

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 September 22, 2005.

MEMBERS PRESENT:

Leg. Daniel P. Losquadro, Chairman

Leg. Jay H. Schneiderman, Vice•Chairman

Leg. Allan Binder (excused absence)

Leg. David Bishop

Leg. Vivian Vilorio•Fisher

Leg. John M. Kennedy, Jr.

ALSO IN ATTENDANCE:

Legislator William J. Lindsay, Eighth District

Mea Knapp, Counsel to the Legislature

Alexandra Sullivan, Chief Deputy Clerk

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

Vito Minei, Department of Health, Division of Environmental Quality Division

Alpa Pandya, Nature Conservancy

Kris LaGrange

Richard Johannesen

Thomas W. Cramer

Laura J. Mansi

Mary Daum

Sarah Lansdale

Edward James Pruitt

Jesse R. Goodale III

Tom Williams, Cornell Extension

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING COMMENCED AT 2:36 PM)

CHAIRMAN LOSQUADRO:

Good afternoon. Thank you for your patience. Previous meeting ran very long. Some of the Legislators including myself requested to take a short break. I'd ask all Legislators for the Environment, Planning and Agriculture Committee report to the horseshoe so we can commence this proceeding.

Please rise for the Pledge of Allegiance to the flag led by Legislator Schneiderman.

(SALUTATION)

CHAIRMAN LOSQUADRO:

Thank you. We will go to public portion. There are several cards. First card is Alpa Pandya.

MS. PANDYA:

Good morning. Good afternoon. Is this on? Good morning. Good afternoon. My name is Alpa Pandya. I'm representing the Nature Conservancy whose mission is to preserve our lands and waters and also representing the Long Island Weed Management area, a voluntary association of public and private land managers working together to prevent the spread of invasive species on Long Island.

I'm here today to ask you to pass two laws to help prevent and control the threat and spread of evasive plants and animals in Suffolk County, IR 1727 and IR 1968. IR 1928 will establish a Water and Land Evasives Control Task Force to develop an evasives control program for Suffolk County's lands and waters.

IR 1727 compliments this goal by making it illegal to dump evasive plants and animals into our waterways. Invasive plants and animals spread uncontrollably overrunning the rivers, lakes and lands we love ultimately rendering them unfit for human use. We've already seen it make Yaphank Lake almost unusable for residents who used to boat, fish and swim there. But Yaphank Lake is the immediate problem in need. It's a taste of things to come unless we start planning for it and acting on it now. Preventative action to stop the spread of invasives before they start is our best method of controlling the problem.

In addition it costs more to abate the threat than it does to prevent it in the first place. And sometimes abatement isn't possible. The invasive is too firmly established and too widespread. The Water and Land Evasives Control Task Force allows the County to get in front of this issue before it becomes a problem to face what is coming and be proactive about preventing the problem and finding solutions.

It is essential to protect the waters and lands of Suffolk County by creating long term evasives control policy and strategies for implementation. For the first time these bills will allow for strategic county wide approach to ensure that our lands and waters stay free of evasives. Please pass IR 1727 and 1968.

Lastly, I want to thank Legislator O'Leary and his aid, Marie Ammirati, for their understanding of the urgency and seriousness of this issue and the Legislator's leadership in finding solutions. Thank you.

CHAIRMAN LOSQUADRO:

Thank you, Alpa.

Next speaker Kris LaGrange.

MR. LaGRANGE:

Thank you, Mr. Chairman. My name is Kris LaGrange from the Long Island Federation of Labor, AFL•CIO. I'm submitting to you a statement from the Long Island Fed. I'll submit it here so you guys can get a copy of it whenever you'd like.

Thank you for the opportunity to meet with your committee. The Long Island Federation of Labor AFL•CIO represents a quarter of a million of new members in both Nassau and Suffolk Counties. And we fully support the appointment of Mr. Donald Fiore to the Suffolk County Planning Commission. Mr. Fiore is a business manager of local 25 of the international brotherhood of electrical workers and a knowledgeable and respected member of his community in the Town of Islip, Suffolk County and all of Long Island.

The Suffolk County Charter authorizes the County Planning Commission to approve, review permits for variances, zoning for products that are within the set boundaries of public highways, parks, sewage channels and publically held lands. The public •• the County Public Policy Commission has a great deal to say about the economic development and quality of life in our County. And we feel at the Long Island Federation of Labor that there's no better candidate to sit on this commission than Mr. Don Fiore.

As a business manager of his local union, he is charged with working with realtors, developers, planning agencies, construction managers and contractors. And he deals with municipal guidelines on a regular basis in dealing with the rules and regulations that govern every day•to•day business and development.

Since 1976 Mr. Fiore has been working hands•on with developers to insuring that our roads are built safely and that our developments and regulations are awarded to contractors with good employment records. Mr. Fiore knows very well the amount of time and energy that takes into tracking the health and welfare of corporations that this County does business with. Multi•million dollars contracts that can go sometimes unnoticed would be noticed by a business manager of a local union who has history with that. And that's why he would be an asset to this commission.

And in his previous role as Training Director of his local union, he worked to insure that all local 25 electricians are

knowledgeable, skilled craftsmen who are familiar with municipal regulations and restrictions. He actually teaches people what the rules are. And he holds a bachelor in labor studies from Old Westbury. And he's an experienced •

- highly experienced contract negotiator.

Mr. Fiore is a resident of the Town of Islip for 37 years. As a community resident he's also active with his civic association, Little League and various other groups and organizations. And he's a family man and an honest tax paying citizen.

I can go over and over what other boards and commissions he serves on. This County's familiar with him sitting on the Labor Advisory Council, the Suffolk County Workforce Investment Board as well as the Electrical Licensing Board so you all have experience in working with Mr. Fiore. So, I'm just asking today that this board bring out of committee and put to the table Mr. Fiore's appointment to the Planning Commission. I think he would be an absolute asset to the entire county. Thank you.

CHAIRMAN LOSQUADRO:

Thank you. Mr. LaGrange.

Next speaker Richard Johannesen. And you probably will want to sit down because I don't think that microphone will go up high enough for you at the podium. Nice to be tall.

MR. JOHANNESSEN:

I thought you were mocking me.

CHAIRMAN LOSQUADRO:

Not at all.

LEG. SCHNEIDERMAN:

We look up to you because we have to.

MR. JOHANNESSEN:

Not anymore. I'm actually here to testify to behalf of Mary Daum. That's tabled resolution number 1865 of '05. Mary Daum who is the President of the Shoreham Civic Association which is the civic association which is just east of the civic association where I am the Land Use Committee Chairman and the former president of the Rocky Point

Civic Association.

I strongly urge you to support her candidacy and take her candidacy out of committee. Mary is a very, very bright woman with very strong educational credentials. She has a PhD. She has been an employee of the Brookhaven Lab for many, many years; and also has published a number of very interesting academic issues. She is the President of the Shoreham Civic Association which civic association has become a very, very important civic association that's dealt with a number of different issues. And Mary's done a wonderful job in dealing with •• providing leadership and dealing with some very difficult land use issues in her community.

Mary is also a very reasonable person. And one of the concerns that a lot of you elected officials have when looking at civic leaders is you want to make sure that you are appointing a reasonable person. At times some of us are somewhat unreasonable. Some of us are sometimes partisan. Sometimes we're a little radical and we recognize that at times. I don't think you should be concerned about that with Mary Daum. Mary is a very reasonable person. She is highly respected in her community. And I think she would be a great member of the Planning Commission. So I strongly urge you to put her candidacy before the full Legislature and support her. Thank you.

CHAIRMAN LOSQUADRO:

Thank you, Mr. Johannesen.

Last card, Thomas Cramer.

MR. CRAMER:

Good afternoon, members of the Committee. I'm here, I guess, make myself available to you if there's any questions with regard to my reappointment to CEQ. I sit on it with Jay.

CHAIRMAN LOSQUADRO:

Okay. I thank you for letting me know that you're here. Since you're here, we might as well just get it out of the way now. I was going to take the other members who are present out of order. This way they didn't have to continue to wait around. But since you came up, if there's any members of the Committee who have questions. Legislator Bishop?

LEG. BISHOP:

Since people come down, we should ask them the two basic questions, then we generally want to know which is why do you want to continue to serve on CEQ? And if you could address your attendance. Have you been attending all the meetings and is that in order?

MR. CRAMER:

Well, first of all as far as attendance, I make almost all the meetings. An occasion there's a couple that I have to miss because of other commitments. But I make myself •• and I've been on the committee since the mid •eighties. I find it somewhat rewarding to be able to provide a service to the County. I think we do a lot of good on there to provide recommendations to the Legislature as far as the various projects that we're involved in.

I've sat on the committee, you know, through the years with numbers •• with a number of you. Vivian, Jay. We've sat on the committee together. And I think a lot of things •• I do enjoy it. I've been involved with a number of government actions, in the past government positions as well as •• on both sides of the fence. And I think we provide a valuable service to the County and I'm glad to be part of it.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Vioria•Fisher.

LEG. VILORIA•FISHER:

Thank you, Mr. Chairman. Mr. Cramer, you do indeed provide a valuable service. When I was a member of the committee as the Chair of the Parks Committee, I saw you present at every meeting that I attended. And you took a close look and asked the hard questions. And that was very appreciated. Thank you for your good work and good service.

MR. CRAMER:

Thank you.

CHAIRMAN LOSQUADRO:

Any other questions?

LEG. SCHNEIDERMAN:

I would just echo the same things. As the current Chair of the Parks Committee, the meetings that I've been at, I would concur with my fellow Legislator with her comments.

MR. CRAMER:

Thank you very much.

CHAIRMAN LOSQUADRO:

Thank you, sir. And, again, thank you for your willingness to serve in this capacity.

MR. CRAMER:

It's a pleasure. Thank you.

CHAIRMAN LOSQUADRO:

Now what is the last card, Laura Mansi. Pull the microphone down.

MS. MANSI:

Yeah, okay. Good afternoon. I'm a little disappointed not to see Allan Binder here because in the remarks that I just put together today, I had directed a little bit to him. But I'm going to proceed as if he's sitting here.

My name is Laura Mansi. And I am President of the Four Town Civic Association. We have been in existence since 1980. Allan Binder knows our history well. As Legislator Binder knows, our community is under assault from the most intense onslaught of development anywhere in this country. The community being all those who live in Dix Hills and Deer Park and all those who live near or have •• need access to Commack Road.

Last evening I discovered something quite disturbing. Disturbing enough that I squeezed my appearance here between doctor and physical therapy appointments. Disturbing enough that I felt compelled to put my comments on the record. I found out that there is a resolution that this Committee has, not moved forward for 20 months, regarding a non•political, professional, diverse County Planning Commission. Almost the identical language that I read at the top of this resolution is the language I used to tell the County Executive that he needed to de•politicize this body.

I broached the subject rather angrily due to the recent vote of the Planning Commission with regard to the Tanger Outlet Center. It was a disgraceful vote that was all about politics. That is when I found out that he had already taken the initiative a considerable time ago. And it is being held hostage here.

Some Planning Commission members use their votes to send a political message to the Town of Huntington "do not mess with our projects." If Allan were sitting here, I would say to him, I suggest he get a copy of what occurred when the Tanger Outlet Center was moved for a vote and then explain to all of you on this Committee why the Commission is non-political and professional. And that it should contain committee persons from the political parties.

After the strong comments of the Suffolk County Planning Department, it was essentially a given that the Planning Commission would not approve of the Tanger Center. It's a complete debacle. In fact, Allan appeared at the public hearing about Tanger with very strong comments. But when the Town of Huntington took Smithtown into court for violating the rights of the people who would be severely impacted by the PJ Ventures project in Commack, and they moved to vote against the Tanger project, Smithtown and Islip banded together with Babylon and abstained effectively making it so that a super majority vote in Babylon is now not required.

This is a perfect illustration as to why this body needs to be changed in order to take the politics and the collusion with money interest out of it. Votes from a Planning Commission should be on merit alone. All of you have taken an oath to serve the people of your district and Suffolk County. I say leave your politics outside these doors and move this resolution and appoint ••

CHAIRMAN LOSQUADRO:

Ma'am, if I could ask you to sum up. If I could ask you to sum up, please. Thank you.

MS. MANSI:

I am summing up. This is my last sentence. •• and appoint non-political people and professional people to fill the existing vacancies. I promise in the battles we are currently engaged in to inform as many citizens, voters about this issue. They need to know how our government does its business in Suffolk County. Thank you.

CHAIRMAN LOSQUADRO:

Thank you. Ma'am, if you could wait one second, I believe we have a question. Legislator Bishop, did you have a question for the speaker?

LEG. BISHOP:

No. It came together at the end.

CHAIRMAN LOSQUADRO:

Okay. Very good.

LEG. BISHOP:

I had troubling following you.

CHAIRMAN LOSQUADRO:

Thank you for your comments.

MS. MANSI:

You're welcome.

CHAIRMAN LOSQUADRO:

Okay. Before we go to the public hearings and the presentation, I know we have a number of individuals who are here today. I do not want to make them wait. So, since you are the first one to come up and speak, I'll make a motion to take IR 1790 out of order, seconded by Legislator Viloría•Fisher. All those in favor? Opposed? 1790 is before us.

1790, reappointing member to the Council on Environmental Quality Thomas W. Cramer. Motion to approve by Legislator Schneiderman,

Seconded by Legislator Viloría•Fisher. All those in favor? Opposed? 1790 is approved. **(Vote: 5•0•0•1.**

Legislator Binder not present) Thank you. And congratulations again, Mr. Cramer.

LEG. SCHNEIDERMAN:

Thank you for serving, Mr. Cramer.

CHAIRMAN LOSQUADRO:

Next motion, I'd like to take IR 1865 out of order, seconded by Legislator Schneiderman. All those in favor? Opposed? IR 1865 is before us. And if I can please ask Mary Daum to come forward. You can have a seat at the table.

This is 1865 to appoint a member to the County Planning Commission, Mary Daum. This is an at large appointment. And I think you heard the basic questions that we pose to applicants as Legislator Bishop proposed before; why you want to do this. And obviously you have not served in the past. But obviously you make the commitment to be there on a regular basis. And a bit about your background and qualifications. I don't think that mike's on. The top button.

MS. DAUM:

Okay. Thank you. Thanks for having me here today. A little bit about my background. I've got a PhD in geography from the University of Wisconsin. During my graduate studies I became interested in land use questions studying land consolidation and agrarian reform, topics like that while working on my dissertation. The point of view was more one of •• that of a researcher to see what the impacts or results of land use changes were rather than being involved in the process. But since I've been a co•founder and President of the Shoreham Civic Organization, I've become much more involved in the process although certainly at a much more local level than I've done before.

So, I have a great deal of interest in planning and how it affects people economically, socially and culturally. It's a wonderful opportunity to me to be involved in that but also to learn. I always enjoy learning about anything I think I can get my hands on, I guess.

I think I bring to the table some experience. It certainly isn't that of a professional planner but some experience with dealing with some kinds of planning issues; and am able, I think, to work with diverse groups of people and try to help people achieve consensus. I guess, Dan can attest to some of that.

As a professional geographer my viewpoint is more of a big picture kind of thing. Rather than starting down in the details and trying to work my way up, I tend to want to get a lot of information from lots of different angles and then make up my mind about things. I think that's what Rich Johannesen was referring to. I tend not to be somebody that just has a knee jerk reaction to something that comes along. I'd prefer to analysis it. So, I think that those are skills that I can bring to the table. As far as why I want to be there, I just think it would be a great thing to do and an opportunity to give back to the County.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Vilorina•Fisher.

LEG. VILORIA • FISHER:

Yes. Dr. Daum, thank you for being here today.

MS. DAUM:

Thank you.

LEG. VILORIA • FISHER:

I'm very impressed by your resume and that of, of course, Sarah Lansdale, who's next on the agenda. I think we're very fortunate to have people of your caliber with the kind of knowledge and educational background that you possess being willing to come forward to perform this public service. I thank you for being here and for the service that you have done as a civic leader.

MS. DAUM:

Thank you.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I've been pretty much asking a similar question. I'll try to phrase it differently than I have in the past for most candidates for this particular board. This board has the ability to require super majority override from the town planning •• town boards in regard to •• let's say a town board is making a zoning change, sometimes those zoning changes can precipitate additional development. In terms of balancing out our environmental protection with the issue of housing, which has really been a very, very difficult issue in our communities to try to keep some of our young families in place when the cost of housing is so high •• we've seen far too many local young people leave the area. To do that, it's been very hard to get the zoning in our downtown sections typically in place that would allow for the type of housing that could be affordable to some of those individuals.

I kind of want to know your position on the housing issue because it's hard enough to get three votes on a town board. It's even harder obviously to get a super majority. Some boards have six members and so a super majority might be five out of the six. That's very hard. So, I'd like to get your opinion on the housing issue. And if you want to add your opinion on the environmental issue as well because they're both extremely important issues in terms of Long Island's future; Suffolk County's future.

CHAIRMAN LOSQUADRO:

And if I may, prior to your responding, I just think Legislator Schneiderman's question is very timely considering the proposal that is being examined in Shoreham right now. So, please.

MS. DAUM:

Yes. And actually I'd like to thank Legislator Losquadro for letting me sit during this meeting because I made him stand during mine.

That is actually a very timely issue. And it's one where I kind of find myself at odds, I think, sometimes with some of the other civic leaders because I feel pretty strongly that we really do need workforce housing and am actively working to try to include it not just because we have to, but because I think it's good for our community to include that in a development that we're looking at in Shoreham now.

It is a contentious issue for many communities. I think there's a right way and a wrong way to go about it. And certainly balancing out environmental concerns with concerns that mean some new kind of development, possibly higher density development if it's not right in a downtown area, are very difficult questions to address. I'm committed to trying to make in whatever way I can this County and Long Island a good place for everybody to live and to have a diversity of kinds of people in every community. And I think that having housing that different kinds of people can afford be located throughout the County is what we want to do; not make pockets of things. That's what happened in New Orleans. People were all •• all one kind of people were stuck in one place. And I think to have a geographic diversity of different housing types will give us a cultural and social diversity that we really need for this to be •• continue to be a vibrant community.

LEG. SCHNEIDERMAN:

Thank you. I like your answer.

CHAIRMAN LOSQUADRO:

Thank you. And just from a personal standpoint, Ms. Daum happens to be the President of my local civic organization. For those in the audience, I did not make her stand up last night at the meeting that we had. Councilman McCarrick and Mary and myself all willingly gave up our chairs because the meeting was so well attended it was truly standing room only. So, I commend the County Executive for a pick for this appointment that

I think is very well suited and has a vision to see Suffolk County move into the future. So, it's my pleasure to make the motion to approve.

LEG. VILORIA•FISHER:

Second.

CHAIRMAN LOSQUADRO:

Second by Legislator Viloría•Fisher. All those in favor? Opposed? **1865 is approved. (Vote: 5•0•0•1. Legislator Allan Binder not present.)** And I thank you for wanting to serve on this.

MS. DAUM:

Thank you. And don't forget it's membership thrive time in the Civic.

CHAIRMAN LOSQUADRO:

I will make a motion to take 1866 out of order. I see Ms. Lansdale in the audience. So we don't want her to continue to wait. We'll go in order. Seconded by Legislator Viloría•Fisher. All those in favor? Opposed? **1866 is before us. (To appoint member of County Planning Commission Sarah Lansdale)** Ms. Lansdale has already appeared before us. I don't think anyone has any additional questions for her.

LEG. SCHNEIDERMAN:

I'd like to make a motion to •• I'd like to make a motion to approve.

LEG. VILORIA•FISHER:

Second.

CHAIRMAN LOSQUADRO:

Motion to approve by Legislator Schneiderman, second by Legislator Viloría•Fisher.

LEG. SCHNEIDERMAN:

On the motion, I just say this is •• I'm really thankful that somebody with Sarah's qualifications would want to serve in this capacity. It's great to see somebody with an advanced degree in planning wanting to serve on a

Planning Commission. So •• and somebody with •• who really demonstrated a deep knowledge of all these complex issues and trying to find a balance in harmony with our environment, I think, is a real asset to our community.

LEG. VILORIA•FISHER:

May I add to that, Mr. Chair? The day after our last meeting there was a full page picture of Ms. Lansdale with girl scouts with whom she was working on a Sustainable Growth project. And so I think it's terrific to have that kind of leadership.

CHAIRMAN LOSQUADRO:

I'm getting a warm fuzzy feeling here. I'm sure it won't last for too much longer. So ••

LEG. VILORIA•FISHER:

But it's great to have great people like this.

CHAIRMAN LOSQUADRO:

•• ride the wave. No. And I echo comments that I made for Mary Daum as well. I'm very happy to see a pick. And I know there were a couple of questions that needed to be answered and they were. And I thank you for your patience. And, again, I'm very pleased to see a person that I believe has a vision for where the County should be in this new century. So, we had a motion and a second to approve. All those in favor? Opposed? **1866 is approved. (Vote: 5•0•0•1. Legislator Allan Binder not present)**

1899, I'll make a motion to take out of order, seconded by Legislator Schneiderman. All those in favor? Opposed? **1899 is before us. (To appoint member of County Planning Commission Donald J. Fiore)** Mr. Fiore, I believe, has also presented before us in the past. So, we heard some comment on him today earlier. If you don't mind, I'll make the motion, second by Legislator Vilorina•Fisher. All those in favor? Opposed? **1899 is approved. (Vote: 5•0•0•1. Legislator Allan Binder not present)** Mr. Fiore, thank you for coming down today. And, again, thank you for volunteering to serve on this board.

Okay. That does it for the items to be taken out of order. I'm sorry.

Mr. Pruitt, you were not before us previously, were you? That's what it was.

LEG. SCHNEIDERMAN:

Mark me with the majority on Fiore.

CHAIRMAN LOSQUADRO:

Very well. And I thank you for coming down again today. Let me just get to that page on the agenda.

1864 (to appoint member of County Planning Commission Edward James Pruitt). In the interest of time, I will make a motion to take out of order. Second by Legislator Kennedy. All those in favor? Opposed? 1864 is before us. Mr. Pruitt, if you can please come forward.

MR. PRUITT:

Good afternoon.

CHAIRMAN LOSQUADRO:

Thank you, sir. Much in the way the same line of questioning you heard; a little bit about yourself, why you would like to serve on this board. Of course, the willingness to make yourself available to serve based on the schedule of this board.

MR. PRUITT:

As a resident of Suffolk County I think it's my duty and responsibility to do whatever I can to enhance the quality of life of Suffolk County residents. I've always done those types of things. The last three years I've been President of the Hauppauge Industrial Association HIA. For you who may not know that, HIA is one of the largest business organizations on Long Island. We represent over 1300 companies roughly around 55,000 employees in the industrial park. For those of you who don't know, that position is also a volunteer position. And the purpose of that organization is to enhance the economic opportunity for those businesses in the industrial park. And I've been serving in that position for the last three years.

My background, as I said, as President of the Hauppauge Industrial Association, we get involved in a lot of planning types of issues. As you know, we've been doing a traffic study to try to work about the traffic problems in the industrial park. We've also been working on increasing and improving the broad band technology in the industrial park. We're also looking at expanding the sewage capability in the industrial park. A lot of those companies also span and grow in the industrial park.

One other thing I will say, I know this is my first time in the area of planning •• sorry?

LEG. SCHNEIDERMAN:

Can I just interrupt?

CHAIRMAN LOSQUADRO:

If you could suffer an interruption. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

This particular seat, is this Brookhaven seat or is it Hauppauge or Smithtown seat?

MR. PRUITT:

I'm not sure.

CHAIRMAN LOSQUADRO:

Brookhaven. This is Brookhaven.

LEG. SCHNEIDERMAN:

Are is it at large? Are you •• do you live in Brookhaven or working ••

MR. PRUITT:

I live in Brookhaven. I live in Coram.

LEG. SCHNEIDERMAN:

Okay. I'm confused because you're so involved in Hauppauge.

MR. PRUITT:

That's all right. I was just talking about my background. More so in my background.

LEG. SCHNEIDERMAN:

My apologies. I just •• it wasn't clear to me. And I thought there have been an error in terms of placement.

MR. PRUITT:

No. No. I live in Brookhaven. I live in Coram. And I was just talking about Hauppauge in the area of my

experience in terms of planning and organization.

CHAIRMAN LOSQUADRO:

Thank you very much, sir. Are there any other questions for this candidate? Hearing none •• or Legislator Kennedy, do you have one?

LEG. KENNEDY:

I'd just like to add that I know that from the Hauppauge Industrial Association being in the twelfth legislative district, I've had occasion to work with Mr. Pruitt on a variety of initiatives with the HIA particularly with some of the traffic planning you've spoken about. Also with the revisions to the Hauppauge Industrial Sewer District and its expansion and the importance as far as proper waste water treatment. So, I think that he brings good qualities and be very meritorious on the Planning Board.

MR. PRUITT:

Thank you.

CHAIRMAN LOSQUADRO:

Thank you. And certainly as I mentioned earlier that warm and fuzzy feeling eventually does go away. And, sir, as Ms. Lansdale can attest, certainly nothing against you personally but I have been in correspondence with the various towns for the town appointments. The one that came to us today, Mr. Fiore from the Town of Islip, I finally did get correspondence back from the Town of Islip supporting his appointment to the board. We had a name for the Town of Brookhaven, which the County Executive did object to because he was actually head of Brookhaven's Planning Department. And the County Executive has said that he did not want individuals who served in municipal planning capacities to serve on the board.

The Town of Brookhaven has offered an alternate name to the County Executive. I would like to give the County Executive an opportunity to look at that; possibly make an alternate recommendation. I will discuss that with the County Executive's Office and with Town of Brookhaven. And hopefully by our next meeting we will have a resolution.

So, I thank you for coming down. I unfortunately will be making a motion to table this for •• until the next cycle. And if we do move forward with your appointment, you would certainly be under no obligation to come back. You've already presented yourself to us today. And I thank you for your time. But I will be making a motion to

table.

LEG. SCHNEIDERMAN:

On the motion.

CHAIRMAN LOSQUADRO:

On the motion. Do I have a second? Second by Legislator Schneiderman. On the motion, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I mean this gentleman seems quite qualified. I thought you presented very well. In regards to your last comments, I'm curious that first individual you mentioned, the former Planning Director, seems like also obviously would be very qualified. The conflict now is he's no longer the Planning Director; is that correct? He is no longer interested in the position?

CHAIRMAN LOSQUADRO:

That is another item that I need to clarify. I don't know if Mr. Dan Gulizio was the name that was formally put forward. I don't know if Mr. Gulizio would still be interested in serving in that capacity. But either way Brookhaven Town has offered an alternate name. So either •• if Mr. Gulizio, he is one of the individuals I will be reaching out to, if he still interested or if the alternate name that Brookhaven has offered is of interest to this County Executive's Office, we will be discussing that between now and the next cycle.

LEG. SCHNEIDERMAN:

Right. It's great to see so many people interested in serving. And I appreciate that. There was a qualified candidate who came before you and was disqualified and apparently that may have corrected itself. So, I think it would be fair to take a look at those things. And we're going to also hold you in this. And we'll see how it ends up. Just give us a little bit more time. And we appreciate that.

CHAIRMAN LOSQUADRO:

Thank you. And Legislator Vioria•Fisher, did you have a comment?

LEG. VILORIA•FISHER:

This is not a question to the candidate. It's to the Chairman. Is there a residency requirement because I was

under the impression that Mr. Gulizio did not live in Brookhaven Town.

CHAIRMAN LOSQUADRO:

That may be one of the reasons why Brookhaven offered an alternate name. I'll be getting additional details from the Town of Brookhaven when I discuss with them and with the County Executive's Office.

LEG. VILORIA • FISHER:

I thought he lived in Islip Town.

CHAIRMAN LOSQUADRO:

I think so.

LEG. SCHNEIDERMAN:

Can I just say to that, ultimately there is no requirement •• there is a requirement that this seat be filled by somebody from Brookhaven. But there is no requirement that that person have the approval of the town. It's been a practice, but there is no statutory requirement. This is the County Executive's pick.

CHAIRMAN LOSQUADRO:

Absolutely. And I think today and I know unfortunately you're the one, but we have approved four out of five of these appointments that have been languishing in this Committee for sometime. And the point I try to make is that obviously we see a commitment to try moving these things forward. So, hopefully we'll get these questions answered in a timely manner. And as I said, I thank you for coming down. You would be under no obligation to come down again when this resolution comes back before us. So, thank you. We have a motion and a second. All those in favor? Opposed?

LEG. BISHOP:

Opposed.

LEG. VILORIA • FISHER:

Opposed.

CHAIRMAN LOSQUADRO:

Motion (1864•05) is tabled. (Vote: 5•2•0•1. Legislators Bishop and Vilorina•Fisher opposed.)

Legislator Binder not present)

MR. ZWIRN:

Mr. Chairman, I know it's been tabled. But if I may, I've just been handed a letter. I guess it's been faxed to the County Executive. It's dated today. Making a recommendation from ••

CHAIRMAN LOSQUADRO:

I just received it as well.

MR. ZWIRN:

Yeah, I'm just saying. But in the beginning, I think, of the Levy administration, there had been a custom that this administration inherited where the Town Supervisor of a particular town would make a recommendation. And in the past often that recommendation was put before the Legislature. It was a custom, as Legislator Schneiderman has said here today. It was not a requirement. And by law it is the County Executive's recommendation that goes before this board for approval or not.

I think the County Executive has gone •• and you can see that the quality of the people that he is recommending to represent the people in Suffolk County on the Planning Commission is outstanding. I mean, forget politics. These people are class, educated, civic-minded. I mean they're wonderful people. I think when •• the original position of the County Executive was to take the recommendations from the Town Supervisors. And almost all of them were rejected. Even in cases where they had a bipartisan town board resolution recommending someone. So, the County Executive has resorted back to going back to the way the law originally was intended to make the recommendations to this board. And he's done it based upon the quality of the candidacy.

So, I would respectfully request that you examine that because it is his appointments, his recommendations to this Legislature to be approved or not approved. And I think that's his position from here on end. He's going to look for the best people that he can find irrespective of it whether it's a democratic Town Supervisor or republican Town Supervisor. I just want to get that on the record.

CHAIRMAN LOSQUADRO:

Absolutely. And I think that is a point that has been made many times over the course of the discussions that we've had over the Planning Commission. But I think even you must admit that early on in the process the decision to abide by a Town Supervisor's recommendation was selectively adhered to. There were times when

recommendations made by Supervisors were put before us and there were times where recommendations made by Supervisors were not put before us. And I know some of those may have had to do with their involvement in planning applications. So, there's no need to respond to that.

But, I would just say with the latest recommendation made by the Town of Brookhaven, that was again only given to me today. This is someone who is currently on the board and an at large position. So, it is someone is obviously very experienced. So ••

MR. ZWIRN:

I'm sorry. This person is already on the Planning Commission?

CHAIRMAN LOSQUADRO:

Linda Petersen, yes. Her position was replaced. And I understand the County Executive's prerogative on the at large position that her position had expired. And the County Executive replaced her. But this is someone that obviously Brookhaven feels would be very well qualified to fill the position for Brookhaven Town. They have put her name back forward. And I would like to discuss that with the County Executive's Office and with Town of Brookhaven. And hopefully we can come to a resolution on this.

LEG. SCHNEIDERMAN:

I'd also like to state on the record that of those initial candidates several of them •• three I think of off the top of my head were real estate brokers; you know, large active real estate interests in their communities, which to me is the wrong person to put on a Planning Commission. And you can turn it and say it was political, whatever it was. But I think that •• I think the board acted in the correct fashion by not putting some of these individuals on. And you can see the high level of people that we're seeing now. I think we're doing well. And we saw today several people moved through. And we're moving in the right direction.

MR. ZWIRN:

I'm not going to quarrel with the qualifications. What you say is true in the sense that the County Executive was taking recommendations from the different towns.

LEG. SCHNEIDERMAN:

Yes.

MR. ZWIRN:

He's now gone out and sought individuals on his own who he thinks are eminently qualified. I think without casting aspersions, anybody else who had been recommended, the people that have come before this committee today and at the last meeting are people who are of the caliber that anybody would be proud to have on the Planning Commission.

LEG. SCHNEIDERMAN:

Yes. Those three individuals to which I speak were all recommended by Supervisors. So, I'm not disagreeing with you there.

CHAIRMAN LOSQUADRO:

Thank you. And I look forward to discussing this with you.

We have one other appointment. I don't know if Mr. Goodall is here today. There he is. I'll make a motion to take 1913 out of order, seconded by Legislator Viloría•Fisher. All those in favor? Opposed?

1913 is before us. (To appoint member of County Planning Commission Jesse R. Goodale III) Mr. Goodale, you presented before us in the past, I recall. I'll make a motion to approve, seconded by Legislator Viloría•Fisher. All those in favor? Opposed? 1913 is approved. (Vote: 5•0•0•1. Legislator Binder not present) Mr. Goodale, thank you for coming down. Thank you again for your willingness to serve in this capacity.

LEG. SCHNEIDERMAN:

Thank you for your time. I know how busy you are. I appreciate it.

CHAIRMAN LOSQUADRO:

Thank you very much.

Okay. I think that does it for the items we're taking out of order.

I think we will do the presentation first. Tom Williams, if you would please come forward. We'll do a presentation. This is on the EPA Phase II Salt Water Project.

LEG. BISHOP:

I have to leave at four o'clock to take my father to the doctor.

CHAIRMAN LOSQUADRO:

Okay. Thank you. Proceed.

MR. WILLIAMS:

Okay. Thanks. Thank you very much for inviting us. My name is Tom Williams from Cornell Cooperative Extension. And I have with me here our staff that are working on the storm water project. As you know, we are engaged with the Department of Public Works through a contract with them. And we've been working over the last year to develop educational programs. And let me introduce to you Emerson Hasbrouck who is our senior educator and who is organizing and running the project.

MR. HASBROUCK:

Thank you, Tom. And thank you to the Committee as well for allowing us to give a presentation •• okay, are we on here? Okay. Thank you, Tom, and thank you to the Committee for allowing us to give a presentation on our Phase II Storm Water Run•off Program.

I have with me today Lorne Brousseau who's our project manager. And Joanna Corey who is our storm water specialist. Also in the audience is Matt Sclafani, who is our assistant.

CHAIRMAN LOSQUADRO:

Make sure you speak closely to the mike.

MR. HASBROUCK:

Okay. Matt Sclafani, who's our assistant program manager; Mark Cappellino who is our educational region specialist.

Since the passage of the Clean Water Act in 1972, the focus has been on point sources of pollution to our nations' waters. Point sources in point discharges of pollution. And that program has been successful over the years. Now, the leading cause of water pollution across the country and here in Suffolk County specifically is none point source pollution. And none point source pollution is pollution that comes from •• that originates over a wide area

from diverse sources that cannot be identified to a single entity such as a factory or a sewage treatment plant.

A major component of non point source pollution is storm water runoff. And I'm sure you've all heard about storm water runoff. I know Legislator Bishop has done a lot of things in his district as have other Legislators to address storm water runoff. You're going to hear a little bit about it in our presentation.

Through the authority of the Clean Water Act, the EPA implemented what they call Phase I in 1990 to address storm water pollution from large municipalities such as New York City. In 2000 the EPA promulgated rules establishing a phase II program to require smaller municipalities to develop and implement storm water management plans. So, that's where the phase II program gets its title from; through the EPA phasing in at different times, different size municipalities having to implement storm water programs.

Suffolk County is included in this Phase II Program. This is a program mandated by the EPA. And in New York it's regulated and enforced through the New York DEC. In fact, Suffolk County has a SPEDES permit to implement this required program.

As Tom said we're working with DPW. And the program is funded through the Water Quality Protection and Restoration Program. And Joanna has a slide show presentation that she's going to give that gives you an overview of the program.

MS. COREY:

The Storm Water Management Program's a cooperative effort between the Suffolk County Department of Public Works and Cornell Cooperative Extension to fill that federal mandate that Emerson just spoke about. And as he said we assembled a storm water management team. And we're funded under the Suffolk County Water Quality Protection and Restoration Program.

So, briefly why is storm water •• when it rains, that water flows over impervious surfaces picking up effluents like sediment, bacteria, oil and grease and taking it to the storm drains and storm sewer systems. That water is discharged directly to our surface water bodies resulting in poor water quality and leading to shellfish bed closures and beach closures.

So, Suffolk County as part of this program must implement programs to control storm water runoff with the ultimate goal of reducing negative impacts to water quality from storm water pollution. Suffolk County does have

a permit and must comply with several water quality initiatives by 2008. So, obviously Suffolk County is a very large municipality. And this slide is just to give you an idea of the scope of this program. We must address storm water runoff from 670 miles of county roads and over 5,000 county storm drains.

So, the initiatives that are required under Phase II fall in six categories. Are minimum control measures. I'm going to talk about each one of them briefly, what we've already done for each and what we have planned.

So, the first minimum control measure is public education and outreach. And the goal of this measure is to implement a program to inform the community about storm water and what can be done to prevent storm water pollution. Our storm water educator has already planned presentations and programs for senior centers, civic groups, libraries, schools, the growing Hispanic community and business associations. Already our programs have begun this summer at summer camps and have already reached over 700 children and over a 140 adults. And we have many more of these programs planned.

We also have a Suffolk County Storm Water website that will be on line soon. And that has information •• basic information on storm water as well as information on the Department of Public Works storm water projects, kids' activities and a lot of other stuff. And we'll also be producing brochures, fliers, posters and public service announcements on storm water issues.

The second minimum control measure is public participation and involvement. And the goal of that measure is to generate broad public support and involvement in storm water management program. We formed a Storm Water Citizens Advisory Committee that will meet for the first time this week to give us feedback on the program. We also have an existing volunteer network that we can use for monitoring storm water. Volunteers can also be used to identify outfall pipes, illicit discharges and stenciled storm drains. We'll be holding public meetings to get public feedback on the program. And we'll also be doing beach and road cleanups to give citizens a sense of stewardship over the County roads and water ways.

The third minimum control measure is illicit discharge detection and elimination. The goal of this is to remove all non-storm water discharges to the storm sewer system. The County's storm sewer system. And also it discharges an illegal connection to that system; for instance, a leaky septic tank or an illegal sanitary waste fire connection. So, a requirement under this measure is to produce a map of all storm water outfalls from county properties and roads. And we've developed a process to inventory and map the outfalls. And that inventory can be used to eventually track illicit discharges to the storm sewer system. All of this information that we're gathering in the

field is being incorporated into a geographic information system or GIS data base.

So, some other initiatives under this measure are to train staff to identify outfalls and elicit discharges in the field. We'll begin outfall monitoring soon to determine where elicit discharges are likely. Cornell will also be doing DNA testing to specify the source of chloroform bacteria in storm water samples.

Another requirement of this measure is to enact an elicit discharge detection and elimination ordinance. And we at Cornell will be researching and recommending existing ordinances to the County for their consideration.

And then finally the process of creating GIS is on going. And to show you our progress we wanted to share a few maps with you. So, this first map is all of the parcels that are owned by Suffolk County. The green and red parcels are ones that have already been looked at in the field and whether they have outfalls or not. And then the purple parcels are the ones that we still need to visit and determine whether there are outfalls present.

This map shows all the outfalls that have been recorded in the field as of now on both county parcels and county roads. There is a distinction between outfalls and potential outfalls. Those potential outfalls just need to be revisited.

And then this map is to show you what kind of information we collect on outfalls in the fields and what we include in the GIS data base. Each outfall is represented by a point which is linked to a picture of the storm water structure and also linked to the information taken in the field like the outfall's location, the receiving water body, the characteristics of the storm water structure and whether an elicit discharge is likely there.

And then this is just a map of all the outfalls that were recorded on Union Boulevard, County Road 50 and Babylon and Islip and some of the photographs taken in the field.

The fourth minimum control measure is construction site, erosion control. And the goal of this measure is to minimize storm water pollution from this large source. Construction sites are a large source of sediment to our surface waters. So, a requirement under this measure is to develop an ordinance for county construction sites for sediment and erosion control. And, again, we'll do research and make recommendations to the County.

We'll also be developing best management practices or BMP inspection forms and procedures to be incorporated into construction site inspections that are already done by the County at county construction sites. We'll be doing

staff training and education or DPW staff to help them begin implementing these inspection procedures.

And finally, those best management practices, results of inspections and the location of construction sites in Suffolk

- County owned construction sites in Suffolk County will be all included in that GIS data base.

The 5th minimum control measure is post construction site runoff. And the goal of this is just to continue to monitor and prevent storm water pollution from these developed sites •• these construction sites after they're developed. So, we'll be coming up with a list of BMP's that we'll recommend to the County for codification at all their future construction projects. And we'll be posting that on our storm water website as well.

And then the final minimum control measure is pollution prevention and the good housekeeping. The goal of this measure is to incorporate pollution prevention procedures and best management practices into the everyday activities that take place at county facilities. And as part of this measure, it's required that the County develop a plan to do this. And we will be reproducing that plan. It will include best management practices for vehicle storm water structure and equipment maintenance, waste disposal and other county practices that ultimately impact water quality.

We'll also be producing training and educational materials to help County employees implement this plan. And then finally another requirement of this measure is to implement a maintenance schedule for storm water structures and county equipment which we can also include into the GIS.

So, what's next for the Storm Water Management Program? Right now the first three minimum control measures: Public education, public participation and illicit discharge detection elimination are well underway and will continue to be underway. Our storm water education programs are in full swing. Our storm water website will be on line soon. We have a proposed storm water logo that we're just waiting for approval on that will go on all of our materials that we produce.

Our Storm Water Citizens Advisory Committee will meet next week for the first time. And we will continue to work on the illicit discharge detection elimination measure by mapping outfalls in the field. And then also this winter we'll begin gathering data to recommend ordinances, recommend best management practices. And we've already begun speaking with staff •• county staff and gathering information to develop the pollution prevention plan.

So, we just wanted to wrap up with our proposed storm water management plan logo. We'd like to put this on all

of our materials that we produce. And if you have feed back, let us know.

CHAIRMAN LOSQUADRO:

Thank you. And I just had a couple of points. Number one, first with the logo, I was always a big fan of the far side. And I just look at that and I think a duck in a hunting vest •• and I think that just would have made fodder for Gary Larsen of the Far Side.

But anyway I'm glad to hear about the signs •• stencils on the storm drains. I was recently out in California. And being Chair of this Committee, I had a little different eye for things now. And I noticed things that probably would go unnoticed to a lot of people. And I saw most of the storm drains that I did see in California had signs, you know, discharge directly into water ways, you know, waste water only. So, I'm glad to hear that's one of the practices we'll be incorporated.

Another question I had was with the reduction in cost now a days, with the mapping of these outfall pipes, are you utilizing a GPS technology to do that and upload that into the GIS system?

MS. COREY:

Yes.

CHAIRMAN LOSQUADRO:

Okay. And with some of the technologies that you're discussing implementing, I'm assuming some of those are filtering technologies for some of the drains and things of that nature. Have you done any •• this may be a bit preliminary •• have you done any research into the benefits or drawbacks of absorption versus adsorption technologies? I knows there's a distinct difference. Some just using surface tension to hold these liquids. Others actually converting them into a solid material that then can be disposed of. So, if you have any comment on that, I'd like to hear it.

MR. HASBROUCK:

Yeah, we haven't specifically looked into that. But there is a range of products and materials available out there. And before we make any recommendations, we are going to have look into the technical merits of these different products. And, yes, I've noticed myself that some products use adsorption and others absorption. And we need to

look into that before we move forward.

CHAIRMAN LOSQUADRO:

That's something that is of great interest to me. I've done a bit of research on it myself already. So, as the process moves forward, I'd •• obviously keep all of us apprised, but obviously myself in particular. So, are there any other questions on the presentation? Sure, Legislator Kennedy, Legislator Vioria•Fisher, then Legislator Schneiderman.

LEG. KENNEDY:

I'll make my mine quick. Thank you for the presentation. I think you're doing an excellent job. I also have an interest in GIS. So, I am curious when you talk about uploading it into a GIS data base, is this something that's maintained by Cornell Cooperative Extension or is it something that is •• what GIS data base are you loading to at this point?

MS. COREY:

We're creating a GIS data base of the outfalls for the County. We are creating it at Cornell, but it is eventually going to be handed over to the County; to the Departments of Public Works.

LEG. KENNEDY:

Your intention at the end of it, then, is for something that will, I guess, be imported into the data base that Planning is maintaining at this point? So, that's being ••

MS. COREY:

Yes.

MR. HASBROUCK:

Yes, it's the drive system.

LEG. KENNEDY:

Whatever the software requirements and things like that are that you're working with at this point is being done cognizant of the initiative that's underway within the County?

MR. HASBROUCK:

Yes, exactly. We're currently using the same GIS software that the County's using. We've already met with them. Joanna's started planning on how we're going to incorporate everything we produced into their existing data drive systems. So, they'll all have access to the data we're producing ••

LEG. KENNEDY:

Fine. I look forward to the product. Thank you.

CHAIRMAN LOSQUADRO:

Legislator Viloría•Fisher.

LEG. VILORIA•FISHER:

I have a couple of questions regarding ordinances. The implementation and enforcement of the ordinances that you planned to put together as how we look at this in the future, who would be enforcing that? Would it be our Health Department or would they be ordinances that we would suggest that the local municipalities look at? Because you were talking about construction. And is there a view of how you're going to approach that?

MR. HASBROUCK:

Well, the municipalities are under the same mandate. So, for instance, the Town of Brookhaven, the Town of Smithtown and so forth, all towns in Suffolk County, most of the incorporated villages with the exception of East Hampton and Shelter Island, all come under this •• East Hampton and Shelter Island and Southold •• all come under this same mandate. So, those municipalities are going to have to develop their own management plan that will include ordinances to control storm water run•off. What we're talking about here really is for only those things that Suffolk County can regulate. And the enforcement of it is going to be up to whatever county department is most appropriate.

LEG. VILORIA•FISHER:

So, it's our own construction?

MS. COREY:

Yes.

MR. HASBROUCK:

Excuse me, please?

LEG. VILORIA • FISHER:

Our own construction? Construction on county property?

MR. HASBROUCK:

For the most part, yes.

MS. COREY:

Yes.

LEG. VILORIA • FISHER:

Yes.

MR. HASBROUCK:

Yes. Yes. As far as the county's concerned, yes.

LEG. VILORIA • FISHER:

Okay. Because that was very clear when you spoke of the best management practices, but I wasn't certain if the ordinances would be recommendations that we would have for municipalities to incorporate for enforcement. So, you're saying it's only in county projects?

MR. HASBROUCK:

It's just for county owned properties or roads.

LEG. VILORIA • FISHER:

So, it would go •• okay. So, it would go before CEQ in their overview of whatever County projects we have?

MR. HASBROUCK:

Yes, that's correct.

LEG. VILORIA • FISHER:

Okay. Thank you.

CHAIRMAN LOSQUADRO:

Legislator Schneiderman.

LEG. SCHNEIDERMAN:

The first comment is when we talk about storm water runoff, we're not particularly talking about the water itself, but what's contained within the water. And in different situations you're going to get different contaminations. So, from a road you might get hydrocarbons, from a lawn you might get fertilizers and pesticides. Filtration device may be very effective in taking hydrocarbons out, but completely ineffective in taking out nitrogen or pesticides. So, obviously you need to look in the various application what the proper remediation in that situation would be.

Secondly, is maintenance. I've seen all different kinds of configurations for storm water basins, catch basins. And some require significant amount of maintenance. Changing filtration media can be expensive. People can forget unless you have a group that's in place kind of tasked with the responsibility of checking at periodic intervals the media or replacing that media. I think that's going to be a very important ongoing part of this program.

And the last thing is our wetlands are different. There's no two that are the same. But in general you have wetlands pockets that are •• that don't flush in any way, that they're either •• they're not connected to other wetlands area. Although some may move into the water table, those that aren't purged. But then you have your areas that are brackish wetlands or your open waters. And particularly •• a particular thing that I think needs •• we need to focus on in those areas that do flush is the ability to flush because some of these places we have seen through, you know, culverts that have been clogged or through areas that could be re-engineered, we've seen areas lose their ability or lessen their ability to flush and naturally lower the concentrations of these toxins as well as, you know, increase the oxygen in these areas, too.

So, I just think that's an important part. I think it's important that we catch the toxins and drain these areas. But those that we don't catch, that we make sure we maintain the natural ability of these wetlands to purge themselves.

MR. HASBROUCK:

Yes, thank you very much. And those are items that we'll look at in the development of the program. And maintenance specifically is something that is detailed in the EPA guidance and something that will be a specific part of the storm water management plan. Yes, thank you.

LEG. SCHNEIDERMAN:

Thank you.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Bishop.

LEG. BISHOP:

I'm sorry I had to leave the room. But illegal outfalls, are there many of them in Suffolk County?

MS. COREY:

Illegal connections?

LEG. BISHOP:

Maybe I misunderstood. In my mind I'm picturing a pipe that's bringing storm water that's not authorized to do that.

MS. COREY:

What we're actually looking for with this is connections to the storm water system. Like if there's an illegal connection from a sanitary waste water system, if somebody has their laundry hooked up to a storm sewer pipe and is discharging that way.

LEG. BISHOP:

Oh, I see. Okay. And does that go on often?

MS. COREY:

Well, the outfall inventory is being done for that purpose to determine if that is happening often. We're not sure.

LEG. BISHOP:

Have we started?

MS. COREY:

Yes.

LEG. BISHOP:

Are we finding a lot?

MS. COREY:

Well, we found some areas where there's flow when there is dry weather, which would •• I guess is an indication that there would be a connection like that. But there needs to be sampling done to determine if there's actually an illegal connection.

LEG. BISHOP:

And are there, you know, statutes and regulations to punish people who do that?

MS. COREY:

That's part of the requirement; is to put in place an ordinance to make those connections illegal to the County storm sewer system.

LEG. BISHOP:

It surprised me. I thought, you know, they would •• you find one, I thought it would be immediately reported and the full wrath of the government would come down on these people, but it's not like that? We're just ••

MS. COREY:

That's one of the goals.

LEG. BISHOP:

It's a goal.

MR. HASBROUCK:

In some cases there already is ••

LEG. BISHOP:

Right.

MR. HASBROUCK:

In some cases there already exists a mechanism to address some of these illegal connections. For instance, if somebody has their septic system connected to a storm water discharge pipe, that's something that I believe the Health Department already has control over and can step in.

LEG. BISHOP:

I hope so.

MR. HASBROUCK:

So, there are some things in place where there can be some immediate resolve to the problem. The issue is trying to find those illicit discharges. And it's a big enough problem throughout the nation that the EPA is highlighted as one of the major components of this program. How problematic it will be in Suffolk County, we'll let you know as we go along.

LEG. BISHOP:

And also what about the less odious situation where there's a development •• maybe a modest development, a little commercial lot, and they direct their parking lot storm water into the system but they don't have •• shouldn't they have permits, you know, before they do that? And often that •• I was under the understanding that that's the most common illegal ••

MS. COREY:

You know, as part of this construction site, erosion control measure, anything bigger than one acre is going to have to implement a storm water pollution prevention plan.

LEG. BISHOP:

Right.

MS. COREY:

So, if it's smaller than one acre, I don't believe that there's a control on that.

LEG. BISHOP:

Well, I mean most things in Babylon are smaller than one acre. I mean ••

MR. HASBROUCK:

And throughout the County things get complicated in a hurry with storm water run•off. You're right. There could be a small development. Often times even residential houses generate run•off that goes into a town street which flows down the town street. From there it goes onto perhaps another town street which gathers run•off from other town streets. And then it's on a county street and it's running down the county street and then it intersects with a state road. And you've got various connections. And then underground is a network of things that connect all different sources of run•off. But those things aren't really considered illegal discharges, but they're certainly part of the problem that needs to be resolved in a storm water management program.

LEG. BISHOP:

And that's not an illegal discharge because? Because it's none point?

MR. HASBROUCK:

Well, because it has storm water going into a storm water conveyance.

LEG. BISHOP:

Right. Okay.

CHAIRMAN LOSQUADRO:

Legislator Schneiderman.

LEG. BISHOP:

But without the right permits.

LEG. SCHNEIDERMAN:

I just wanted to ask, you know, to what disagree this program is funded out of 477 funds if you knew that answer. Is it a hundred percent?

CHAIRMAN LOSQUADRO:

Yeah.

MR. HASBROUCK:

Well, a hundred percent •• Well, nearly a hundred percent. Cornell Cooperative Extension provides the fringe benefit package for Cornell employees.

CHAIRMAN LOSQUADRO:

Glad to see a use of 477 as it was intended. Thank you. Are there any further questions? Thank you very much for the presentation.

LEG. SCHNEIDERMAN:

All right. Off to the agenda?

CHAIRMAN LOSQUADRO:

Off to the agenda. We have two public hearings scheduled. Madam Clerk. As I was saying, Madam clerk, are the publications in order for these two public hearings?

MS. SULLIVAN:

Affidavit of publication for IR 1940 and IR 1943 are in proper order.

CHAIRMAN LOSQUADRO:

Thank you. I have no cards on either of these public hearings. Is there anyone in this audience wishing to be heard on the public hearings for either IR 1940 or IR 1943?

LEG. SCHNEIDERMAN:

Motion to close.

CHAIRMAN LOSQUADRO:

Seeing none ••

LEG. SCHNEIDERMAN:

Okay. I'll make a motion to close the public hearings.

CHAIRMAN LOSQUADRO:

Hold on. These two public hearings are both tied to another public hearing which is scheduled for the General Meeting of the Legislature. And I know this has been a subject that has occupied quite a bit of our time for better or for worse.

LEG. SCHNEIDERMAN:

To my knowledge there are four ••

CHAIRMAN LOSQUADRO:

Madam Clerk, are the other public hearings one or more •• they are scheduled for the general session on Tuesday?

MS. SULLIVAN:

(Shaking head yes)

CHAIRMAN LOSQUADRO:

I would make the recommendation ••

LEG. SCHNEIDERMAN:

Are there two scheduled for the general session?

CHAIRMAN LOSQUADRO:

41 and 42. Yes, the public hearings for IR 1941 and 1942 are both scheduled for the general session on September 27th, 2005, which is next Tuesday.

LEG. SCHNEIDERMAN:

All right. I'll withdraw my motion. We'll recess it over so we can have all the public hearings on the same day. Can we recess this to the general meeting?

MS. KNAPP:

(Shaking head yes)

CHAIRMAN LOSQUADRO:

Counsel indicates we can legally recess these until the general meeting which will be done. I will make the motion to recess IR 1940 and •• the public hearings for IR 1940 and 1943 to the general meeting on Tuesday September 27th, 2005, seconded by Legislator Schneiderman. All those in favor? Opposed? The public hearings for IR 1940 and 1943 have been recessed to Tuesday September 27, 2005.

Onto the agenda. Tabled resolutions. If I could please ask Planning and Real Estate to come forward.

TABLED RESOLUTIONS

LEG. LINDSAY:

Mr. Chairman. If I might be recognized, Mr. Chairman? I'm here for 1626. Would you consider taking it out of order? I have someone waiting for me back in my office.

CHAIRMAN LOSQUADRO:

Yes. I'm sure they will indulge us for one moment. 26. Before we go any further, I understood that was withdrawn?

LEG. LINDSAY:

No. It's on the agenda.

LEG. VILORIA • FISHER:

It's under tabled resolutions.

CHAIRMAN LOSQUADRO:

Yeah. Hold on one second. I show this •• I have the paper work here. This is 1626. I would give a copy to Legislator Lindsay. I didn't realize that was the resolution you were waiting for or else I would have •• I would have told you earlier. If we can settle this ••

LEG. LINDSAY:

Well, my knowledge of the resolution is it went through all the steps from planning to appraisal to approval by the land use group. And there is development pressure on this. It's one lot. The genesis of this came about as a result of the Town. The Town asked that we consider acquiring this property because of a flooding condition in that area, you know. And I've heard from the builder. You know, the builder •• if we're not going to buy it, he wants to go forward and develop it. So, you know, we have to •• it can't lay in limbo. Either we approve it or not approve it.

CHAIRMAN LOSQUADRO:

Unfortunately this has been formally withdrawn through the Clerk's Office. So, I'm sure •• you've been in this body for much longer than I. Perhaps the County Executive's Office would entertain something on Tuesday on a certificate of necessity or something of that nature but unfortunately we cannot address it in this Committee.

LEG. BISHOP:

But we can hear it and then speak to the ••

CHAIRMAN LOSQUADRO:

Absolutely. I'm just •• obviously we can't ••

LEG. VILORIA • FISHER:

We can't act on this but we can talk about it.

CHAIRMAN LOSQUADRO:

We can't legally act on the resolution.

LEG. LINDSAY:

I'm confused. How can you withdraw it without my permission?

CHAIRMAN LOSQUADRO:

It was the County Executive's and yourself so ••

LEG. BISHOP:

Yeah, but there's only one lead.

MR. ZWIRN:

I apologize because this came through my office and I didn't sign it but it did come through •• and I apologize to Legislator Lindsay and I'll find out about it. But if we can discuss it today, I'm sure the County Executive can get it straightened out from his end before Tuesday.

LEG. BISHOP:

Can they comment on it?

CHAIRMAN LOSQUADRO:

I can't even really take it out of order because it was withdrawn, but how about we discuss **1626 (authorizing the acquisition of land under the first 1/4 % Suffolk County Drinking Water Protection Program, Town of Islip)** Mr. Isles?

MR. ISLES:

This was reviewed by the Parks Trustees. They disapproved it. This is the case that is Old Drinking Water money. And this is a case whereby the Parks Trustees must approve it before the Legislature can act on it. So, based upon that from the County Executive's side, at least the administration side, it could not move forward at that point.

LEG. LINDSAY:

What I don't understand is, then, how did an acquisition resolution get on the agenda? I thought it went through all the steps? After it gets on the agenda, then the Parks Committee is going to review it?

MR. ISLES:

Yeah, that initiates a review by CEQ. It initiates a review by CEQ and it initiates a review by Parks Trustees.

CHAIRMAN LOSQUADRO:

Legislator Viloría•Fisher.

LEG. VILORIA•FISHER:

What was their reason for disapproving it?

MR. ISLES:

Their reason •• not to speak for them but I'll try my best to summarize it. They felt that as a one•third acre parcel, it's in a developed area. Legislator Lindsay's point in terms of the Town wanting this acquired certainly was true. They provided a letter to that effect. They have did express concerns about the flooding on this property; however, it was found that it was not adjacent to a county park. It was not adjacent to other publically owned open space. It was basically a third of an acre of vacant land surrounded by other houses. And that it didn't merit a County park consideration. They felt that perhaps the Town should consider it since it's a local acquisition. But in terms of the criteria that the County Parks trustees used, they felt that it wouldn't be an appropriate county acquisition.

LEG. BISHOP:

Is this 12•5 (e)?

MR. ISLES:

12•5 (e), yes.

LEG. BISHOP:

Which is the Islip only money?

MR. ISLES:

It's Islip only money but there is criteria in there. And that's what the Parks Trustees has to look at. But you're right. It is Islip only money.

CHAIRMAN LOSQUADRO:

Okay.

LEG. VILORIA•FISHER:

It's water protection, not active?

MR. ISLES:

No, it's for water protection so it would be passive use, yes.

LEG. VILORIA•FISHER:

Okay, passive use.

LEG. BISHOP:

It's an extra legislative body. And that's the problem.

CHAIRMAN LOSQUADRO:

All right. Thank you for the explanation, Legislator Lindsay. I'm sure this bears a little more looking into.

LEG. LINDSAY:

Okay.

CHAIRMAN LOSQUADRO:

Okay. **1571, authorizing the acquisition of Westmoreland Farm, Town of shelter Island.** Brief update on this.

MS. ZIELINSKI:

I don't think it's ready for an authorizing resolution. We're still in negotiation.

CHAIRMAN LOSQUADRO:

Very well. Motion to table by myself, seconded by Legislator Viloría•Fisher. All those in favor? Opposed? **1571 is tabled. (Vote: 5•0•0•1. Leg. Binder not present)**

As we mentioned, 1626 has been withdrawn for the reasons previously stated.

1629, appointing member to the Council on Environmental Quality Mary Ann Spencer. This is a position that has already been filled.

LEG. VILORIA•FISHER:

Motion to table it.

LEG. SCHNEIDERMAN:

Second.

CHAIRMAN LOSQUADRO:

Motion to table by Legislator Vilorio•Fisher, second by Legislator Schneiderman. All those in favor? Opposed?

1698 is tabled. (Vote: 5•0•0•1. Leg. Binder not present)

1698, amending the adopted 2005 operating budget to transfer funds from Fund 477 amending the 2005 Capital Budget and Program appropriating funds in connection with the Frederick Canal Sediment and Water Quality Improvement Strategy. Mr. Minei.

LEG. VILORIO•FISHER:

Was this approved by the Water Quality Committee?

LEG. BISHOP:

Yes. Yes, it was. This is the resolution that we had an off the record dispute over at the last meeting where you were advocating its passage. And at that I had asked for it to be tabled. I needed to get more information regarding the funding source. Subsequently I have discussed the matter with Mr. Minei and he has convinced me that it is proper for the Quarter Percent fund but since he's here, hopefully he can make the same case to all of you.

CHAIRMAN LOSQUADRO:

As had been discussed previously, the County Executive's Office had cautioned restraint in the use of 477 money for fear of them being over extended. I don't know where our balance lies right now. I know Legislator Bishop and myself had expressed a great deal of reservation in using 477 for operating expenses for exactly this reason that we would be •• for fear of coming up short. So, please give us an update on this particular project. But I have a number of concerns about the use of the monies as a whole and how much we have left and whether or not we're going to be over extended.

LEG. BISHOP:

This is a unique and horrible situation.

LEG. VILORIO•FISHER:

If I may, Mr. Chair, if I may while he's distributing, if I recall this is where we had all of that vegetation that was choking the oxygen out of the water. And there was putrefaction and dead organisms and stink.

LEG. SCHNEIDERMAN:

You're saying plants are causing a problem? Is that what you said?

LEG. VILORIA • FISHER:

Yes.

MR. MINEI:

Thank you, Chairman. Again, I'm Vito Minei from the Division of Environmental Quality from the Health Department. I believe what you need, Legislator Losquadro, is another one of those periodic updates that you've had before this Committee. It's sort of a joint presentation by both your legislative Budget Review and from the County Exec's Budget Office. I'm not going to resolve your questions about the balance of it.

These projects have been in the hopper for a while. And I know the funding was substantial and in place. So, I'd ask on that basis that they be considered. In both the projects we spoke about the last committee, you were at a distinct disadvantage mainly because you didn't have any information on either of the projects. So, hopefully today we can go over the projects and, I believe, the merits for both of them.

The first one is Frederick Canal. And and you have two packages. One is some graphics. The first one is an aerial view of the location of Frederick Canal. You have an aerial view of a portion of the North Shore Great South Bay in the vicinity of _Sampelon's_ Creek which is the border between Babylon and Islip Town. But I think you can get a pretty graphic visualization of the problem here.

You could see this appendage sticking out at the bottom of this graphic. That is the Village of Babylon Pool. And if you can visualize summertime conditions where you have prevailing southwesterly breezes, that really brings the eel grass which sloughs off routinely up in mats. The next graphic gives you a view •• and I believe we took this late in the spring before the problem occurs, you're pretty much standing in the southeast corner of Frederick Canal with the viewing angle sort of north, northwest up the canal. This is what the canal should look like year round.

The next view is at the head end of the canal during •• probably around late July, early August. And you can see these floating mats of eel grass and get a picture of what Legislator Bishop was talking about.

The next and last graphic that I utilized for this purpose is standing in the same photographer's position and just re-orienting his view down the canal. You get a view of the extent of this problem. Periods of the summer, the problem extends all the way •• almost the full length of Frederick Canal. So, you have these floating mats of eel grass. They start to decompose, settle to the bottom where they literally undergo further decomposition and emit this hydrogen sulfide gas. That's that rotten egg smell. It's a similar problem. Not quite the same reason that we're having in Forge River and other south shore streams in Suffolk County Forge River in the Mastic Moriches area. It's a slightly different situation. But we get these calls routinely of rotten egg smell. Someone's dumped sewage in my stream. And often times it's a natural occurrence.

Where we tie this into the Quarter Percent Program is under aquatic habitat restoration. We believe not only would we address the aesthetic situation of these odors that have chronically plagued this area, I believe, Legislator Bishop, this probably goes back nearly twenty years; but certainly in the last five years the Legislator has about calling my office. Not only is it an aesthetic and air quality consideration, it is, indeed, a water quality concern as Legislator Vilorio•Fisher just indicated, this material decomposing consumes the oxygen and it disrupts the entire environmental balance of this canal.

This is a graphic. And as Legislator Bishop indicates somewhat unique. But it is a prototype for us. You can see that there are indeed other canals in the area. Not only in Babylon Town, but also along the entire south shore of Suffolk County that has a comparable situation at least in terms of the mechanics of eel grass sloughing off and being driven up these canals, decomposing and causing both aesthetic and water quality concern.

The next package I gave you, and this is the one, I think, relates to a number of resolutions is the actual scoring application for this one. I believe it was scored under aquatic habitat restoration, not under one. And you can see the scoring or the project scoring. And then there's what we call programmatic scoring. Does it relate to any of the estuary programs? And I know Legislator Schneiderman asked about that.

And then finally part three is •• sort of a project adjustment factor that we apply in the Water Quality Committee. Do we believe it's technically sound? Are there matching funds? Do we believe there's support in the community for it? And we derive a factor for that. In the case of Frederick Canal it was one. It scored 20 points on each of those. So, the total score was 60. We haven't come up in the Water Quality Committee with a threshold, but this was unanimously approved by the Water Quality Preservation Committee.

LEG. VILORIA • FISHER:

Motion to approve.

LEG. SCHNEIDERMAN:

Wait. Just if someone could explain what you're planning on doing. You're going to scoop up all the eel grass?

MR. MINEI:

Well, this would be consultant funds for the 75,000, I believe, is what we're asking.

LEG. SCHNEIDERMAN:

To determine how to best •• 75,000 to figure out how to best deal with the program?

MR. MINEI:

Yes. You're talking about not only the routine of keeping the eel grass from going up, whether it's booms or other materials to do that, but you're talking about either irrigation or dredging the canal. It's rather narrow. It is private. Old bulk heading on both sides. It might be very problematic to dredge that canal. So, the funding would be used for consulting services to look at both instances. The continual maintenance of keeping the canal free of eel grass. And then the long standing problem of the muck, the decomposed material that's been there for quite a while and will be a continual reservoir of depleting the oxygen in the canal as well as the cause of the odor.

LEG. SCHNEIDERMAN:

I hate to prolong the meeting.

MR. MINEI:

Yeah, I was just going to ••

LEG. SCHNEIDERMAN:

But I do have some questions.

CHAIRMAN LOSQUADRO:

I have a question also. But Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Frederick Canal is obviously a man-made canal. Is it something that has important habitat value? Has it turned itself into something ••

MR. MINEI:

Well, certainly it's all part of the Great South Bay system now. I mean much of Great South Bay has been manipulated by development. Just look at the rest of the first graphic. I mean, I don't think mother nature created this.

LEG. SCHNEIDERMAN:

No, but, I mean you got all these •• obviously it's loaded •• the whole thing is ••

MR. MINEI:

Well, she might have. In a bad moment but ••

LEG. SCHNEIDERMAN:

•• loaded with boat slips the whole way. There's •• you know, it's not a pristine environment to begin with. It just strikes me •• and you know I trust you on these issues. But 75 •• did you say 75,000?

MR. MINEI:

85.

LEG. SCHNEIDERMAN:

\$85,000 for one canal. And I imagine there's lots of other places where's this happens.

MR. MINEI:

And that's what I'm saying. In essence it becomes the prototype work plan for all the remaining ones that we have.

LEG. SCHNEIDERMAN:

And, you know, I •• clearly the homeowners are going to benefit. But I'm just wondering what the environmental

benefit is.

MR. MINEI:

Well, the restoration ••

LEG. SCHNEIDERMAN:

If you did nothing, is this something that would go away in a short time and then happen again on a yearly basis?

MR. MINEI:

It happens every year.

LEG. SCHNEIDERMAN:

Is there any environmental ••

MR. MINEI:

And on dry summers the odors are extremely bad. And I think the Legislator from that district gave a very graphic but accurate depiction of what the situation is. And what I'm saying is why we pick ••

LEG. SCHNEIDERMAN:

I'm not trying to be a pest, but I just want to make sure this isn't just something that's a nuisance to some neighbors, which was worth cleaning up even if it is. But then the funding comes back and saying is this really something we're doing for the environment or is it something we're doing for the neighbors.

MR. MINEI:

I believe what you're doing is using this as sort of the model to do this in other canals along the south shore of Great South Bay. The north shore, I'm sorry, of Great South Bay.

LEG. SCHNEIDERMAN:

And is that 75 or 80,000, whatever it is, is that ••

MR. MINEI:

It's planning funds. It's for a consulting firm.

LEG. SCHNEIDERMAN:

Does that also take care of the permitting, the DEC permitting, US Fish and Wildlife?

MR. MINEI:

No, it really was dedicated for evaluating the alternatives and coming up with recommendations. There is no implementation per se to that •• portion of the funding. We believe •• I don't know want to start editorializing •• but you convened the meetings •• I believe there would be joint effort between the Village, the Town, the County and possibly state resources to actually address whatever the recommendations are.

LEG. SCHNEIDERMAN:

What type of aquatic life would we expect to find in this canal should it be cleaned up?

MR. MINEI:

Well, the restoration and the removal of this, you know, organic muck would certainly enhance the dissolved oxygen and thereby improve the flushing action of that canal. It's a dead end canal. That'll be a major constraint no matter what you do. But the idea is, you know, will SAV return, probably not, not with the boat traffic. But the idea is, it is totally devoid of dissolved oxygen. So, if you remove this and increase the flushing action, it would improve the water quality conditions of that canal.

LEG. SCHNEIDERMAN:

These areas •• I'm just imagining eel grass floats for a while and it then it sinks as you mention. So, either you scoop it up while it's floating or you dredge it out after it sinks.

MR. MINEI:

Or you do both to keep it clean all the time.

LEG. SCHNEIDERMAN:

But if it's a dredge project, spending \$75,000 dollars to study •• \$85,000 to study dredging, why don't we just go in there and dredge it? I don't understand why we'd spend that kind of money?

MR. MINEI:

Well, right now it doesn't really meet either the public health criteria or other criteria for the dredging committee. But I think what we're trying to do is devise a management plan that has the on going diversion of the eel grass

and cleaning it up as well as ••

LEG. SCHNEIDERMAN:

Are you hear what I'm saying? It would be cheaper to dredge it than it would be to study dredging it?

LEG. BISHOP:

But then you don't have the long-term ••

LEG. BISHOP:

Then you'll have to dredge it again in a year.

MR. MINEI:

Yeah. And then you essentially bought yourself some time, but I don't think you really addressed the problem.

LEG. SCHNEIDERMAN:

I'm going to defer to your expertise on this. But certain things, it just doesn't seem to make tremendous amount of sense to me.

CHAIRMAN LOSQUADRO:

Legislator Bishop, I was going to make a comment, much of what Vito brought up in the discussion with Legislator Schneiderman there was a direction I was looking at. Looking at this aerial map, you see a multitude of other man made canals. I understand we need to do planning. But as far as an implementation plan goes •• I don't know. This seems like something to me that in and of itself if we get involved with trying to remediate this situation, every canal, this alone could bankrupt the entire program.

MR. MINEI:

And I think that's, you know, the issue that we have to keep in mind as we go through the management plan of this. This is somewhat unique as Legislator Bishop indicated because of this appendage that sticks down. In effect, the village property where the pool and parking lot is doing a favor for the area immediately to the east because you have a physical block now from this material. And then it's channeled right up Frederick Canal. One solution was that there used to be a hydraulic connection between that •• sort of at the throat, the neck of that rectangular piece just to the north of that. Maybe that would alleviate the situation. Whether it just transports it to the east to the others is a concern. So, I mean those are the kinds of considerations that would go into the

evaluation of alternatives. And the idea is while this is somewhat unique, it isn't totally independent of other canals on the Great South Bay.

CHAIRMAN LOSQUADRO:

Legislator Bishop.

LEG. BISHOP:

He just made my point. It's a really bad situation. Let me just emphasize that again. The picture doesn't show it, but on the •• typically when •• and I have pictures in my office •• there's a lot of dead fowl that end up there as a result of the situation. It's really like a toxic miasma.

CHAIRMAN LOSQUADRO:

There's that miasma again.

LEG. BISHOP:

And it's making people ill on certain days. Not all days but on certain days people in the area do fall ill from the smell. And I understand you were going to say that's a nuisance just to those people ••

LEG. SCHNEIDERMAN:

It should be cleaned.

LEG. BISHOP:

Sure.

LEG. SCHNEIDERMAN:

I'm not saying it shouldn't be cleaned up. I'm just questioning the amount it's costing to study how to clean it up.

LEG. BISHOP:

Right. I know. But it's been years that we've been going back and forth on funding sources. I had put in the operating budget one year into the Health Department money to address this. And it got diverted. You know, I appreciate Mr. Minei as an advocate because he's basically taken this project, which was •• which was having trouble in the Health Department bureaucracy and rescued it into his area where he sees it for what it is, which is a

troubling situation that needs to be addressed. That's the local thing.

Then he's saying that it has application throughout the south shore because if you can address this situation, then, you can address any other canal. So, I know it's •• it's not perfect, but it certainly scored very high on the independent evaluation. I would hope that you can support it.

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN LOSQUADRO:

Legislator Kennedy.

LEG. KENNEDY:

Just if I can throw a few more cents into this discussion, I have to pick up on what Legislator Schneiderman said, but also, I guess, give credence to what, you know, Legislator Bishop said. If this one particular canal is that much of an issue, and we describe actually in both Mr. Minei's words and your words, that there is a unique aspect to this canal as compared to others, why aren't we just dredging this one? Do the study to go ahead and remedy all the other canals. But this one sounds like it's different than all the others because of the pool and because of all the other items. Fix this canal. That's all.

LEG. BISHOP:

I'll defer •• I mean I'm not an expert so ••

LEG. KENNEDY:

But a study isn't going to ••

LEG. BISHOP:

So, I go to the experts and they say we need more information. What am I going to do?

LEG. SCHNEIDERMAN:

Drag a rake along the bottom.

CHAIRMAN LOSQUADRO:

I think we belabored this point. And I'm assuming people know how they want to vote on this. Do I have a motion?

LEG. VILORIA•FISHER:

I make a motion to approve.

CHAIRMAN LOSQUADRO,

Motion to approve by Legislator Viloría•Fisher. Is there a second? By Legislator Bishop. All those in favor? Opposed? **1698 is approved. (Vote: 5•0•0•1. Leg. Binder not present)**

CHAIRMAN LOSQUADRO:

Mr. Minei, I'm looking forward to the findings. I'm looking forward to the findings of this study for this \$85,000 to see how we will go about remediating not only this canal, but as I said, the multitude of other canals that you see along the south shore. I agree that it needs to be addressed. But I'm •• I tend to agree with Legislator Schneiderman that this may not be the function of water quality protection money. But we'll see. I look forward to the findings of the study.

1705 (amending the 2005 Operating Budget to transfer funds from the Suffolk County Water Protection Fund (477) Reserve Fund "Sanitary Wastewater Reuse • Phase 1 STP Grounds (on•site) implementation and Phase 2 Golf Course (off•site) implementation) Another 477.

LEG. SCHNEIDERMAN:

Is this something you can't do in•house? Study this in•house and save the money? Through your staff? Is this •• I know it's already been voted on but isn't this something you can study in•house with your staff?

MR. MINEI:

We'd like some outside input in it. We are not dredging versus bottom aeration expert. We can evaluate the water quality improvement once something is either removed or put into place. But, no, quite honestly I'm not a dredging nor is anyone on my staff a dredging versus other mechanical aeration alternative.

LEG. SCHNEIDERMAN:

In the price of 85,000 is that based on something?

MR. MINEI:

It's based on the length of time and how focussed the evaluation would be and what we know you can get from consulting firms for under \$100,000.

LEG. SCHNEIDERMAN:

Okay.

CHAIRMAN LOSQUADRO:

We've heard many cliches. We've abused it. We're up the proverbial waterway without a viable means of propulsion. So, onto **1705. This is another 477 account, reserve fund. This is for sanitary waste water reuse phase 1 sewage treatment plant ground on-site implementation and phase 2 golf course off-site implementation.**

MR. MINEI:

Again, you should have two packages. One a series of ••

CHAIRMAN LOSQUADRO:

Mr. Minei before you go any further ••

MR. MINEI:

Sorry.

CHAIRMAN LOSQUADRO:

And I apologize. I asked him to come forward. And I forget to ask before we called the vote last time, has Budget Review now had an opportunity to review these applications?

MR. DUFFY:

We did look at the applications. But the point I think you made before about us getting together with the Budget Office to see where we are as far as the balances are, I was telling Mr. Minei as some of the discussion was going on, what we will do as part of our operating review is that we will look at 477 and come to the point where we are now. The recommended budget shows that there's a \$14 million balance in 477, but the problem is that that's

composed of three items. It's composed of the open space acquisition; it's composed of the farmland and it's composed of the water quality protection. There's no individual breakdown as to what those various components are. What we will do when we do our operating review is we will come to our conclusions as to what do we think is the balance in each program.

We have received an unofficial. I guess, cash flow from the executive about a month ago where the numbers vary from what's shown in the budget as far as water quality money being spent in 2005. That allocation showed approximately, I think, one million dollars balance so that's water quality protection. I guess the point •• sorry?

LEG. BISHOP:

You get a new infusion of cash every year.

MR. DUFFY:

Sorry?

LEG. BISHOP:

You get a new infusion of cash every year.

MR. DUFFY:

But also the 2005 operating budget showing for 2006 is showing approximately, I think, 7.8 being spent. That's the problem that we've been living on the fund balance; that in 2005 they spent a total of approximately eight operating and eight being used for capital project for water quality protection. They only get in seven. What had happened previously is that they used the fund balance that had been built up over a number of years. And what will happen in 2006 is you'll take in approximately \$8 million worth of new cash coming in, but if you have projects in place such as IPM and other projects that you continue on and that equals \$8 million, you have no extra coming in.

LEG. BISHOP:

Right. And if I may add to that discussion, it seems to me that what's happening is that just from being on this committee for more than a decade is that there's a lot more emphasis now on the work we do here on water quality. And a lot of interest from all legislators about •• who worked on projects that they can initiate to meet what they perceive as a need.

But the funding is not there. And perhaps brave Legislators want to revisit how our overall environmental pie is allocated because it seems to me that not enough is dedicated for an island, especially, to surface water quality. And I think •• now I can say this because I'm Babylon, but I think what I've heard is that we have run up, I wouldn't say surpluses but we're certainly very, very healthy in terms of farmland funds. And we rarely seem to run out of those. But we certainly are running out of water quality funds. So, perhaps that's area that you'd want to look at. Again, that's easy for me to say. I don't have any farms in my area, but if it is true that we have surplus money there, it probably would best be redirected to something else that's also an east end priority which is water quality.

CHAIRMAN LOSQUADRO:

Thank you. And I'm glad to hear that Budget Review is doing that. And as part of the Operating Budget we will see that; but in addition to that, I would like to just make a •• I can't really see him •• Vito, if you just move your head a little, Mr. Zwirn, if at the next meeting of this committee, if we could have a representative from the Executive Budget Office, I'll make mention to my staff, to coordinate that with our Budget Review Office, to have, you know, a sit down and a real update on the direction we're going to go with this. And I think Legislator Bishop brings up some very good points about this.

LEG. KENNEDY:

Mr. Chair, just a quick technical question for Kevin. Unlike many of the members of this Committee, I have not been on this for a long period of time. And while I have a general understanding of the 477 fund, I guess, I'm just going to ask a rudimentary question. This fund is basically a continuous fund that does not wind up being swept or house keeping items at the end of the calendar year. The balance is continue to go forward from year to year?

MR. DUFFY:

Yes. The 477 fund is funded by the continuation of the sales tax. In the law that enacted it, there was certain percentages that were allocated to the various portions of the program. What happened is that during the first few years of the program, water quality protection was not heavily used. The fund balance built up of those funds that were there starting, I guess, in around 2004, there was much more of an interest. And both a multitude of operating type expenses were included and also a number of capital projects were funded out of the water quality protection of 477.

And what this had done in effect is that it took the earlier years where a fund balance had been built up, allocated those fundings for these various projects. And also there were a number of initiatives that were initiated that were

multi-year that would be funded through the program over the next several years. And as you funded these continued projects, you then were allocating money going into the future. And we've gotten to a point •• and that's where, I guess, the concern started in 2005, that the programs that are now being funded in the operating budget equal or exceed the amount of sales tax allocated that will be used for water quality protection. Did I answer your question?

LEG. KENNEDY:

Yes. You answered and gave some more information which I appreciate. But then, I guess, the only two other things that I'll just say, and I don't even know if they're a question as much as they are a comment. But the sales tax •• in other words you're projecting at some particular level now?

MR. DUFFY:

Sales tax is projected at the same level as the sales tax that the County uses. The program is set to sunset in 2013 unless legislation is adopted to continue it passed the sunset date.

LEG. KENNEDY:

Again, I'm going to defer to the Chair because this is •• my colleagues don't need to endure my education. However, what I will ask is when there is that meeting between yourself and Budget Office, that you visit in particular the sales tax projections going forward in '06 predicated on what we've seen for the last three quarters in '05. Because if we allocated and looked to spend to the tune of 16 million in '06 predicated on a more robust sales tax, we're now encountering a decrease, then I'm concerned.

MR. DUFFY:

Okay. We couldn't allocate that much. The current projections show that approximately between seven and \$8 million will be that portion that will flow to water quality protection. Why we were able to spend 16 million in 2005 was that they •• the fund balance from previous years was used in addition to the current receipts being received in 2005.

CHAIRMAN LOSQUADRO:

Okay. 1705.

LEG. VILORIA•FISHER:

Mr. Chair, I'm sorry, I know that we've beaten this but I just wanted to reiterate that ••

CHAIRMAN LOSQUADRO:

Legislator Vilorio•Fisher.

LEG. VILORIA•FISHER:

Thank you, Mr. Chair. That we have looked at some kind of reallocation of funds so that we can •• yeah, I'm not speaking loudly enough, I guess •• it wasn't close enough to my mouth. And we do have a variety of fund sources of money going into farmland acquisition. And this is the only, if I know •• if I'm correct •• the only source for funding for storm water remediation. And so we do need to look at ways to divide the pie differently. And I think I've even talked about that with you, Tom, in the past. And Vito.

(LEGISLATOR BISHOP LEFT THE MEETING)

CHAIRMAN LOSQUADRO:

Okay. I've already read 1705. You can make a very brief presentation on this. We heard about this last time. Based on everything that we have been hearing, I am of the mindset to see this held off until we get a better idea of where we are moving forward with the fund balances. But the last time we did not have the application in front of us. So, if you would, make a brief presentation.

MR. MINEI:

Sure. Thank you. This is a change of pace both geographically and technically. This deals with sewage treatment plant effluent. That's the treated water after the sewage is moved through the treatment plant. And if you just look at the graphics, I invite your attention, you can see currently the Riverhead Sewage Treatment Plant is about •• I think it's about a quarter of a mile offset from the shoreline. And the outfall pipe, the discharge pipe goes down a roadway to a bulkhead at the Riverhead Yacht Club and discharges what is a very narrow portion of the tidal section of the Peconic River. If you look into the middle of the graphic, you see County Road 105. If you drive over County Road 105 and if someone can hold the steering wheel for you and you gaze to your left to the west ••

LEG. VILORIA•FISHER:

You can be a passenger too.

MR. MINEI:

You could be a passenger. If you gaze to the west, you see the Peconic River and the narrow portion. If you look to the right and to the east, you see Flanders Bay opening up before you. But what I'm trying to convey here is how restricted and constricted the Peconic River is where it discharges. And the opportunity arose because we have a County golf course adjoining the treatment plant property. And we're also evaluating the need to remove at least a portion of that discharge water for the sake of improving the water quality of Peconic system. And one of the alternatives that arose was this idea of utilizing the effluent for irrigation on the golf course. Very popular around the country especially in Florida. Other areas. I believe New England does it quite a bit as well.

And if you look at the second graphic, you can see that we pose several practical as well as public, health and environmental challenges to the consultant for Riverhead. One we said on a practical side we wanted them to look at utilizing the same kind of grass as the golf course, same spray headers for the irrigation system, undergo the same lawn cutting. So what they did was people from Parks broke down a section of the fence. And you can see from the second graphic that I believe it's hole 11 or 12 that runs right along the fence line there. And they use •• their maintenance people come right out onto the property of Riverhead. And they maintain this miniature golf hole that's probably only about, I guess, about 150 feet from T to green. And off to the left you see the pile of plant that they utilized for their study.

CHAIRMAN LOSQUADRO:

How have you been shooting that hole, Mr. Minei?

MR. MINEI:

What's that? You just joined the staff in ridiculing my golf game. Yes, even I can drive that hole. Thank you very much, Legislator.

If you look at the last graphic, it sort of gives you an overview of the different treatment techniques they use. There was a cloth filter, a holding tank. And then this micro filtration was utilized. And then this narrow tank down in the bottom holds lamps •• ultraviolet lamps that look pretty much like fluorescent light bulbs to disinfect. The public health question we pose because I know this idea of sewage effluent reuse is being revisited on the national scene was can we feel safe that this irrigation will protect public health, especially aerosols. As you're irrigating a golf course, one of the practical ways of doing this is only use this at night when there are no golf courses on it. But we really wanted them to look specifically at bacteria and at viruses which this extra treatment

does.

The main reason for removing the effluent from that portion of the estuary is for Nitrogen. Again, in over
•enriching the system, promoting _algals_ growth which utilizes the oxygen again. So, there's an environmental benefit. And the public health is protected as well as this whole concept of how to address protecting this portion of the estuary and also provide an irrigation water supplement to what the County park people use.

CHAIRMAN LOSQUADRO:

And if I can just get a clarification, I just want to make sure I'm looking at the resolution, I am to understand that we are only contributing 11% of this.

MR. MINEI:

Yeah, I think ••

CHAIRMAN LOSQUADRO:

That the total project is 1.5 million and we're only contributing 165,000?

MR. MINEI:

Right. That's what we're being asked. I believe that because of the sophistication of the equipment that the price tag is going up. But we're going to assist the Town in maybe bolstering their state bond act request; not the quarter percent request. Why I'm asking you to fund this is that the pilot study is complete. And we've been sort of going through this process for nearly two years. And I think it would be good on our part to show the cooperative spirit and provide this funding because the pilot has been completed. My staff has looked at it including the risk assessment. We approved the use of it. I think Parks is negotiating what would be a cost for this irrigation water, if any at all.

And Legislator Schneiderman asked me the environmental benefit. The benefit is diverting at least a large portion. We're talking possibly upwards of 300,000 thousand gallons a day during the irrigation system of what is now about 700,000 a day. For useful purpose it's clean.

CHAIRMAN LOSQUADRO:

That is clean to a much higher degree.

MR. MINEI:

Oh, yes. It's clean extensively far more than any other community in the country does. And we've been reminded of the extra treatment we added to the requirement. But the environmental benefit that Legislator Schneiderman in particular asked was removing all of this nitrogen laden water and putting it on the lawn, enhancing fertilizer of the grass for the golf course but not putting it into the estuary itself especially in a very sensitive portion of the estuary.

LEG. SCHNEIDERMAN:

So, nitrogen would be absorbed within the turf?

MR. MINEI:

Yes, yes.

LEG. SCHNEIDERMAN:

I can just see the headlines now about the Riverhead Golf Course being watered with sewage ••

CHAIRMAN LOSQUADRO:

We can all think of plenty of good headlines.

LEG. SCHNEIDERMAN:

You know, I had asked at the last meeting that you provide me with some science in terms of •• I was concerned about the potential for pathogens becoming airborne.

MR. MINEI:

I think we sent you the engineering report.

LEG. SCHNEIDERMAN:

I haven't seen it so I'll check with my staff. But you believe you sent it?

MR. MINEI:

I believe we sent it to you. I asked specifically for a copy to be sent to you.

LEG. SCHNEIDERMAN:

Okay. Thank you.

LEG. VILORIA • FISHER:

Mr. Chair?

CHAIRMAN LOSQUADRO:

Yes.

LEG. VILORIA • FISHER:

I just wanted to mention that not only is the price right on this, but I know you have a great interest as do I in green building criteria and the lead program. And this is an important practice •• important component in reuse of resources; and certainly the use of water irrigation. We've seen it with gray water practice in many lead projects. And I think this is a good pilot and a very good demonstration of how that can be done.

MR. MINEI:

And, also, Legislator Schneiderman, I know you ask this question routinely. It addresses specific recommendations of the Peconic Estuary Program Management Plan. I highlight those in a letter I sent to the Committee in support of this project.

LEG. SCHNEIDERMAN:

You know, it seems very innovative. People do flush all kinds of things down their toilets besides, you know, sewage that you'd expect. I just want to make sure that we're not going to make anything, any VOC's airborne or any other compounds. So, I just would love to see •• I'll double check with my office if you sent it. And there is solid science on this?

MR. MINEI:

Yes. And quite honestly we're a good two decades being Florida and other places that do this routinely.

LEG. SCHNEIDERMAN:

Okay.

LEG. VILORIA • FISHER:

New Jersey's doing it.

MR. MINEI:

Oh, don't threaten us with New Jersey, Legislator.

LEG. VILORIA•FISHER:

What is he saying? Oh, don't compare us with Jersey? Well, you know we did take a field trip to their golf courses.

CHAIRMAN LOSQUADRO:

Did we have a motion on 1705? Madam Clerk, was there a motion made?

LEG. VILORIA•FISHER:

I'll make a motion to approve.

CHAIRMAN LOSQUADRO:

No, there was no motion made. Motion to approve by Legislator Vilorina•Fisher ••

LEG. SCHNEIDERMAN:

No, I want to look at that science. I'm sorry, Vito, if I could have one more cycle. I'll vote to discharge it without recommendation so it gets to the floor and I can look at it before Tuesday, sure.

CHAIRMAN LOSQUADRO:

Discharge without recommendation.

LEG. VILORIA•FISHER:

If it gets to the floor.

CHAIRMAN LOSQUADRO:

Motion by Legislator Schneiderman, second by Legislator Vilorina•Fisher. All those in favor? Opposed? Motion is discharged. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)** I think this is something that is certainly very interesting and holds a lot of potential for the future.

1715, further implementing the Suffolk County Water Quality Protection and Restoration Program. This is one that I discussed with Legislator Bishop before he left; that I do think would be •• is a step that we should wait to take until we get some further information on where this plan is moving forward before we commit to putting large sums of money into •• to partner with towns even though that is a good idea. So, the sponsor has requested a tabling motion. So, I'll make that motion to table, second by Legislator Vioria•Fisher. All those in favor? Opposed? **1715 is tabled. (Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

1727, adopting a local law to prevent the spread of invasive non•native aquatic plants in Suffolk County. I'll make a motion to approve, second by Legislator Schneiderman. On the motion, Legislator Vioria•Fisher.

LEG. VILORIA•FISHER:

I have a question about enforcement.

CHAIRMAN LOSQUADRO:

Mr. Bagg, would you like to ••

LEG. VILORIA•FISHER:

And how do you break this law? Because so much of the spread of invasive species is inadvertent.

MR. MINEI:

Well, thank you. Because as with many of these environmental initiatives, the Health Department has identified it as enforcement. And as with many of the environmental resolutions here, we agree with the concept. But we are indeed concerned about enforcement. It will be very, very difficult for us, if impossible, to enforce this. But we believe there is a very important educational component with this. We plan to work again with a lot of our environmental partners, the Nature Conservancy and others, on the education. We'll probably expand this to terrestrial invasive's as well. But if your question is can we enforce it? Probably not; not very well.

LEG. VILORIA•FISHER:

That being said, Mr. Chair, just as we saw with Legislator Schneiderman's pesticide bill, which in its •• as a policy statement we agree that pesticides have to be reduced. We agree that there has to be a reduction of pesticide use on residential lawns. But he did develop the legislation so that it became more of an educational tool. And I would like to table this, speak with the sponsor, have the sponsor perhaps amend it somewhat so that it becomes more

of an educational tool rather than an enforcement tool because I don't really believe that we should pass laws that we no that we can't enforce.

CHAIRMAN LOSQUADRO:

I disagree. We heard the Nature Conservancy speak in favor of this. I think this is an important first step in educating the public. We see the problems that these invasive species have caused. And I think this an important first step in the process. And we want to move forward as we have seen with the presentation by Cornell Cooperative today with developing a comprehensible public education strategy, I think the first step should be to ban it though. We see what a problem this has caused so I'm going to make a motion to approve.

LEG. SCHNEIDERMAN:

Can I hear from Jim Bagg? He had his hand up.

CHAIRMAN LOSQUADRO:

Mr. Bagg, did you want to comment on this?

LEG. SCHNEIDERMAN:

Have you done SEQRA on this?

MR. BAGG:

CEQ did review this at their August 17th meeting. It's before you today. They made a recommendation for an unlisted action with a negative declaration. They also made a recommendation •• I don't know if it was done •• that the law be expanded to include animals as well as to include marine species both plant and animal to the law rather than ••

CHAIRMAN LOSQUADRO:

The sponsor has made those amendments.

LEG. VILORIA•FISHER:

Oh, like bring in snake fish.

CHAIRMAN LOSQUADRO:

Yes.

MR. BAGG:

Yes.

CHAIRMAN LOSQUADRO:

Snake heads.

LEG. VILORIA•FISHER:

Snake heads? Is that what •• I just wanted to ask Counsel •• I'm not an attorney •• the penalties makes this a criminal act than if it's a misdemeanor?

CHAIRMAN LOSQUADRO:

It's not a felony.

MS. KNAPP:

An unclassified misdemeanor is a criminal act, yes.

LEG. VILORIA•FISHER:

So if someone doesn't know any better and they plant, let's say, bamboo and they live by the water, is that one of the plants?

MS. KNAPP:

The only thing that I would note about it, it's an unclassified misdemeanor, but we haven't allowed it to be a •• it's not punishable by jail time. It's a fine of up to one hundred thousand •• sorry. \$1,000. \$1,000. But usually are standard phrase says a fine of up to one thousand or up to a certain six months in jail. But this one doesn't.

LEG. SCHNEIDERMAN:

I thought it's just aquatic species. So, bamboo wouldn't •• would not be an aquatic species. We're talking about plants that actually live ••

CHAIRMAN LOSQUADRO:

Do you want to comment?

LEG. VILORIA • FISHER:

No. I was just using that as something ••

LEG. SCHNEIDERMAN:

Because Legislator Vilorina•Fisher used bamboo as an example.

LEG. VILORIA • FISHER:

Fragmities. Somebody's planting a fragmities in their back yard.

LEG. SCHNEIDERMAN:

And I don't think that would be affected by this.

LEG. VILORIA • FISHER:

Yeah, but my point wasn't about the species. It was about the criminality.

CHAIRMAN LOSQUADRO:

One at a time.

LEG. SCHNEIDERMAN:

Okay.

MR. MINEI:

No. The one used in the resolution is a good one. _Combomba_ Right outside my office in Yaphank. Yaphank Lake is choked with it. And you can buy it. It looks nice in your home aquarium. It's not so good in Yaphank Lake.

LEG. SCHNEIDERMAN:

What is the plant species?

MR. MINEI:

Combomba.

LEG. SCHNEIDERMAN:

Combomba?

MR. MINEI:

Yes. There was a Newsday article on it.

CHAIRMAN LOSQUADRO:

All right. Come on, we're getting a little punchy here. Let's keep this on point. Legislator Kennedy, did you have something on this motion?

LEG. KENNEDY:

I was just going to •• I do not have the amended bill in front of me. So, I was just going to ask Counsel as far as what the expanded definition was regarding the inclusion of animals as well.

LEG. VILORIA•FISHER:

I don't have it either.

MS. KNAPP:

I actually did not •• I don't see that it was amended to include animals, no. I did hear •• it was? Hold on.

CHAIRMAN LOSQUADRO:

Does the sponsor's aid have an updated amended copy?

MS. KNAPP:

My version is dated September 8th.

CHAIRMAN LOSQUADRO:

We'll skip over this for a moment while we look for that.

1728, adopting a local law, charter law, to professionalize qualifications of the County Planning Commission and promote Smart Growth principles by revising the composition of the County Planning Commission. Make a motion to table, seconded by Legislator Viloría•Fisher. All those in favor? Opposed?

LEG. SCHNEIDERMAN:

Can I just ask where this is on the six-month rule?

LEG. VILORIA FISHER:

Almost dead.

LEG. SCHNEIDERMAN:

Almost dead.

CHAIRMAN LOSQUADRO:

This is something that we'll be about revisiting. I know the County Executive had a proposal. A member the Legislature had a proposal.

LEG. VILORIA FISHER:

Mostly dead.

LEG. SCHNEIDERMAN:

Mostly dead.

CHAIRMAN LOSQUADRO:

I love that movie.

LEG. SCHNEIDERMAN:

It's a great movie. Billy Crystal.

CHAIRMAN LOSQUADRO:

December 28th this has until. So, we have a little time to address it. Motion is tabled.

1741, authorizing planning steps for the acquisition of land under the Multifaceted Land Preservation Program, Hawkins Avenue property, Town of Brookhaven. Request to continue tabling on the part of the sponsor. I'll make

that motion, seconded by Legislator Schneiderman. All those in favor? Opposed? **1741 is tabled. (Vote: 4•0**
•0•2. Legislators Binder and Bishop not present)

1767, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program Open Space Component. This is the Rawluk property, Town of Smithtown.

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN LOSQUADRO:

That was already approved.

LEG. KENNEDY:

Well, this resolution •• there was another resolution addressing this parcel which was already passed, I believe, at August 20.

LEG. SCHNEIDERMAN:

Motion to table subject to call.

CHAIRMAN LOSQUADRO:

Motion to table subject to call by Legislator Schneiderman, seconded by myself.

LEG. VILORIA•FISHER:

On the motion.

CHAIRMAN LOSQUADRO:

On the motion.

LEG. VILORIA•FISHER:

Lauretta, why were your head? No?

MS. FISCHER:

Oh, no, I agree that there is another •• there was another resolution that approved this acquisition. Yes.

LEG. VILORIA•FISHER:

Okay.

LEG. SCHNEIDERMAN:

It's just waiting to be withdrawn. So, the best think to do is get it off our agenda by tabling it subject to call.

CHAIRMAN LOSQUADRO:

Yeah. All those in favor? Opposed? **1767 is tabled subject to call. (Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

1790 has already been approved.

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.

LEG. SCHNEIDERMAN:

Motion to table.

CHAIRMAN LOSQUADRO:

Motion to table by Legislator Schneiderman, seconded Legislator Vilorina•Fisher. All those in favor? Opposed?

1821 is tabled. (Vote: 4•0•0•2. Legislators Binder and Bishop not present)

1864, 65 and 66 have already been addressed.

1897, authorizing acquisition under Suffolk County Multifaceted Land Preservation Program for the Grandma & Partners parcel. This is another that has already been approved; correct?

LEG. SCHNEIDERMAN:

Motion to table subject to call.

CHAIRMAN LOSQUADRO:

Motion to table subject to call by myself, second by Legislator Viloría•Fisher. All those in favor? Opposed? Motion is tabled subject call. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

1899 and 1913 have also already approved.

INTRODUCTORY RESOLUTIONS

CHAIRMAN LOSQUADRO:

Onto Introductory Resolutions. I am glad to see the three of you are still awake.

LEG. SCHNEIDERMAN:

1940 has to be tabled. It has to be voted on but ••

CHAIRMAN LOSQUADRO:

1940 we have recessed those public hearings to the general session. This is tabled for a public hearing. Motion by Legislator Schneiderman, seconded by myself. All those in favor? Opposed? Motion is tabled for public hearing. That's 1940. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

LEG. SCHNEIDERMAN:

Give Cooper's resolution equal treatment.

CHAIRMAN LOSQUADRO:

1941 (adopting local law, Charter Law, to amend the Suffolk County Charter to ensure representation of environmental interests on the Council on Environmental Quality). Same motion, same second, same vote. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)** Also tabled pending a public hearing.

1942 (adopting local law, Charter Law, to ensure the representation of an environmental on the Suffolk County Council on Environmental Quality) Same motion, same second, same vote. Tabled for a public hearing. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

1943 (adopting a local law, a Charter Law, to add representatives of environmental protection on the Council on Environmental Quality) Same Motion, same second, same vote. Tabled for a public hearing.
(Vote: 4•0•0•2. Legislators Binder and Bishop not present)

1952, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program. This is the Casco Limited Liability Corporation property, Town of Brookhaven.

MR. ISLES:

Okay. This is a parcel located in the Hamlet of Manorville. This is on County Road 111. It's actually opposite the Stargazer Statute that some of you may be familiar with. It falls right on the edge of the Pine Barrens core in compatible growth area.

The subject parcel is outlined in the green on your map. As you can see on the map, the parcel's about half active farmland and half of it is a wooded area. The resolution calls for this to be considered for acquisition for planning steps only at this point for active recreational use. Our issues with this application are, number one, I will note that there is an application for a subdivision pending on this property and the adjacent property to the west, I guess, it is. And that has come before the County Planning Commission.

So, first and foremost our intent is to preserve farmland. If this is the case where the farmland is potentially going to be lost anyway, then this may be a candidate for active recreation as an alternative use to keep the open space and so forth. We did have some concerns with the fact that half the parcel is wooded and actually there's a rather steep swell there. That area certainly should not be used for active recreation use or cleared.

So, the only constraint we had here or the main issue we had was •• or two things. One is the limited size of this when you take away the wooded area. My understanding is that there was consideration for including a larger part of this farmland. Since that is subject to development I'm not sure if that's happened or not.

And the secondly there would have to be a town or community organization that would then come in at some point and agree to build the park and manage it and so forth. So, fundamentally it's •• we feel it's a reasonable proposal in terms of at least initiating planning steps. We're not sure if that additional information has been provided or if the parcel boundary has been expanded. But subject to those details •• and we did do a rating, as you'll see, but here again this is based on the information we have available thus far. That's subject to change as more information is made available.

CHAIRMAN LOSQUADRO:

Legislator Schneiderman and then Legislator Vilorio•Fisher.

LEG. SCHNEIDERMAN:

An awful lot of people drive down County Road 111 as they head into my district out on the south fork. And this is to me a very important scenic vista of farmland although some of it admittedly is sod farms which is not my favorite thing. It's still farmland, although I prefer as you know to see _Rowcroft_ farm it. I'm just a little bit concerned about this becoming football fields, soccer fields. There probably is a need for that in this area and we maybe can work with the schools and the community on that. But I'd be concerned about impacting what I think is a very important visual or scenic resource there. So, I'm not sure how you do that, whether that can be done through plant landscaping, maybe separate those areas. But I hate to break up the farm fields.

MR. ISLES:

Well, right now, as I said, there's an active application for single family homes on this property.

LEG. SCHNEIDERMAN:

That would be worse. I'd rather see playing fields than houses, absolutely. So, let's move forward. But I don't think •• what's the total acreage?

MR. ISLES:

Well, the subject parcel is identified as about 21.9. Not all of that can be used for recreation. I'm not sure if there's a corrected bill or not to expand it. But we would suggest that ••

LEG. SCHNEIDERMAN:

And I suppose •• I guess a sod •• a sod farm and a soccer field probably look pretty much the same. Pretty close.

MS. FISCHER:

We were just questioning whether the sponsor had added the additional piece of parcel to the west.

MR. ISLES:

We don't know.

MS. FISCHER:

We were not informed that that happened. But we had made that suggestion.

MS. KNAPP:

I don't believe I received a request to amend this.

MS. FISCHER:

Yes.

MS. KNAPP:

I can check with the sponsor's office and see whether or not there's a reason why he didn't request that. He hasn't asked me for it.

LEG. SCHNEIDERMAN:

This is not purchase of development rights. This is out right purchase.

MR. ISLES:

Yes.

CHAIRMAN LOSQUADRO:

Legislator Viloría•Fisher.

LEG. VILORIA•FISHER:

Actually, Ms. Fischer, you answered some of my questions which were why aren't we looking at the whole farm, is the rest of the farm in danger of development? Have we looked at acquisition of farmland development rights? I question the program. I think preserving it is certainly important, but if we have the swale that you're describing and that much of it is not usable, has the farmer entertained going into a development rights program with us? I have a lot of questions regarding this resolution. And it seems as do you. And I think we should table this for one cycle to get the questions answered.

LEG. SCHNEIDERMAN,

No, I think we can answer the questions.

LEG. VILORIA • FISHER:

Well, there are important questions. If we're not even looking at the whole parcel, that's something that you just don't discharge without those serious questions being asked.

LEG. SCHNEIDERMAN:

I think it's worth moving forward.

LEG. VILORIA • FISHER:

And perhaps we could look at two programs.

LEG. SCHNEIDERMAN:

But I think in the process we need answers. Is it Pine Barrens or not Pine Barrens.

MR. ISLES:

It's in the Pine Barrens but it's in the compatible growth area. County Road 111 is the dividing line between the core and the compatible growth area. So, it can be developed subject to clearing restrictions.

LEG. VILORIA • FISHER:

I think one cycle will help us flush out the resolution and get a better idea of where we're going with this rather than ask Planning to move forward when we don't yet know exactly what we're moving toward.

CHAIRMAN LOSQUADRO:

Okay. So do we ••

LEG. SCHNEIDERMAN:

I think Vivian wants to make a motion to table. Is that correct?

LEG. VILORIA • FISHER:

Yes.

CHAIRMAN LOSQUADRO:

All right. We have a motion to table. Do we have a second?

LEG. SCHNEIDERMAN:

I'm not going to support that.

CHAIRMAN LOSQUADRO:

There's not a second to a tabling motion. We have a motion to approve by Legislator Schneiderman, seconded by myself.

LEG. VILORIA•FISHER:

I'm opposed.

LEG. SCHNEIDERMAN:

All right. Motion to discharge without recommendation.

CHAIRMAN LOSQUADRO:

Well, I'll have to withdraw my motion on the approval then.

LEG. VILORIA•FISHER:

Motion to table.

LEG. SCHNEIDERMAN:

Vivian, would you support a motion to discharge without recommendation?

LEG. VILORIA•FISHER:

No, no. It's not ready. Motion to table.

LEG. SCHNEIDERMAN:

All right. Second.

CHAIRMAN LOSQUADRO:

All right. Then we have a motion to table by Legislator Viloría•Fisher, seconded by Legislator Schneiderman. All those in favor? Opposed? 1952 is tabled. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

1953, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program. This is the Eastport Manor property, Town of Brookhaven.

MR. ISLES:

Okay. This is relatively close to where we were just looking at with the prior resolution. This is to the south side of Sunrise Highway and slightly to the west of County Road 111 •• the intersection with County Road 111. On a scale •• it's on a different scale. So, this is actually a much larger piece. It's about 77 acres that extends essentially from the service road of Sunrise Highway to Montauk Highway. It is currently a farm. But as with the prior application, this is also the subject of a development application within the Town of Brookhaven consisting of a nursing home and single family homes. Whether that'll be approved, I don't know. But it has gone through the •• it is in the Town presently.

So, once again we're dealing with the case where this is certainly prime farmland. First preference would be the preservationist farmland understanding that there is an application pending for development. We think in some shape or form that the set aside of some of this land for recreational purposes would make sense. Certainly a 77 acres, the entire thing, would not be necessary. So, whether it be through a town cluster or subdivision to set aside land for public recreational purposes or through an acquisition in a County program or some combination thereof, from a locational stand point, we do feel that this is a reasonable suggestion. We did do a rating, here again, based on the information we have which at this time is limited. And we did rate it as a being a 39 on the rating sheet.

So, at this point the proposal, we feel, is at least for planning steps is reasonable. There are questions in terms of the development of the site in terms of how recreation could fit in. There are questions in terms of the management entity and so forth. We understand that the school district is involved and that's why both of these are coming in at the same time. But in terms of confirming all that, that would have to be subject to further review.

CHAIRMAN LOSQUADRO:

Legislator Vilorina•Fisher.

LEG. VILORIA•FISHER:

This looks like a much better candidate for active recreational use. But I was wondering when we're looking at a

large parcel like this, and you're saying it's under the danger of pressure of development, can we divide it ourselves and say that some of it could be used for affordable housing?

MR. ISLES:

That wouldn't be authorized under this resolution. The resolution would enable us to contact the owner to discuss a possible county acquisition. If we were to say, well, the County would be interested in 30 acres out of the 77, that's what we would appraise. It would obviously have to come back to you for any authorization to acquire.

In terms of intermixing now another program, that would require a separate resolution. And, you know, perhaps that can evolve out of discussions with the owner. But at this time we would not have authority to pursue that type of acquisition under this resolution.

LEG. VILORIA • FISHER:

But you could limit the active recreation piece to •• so that it doesn't encompass the entire 77 acres?

MR. ISLES:

Yeah, I certainly wouldn't anticipate it coming anywhere near taking the entire parcel. That's for sure.

MS. FISCHER:

We are proposing taking 20 acres of this 77.

MR. ISLES:

Okay.

MS. FISCHER:

As they've written it in the past, it's been written in the resolution.

MR. ISLES:

Oh, yeah. Okay. I'm sorry.

LEG. VILORIA • FISHER:

Okay. Thank you. I missed that.

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN LOSQUADRO:

Legislator Kennedy.

LEG. KENNEDY:

Yes. I just wanted to follow up on that. The graphic that you give us, does that represent the full 77 acres or is that 20? And if it's 20 ••

MS. FISCHER:

Yes.

LEG. KENNEDY:

Yes, what?

MS. FISCHER:

It's 77 acres, the entire piece.

LEG. KENNEDY:

Okay. So, out of this picture, which 20 do we want to buy?

MS. FISCHER:

That's to be determined.

CHAIRMAN LOSQUADRO:

Well, that would be up to the Town, part of the subdivision plan.

MR. ISLES:

We don't know the answer to that.

LEG. KENNEDY:

We don't?

MR. ISLES:

No, I don't know.

LEG. SCHNEIDERMAN:

Is this •• is this resolution to buy all 77.6 acres and use 20 acres for active recreation? Or is it just to buy 20 acres?

MR. ISLES:

My understanding it's just to buy 20 acres.

LEG. SCHNEIDERMAN:

Can I see a resolution to buy all 77.6 acres and we'll figure out what to do later? Because I think that it's worth preserving this land as farmland. And maybe, yes, some of it could be used for active recreation, 20 acres. But the rest of it, what's going to happen to the remaining 50 acres?

MR. ISLES:

I'm not •• I can't speak for the sponsor.

LEG. SCHNEIDERMAN:

There's no planning steps to buy the whole thing?

MR. ISLES:

The planning steps indicates 20 acres out of 77 acres.

LEG. KENNEDY:

But I •• can I just go back to ••

LEG. SCHNEIDERMAN:

We should buy the whole thing.

LEG. KENNEDY:

Why don't •• well, maybe that's the desire, I guess, maybe the sponsor has particular reasons or maybe we should have another resolution. But why don't we know which 20? Is the 20 dependent upon the development plan, the subdivision plan as filed with Town Building now? Or is it just ••

MR. ISLES:

I think it's probably dependent upon initiating a conversation with the owner of the property. And saying the Legislature's passed a resolution to authorize this contact and appraisals and so forth. Would you consider selling 20 acres of your property? So, it's a voluntary program. And I think •• I would guess that the sponsor didn't anticipate the entire property, but without having a conversation with the owner where we really need a resolution to do that, it would be somewhat open-ended until that conversation happens. We do an appraisal. Then we come back to you and spell out specifically what would be acquired.

LEG. KENNEDY:

Thank you very much.

CHAIRMAN LOSQUADRO:

All right. I'll make a motion to table, seconded by Legislator Vioria•Fisher.

LEG. VILORIA•FISHER:

Okay, I'll second to table it.

CHAIRMAN LOSQUADRO:

Okay. I just think there's some more to look at here. All those in favor? Opposed? **1953 is tabled. (Vote: 4 •0•0•2. Legislators Binder and Bishop not present)** I think Legislator Schneiderman brought up some good points.

1968, to establish a water and land invasives control task force to develop and implement in invasives control program for Suffolk County lands and waters.

LEG. SCHNEIDERMAN:

What's going on with Pete O'Leary? He's become the environmentalist?

LEG. VILORIA • FISHER:

You know, the man, I see green around the gills. You know.

LEG. SCHNEIDERMAN:

Something's wrong here.

CHAIRMAN LOSQUADRO:

I'll ask Counsel for a brief explanation. And I think Mr. Zwirn wants to comment on this. I'll let Mr. Zwirn make a comment first.

MR. ZWIRN:

Okay. The County Executive is in support of this resolution. He just •• well, suggested he would have hoped the sponsor would have given the County Executive's office a few more appointments on the advisory board because it is something that is of great interest to the County Exec. But he's in support of the resolution.

CHAIRMAN LOSQUADRO:

Very well.

LEG. SCHNEIDERMAN:

Doesn't like evasive species.

MS. KNAPP:

Okay. This actually, my understanding is, that this arose out of a desire on the part of the environmental community at least some of whom spoke before the Legislature and asked for a task force that would allow them to address this problem on a county•wide basis unlike, you know, the discussion about Yaphank lake. And the specific goal for the task force are enumerated in the resolution preventing the introduction of invasive species, detecting and responding to control populations, monitoring their population, providing for the restoration.

CHAIRMAN LOSQUADRO:

Motion to approve.

MS. KNAPP:

And it's 13 member.

MR. ZWIRN:

We'd like to get the Health Department, Vito Minei's group, involved with this. If Legislator O'Leary would •• if we can get back to the sponsor •• it's just that we'd like to get Vito Minei's crew, which is going to be managing it.

CHAIRMAN LOSQUADRO:

I'm sure they'll be happy to have that input so if we could ••

LEG. VILORIA • FISHER:

I thought they had kind of ••

MS. KNAPP:

There's somebody from Cornell Cooperative, somebody from the Soil and Water Conservation, somebody from Parks. And the County Executive has a designee.

MR. ZWIRN:

Well, we'll talk to the sponsor. Maybe we can work something out for the 27th. We're in favor of the bill moving forward. We just thought maybe we could •• we'll talk to Legislator O'Leary, see if we can ••

CHAIRMAN LOSQUADRO:

Okay.

MS. KNAPP:

There are two legislative appointments. One a specialist in terrestrial invasives and another specialist in marine invasives.

MR. ZWIRN:

Are you sure that's not extra•terrestrial? This is Legislator O'Leary's bill. And he's gone for the day.

CHAIRMAN LOSQUADRO:

You can say that. I made a motion to approve, seconded by Legislator Kennedy. All those in favor? Opposed?

1968 is approved. (Vote: 4•0•0•2. Legislators Binder and Bishop not present)

Since we're on the subject, we will go back to 1727 which we skipped over. And I have been informed that unfortunately those amendments were not made prior or the deadline. Okay. The legislative intent shows that putting the animal species in but the it was not added into the body of the bill.

LEG. VILORIA • FISHER:

We can just table it. It's not like it's so time sensitive.

CHAIRMAN LOSQUADRO:

Legislator O'Leary's been working on this for sometime and trying to make the amendments necessary. In conjunction with the Task Force, I would ask that we at least •• to discharge this and see if it can ••

LEG. VILORIA • FISHER:

I'm going to vote against it because I don't agree with the misdemeanor part. I don't agree that we can enforce it. And it's not even complete. Let's table it. I'd like to speak to the sponsor about it.

LEG. SCHNEIDERMAN:

Motion to discharge without a recommendation.

CHAIRMAN LOSQUADRO:

Well, I just made that.

LEG. SCHNEIDERMAN:

Oh, sorry.

LEG. VILORIA • FISHER:

No.

CHAIRMAN LOSQUADRO:

All right.

LEG. VILORIA • FISHER:

I mean, this is on the merits. I just don't agree with the bill. I can't vote for it.

CHAIRMAN LOSQUADRO:

Okay. So, motion to table Legislator Viloría•Fisher. I will have to second that motion. We need four votes to pass anything out of a six person committee. So, all those in favor? Opposed? 1727 ••

LEG. SCHNEIDERMAN:

I'm opposed to tabling.

LEG. VILORIA•FISHER:

Table fails?

LEG. SCHNEIDERMAN:

No. Because three of you just voted to table it. You need four? Okay, I will table it as well. I don't want to see it fail. I'd like to see it move.

CHAIRMAN LOSQUADRO:

Absolutely. We have no home rule messages nor sense resolutions nor procedural motion.

CEQ RESOLUTIONS

CHAIRMAN LOSQUADRO:

Onto CEQ. CEQ resolutions. **59•05, proposed SEQRA classifications of legislative resolutions laid on the table August 9th, 2005.** This is a Type II action; correct?

MR. BAGG:

Yes, those are Type II Actions.

CHAIRMAN LOSQUADRO:

Motion by Legislator Kennedy, second by Legislator Schneiderman. All those in favor? Opposed? **59•05 is approved. (Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

60 of •• should that be '05? Is that typo? 60•05, proposed development of a Collection Plan for Sagtikos Manor County Park, West Bay Shore, Town of Islip. Again, this is a Type II Action?

MR. BAGG:

That's correct.

CHAIRMAN LOSQUADRO:

Same motion, same second, same vote. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

61•05, proposed improvements to Sewer District number 22, Capital Project 8171, Hauppauge Municipal Waste Sledge, Town of Smithtown. Again, Type II Action.

MR. BAGG:

That's correct.

CHAIRMAN LOSQUADRO:

Same motion, same second, same vote. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

62•05, proposed sew district number 3, Southwest, Power Supply, Electric Service Replacement, Town of Babylon. Again, Type II Action?

MR. BAGG:

Yes.

CHAIRMAN LOSQUADRO:

Same motion, same second, same vote. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

63•05, proposed sewer District number 3, Southwest, Sludge Projects/Ash Lagoons, Town of Babylon.

MR. BAGG:

Council recommends that this is an unlisted action that will not have an impact on the environment for various reasons. Would you like to read them? They're in the resolution.

CHAIRMAN LOSQUADRO:

No. You gave them a negative declaration. Same motion, same second, same vote. **(Vote: 4•0•0•2.**

Legislators Binder and Bishop not present)

64•05, proposed adopting a local law to prevent the spread of invasive non•native aquatic plants and animals in Suffolk County.

MR. BAGG:

As I mentioned before Council recommends an unlisted action negative dec with a recommendation that animal species be added as well as marine species.

CHAIRMAN LOSQUADRO:

Very well. Same motion, same second, same vote. **(Vote: 4•0•0•2. Legislators Binder and Bishop not present)** And the sponsor has heard •• obviously tried to comply with that recommendation and obviously has every intention of doing so.

65•05, proposed construction of sidewalks on various county roads at CR 58, Old Country Road from the LIE to CR Roanoke Avenue, Capital Project 54•97, Town of Riverhead.

MR. BAGG:

This basically is filling in sidewalks that haven't been constructed. Council recommends and unlisted action negative declaration.

CHAIRMAN LOSQUADRO:

Same motion, same second, same vote. **65 is approved. (Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

66•05, proposed Francis S. Gabreski Airport Redevelopment of LI Jet Center East, Inc., Town of Southampton.

MR. BAGG:

The Council •• this project involves a redevelopment of Long Island Jet Center facility including converting the

existing hangar into a terminal building, removal of an underground fuel storage tank, removal of some asphalt surfaces site grading, installation of new hangars, new asphalt surfaces and added fuel capacity for servicing aircraft.

The purpose of the project is to upgrade the outdated facility with improved structures and provide adequate service needs for expanding aircraft uses. Council recommends that it's an listed action with a negative declaration.

CHAIRMAN LOSQUADRO:

Thank you. I do have a request from Economic Development that this be tabled, the resolution. And the CEQ approval can be voted on at the same time. I'll make a motion to table, seconded by Legislator Schneiderman. All those in favor? Opposed? 66•05 is tabled. (Vote: 4•0•0•2. Legislators Binder and Bishop not present)

67•05, proposed acquisition of land for Open Space Preservation purposes known as Corey Creek • Edson property, Town of Southold. This is an unlisted action with a negative declaration. Same motion, same second as the last resolution, same vote. 67•05 is approved. No, I'm sorry. This can't be the same motion. This is an approval. Motion to approve by myself, seconded by Legislator Viloría•Fisher. All those in favor? Opposed? **67•05 is approved. (Vote: 4•0•0•2. Legislators Binder and Bishop not present)**

68•05, proposed acquisition of land for Open Space Preservation purposes known as Overton Preserve • Kane property, Town of Brookhaven. Again, unlisted action with a negative dec. Same motion, same second, same vote. 68•05 is approved.

Nothing else on the agenda before us, meeting stands adjourned. Thank you. Thanks, Jim.

(THE MEETING CONCLUDED AT 5:06 PM)

DENOTES SPELLED PHONETICALLY