**CHAIRMAN LOSQUADRO:**

My point before •• my point earlier was that there seems to be a desire to change the makeup of this board. And replacing someone at this point seems to be putting someone on the board that they would like to see already as a holdover. It seems like advance planning. And, believe me, this is nothing against Ms. Lansdale. I think she is imminently qualified. I would just like to see the question of how this board is going to be reconstituted, settled, prior to making these appointments. Because ••

**LEG. BISHOP:**

But you didn't say that to Kennedy last week or Nowick, whoever had the appointment last week.

**CHAIRMAN LOSQUADRO:**

That was Parks.

**LEG. BISHOP:**

Oh, that was Parks Trustee. I thought it was Planning.

**CHAIRMAN LOSQUADRO:**

There seems to be a desire to re•constitute this board.

**LEG. BINDER:**

By the County Executive who's put up the name.

**LEG. VILORIA • FISHER:**

But re•constituting •• filling in a vacant position does not constitute re•constitution of the

board. This is someone whose term has expired, is not being thrown off. The term has expired. And the very •• by definition, we should be seeking people with planning backgrounds and education and expertise •• excuse me •• expertise in planning should be nominated to sit on this Commission. It's not redefining the constitution of the board. This is the essence of where the board should be.

**CHAIRMAN LOSQUADRO:**

As I said •• I just •• I stand on what I said. There seems to be a •• obviously there is a desire to reconstitute this board. In the re•constitution, there seems to be a desire to put forth people with specific qualifications, specific criteria for those positions. This seems to be •• as I said ••

**MR. ZWIRN:**

She has a planning degree. She has a planning degree.

**CHAIRMAN LOSQUADRO:**

I view this as putting the cart before the horse. So we're entitled to differ in opinion on this.

**LEG. VILORIA • FISHER:**

That's illogical. It's not putting any cart before the horse. This is an open position. And there's a planner who is being put in the position.

**LEG. BISHOP:**

May I ••

**CHAIRMAN LOSQUADRO:**

I reject your reality and substitute my own.

**LEG. BISHOP:**

May I ask since ••

**LEG. VILORIA • FISHER:**

Or fantasy.

**LEG. BISHOP:**

Since your reality is now perhaps controlling, what would Ms. Lansdale or County Executive Levy or myself need to do to move this nomination forward.

**CHAIRMAN LOSQUADRO:**

Let's come to an agreement on how we're going to reconstitute this board. I thought I was very clear on that. Or if. There are two bills.

**LEG. BISHOP:**

Well, they filed a resolution. Right, we tabled it. So we've spoken on that issue. We've tabled it subject to call. So you're ••

**CHAIRMAN LOSQUADRO:**

And we tabled Legislator Caracciolo's.

**LEG. BISHOP:**

So we've made the legislative determination apparently that we like the current rules. So, he is offering her under the current rules •• and I'm saying and Legislator Fisher is saying that this is a person who under the current rules is imminently qualified and should be approved.

**CHAIRMAN LOSQUADRO:**

I think that ••

**LEG. SCHNEIDERMAN:**

Eminently or imminently did you say?

**LEG. BISHOP:**

Eminently.

**LEG. VILORIA • FISHER:**

Eminently.

**LEG. BISHOP:**

Imminently is wrong. I did say imminently. And that is wrong. It's eminently.

**CHAIRMAN LOSQUADRO:**

I think you're making an assumption, Legislator Bishop, that •• please. I think you're making an assumption ••

**LEG. BINDER:**

Hopefully imminently going to be appointed.

**CHAIRMAN LOSQUADRO:**

I think you're making the assumption that I like the current rules. And I think the current make •up has led to the type of problems that we're seeing here today. We've gone back and forth. I think we do need to set certain specific criteria for these positions. And this way we make sure that we have a diversity. I would like to see that happen prior to these appointments taking place.

**LEG. VILORIA • FISHER:**

May I? Are you done?

**LEG. BISHOP:**

Yeah, I'll yield.

**LEG. VILORIA • FISHER:**

Then it would seem to me since you, Mr. Chair, have not introduced legislation to change the board that ••

**CHAIRMAN LOSQUADRO:**

Legislator Caracciolo did.

**LEG. VILORIA • FISHER:**

But we tabled that. It would seem to me that in your rejection or tabling of this, that it is you who is putting the cart before the horse because we haven't changed the •• you haven't posited any way in which you wish to change the constitution of the board. And the County Executive is working within the current parameters. Within the current parameters, this is a viable nominee.

**LEG. KENNEDY:**

Mr. Chair.

**CHAIRMAN LOSQUADRO:**

Legislator Vilorio •• hold on. If I may, I don't even want to respond to that. But I will just say I have two pages of notes here on Legislator Caracciolo's bill and I have been working with him. And I spent countless hours working with the Executive Office and with Nassau County on the Regional Planning Council bill. So I have put a lot of thought into this. And I continue to work very hard on it. Legislator Caracciolo happened to file this bill before I did. But it's something I would like to see happen.

**LEG. VILORIA • FISHER:**

Different board than the County Planning Commission.

**CHAIRMAN LOSQUADRO:**

Yes. And that's what Legislator Caracciolo had. I was using that as an example of my commitment to the planning process. Do we have any further comments?

**LEG. SCHNEIDERMAN:**

I have just one comment. We've seen so many •• what it feels like so many appointments to the Planning Commission that had active interest in real estate. And I think that there's been •  
• I think there's some real problems with that. But there are seats open. And we need to move forth •• move people forward for this position. And this person is not a real estate broker. Thankfully this person is a planner. There may be some questions about her role with Sustainable Long Island. But I think for the most part, you know, she spoke on the record that she was going on as a citizen and could wear the new hat without a problem. That's my feelings.

**CHAIRMAN LOSQUADRO:**

Very well.

**LEG. KENNEDY:**

One last question.

**CHAIRMAN LOSQUADRO:**

Legislator Kennedy.

**LEG. KENNEDY:**

When you look at the face of the resolution, maybe it's just a scrivener's, but it says it's appointing her to a term to expire December 31st of '05. That's in four months from now. So what is it that ••

**LEG. SCHNEIDERMAN:**

That means we have to reappointment her in four months?

**MR. ISLES:**

Yeah, it could be that Ms. Peterson's term is expiring.

**CHAIRMAN LOSQUADRO:**

It was hold over that long?

**MR. ISLES:**

Yeah, sure.

**CHAIRMAN LOSQUADRO:**

I'm surprised it hadn't come before us prior to this.

**MR. ZWIRN:**

I just have one question, and it's an inquiry of the Committee. Does that mean until there's a resolution of a new Planning Board, a reconstitution, that the County Executive shouldn't put forth any recommendations to this Committee because they won't be considered?

This seems •• I can't believe that's what the Committee's saying. But in effect that's the practical effect. You've tabled it subject to call, which is pretty much, you know, a death sentence in the Legislature. So that means everything comes to a stop? That's why I say this young lady should be considered on her merits under the present system. She has excellent credentials. And we would just ask for her to be considered for this open seat for the unexpired remaining term. And I don't think that's asking a lot.

**LEG. VILORIA • FISHER:**

No, it certainly isn't asking a lot.

**CHAIRMAN LOSQUADRO:**

I also don't •• Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I don't want to see her fail either. So, I mean, if the votes aren't there to move her today, then, I'm not going to, you know, I'm not going to support a tabling.

**CHAIRMAN LOSQUADRO:**

Well, we have a motion and a second to table. We'll see where that vote goes. All those in favor? Opposed?

**LEG. SCHNEIDERMAN:**

Opposed to tabling.

**CHAIRMAN LOSQUADRO:**

It's three, three. (Vote: 3/3/0/0 Legislators Losquadro, Kennedy and Binder vote in favor. Legislators Viloría•Fisher, Bishop and Schneiderman oppose). Motion to table fails. Excuse me?

**LEG. BINDER:**

I voted to table.

**CHAIRMAN LOSQUADRO:**

Yeah, three/three to table. Motion to approve by Legislator Bishop, seconded by Legislator Viloría•Fisher.

**LEG. BINDER:**

Abstain.

**CHAIRMAN LOSQUADRO:**

All those in favor?

**LEG. SCHNEIDERMAN:**

I'll support it.

**LEG. BINDER:**

I'll abstain.

**CHAIRMAN LOSQUADRO:**

Opposed?

**LEG. KENNEDY:**

I'll abstain.

**CHAIRMAN LOSQUADRO:**

I will abstain as well.

**LEG. SCHNEIDERMAN:**

Motion to table. I don't want to see it fail.

**LEG. BISHOP:**

Motion to discharge without recommendation.

**LEG. SCHNEIDERMAN:**

No, I could make a motion to table.

**LEG. BINDER:**

It just failed.

**CHAIRMAN LOSQUADRO:**

We didn't call the vote.

**LEG. SCHNEIDERMAN:**

Motion to reconsider the tabling motion. I'm not going to see it fail.

**CHAIRMAN LOSQUADRO:**

Motion to reconsider by Legislator Schneiderman, seconded by Legislator Bishop. All those in favor? Opposed? Abstentions? It's before us. Motion to table by Legislator Schneiderman, seconded by Legislator Bishop. All those in favor? Opposed? **1866 is tabled. (Vote: 6•0)**

**1872 •• back to business • authorizing planning steps for acquisition under Suffolk County Save Open Space, Farmland Preservation and Hamlet Parks Fund. This is the Knox School property.** It looks like about 20 and a half acres.

**MR. ISLES:**

This is in the Village of ••

**LEG. VILORIA • FISHER:**

This is going to be a fortune. This is Head of the Harbor. You know how expensive that is? Nissequogue. Even worse. Tom, is the school going out of business?

**MR. ISLES:**

I have no idea.

**LEG. KENNEDY:**

Mr. Chair, I can add something to this, if you will.

**CHAIRMAN LOSQUADRO:**

Legislator Kennedy.

**LEG. KENNEDY:**

The school I believe in an effort to go ahead and do long•range planning has elected to seek a subdivision of the existing property. I believe it was one contiguous 40 acre parcel and they have applied to the Village of Nissequogue for a single lot division breaking off this parcel under consideration of approximately 20 acres from the balance of the property where the school and other developed areas sit. It is truly a unique area. And I know it well.

**CHAIRMAN LOSQUADRO:**

And it rated relatively high. A 39.

**MR. ISLES:**

Right. Mr. Chairman, it rated 39. It had a number of values, being on the water, some fresh water wetlands. The two issues that we have on this would be, number one, the management of the property given the fact that there's no other County holdings in this area. That may suggest that local management might be most appropriate.

And then secondly, apparently the public roads in this location do not permit on street parking to provide access for County residents which would then own this if this were to go forward. There would have to be some kind of parking area created and a trail system created on the property. Which is not too un•typical or atypical to our County parks. So fundamentally the score is not a bad score, 39. I think we're just a little bit concerned about the remoteness to other County locations and the management of this property specifically.

**LEG. BISHOP:**

What about a partnership?

**MR. ISLES:**

Partnership is a possibility. We haven't heard that proposed ••

**LEG. KENNEDY:**

Again, I cannot •• that's •• not being a sponsor, I can't speak on behalf of what the Village would or wouldn't contemplate; nor do I think that the Village of Nissequogue would be inclined to do a whole lot of anything. But there may be some interest on their part.

**LEG. VILORIA • FISHER:**

What about the Town of Smithtown?

**LEG. BISHOP:**

Yeah, what about the Town of Smithtown? They need development.

**LEG. KENNEDY:**

Well, certain kinds of development are just fine.

**LEG. SCHNEIDERMAN:**

Doesn't preclude their involvement. This is certainly one that makes sense for planning steps. So let's not beat this one to death.

**LEG. VILORIA • FISHER:**

What we're suggesting is that we should be looking at partnerships.

**LEG. SCHNEIDERMAN:**

Yeah, that's fine. They can do that in the process.

**LEG. KENNEDY:**

I would be happy to share that with the sponsor that, you know, she reach out to the Town of Smithtown. And as to the condition of the roads, you're right. They're atrocious. Absolutely hideous. So it would have to be off street.

**MR. ISLES:**

I think it's illegal to park on the street there. That's what I was pointing out, yeah.

**LEG. KENNEDY:**

Probably. It's probably illegal to do anything there.

**LEG. SCHNEIDERMAN:**

All right. I'll make a motion.

**LEG. VILORIA • FISHER:**

I have another question. I'm sorry.

**CHAIRMAN LOSQUADRO:**

Well, we have a motion by Legislator Kennedy, second by Legislator Schneiderman. On the motion, Legislator Vilorina•Fisher.

**LEG. VILORIA • FISHER:**

Tom, I'm looking at the map. And in this parcel there seemed to already exist •• I mean, there

are fields and disturbed areas. Are any of those adaptable for parking?

**MR. ISLES:**

Well, the portion that I believe the sponsor has indicated with the 20 acres that are in the resolution is the bottom portion or the southern portion of the property with the white line dividing it. So, to my knowledge it does not include any parking area or cleared areas. Therefore, it would likely require some clearing to accommodate at least a few cars off road.

**LEG. VILORIA • FISHER:**

Okay. That black spot isn't blacktop. I guess it's water.

**MR. ISLES:**

It's water.

**LEG. VILORIA • FISHER:**

Okay.

**LEG. BISHOP:**

You're vaguely familiar, I'm sure, with the zoning in the Village of Nissequogue. What if we let this go? How many houses would go there?

**MR. ISLES:**

I'm not sure exactly. I believe it's a two acre zoning category. They would also have to deduct for the wetlands. So on a 20 acre site ••

**LEG. KENNEDY:**

I think I heard 17. 17, you could get 15 or 17 •• maybe not that many.

**LEG. BISHOP:**

I'll make you a bet that doesn't happen.

**LEG. VILORIA • FISHER:**

It is only 20 acres. You can't put 17.

**LEG. KENNEDY:**

There's been a lot of play on this as a matter of fact in the local papers. But suffice it to say that there were enough lots, I guess, that would be yielded that there would be interest to go ahead and develop.

**MR. ISLES:**

Yeah, even if you got 7 or 8 lots, I think that's possible here. It would be very expensive obviously. That's for sure.

**CHAIRMAN LOSQUADRO:**

All right. We have a motion and a second. All those in favor? Opposed?

**LEG. BISHOP:**

I'll abstain.

**CHAIRMAN LOSQUADRO:**

Abstention by Legislator Bishop. 1872 is approved. **(Vote: 5•0•1•0. Leg. Bishop abstained.)**

**1876, amending the adopted 2005 Capital Budget and Program and appropriating the 2005 Pay•As•You•Go Funds in connection with the Peconic Bay Estuary Program.**

This is changing financing from B to G, 150,000. Motion by Legislator Schneiderman, second by Legislator Binder. All those in favor? Opposed? **1876 is approved. (Vote: 6•0)**

**1877, amending the adopted 2005 Capital Budget and Program and appropriating the 2005 Pay•As•You•Go Funds in connection with the study for the occurrence of brown tide in Suffolk County waters.** This is the same thing.

**LEG. SCHNEIDERMAN:**

Motion.

**CHAIRMAN LOSQUADRO:**

Same motion, same second, same vote. **(Vote: 6•0)**

**1893, accepting and appropriating 50% federal grant funds (from the US Environmental Protection Agency to the Suffolk County Department of Health Services, Division of Environmental Quality for the National Estuary Program) Motion by Legislator Schneiderman, second by Legislator Bishop. All those in favor? Opposed? 1893 is approved. (Vote: 6•0)**

**1897, authorizing acquisition under the Suffolk County Multifaceted Land Preservation Partnership Program for the Grandma & Partners, LTD parcel, Town of Shelter Island.**

**LEG. SCHNEIDERMAN:**

How many bills do we have that do this?

**LEG. BINDER:**

I want to see how old this person is.

**CHAIRMAN LOSQUADRO:**

Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I'm just wondering if Legislator Caracciolo has a bill that does the same thing.

**MR. ZWIRN:**

Not yet.

**LEG. BINDER:**

We don't know where he is right now?

**MS. ZIELENSKI:**

He could be in the building.

**MR. ZWIRN:**

Could be near a computer. Or a photocopy machine probably would be more appropriate.

This was on the master list I understand. And the owner of the property is elderly. So this is one we would like to move. It could be time sensitive.

**CHAIRMAN LOSQUADRO:**

Ben, didn't I just hear you say earlier that the County Executive himself is changing his policies to let the Legislator from the district be their co•sponsor or sponsor these things?

**MR. ZWIRN:**

I didn't know that applied to Legislator Caracciolo. I think it was the 17•person rule.

**CHAIRMAN LOSQUADRO:**

Counsel, what was the bill number? 1284? 1284 is tabled on the floor for this acquisition, Legislator Caracciolo's bill.

**LEG. BINDER:**

Oh, he has one.

**CHAIRMAN LOSQUADRO:**

Yes. Has it been amended?

**MS. KNAPP:**

It was amended Monday.

**LEG. SCHNEIDERMAN:**

It met the deadline.

**CHAIRMAN LOSQUADRO:**

It met the deadline and it's amended and it'll be before us on Tuesday.

**MS. ZIELENSKI:**

We haven't seen it to know if it's correct. But I would like to say that we ••

**CHAIRMAN LOSQUADRO:**

Is your microphone on?

**MS. ZIELENSKI:**

That we received a call from the Town of Shelter Island this week stating the fact that Grandma is very distressed and that we are in •• concerned about losing this acquisition because of the inordinate delays.

**LEG. SCHNEIDERMAN:**

So we can table it. And if we have to discharge it to the floor, we can do that. But if Legislator Caracciolo has a bill that's active that can be voted on, there's no reason ••

**CHAIRMAN LOSQUADRO:**

It's the same date.

**LEG. BINDER:**

Mr. Chairman, it would seem if there's a bill on the floor already, that means that it was put in ahead of this bill. It did have to be photocopied, I guess.

**MS. ZIELENSKI:**

Well, that's why it was incorrect.

**LEG. BINDER:**

I understand but if he's made changes as of Monday to reflect exactly what this bill says, then, the bill exists and it's ready for consideration, if •• let me ask Counsel. Counsel, does the bill on the floor reflect the same wording that we're seeing in this bill? Is it ••

**MR. ZWIRN:**

In other words did the sponsor of that bill photocopy this bill and put his name on it which would be okay if the bill is accurate.

**LEG. BINDER:**

That's a question to Counsel but it's not exactly how I would put it. But thank you, Ben, for speaking for me.

**MS. KNAPP:**

My recollection is that the last one had a different name of the seller on it. Is that not right?

Sophie or something like that was the lady's name. And that it's now Grandma and Partners. That was one of the changes.

The other change was to give 25% undivided interest to the Village of Dering Harbor in exchange for them paying for the •• those are all in the new 1284.

**LEG. BISHOP:**

Listen, why don't we ••

**LEG. SCHNEIDERMAN:**

Let's table this.

**LEG. BISHOP:**

No. Why don't you put this •• well, my recommendation would be discharge them without recommendation and sort it out; sort it out there.

**LEG. SCHNEIDERMAN:**

We could discharge that.

**CHAIRMAN LOSQUADRO:**

The bills are identical. If it needs to be discharged you have •• Real Estate has my commitment that if for some reason the other bill is defective but •• Counsel's telling me they're identical, that we would discharge this. Either way it's going to be purchased on Tuesday •• well, authorizing the purchase on Tuesday.

**MS. ZIELENSKI:**

Thank you. That's my concern.

**CHAIRMAN LOSQUADRO:**

That's fine. Taking care of Grandma.

**LEG. BINDER:**

We're not going to mess with Grandma.

**LEG. SCHNEIDERMAN:**

Motion to table.

**CHAIRMAN LOSQUADRO:**

We'll have Meals on Wheels there. Motion to table by Legislator Schneiderman, second by Legislator Binder. All those favor? Opposed? **1897 is tabled. (Vote: 6•0)**

**1898•05, authorizing the acquisition of farmland development rights under SOS Farmland Preservation and Hamlet Parks Fund for Kozak property, Town of Riverhead.** 19.6 acres, \$940,800. Is that correct?

**MR. ISLES:**

(Shaking head yes)

**LEG. SCHNEIDERMAN:**

Motion to approve.

**CHAIRMAN LOSQUADRO:**

Motion to approve by Legislator Schneiderman, second by Legislator Binder. All those in favor? Opposed?

**LEG. BISHOP:**

This is a farmland specific fund that it's coming out of?

**MS. ZIELINSKI:**

Yes, SOS Farmland.

**CHAIRMAN LOSQUADRO:**

SOS Farmland Preservation and Hamlet Parks Fund, yes.

**LEG. BISHOP:**

So that means ••

**CHAIRMAN LOSQUADRO:**

It's from the farmland component, yes.

**LEG. BISHOP:**

Okay. There's a specific farmland component it's drawing from. Thank you.

**MS. ZIELENSKI:**

Yes.

**CHAIRMAN LOSQUADRO:**

All those in favor? Opposed? **Approved. (Vote: 6•0)**

**1899, to appoint a member to the County Planning Commission, Donald J. Fiore.**

**LEG. BISHOP:**

Motion to approve. Is this the cart before the horse?

**CHAIRMAN LOSQUADRO:**

No. This is what I alluded to earlier. There is no recommendation from the Town on this one at all. And I think the Town at least should •• even if there's not a consensus as you had •• I remember from your previous testimony that you had felt that this should be perhaps a consensus from the Town Board or at least a recommendation from the Supervisor as the County Executive's Office was pushing for quite a while, there's not •• no one has even consulted with the Town on this.

**LEG. SCHNEIDERMAN:**

This is Riverhead seat.

**CHAIRMAN LOSQUADRO:**

No, this is Islip.

**LEG. SCHNEIDERMAN:**

Oh, I'm sorry. This is Islip seat, right. The other one we •• that got tabled was, was that an at large?

**CHAIRMAN LOSQUADRO:**

That was at large.

**LEG. SCHNEIDERMAN:**

Okay. But this one is a specific town seat.

**LEG. VILORIA • FISHER:**

Islip.

**CHAIRMAN LOSQUADRO:**

This is a town seat.

**LEG. SCHNEIDERMAN:**

It would probably be good to get an advisory recommendation.

**MR. ISLES:**

Mr. Chairman, of course there's no requirement for consultation with the Town. The appointment is by the County Executive subject to confirmation of the Legislature. There's a geographic requirement that the person be from the Town.

**LEG. SCHNEIDERMAN:**

But it's •• the confirmation process is ours; the Legislature. And if the Legislature feels it would like to hear from the Town, whether we can as a policy do that, again, this would be an advisory recommendation. We understand that there's no requirement.

**LEG. BISHOP:**

Kennedy, do you represent •• you represent part of Islip, right?

**LEG. KENNEDY:**

Yeah, I do. Yes, as a matter of fact I have about seven or eight ED's. And certainly I know nothing about any kind of contacts going one way or the other. We heard what the gentleman ••

**LEG. BISHOP:**

So if we tabled it this time, you'd make the contact?

**CHAIRMAN LOSQUADRO:**

Sure.

**LEG. KENNEDY:**

I would go ahead and make certain that there would be some kind of contact that was initiated, sure. Certainly.

**LEG. SCHNEIDERMAN:**

This is your district?

**LEG. KENNEDY:**

No. I have a very, very small portion. Legislators, you know? Alden and Carpenter ••

**LEG. BISHOP:**

He has Islip. He's the only one here who has any of Islip. That's what I'm saying.

**LEG. KENNEDY:**

Legislators Alden, Carpenter.

**LEG. SCHNEIDERMAN:**

Cameron has Islip.

**LEG. BISHOP:**

He's the closest thing. And plus he's the rookie.

**CHAIRMAN LOSQUADRO:**

Motion to table by Legislator Kennedy, second by Legislator Schneiderman. All those in favor? Opposed? **1899 is tabled. (Vote: 6•0)**

**1902, authorizing acquisition of environmentally sensitive land under the Suffolk County Save Open Space Preservation Program, Edson property, Corey Creek. 1.2 acres, \$300,000. Is that correct?**

**MR. ISLES:**

It's primarily correct. It's not the Save Open Space Preservation Program. It's actually the

1986 Preservation Program. That's just a minor point. Everything else you said was correct, Mr. Chairman.

**CHAIRMAN LOSQUADRO:**

Very well. I'll make a motion to approve, seconded by Legislator Viloría•Fisher. All those in favor? Opposed? **It's approved. (Vote: 6•0).** Legislator Bishop, you just want clarification? **1902 is approved.**

**1904, making a SEQRA determination in connection with the proposed fencing materials for Suffolk County Department of Parks, Recreation and Conservation.**

**LEG. BINDER:**

Motion.

**LEG. KENNEDY:**

Second.

**CHAIRMAN LOSQUADRO:**

Motion by Legislator Binder, second by Legislator Kennedy. All those in favor? Opposed? **1904 is approved. (Vote: 6•0)**

**1905 (making a SEQRA determination in connection with the proposed Old Field Farm County Park, adaptive re•use of stable building, Trustees Road, Setauket, Town of Brookhaven)** Same motion, same second, same vote. **(1905 approved. Vote: 6•0)**

**1906, making a SEQRA determination in connection with the proposed acquisition land for Open Space Preservation purposes known as Mud Creek County Park in the Town of Brookhaven.** Same motion, same second, same vote. **(1906 approved. Vote: 6•0)**

**1907, making a SEQRA determination in connection with the proposed improvements to water supply system at Cathedral Pines County Park, Middle Island, Town of Brookhaven.** Same motion, same second, same vote. **(1907 approved. Vote: 6•0)**

**1908, making a SEQRA determination in connection with the proposed improvements to water supply system at Prosser Pines County Park, Middle Island, Town of Brookhaven.** Same motion, same second, same vote. **(1908 approved. Vote: 6•0)**

**1913, to appoint a member of County Planning Commission, Jesse R. Goodale III.** This is the one from Riverhead. And this I do have a specific •• the last we heard that the Town Board had a consensus to recommend that Mr. Odea continue in his capacity. I don't know if any additional outreach was done to the Town of Riverhead or what Riverhead Town's position on this is.

**MR. ISLES:**

Mr. Chairman, Mr. Odea has indicated to the Commission that he would like to resign. He has stayed on, but he has, at least at the Commission meetings, he's indicated he does not want to continue to serve.

**CHAIRMAN LOSQUADRO:**

That's the first I've heard of that. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I like this gentleman who was here. I did have some questions about his role in, you know, being a large player in construction industry. But he seemed to satisfy that. These are County Executive appointments. If we are going to be consistent and we want the recommendation from the Town, we should ask for it. And if we want to table it for one cycle so we can ask Riverhead if they have any specific objections to Mr. Goodale, I have no problem with holding it off one cycle like we did with the last one. But since it is a specific seat, I don't think it hurts to have that information.

**CHAIRMAN LOSQUADRO:**

Motion to table by Legislator Schneiderman, seconded by Legislator Binder. All those in favor? Opposed? **1913 is tabled. (Vote: 6•0)**

**1915, authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program, Open Space, for the Kane property in the Overton Preserve.** This is a rather small acquisition but part of a larger overall plan in which we're increasing our holdings. I'll make the motion to approve, seconded by Legislator Viloría•Fisher. All those in favor?

Opposed? **1915 is approved. (Vote: 6•0)**

**1916, authorizing an acquisition of land under the Suffolk County Drinking Water Protection Program Open Space Component. This is the Rendel property, Town of Southold.** 3.7 acres, \$44,400. Is that correct, Mr. Isles?

**MR. ISLES:**

Yes.

**CHAIRMAN LOSQUADRO:**

Very good. Motion to approve by Legislator Schneiderman, seconded by Legislator Vilorina •Fisher. All those in favor? Opposed? **1916 is approved. (Vote: 6•0)**

1926 and 27 have already been addressed.

### **CEQ RESOLUTIONS**

On to CEQ. Counsel, I believe, has a question.

**MS. KNAPP:**

Commissioner Isles, I know that you mentioned that the title might have been wrong on the Edson property. I wonder if you could just before Tuesday or maybe Budget Review, just take a look at it. Is it Multifaceted? Because it's very confusing. The fiscal shows one program ••

**MR. ISLES:**

It was intended to be the 1986 Open Space Program. So we believe the resolution is correct. I'll go back and double check it. It was just the way it was listed in the agenda, appeared to say Save Open Space.

**MS. KNAPP:**

No. There's a lot of the •• the Whereases talk about the Multifaceted Program and using that capital expenditures. That's why I'm really confused. The fiscal showed one thing. The

Whereas talked about Multifaceted, the Title said SOS and then you just mentioned another program. So I mean just before Tuesday, not that we have to ••

**MR. ISLES:**

I'll read it again. I haven't read it in a while but I'll do that. Thank you.

## **CEQ RESOLUTIONS**

**CHAIRMAN LOSQUADRO:**

Thank you for waiting around. You're on. We have one item on CEQ before us. It's item **69 •05. This is a recommendation concerning a SEQRA classification and determination for the purposes of a Chapter 279 of the Suffolk County code for the proposed Suffolk County Correctional facility Expansion, Yaphank, Town of Brookhaven.** Mr. Bagg.

**MR. BAGG:**

This is for the renovation and the expansion or addition to the existing correctional facility in Yaphank. Council received the EAF plus a draft preliminary DEIS and made a recommendation that it's a Type I action because it will involve the clearance of more than ten acres. And also exceeded the criteria in 617.7 so they recommended a positive declaration.

**LEG. BISHOP:**

Meaning it has to be a full Environmental Impact Statement?

**MR. BAGG:**

Yes. And the Department of Public Works has proceeded to start to draw up the DEIS and I believe they would like to try to expedite the pos dec because we cannot file a Notice of Completion and start the process or public hearing until the positive dec has been issued by the Legislature.

**CHAIRMAN LOSQUADRO:**

Very well. Legislators Bishop, do you have a question?

**LEG. BISHOP:**

Just to break down those terms of art, positive declaration is the Legislature saying this is

something that will have an impact on the environment?

**CHAIRMAN LOSQUADRO:**

Yes.

**MR. BAGG:**

It's something that may have a significant impact on the environment and wants the preparation of a draft Environmental Impact Statement.

**LEG. BISHOP:**

What do they want expedited?

**MR. BAGG:**

Well, they would like to start the draft Environmental Impact Statement process as soon as possible with a public hearing and you do not meet until next •• the end of next month. And the SEQRA process with a DEIS could be prolonged.

**LEG. BISHOP:**

Right. Okay. So there's nothing special we're doing. We're just getting to it today. Because I don't want to be involved in any expediting obviously given my position. But I certainly do want to declare it as having an impact.

**CHAIRMAN LOSQUADRO:**

I didn't think you'd be opposed to a positive declaration on this action. I'll make the motion to approve, seconded by Legislator Bishop. All those in favor? Opposed? **69•05 is approved.**  
**(Vote: 6•0)**

Amazingly there's no further business before us. Meeting is adjourned. Thank you.

**(THE MEETING CONCLUDED AT 4:38 PM)**

**\\_DENOTES SPELLED PHONETICALLY\\_**