

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 December 11, 2006.

MEMBERS PRESENT:

Leg. Vivian Vilorio-Fisher, Chairperson
Leg. Lou D'Amaro, Vice Chairman
Leg. Daniel P. Losquadro
Leg. Edward P. Romaine
Leg. Steven H. Stern

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
Richard Baker, Deputy Clerk
Ben Zwiirn, Assistant Deputy County Executive
Tom Isles, Director of the Planning Department
Dan Gulizio, Deputy Director of the Planning Department
Jim Bagg, Chief Environmental Analyst/Department of Planning
Patricia Zielenski, Department of Real Estate
Lauretta Fischer, Department of Planning
Dennis Brown, County Attorney's Office
Ginny Suhr, Aide to Leg. Vilorio-Fisher
Lisa Keys, Aide to Leg. Romaine
Stephen M. Jones, Suffolk County Planning Federation
David Calone
Tim Green
Nick Gibbons, Parks Department
Alpa Pandya, Nature Conservancy
Karen Blumer, Open Space Preservation Trust
Wendy Fidao, Friends of Flax Pond
Kathy Schwager, Nature Conservancy
Polly Weigand, SC Soil & Water Conservation District
And all other interested parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer
Alison Mahoney, Court Stenographer

MINUTES TRANSCRIBED BY:

Denise Weaver, Legislative Aide

(THE MEETING COMMENCED AT 10:47 AM)

CHAIRPERSON VILORIA-FISHER:

Good morning. Will members of the Environment, Planning and Agriculture Committee please report to the horseshoe? Members of the EPA please report to the auditorium. And here we come. Members of EPA please report to the auditorium. We have a very long agenda. Okay. Good morning. Welcome to December 8th meeting of -- no, today's the 9th isn't it? 11th. I'm way behind even though we typed the agenda next week. Anyway, thank you for being here this morning. Please join us in the Pledge of Allegiance led by -- I think I'll do it myself because I have two people with very bad colds up here.

SALUTATION

CHAIRPERSON VILORIA-FISHER:

Thank you. We do have, as I said, a presentation today. But we also have one card. We will -- I would like to take one piece of legislation out of order. And that is appointing a member of the County Planning Commission. That's IR 2396 because I understand that Mr. Calone -- am I -- Mr. Calone? You have to go back to Manhattan?

MR. CALONE:

Yeah.

CHAIRPERSON VILORIA-FISHER:

Okay. I make a motion to take IR 2396 out of order.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro. All in favor? Opposed? Okay. 2396 is before us. (To appoint member of County Planning Commission, David L. Calone) Mr. Calone, if you could come up and take a seat. Thank you very much for being here. I apologize for the delay.

MR. CALONE:

Thank you.

CHAIRPERSON VILORIA-FISHER:

If you could just tell us a little bit about yourself and why you would like to be a member of the County Planning Commission?

MR. CALONE:

Thank you. Thank you. My name is David Calone. I grew up in Mt. Sinai. And I went to Port Jefferson High School. I've been away from Suffolk County for a few years. I was in Washington D.C. I was a federal prosecutor down there. For about four years worked on economic crime and terrorism. More recently I worked for New York State Attorney General, Elliot Spitzer, doing health care fraud as a state prosecutor.

My wife and I and our 14 year old -- 14 month old daughter -- she's growing up fast but not that fast -- my wife and I and our 14 month old daughter recently moved back to Suffolk County about seven months ago. We live in Babylon village. And I was seeking a way to not only get back to public service, I've -- for the past 2 years been in the private sector. But also wanted to be involved in a way that I felt was meaningful for the long-term future of a place that I loved, that I chose to come back to and where I look forward to raising my daughter.

And for me, the Planning Commission was a way that I could participate and also focus on something that's important to me, which is making sure that the people of my generation who grew up here can afford to stay here. And also have a reason to stay here. And that is both jobs and the kind of culture and environment that we love so much. I remember the -- playing in Mt. Sinai on the sod fields, playing football. Those sod fields are long gone. And I think that we need to do -- and I would like to play a role in being part of an effort to maintain the Suffolk County that we all love so much while balancing that with the need for affordable housing and for reasonable growth
Thank you.

CHAIRPERSON VILORIA-FISHER:

Thank you Mr. Calone. Now, you do have a busy schedule. You travel into Manhattan. Do you see yourself being able to devote the time to the Planning Commission?

MR. CALONE:

Yes. I worked out with my job that whenever I need to be out in Suffolk County, I'll be able to work out here. Telecommuting's a wonderful thing. And so I've been able to arrange that with them ahead of time and so I'm pleased about that.

CHAIRPERSON VILORIA-FISHER:

Yes. And although you hail from the Town of Brookhaven, you will now be residing in Babylon and representing that town on the Planning Board.

MR. CALONE:

That's right.

CHAIRPERSON VILORIA-FISHER:

Are there any other members who have questions? Legislator Romaine.

LEG. ROMAINE:

Yes. You currently live in the Town of Brookhaven?

MR. CALONE:

No. I live in Babylon.

CHAIRPERSON VILORIA-FISHER:

Babylon.

MR. CALONE:

I grew up in Brookhaven.

LEG. ROMAINE:

Oh, you grew up in Brookhaven. Okay. Thank you.

CHAIRPERSON VILORIA-FISHER:

Legislator Losquadro. He wants to know why you're not going back to his district.

LEG. LOSQUADRO:

You certainly look as though you have a lot to offer. And I'd be happy to have you as part of the Sixth Legislative District. You'll have to excuse my voice. Try to keep my comments to a minimum to maintain what little of it there is. But I would just like to say obviously this is a volunteer position. And someone with your credentials and your experience I would just like to say thank you for being interested in giving back something to the community and to government in the form of this voluntary position.

So I look forward to working with you in this capacity. And if your previous experience is any

indication, I'm sure we'll see good things from your involvement in this commission.

MR. CALONE:

Thank you, sir.

CHAIRPERSON VILORIA-FISHER:

Did you have a question?

LEG. D'AMARO:

No.

CHAIRPERSON VILORIA-FISHER:

I see no further questions. I would like to make a motion to approve.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro who does indeed represent -- actually, you know, give the motion to Legislator D'Amaro and seconded by Legislator Losquadro.

LEG. D'AMARO:

Okay. Motion to approve.

CHAIRPERSON VILORIA-FISHER:

And seconded by Legislator -- so we have your present and your past here represented. And you're voting for it? Or is that a question on the motion?

LEG. ROMAINE:

Question.

CHAIRPERSON VILORIA-FISHER:

Yes.

LEG. ROMAINE:

Let me put this on. First of all, I fully intend to support this resolution. And I want to thank you for offering your services. I think it's worthwhile. However, I do have a question for legal counsel on the form of the resolution. And specifically I refer to the third whereas. "Whereas Steve Levy, the County Executive of Suffolk County has appointed, David L. Calone, currently residing at 69 Clinton Street, Babylon NY as a member of the County Planning Commission."

Is that an appropriate whereas considering that we are weighing this appointment and we're about to vote on it? It makes it look as if the Legislature's vote is anti-climatic and unnecessary.

MR. NOLAN:

It is legally acceptable because the people on the Planning Commission are appointed by the County Executive subject to approval by the Legislature.

LEG. ROMAINE:

The reason I raise this question, I have never seen this in my 21 years as County service as an elected official where the County Executive has interjected this into an appointment resolution. It's just --

MR. NOLAN:

I think it's a recent phenomenon but it's a -- not legally defective.

And it is a whereas clause.

LEG. ROMAINE:

Oh, thank you.

CHAIRPERSON VILORIA-FISHER:

We have a motion and a second to approve. All in favor? Opposed? And you resume is certainly not legally defective in any way.

LEG. ROMAINE:

No.

CHAIRPERSON VILORIA-FISHER:

And we're very proud to have you on board.

LEG. ROMAINE:

Absolutely.

CHAIRPERSON VILORIA-FISHER:

It's approved. **(VOTE: 4-0-0-1 Not Present: Legislator Stern)**

This resolution will go before the general meeting next Tuesday. Not tomorrow; a week from tomorrow. You do not have to be present there. Thank you very much for your willingness to serve.

MR. CALONE:

Thank you all.

PUBLIC PORTION

CHAIRPERSON VILORIA-FISHER:

We do have a card from Steve Jones. And Mr. Jones will be speaking on IR 2506. Steve, 5 minutes.

MR. JONES:

Thank you and good morning. Is this on? Yes, Okay. I'm speaking about IR 2506 which is to create a funding -- small funding stream for the Suffolk County Planning Federation. A number of us started the Planning Federation in 1994. It has grown over the years. It was originally intended and still provides training for planning and zoning board members who are serving in towns and villages. The -- over the years the training has been provided by a group of volunteers. Lawyers, judges, planners, builders, environmentalists, you name it. Everybody gets together and shares the knowledge that they have for the benefit of the public and helping people who are serving on local planning and zoning boards.

What's happened now is that the State Legislature now mandates this training for planning and zoning board members. And there's a whole law with respect to that, which is referenced in IR 2506. The other aspect that you'll be considering in this resolution is a method by -- of using the Suffolk County Planning Director to engage the towns and villages because the state law says that towns and villages have to designate what are approved training venues for their planning and zoning board members. So this resolution requests that the towns and villages authorize this Suffolk County Planning Federation to be an approved training venue.

The problem, which requires money, is one of success where basically the public spaces have -- are outgrown now. There's so much -- so many people coming in to these training sessions that the -- it's had to be held at a -- local hotels. And so there are costs associated with that. And this will certainly help to provide some stability going forward for the County Planning Federation to be able

to keep putting these training sessions on. So I hope you'll be favorable with it. Thank you.

CHAIRPERSON VILORIA-FISHER:

Steve, how often are the training -- will the training sessions be held? Or how often are they held?

MR. JONES:

Currently they're held every fall in usually around the third week of October. They have been held in the past, they have been held sometimes twice a year; One in the spring and one in the fall, depending on what needs to be -- what training needs to be provided.

CHAIRPERSON VILORIA-FISHER:

And, you know, Steve that seems to be the trend. And the way we're looking at people who serve often in volunteer capacities to have some kind of training. School boards are going for more training because the issues have become so complex. Now I saw in the resolution that it's up to \$10,000. But in realistic terms, how much do you think -- how close to that are we going to be coming do you think?

MR. JONES:

It says up to \$10,000 because generally speaking the last few years it's been running for like five, \$6,000.

CHAIRPERSON VILORIA-FISHER:

Okay.

MR. JONES:

So we -- a number of us got together and talked about it and we said that that -- if we say up to, that that should be more than adequate.

CHAIRPERSON VILORIA-FISHER:

But the cost is about -- been about 50, 60% of that.

MR. JONES:

And it's just overhead for feeding people and providing hotel space somewhere locally. It's usually around in that western Suffolk County area.

CHAIRPERSON VILORIA-FISHER:

Okay, Steve. Thank you. Question Legislator D'Amaro.

LEG. D'AMARO:

Yes. Thank you. Good morning.

MR. JONES:

Good morning.

LEG. D'AMARO:

The Suffolk County Planning Federation, what exactly is the Suffolk County Planning Federation?

MR. JONES:

It comes out of General Municipal Law 239 something something. I'm not sure what it says in there. But the state allows for the creation of Planning Federations. There's a New York State Planning Federation. There's a Westchester Planning Federation. There's a Nassau County Planning Federation. And it's just a state law that enables towns and villages and counties to get together for the benefit of all the participants.

LEG. D'AMARO:

So we're creating the County Planning Federation through this legislation?

MR. JONES:

No. I would say strengthening it. It's been going since 1994.

LEG. D'AMARO:

And what does the federation do up until now?

MR. JONES:

The federation has always been -- has always provided training for local planning and zoning board members --

LEG. D'AMARO:

Right.

MR. JONES:

-- County Planning Commissioners and such.

LEG. D'AMARO:

Okay. And on the dates or the times that you just specified for Legislator Fisher. Now the training that is done to the -- for the County Planning Commissioners by the County Planning Federation, is that mandatory training?

MR. JONES:

Yes. County Planning Commissioners are included in the new state law as well as town and village zoning and planning officials.

LEG. D'AMARO:

Okay. And is it also mandatory on the town and village level?

MR. JONES:

Yes.

LEG. D'AMARO:

I thought each town or village had to opt in under the state law?

MR. JONES:

I don't -- that was the case, I think a year ago. And this past session they went the next step and mandated it.

LEG. D'AMARO:

So now all of the planning and zoning boards across Suffolk County in towns and villages are required under state law for continuing education?

MR. JONES:

That's correct.

LEG. D'AMARO:

In those official capacities?

MR. JONES:

Correct.

LEG. D'AMARO:

Okay. Thank you very much.

MR. JONES:

Okay.

CHAIRPERSON VILORIA-FISHER:

Are there any other questions? Thank you very much, Mr. Jones.

MR. JONES:

Thank you.

CHAIRPERSON VILORIA-FISHER:

We now have a presentation. The report from the Suffolk County Water and Land Invasives Control Task Force. And as you come up, I'd like each of you to please identify yourselves.

MS. WEIGAND:

Good morning.

CHAIRPERSON VILORIA-FISHER:

Just wait until everybody gets settled down. And I would like to mention that I also sat on this task force in the capacity as Chair of the -- of this committee. This was a task force that was put together by a resolution introduced by Legislator Peter O'Leary. Thank you. Can you just from right to left or left to right, just state your names for record, please.

MS. WEIGAND:

I'm Polly Weigand. I'm a soil technician for the Suffolk County Soil and Water Conservation District.

MS. SCHWAGER:

I'm Kathy Schwager, the Invasives Species Specialist for the Nature Conservancy.

MS. PANDYA:

Good morning. I'm Alpa Pandya with the Nature Conservancy.

MS. FIDAO:

Good morning. I'm Wendy Fdao. I'm Chairperson of the Friends of Flax Pond, an environmental group owned for the protections, a salt marsh in Suffolk County.

MS. BLUMER:

Good morning. I'm Karen Blumer. I'm with a land trust; the Open Space Preservation Trust. And professionally I'm a restorationist of native habitats.

MR. GIBBONS:

Nick Gibbons. Suffolk County Parks.

MS. PANDYA:

Good morning everybody.

CHAIRPERSON VILORIA-FISHER:

Good morning Alpa.

MS. PANDYA:

I'm going to give you a brief overview of about invasive species, a problem that we've been having here in Suffolk County as well as Nassau County; as well as why the task force got started and the many, many strategies we've come up to try to answer the need here. So here's my lovely slide show presentation. Feel free to ask questions because it's meant to be very interactive.

The task force was started about a year and a half ago by the Yaphank Lake, Legislator Pete O'Leary

because his constituents were complaining that they could no longer boat or fish in their pond -- in their lake because it was so completely overgrown with aquatic invasives. With the help of Kathy Schwager actually and some of our other allies, we were able to identify the species. And unfortunately had to give them the bad news that this lake was in very bad shape; probably had been for many years. And that a multi-pronged approach was necessary to stop -- to make Yaphank Lake better. And also to stop the spread of it to other areas along the Carmen's River, other boating areas and then of course also our lands are also at risk.

That's kind of what started it. Legislator O'Leary wanted to help us with this; doing a proactive approach. And we've been working with the task force for the last six, seven months on proactive solutions rather than reactive solutions.

This is the definition of invasive species. It's the federal definition as well as the one that's being used by the New York State Invasive Species Task Force and which the County is also adopting. Basically invasives are non-native and they cause environmental, economic, or human health impacts. And that's what we're using as our guideline. The characteristics are, you know, lots of seeds, dispersed over wide areas, no natural controls. In other words, they're natural predators that used to eat these plants; are not available here, because they come from Asia or Europe or someplace else. In other words, hardy, drought tolerant, grow like crazy and tend to self sow.

CHAIRPERSON VILORIA-FISHER:

Very scientific.

MS. PANDYA:

Just what most gardeners want. Well that's really what -- you know -- so if you guys have gone to a local nursery and said, I'm looking for a hardy plant, they're probably passing you an invasive species, I can tell you right now.

Harm caused by invasive species. \$137 billion a year in the U.S. That's such a ballpark number. And it's an old number. To bring it down to the ground a little bit, Nassau County spent about \$1.5 million on controlling aquatic invasives in three ponds in 2005, including the aquatic invasives which are found in Yaphank Lake.

There are other impacts, of course, on property values, recreation, human health by diversing the ecosystem. And the plant -- the pictures, of course, one of the my favorite pictures taken, I believe, from Nassau County showing {cazoo} growing up over -- Huntington actually, sorry -- up over a hillside and over a -- over some -- a closed up house, hopefully at this point.

Reason for this task force; again, over the last two years Suffolk and Nassau County have been getting increasing complaints from constituents. The electeds as well as the constituents have been turning to groups like the Nature Conservancy, local civic and environmental organizations, saying help us figure out a way to stop this before we lose any more lakes, more recreational opportunities, more bird walking -- trail hiking and bird watching opportunities.

Unfortunately, and I put this in a smaller font, government, not Suffolk County, but many government levels tend to be more reactive than proactive. Expensive management after the fact, rather than prevention, early detection, rapid response plans ahead of time. But Suffolk County decided to change that losing strategy. The task force seeks to break that circle of no action followed by onetime reactionary spending.

This is a lovely little chart, which shows the number of acres infested over time versus -- on your right you can see the control costs just going up as more and more acres are infested. And you start out in the left lower column of the curve where you can see relatively few plants are seen early on. That's when it's cheapest and easiest to remove it because you're talking about six, a couple of dozen plants; easy to remove them. And then as time goes on and the plants become more and more spread out covering more acres, it becomes more difficult to remove. And unfortunately it's

only as -- they become more and more widespread that usually people start hearing about it because they start telling people, wow, I used to be able to boat here and I can't anymore. And unfortunately at that point it's almost too late. And if not too late, we're talking now costs going from, you know, hundreds of dollars to now thousands or tens of thousands of dollars to restore the site, eradicate the problem.

Acting after the infestation has already taken hold, this is a great picture of a {Ludwigia pole} that was done in Peconic Lake in June and August 2006. And there were -- of course I've lost my little note thing -- there was about -- what was it? 50 cubic yards of dumpsters. 60 cubic yards of dumpsters done over two days. About 600 man-hours. And this was done just -- not even half the Ludwigia was pulled from this lake. They'll have to go back next year. And they'll be going back every year for basically the foreseeable future because you just cannot pull enough Ludwigia to really get rid of all of it. But they want to at least make it usable again for the residents. But you get an idea. You can see the dumpster on the right. It was a mammoth effort. The County was a huge participant. Nature Conservancy, all the local residential civic groups, Peconic Estuary Program were fundamental in this. It got a lot of local press partially just because I think nobody really realized just how bad the situation can get in your local lakes.

This is another picture. This is Norway Maple. On your left you can see lots of little bushes and lots of diversity of understory on your right. Because Norway Maple shades out the understory, everything's gone. You got Norway Maple and dirt. That's basically your forest after a few years once Norway Maple takes hold.

We on the task force started looking at strategies. These are the big -- this is the big picture. Strategies which will be preventative, proactive. And the overall picture is prevention, detection, respond rapidly, monitor, restoration, research, education, greater coordination between the County agencies and the County agencies and the public. The coordination also -- we briefly in the report touch on all. So coordination between the County and Suffolk County and Nassau County, Suffolk County and other towns, villages, the state, of course, and the federal government so that there's greater coordination and sharing of resources. No one has enough money to take care of this, but all of us together can do a much better job and hopefully solve this problem.

And of course when you're talking to -- about legislation, you should always make more legislation. So our suggestion creation of a permanent advisory board to study prevention controlled remediation efforts going into the future to help the County and the County agencies look at new coming problems to the area as well as keeping track of what's happening right now. Because I do believe we should always have some citizen watchdogs watching what everyone's doing so.

This is my two year priority action items. Our action items; many, many, of them. It's very small font so don't even bother trying to read them. If you go to the report it's page four and five. But I just want to give you an idea; that we look at many strategies tackling this problem from a -- many different approaches. From what the existing staff is and what are the current training needs to adopting an invasive species list, to mapping, to creating native plant seed banks, because we don't really have that, volunteer programs, public education. The efforts need to be ramped up on all different levels and this task force has spent a lot of time trying to be realistic, but at the same time answer the need.

So I'm going to go through the basic strategies here. Number one, for prevention is creating a list of invasive species to guide management. And a list of invasive species basically tells the counties and the partners that it works with what should be looked for, what should be pulled if they are found, what should not be planted on County lands or near County waters. The sources of information to create this list were pulled mostly from our surrounding areas because they have similar problems with similar plants obviously. We looked at New York, Massachusetts, Connecticut; all the New England states including New Hampshire, all the way down to Delaware and Pennsylvania. We looked at state lists, weed alerts, information from other agencies, horticulturists, botanic gardens.

Three -- four major, sorry, our four major sources of information were Connecticut, Massachusetts, and New Hampshire, all of which have in the last few years passed legislation to ban some species and put other species on their watch list. And IPANE, which is the Invasive Plant Atlas of New England which is a non-profit associated with the University of Connecticut, which looks at the invasive species from a regional point of view.

This is the species data example that we pulled together looking at all these different sources. So you can see, for example, {automoliva}, first we did the invasive assessment, what's been looked at though nature serve, which is a nature conservancy project. Actually looking at it, it's a national thing, which is why you get a rank sometimes like under {ulaliya}, you get a high, low because it depends on what part of the country you're looking at it. But, Nature Serve, IPANE, Massachusetts, Connecticut, they all found that {automoliva} to be invasive. And then if you look at the prohibitive list status, Massachusetts, Connecticut, New Hampshire all banned this species. And the Long Island list also recommends a do-not-sell status for this species.

And again, this is in one of your appendices in the report. If you want to see it for all of the species, about 150 species all together. Most of which is just on a management list; not on the do-not-sell list. But a lot of effort has been gone into to really pull together the science and the best information on the ground as well as in the laboratory on what are the problem species and what's on Long Island and what's -- some of them, what's coming to Long Island.

Mapping, kind of the un-sexy part of this whole thing. But it's sexy, I guess, if you have to do it; Kathy. This is one of the our people that we work with who in her hand she has a little GPS unit, which literally, it -- you put down the coordinates for where she's finding the invasive species and it puts it into a giant data base and we create these lovely maps. And you can see literally are -- on the land, on water, walking thousands and thousands of miles. Kathy Schwager, my co-worker and two workers with the Pine Barrens Commission covered the entire 55,000 acres of the core preservation area of the Pine Barrens just the last six months. Very intensive. Very labor intensive, but absolutely necessary because it helps us produce maps like this, which is -- this is Hubbard County Park. You can see the yellowish line is kind of what we consider an intact, mostly intact area. And you can see the little dots are where they found different species, which as you would expect are mostly along roadways, major trails into the park. This is a park which is in very good shape. It's one of the high priority conservation areas for Suffolk County with fairly little disturbance and fairly little occurrence of invasive species.

Early detection and rapid response. So once the invasives are found, you got to pull them out. On your left we've got a -- some of our volunteers pulling them. On your right we have the more dramatic picture of giant hogweed, which looks like queen ann's lace on steroids. This plant grows to like six feet tall. You can see the people there, Al {Linberg} with Nassau County Parks on your right. On you left is Marilyn Jordan with the Nature Conservancy. They're wearing very heavy duty plastic gloves because the sap from this plant literally will cause blistering on the skin. And in small children can cause blindness if it gets rubbed into eyes. It's a federally listed species for its human health hazards. Not to mention it puts out seeds like crazy and it will spread like crazy. This was seen in Nassau County and pulled, we believe, when there were just a few plants. So hopefully we're monitoring the area and they won't come back.

Restoration. So now that we pulled everything out, or almost everything out hopefully, we have to go back and look at what can be done to bring back this area so that we're not looking at patches of dirt. This is pictures from a native regeneration project. What happens is, in a lot of these areas -- this was the Long Pond Greenbelt, fragmites, which is a big grass which -- reed, which grows along, sorry -- which grows along the coastal areas choking out native plants. It really -- you'll see some pictures later on. Over a three year period, the Nature Conservancy, the Town of Southampton, DEC did a removal project there and what we found there and in many other places, and Karen Blumer can talk about this a lot more.

What we found is that underneath this huge mat of invasive plants, the native seeds are still sitting down there, literally suppressed, but they're down there still. So when you remove the native plants and the area around it is still in good shape, the native plants will just come back on their own, which is fantastic. Because you know you're getting literally the native plants from that exact habitat growing back in its own place. And this is a project. You can see the pictures here, again from the left they're starting to come back. And you can see people monitoring and counting on the new species as they come back to this area. Very exciting to see this happen. It does take time, but it's very exciting when it happens. And, of course, it's in some ways cheaper because that means you're not paying for new plants to be putting in there.

It's also nice because these are one of the things which we advocate for is native plants, which are a local genotype, not a native plant, which was grown in Pennsylvania, which will have slightly different structure. Means nothing to me, as a non-scientist. But as a scientist you're telling me it's very important that we try to keep our plants truly native to Long Island. And this kind of a project really does keep them -- the native seed bank going.

For when the native seed bank is not possible because it's just been too long, it's surrounded by areas which are not in good enough shape to bring back the native seed bank, native plants, we, of course, use natives from where we can or non-invasive alternatives is a great option.

And, you know, we are looking at different, you know, growing zones. It's got to be able to meet the needs of the local area. It's got to be -- if it's {culterart} it's got to be truly sterile. And, you know, there are criteria for what should be used in these kinds of areas, which are a necessary part of restoration. Now that that's all done, the hard work is done, it seems we have to go back and monitor every year for a few years at least to make sure it really is gone.

This is the Long Pond Greenbelt slide. And if you go to the top, you can see -- see that thick broad band, that's fragmites on the top. See that little dog there? It is so overgrown there, the water is no longer water, it's like a thick marsh mat of fragmites. So the pond is basically gone at this point. Here now, after a few years of treatment from 2002 to 2005 you can see the fragmites dying back. You can see the native plants coming come back in. Again fragmites stand getting smaller and smaller. And you can see on the very bottom fragmites is down to just a few plants. And you can see the wide range of bushes and trees, which are coming back. You can't tell here but you'll see it in a later picture, as the fragmites is removed and the -- that thick mat of old frag is slowly washed -- erodes and washes away, the water level is able to drop down again and the water -- the pond truly does become a pond again. Not just kind of a marshy mess.

Education. Trading Weed Watchers. Weed Watchers is a Nature Conservancy program. It's volunteers that we send out into the field to help us identify, map and pull weeds. Volunteers and the public education are key to any program in the County, as well as every other group that we work with. Part of public education, of course, is working with the public on what they should not be planting, but also what they should be planning. And there's some great books out there called -- one of them is *Native Alternatives for Invasive Ornamental Plant Species*, which was put together by the University of Connecticut. And it targets what are the biggest plants used in the landscaping industry by landscapers and gardeners, I should say. Sorry. So on the top you can see like purple {loustrife} of {automolive} is the invasive. And then they have the native alternatives coming down so that -- similar characteristics, similar land types will accept these plants. And very pretty pictures, so everyone can kind of go, they get an idea of what they're getting so it's not some kind of some plant, which they're not going to want. It may be native, but if they don't it, its not going to work.

Research. There's always a need for more information about what are incoming species. What are the best way of getting rid of old species. Restoration methods, you know -- and research can go from very low tech as you can tell from this hand drawn map of a coworker of mine who is -- who literally hand drew on a piece of paper the transects of where frag was seen, where it was removed, and the percent cover of native vegetation. And you can go from very low tech, but effective, to

something much more eye catching like this where on your left you can see the original source of planted Norway Maple and then the spread of the Norway Maple into the transects, moving into the right just through seeds of the Norway Maple.

And success, means return of native species. Diversity of plants and animals. And of course, success means restoring our shorelines, our waterways. This is the Long Pond Greenbelt thing, where you can see on the upper slide, very thick marshy. People are literally standing in the middle of what used to be a pond. And in the lower slide, people are able to boat again. And of course I don't want to underplay the success in this case took three years of management, early detection, rapid response, monitoring, and a lot of dedicated staff. And we look forward to the task force's report being implemented, not just showing up on your -- in your bookcases. Thank you. If you have any questions please let us know.

CHAIRPERSON VILORIA-FISHER:

Alpa, I just wanted to clarify a couple of things. Thank you very much. That was a very good presentation. And this was a very -- excuse me. I think I'm catching it already. I'm not even sitting near you. This was a very hard working group. And there was a great deal of knowledge that was brought to the table. I heard somebody's voice at the horseshoe saying, boy, there are a lot of species on the list. But if you look at pages 55 and 56, there's a do-not-sell list. However, most of the plants that are on the do-not-sell list are actually not currently sold in Suffolk County.

MS. PANDYA:

Yeah. Out of --

CHAIRPERSON VILORIA-FISHER:

But this is just a kind of preventative measure so that we know what the invasives are, what's dangerous. And so we -- we're saying they shouldn't be sold even if there -- we're not banning them, that are actively being sold, you know, in other words, this isn't just --

MS. PANDYA:

Out of the approximately 60 species on the do-not-sell list, we figure and after speaking with a plants seller actually, also, there's probably about a dozen plants which are actually sold at this time in nurseries. We added a lot more species partially to -- what we found in nearby states is even though a lot of these plants, like giant hogweed in not commonly sold, it's on the federal list. It's very noxious. We wanted to put it on that list because we know most homeowners are going to see that list. And if they see the management list, I don't know how they would, because only the do-not-sell list is probably what most people will know, but if they saw two lists, most people will say well, the ones on the management lists aren't really that bad. So it's okay for me to buy these. The do-not-sell ones are the really bad plants. And we're like no, no. The ones on the do-not-sell are very bad plants. Even if you -- they're not commonly sold. We don't want people buying them or, you know, if they go visit their aunt in Pennsylvania and pick them up there because they saw it at their aunt's yard and think well, purple {loustrife}, what a great plant. I think I'm going to take a cutting and take it back to Long Island. You know, we want people to be educated and say, oh yeah, yeah, no I heard that this is a bad plant and it's on our do-not-sell list because it's a very bad plant. And we should not be bringing it into Long Island.

CHAIRPERSON VILORIA-FISHER:

And another thing that you touched on and, of course, there's not enough time to really go in depth into the discussions is the coordination. We want to be certain that when we're talking about highway vegetative strips, you know, where DPW is doing some work -- this came up in CEQ, this sound wall that's being done in Legislator Kennedy's district. And when DPW came before CEQ, I noticed in the landscape design some of the plants I had just seen the day before in my invasive species task force.

So that coordination among the department is very important. And so this will be -- this list will be available for CEQ so that when CEQ is doing evaluations of Department of Public Works projects or,

you now, the Parks Department will also have the list. So it's very important to that have coordination within a County government.

So are there are any other questions or comments? It's a lot to digest. And it's a big report but I think the work that was done is very important work. Legislator Romaine.

LEG. ROMAINE:

Very quickly. Are you -- on the basis of this report, are you making specific recommendations that the Legislature and/or Executive should take?

MS. PANDYA:

Yes. The task force does make those recommendations. There's two specific ones. There's many -- many non-Legislative solutions --

LEG. ROMAINE:

Right.

MS. PANDYA:

-- also in there. First is the creation of a permanent advisory board.

LEG. ROMAINE:

Okay.

MS. PANDYA:

Which would include members of the public or interested environmental or civic groups. And second is the creation of a list, which would be a do-not-sell list.

LEG. ROMAINE:

So prohibition list that --

MS. PANDYA:

A prohibition list. Yes.

LEG. ROMAINE:

With fines and penalties of some nature so that it could be enforced.

MS. PANDYA:

Yes. Yes, we are. I just want to add, of course, that the Legislative part of it is just a very small part it. And I hope you don't forget also about like, funding more people so it's not like poor Nick Gibbons out there trying to do 45,000 acres of weed pulling. You know, we do need more staff and resources. We need greater coordination, agencies talking to each other, talking to other agencies in other levels of government. I hope you do create an advisory board and do some of the Legislative side. But I hope you also strongly encourage, if not tell the County Executive and the people you work with on different levels of government that, you know, let's work better at this.

LEG. ROMAINE:

So, for example, we have a number of vacancies in our Department of Public Works. Some of those vacancies you would recommend being filled and dedicated to invasive species removal?

MS. PANDYA:

Yeah. This report recommends one new staff person or moving internally one person at DPW.

LEG. ROMAINE:

Right.

MS. PANDYA:

There's also an Environmental Stewardship Program at DPW, which should -- part of their job description should be invasives work. I'm not if it currently is or not. But that's what they're there to do, stewardship work on DPW. So I'd like to see them be that part of their -- part of their job description. And same thing with Parks Department, we recommend either hiring or moving internally four people or -- you know, again, I don't really care how these people get there. All I care is someone is doing invasives work.

LEG. ROMAINE:

Right.

MS. PANDYA:

And there's also seasonal positions, which would, you know, do the vast majority of the work because so much of this work is seasonal and would not --

LEG. ROMAINE:

Right.

MS. PANDYA:

-- create the same kind of financial burden to the County.

LEG. ROMAINE:

Maybe we could hire seasonal workers with fixed salary, hourly salary to do that. Let me ask you, I appreciate --

CHAIRPERSON VILORIA-FISHER:

Legislator Romaine, just to follow up on that as a member of the task force; we not only looked at that kind of staffing, which of course is very financially an effective way to do deal with this. Prevention is much less expensive than remediation, as was pointed out in the slides. But when we also talked about the legislation regarding the banning, I'm working with Joe Gergela from the Farm Bureau the other people from the industry on this as we develop the legislation on the ban. And having conversations, we were just in my office this week discussing that legislation on the do-not-sell list. So we're moving forward on that. But the education piece is very important too. And we can't discount those pieces of the Invasive Task Force's work.

MS. FIDAO:

May I?

CHAIRPERSON VILORIA-FISHER:

There's somebody else who wants to answer your questions. Wendy Fido.

MS. FIDAO:

No. Why don't you finish. I'd like to make a statement {inaudible}.

CHAIRPERSON VILORIA-FISHER:

Okay. Go ahead, Legislator Romaine.

LEG. ROMAINE:

My -- I only have one additional question. Have you had an opportunity to discuss your recommendations with the County Executive?

MS. PANDYA:

Yes. We -- one of the -- sorry, not directly with the County Executive, no. I've not spoken with him. One of the task force members was to Mike Deering who attended, I believe, most of the task force meetings himself; and the ones he didn't, he sent somebody.

LEG. ROMAINE:

Right.

MS. PANDYA:

So they do have the report.

LEG. ROMAINE:

Unfortunately, Mike is no longer part of County government.

MS. PANDYA:

Yes. And we have sent -- now that Ms. Gallagher has joined the County Executive's staff, she has had a report. And she's -- I've also spoken with her before today, to make sure that she's on, you know, as much as, you know, the poor woman is obviously completely flooded with information right now. But trying to get her the information as quickly as possible so she -- yes, they have seen it and we're talking with them about this stuff too.

LEG. ROMAINE:

Just a cursory --

CHAIRPERSON VILORIA-FISHER:

This was a -- I'm sorry, Legislator Romaine, just to answer again the question. This was the first point of the report. The Legislature is where the report should come first. And so the appropriate place is for them to come here -- for us as a task force to present the report to the Legislature and then to the County Executive's office.

LEG. ROMAINE:

I do appreciate it. And obviously just a cursory review of the report shows that you've done a great deal of work and put a lot of thought, time and effort into it. I would strongly recommend and I appreciate you coming to this committee and sharing your findings with us. I would strongly recommend that you bring this to the County Executive or one of his Chief Deputies so that your plan can be implemented while we can fill positions or direct positions for this. I mean we can't fill positions but we can direct positions in this. It's up to the County Executive to make sure that that is done. And you certainly want to engage him and get his cooperation. Thank you.

CHAIRPERSON VILORIA-FISHER:

I believe, Wendy Fidao, you wanted to --

MS. FIDAO:

I'm Wendy Fidao. I'm Chairperson of the Friends of Flax Pond. We are a civic group. We are the civic -- kind of civic group that the Nature Conservancy, I think likes to work with. Our mission is --

CHAIRPERSON VILORIA-FISHER:

We like to work with everyone.

MS. FIDAO:

We do, too. We began as a group of community members, neighbors who noticed that our local salt marsh, Flax Pond in Old Field Village was becoming very deteriorated. And to make a long story short, we decided to form an organization. We're now a 501C3. But what we do is we organize community volunteers to come into the marsh and work under the supervision of academic scientists from Stony Brook, Cornell, C.W. Post, all the local higher education institutions.

It's a way that we raise -- we raise consciousness about the environment by having people do hands on work. And plus they get to have fun being in the salt marsh and working around with all the wildlife species. And we have -- so we have now expanded. We also do -- have projects over at West Meadow Beach. So that's just some of our background.

Fragmites is definitely an issue in the salt marshes. And if you want to get a firsthand -- well, I'm

glad that Alpa brought it up. She gave you some very good photographs. But we now have some very small stands of fragmites in Flax Pine. If we let those go, we will lose our habitat. Eventually it will take over the {spartina} grasses. Without {spartina} grasses you won't have the mussels, the clams, the crabs, all the things that people love about being by the seashore. And I took a look over at Setauket Harbor and there are portions there that have become a jungle.

All right. The point I wanted to make is to really support the notion of appointing an advisory council because when you go into an issue like fragmites, it's not just pulling weeds and replacing them with something else. But fragmites occurs where the salinity is weakened -- and I'm talking about the salt marshes now. Fragmites will be both in saltwater habitats and freshwater habitats. But they come where the land has been disturbed or disrupted.

So that means that in -- when you're doing research on a invasive species like this, you end up dealing with things like storm water runoffs, storm drains, local civic projects. It becomes a complicated problem. It's not just, you know, I mean it would be great if were just getting the neighbors to go out and pull weeds. But public education is a big part of it in Flax Pond. The DEC owns part of the property -- most of the property. But the biggest stand of fragmites is on private property. And it's a matter of reaching the public. So it's a multi-faceted job. And I just wanted to say how much I appreciate serving on this task force. And I think Alpa's done a terrific job. And I've learned a lot from all the members here. And thank you for listening.

CHAIRPERSON VILORIA-FISHER:

Thank you Wendy. Karen. Karen Blumer.

MS. BLUMER:

Yes. Karen Blumer. I'm not sure if all of you realize how invasive invasives are. But many of our county parks, state municipal parks, are truly overrun with invasives. And probably many of your yards are also, although you may not know it. But I noticed that most of the agenda today is -- deals with acquiring new lands. And it's great to acquire them. But after we acquire them, we really need some way of monitoring and looking to make sure they keep their bio-diversity if that's what they have originally. So it is really a major problem.

I just wanted to address two aspects of the report. Because after we remove the invasives, there is the issue of what do we do then. And it sort of follows up with what Wendy just said. When we go out and for example, look at a -- at an invaded piece of property, it really -- we need to be training people. And hopefully it might be part of the training that would come out of this report, to assess a site to say how would we really treat the fragmitis or the invasive plant? Because as Alpa suggested, there's often a real seed bank. We say the soil has a memory. And for those sites we might not want to take heavy equipment in. We might not want to use glyphosates or toxic chemicals, but we need somebody to -- who's trained to evaluate, will this site restore itself if we do X, Y or Z? Very important.

So we did discuss the follow-up. Sort of -- some of us, we had a prolonged discussion that did finally get into the report. And is important; that instead of running out and getting natives, just buying them from nurseries, we really -- part of this whole process is to evaluate which sites would self-restore themselves, which will be probably less money in the end. And much more ecologically diverse.

And there's a second part to the report that is I think buried probably toward the end, although Alpa knows. It's a recommendation that began -- you saw the -- what -- 50, hundred whatever cubic yards of invasives after we removed them. The idea of possibly developing an invasives to bio-fuels program. That might even help pay for the training program, provide fuel for county cars; whatever. So that was just put in as a suggestion and hopefully that might be followed up on.

CHAIRPERSON VILORIA-FISHER:

Thank you Karen. Any other comments? From -- yes, Legislator Romaine.

LEG. ROMAINE:

Very quickly. Would you recommend that for example, the Parks Department because the County owns several hundred parcels totalling several tens of thousands of acres, hire at least one full-time person to begin an evaluation of all the lands the County owns, the open space, Greenways, etcetera, that the County owns to make a determination like a qualified person that would be able to make some determination of how to treat these invasives species?

MS. BLUMER:

Well, Nick could probably address that better. He might say ten instead of one. But certainly, yes, there should be some real expertise. Somebody who can evaluate that for the Parks and then coordinate -- if we have a group come out of the -- this report, definitely. I would say that's a really important first step.

LEG. ROMAINE:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Any other comments from up our speakers? Thank you very much.

MS. PANDYA:

Thank you.

MS. BLUMER:

Thank you.

CHAIRPERSON VILORIA-FISHER:

It's been truly a pleasure to sit on this task force with you. I too have learned a great deal and have been impressed by the very hard work and dedication of the members of the task force. So thank you. Thank you for the report. And it will not just go on a shelf. This will -- these recommendations are important and we will follow-up. Thank you very much.

MS. PANDYA:

Thank you.

MS. BLUMER:

Thank you.

CEQ RESOLUTIONS

CHAIRPERSON VILORIA-FISHER:

We will be moving to the agenda. I'm sorry. We will be going to Jim Bagg, CEQ. Thank you Alpa, nice job.

Oh, the colored version is much prettier.

Jim, before you begin, I just want to thank you, Jim, for the terrific work you've been doing. Jim is the staff member who is -- sits on CEQ and I'd really like to thank him. Our CEQ meetings this month, have lasted six and seven hours a piece. And we sit there. And there is no break for lunch. Some of us get up and use facilities. Jim just sits there the whole time. And I just want to thank our stenographers certainly. I know what it's been like. We did have a very long meeting on November 9th. And then we had another very long meeting just last Wednesday. And they are six or seven hours straight. And it's complex because we are discussing primarily vector control. And as you know those are very complex issues. And, no, we don't all yawn when we do it. But I want to thank -- but I do want to thank Jim because you're a great resource and you're patient and you sit there

all those hours. Thank you.

MR. BAGG:

Okay. Thank you very much for the accolades.

Basically the first resolution before you from the Council is, **CEQ resolution 111-06, (Proposed SEQRA Classifications of Legislative Resolutions Laid on the Table on November 21 and December 5, 2006.)** This is their recommendations for the Legislative packets from November 21st and December 5th. It's fairly pro forma. The CEQ's recommendations, basically Type II action.

CHAIRPERSON VILORIA-FISHER:

There's a motion by Legislator Losquadro. Seconded by Legislator D'Amario. All in favor? Opposed? **(APPROVED VOTE: 5-0)** Okay. We'll just say same motion, same second on these if that's okay with the people. Jim?

MR. BAGG:

The next resolution before you is CEQ resolution **112-06, The Proposed Construction of a Sanitary Facility at Indian Island County Park, CP #7009, Town of Riverhead.** Council recommends a Type II action because it's construction of a facility and ancillary to existing facilities and less than 4,000 square feet.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number **113-06, Is for the Proposed Renovation and Construction of Facilities at Gabreski Airport, (CP #5702, Town of Southampton).** This is -- involves the replacement of the sidewalks at the airport administration building. Council recommends a Type II action.

CHAIRPERSON VILORIA-FISHER:

And I did just want to put on the record, and for the edification of members of the committee that none of this is in the pine core -- a Pine Barrens core area. Same motion, same second, same vote. **(APPROVED. VOTE: 5-0)**

MR. BAGG:

CEQ resolution **114-06 is Proposed Aviation Utility Infrastructure at Gabreski Airport, Capital Project 5734 in the Town of Southampton.** Project involves the upgrading of underground utilities. Electric, water, telephone, gas and sewer along the existing roadways. And increasing the lane width along one roadway from ten to 12 feet. Council recommends that it's an unlisted action that will not have an impact on the environment for the following reasons. None of the SEQRA criteria will be exceeded. Proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated in the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code. Parcel does not appear to suffer from any severe environmental developmental constraints. The action is in conformance with the 1990 Airport Master Plan approved by the Suffolk County Legislature in 1991. The project provides sewer service in the northern portion of the airport as required by Legislature in 1991. And the project is also in conformance with the 1992 Long Island Comprehensive Special Groundwater Protection Plan, the 1995 Central Pine Barrens Comprehensive Land Use Plan as well as the 1970 and 1999 Town of Southampton Master Plans.

CHAIRPERSON VILORIA-FISHER:

Thank you, Jim. Same motion, same second, same vote. **(APPROVED VOTE: 5-0)**

MR. BAGG:

The next resolution is CEQ resolution **115-06.** It's the **Proposed Relocation of Existing Maintenance Facility at Gabreski Airport, Capital Project 5733, in the Town of**

Southampton. Project consists of relocating existing maintenance facility from its former location in the proposed industrial park area and constructing a 6,074 square foot maintenance building on .67 acre site in the southern portion of the airport. Council recommends an unlisted action, negative declaration for the reasons so noted in the previous resolution that I read here.

CHAIRPERSON VILORIA-FISHER:

And I also just want to put on the record regarding these several resolutions on Gabreski that they had all been approved in the master plan that had come to the Legislature. And that had been approved back in 1992. And so there's no segmentation here although they all seem like separate actions.

MR. BAGG:

Right. That is correct. And every -- actually every master plan that has been adopted at the town level as well as the state level, which is the Pine Barren's Plan as well as the Special Groundwater Protection Plan, all call for development at the airport because of its previously disturbed nature and preserving other areas surrounding the airport such as in the Pine Barrens.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

Resolution **116-06**, Is the **Proposed Airport Obstruction Program at Gabreski Airport, Capital Project 5732, Town of Southampton.** The project involves the removal of approximately 18 acres of trees in the center of the air field adjacent to runway 1533 as required by FAA for safety purposes. Council recommends that it's a Type I action because it exceeds ten acres in size that will not have an impact on the environment for the following reasons as so noted previously. This area is in the compatible growth area. Although the trees will be removed, they'll be replaced with grasslands. This is also an important habitat within the Pine Barrens as identified by the Pine Barrens Commission. And Larry Penny at the CEQ meeting noted that. So the Council recommends it's an unlisted action, negative declaration.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution **117-06**, is the **Proposed Acquisition of Land for Open Space (Preservation) Purposes Known as the Mastic/Shirley Conservation Area II Addition, Ferrieri Property in the Town of Brookhaven.** The project involves the acquisition of .181 acres of land for open space preservation purposes. Council recommends an unlisted action, negative declaration for the following reasons. It will not exceed any of the SEQRA criteria and the property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreational purposes.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ Resolution number **118-06**, is the **Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition, Fischetti Property in the Town of Brookhaven.** Council recommends an unlisted action, negative declarations for the same reasons noted before.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number **119-06** is **Proposed Acquisition of Land for Open Space Preservation (Purposes) Known as the Mastic/Shirley Conservation Area II Addition, Nielsen Property in the Town of Brookhaven**. Council recommends an unlisted action, negative declaration for reasons so noted.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number **120-06**, **proposed Acquisition of Land for Open Space (Preservation) Purposes Known as the Smith Road/AVR 123 Property in the Town of Brookhaven**. Project involves the acquisition of 296.6 acres of land by Suffolk County for open space preservation purposes. Acquisition of more than a 100 acres is a Type I action. So the Council recommends that it's a Type I action for the same -- will not have an impact in the environment, same reasons so noted.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number **121-06**, **proposed Acquisition of Land for Open Space (Preservation) Purposes Known as the Fresh Pond/Dickerson Creek, Dickerson Property in the Town of Shelter Island**. Council recommends an unlisted action that will not have an impact on the environment for the reasons so noted previously.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number **122-06**, **proposed Acquisition of Land for Open Space (Preservation) Purposes Known as the Amsterdam Beach (County) Park Addition II, Estate of Weisz Property in the Town of East Hampton**. The project involves the acquisition of 26 acres adjacent to the shore. Council recommends an unlisted action for the reasons so noted.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

And CEQ resolution number **123-06** is the **proposed Acquisition of Land for Open Space (Preservation) Purposes Known as the River Club Property in the Town of Riverhead**. **This is -- involves the acquisition of 17.6 acres of land for open space preservation purposes**. Council recommends an unlisted action, negative declaration.

CHAIRPERSON VILORIA-FISHER:

Same motion, same second, same vote. **(APPROVED. VOTE: 5-0)** Thank you very much, Jim. Okay. Now we will move to the tabled resolutions.

TABLED RESOLUTIONS

CHAIRPERSON VILORIA-FISHER:

Good morning.

DIRECTOR ISLES:

Good morning.

CHAIRPERSON VILORIA-FISHER:

We'll go to **IR 1878, (Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Jill Estates property,) Town of Huntington (SCTM No. 0400-249.00-04.00-019.000 & 0400-263.00-02.00-072.000) (Stern) Legislator Stern?**

LEG. STERN:

Yes. That you. We are continuing to work with the Town of Huntington. We may be looking at another program as well. So at this point I would offer a motion to table.

CHAIRPERSON VILORIA-FISHER:

I'll second that motion. All in favor? Opposed? **1878 stands tabled. (VOTE: 5-0)**

IR 1979, (Authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program, Terrell River/Havens Estate property-Town of Brookhaven). (Romaine) Legislator Romaine?

LEG. ROMAINE:

Yes. I'll make a motion to table for the purposes of discussion.

CHAIRPERSON VILORIA-FISHER:

I'll second that motion. All in favor? Well, you want -- on the motion? Go ahead.

LEG. ROMAINE:

Thank you. Thank you very much. I'm happy to see that this is finally coming to a conclusion; that in resolution 2462 the County Executive is proposing acquisition of this parcel using the exact same program that I suggested, that I was criticized for, that I was told it was the wrong program, that it was not right. And yet the same program is being used by the County Executive. I point this out because I fully intend to support and cosponsor the County Executive's resolution, but clearly I point this out, kind of as an education to people around this horseshoe, that some of the proposals that are put forth by the County Executive or some of the statements tend to be disingenuous. Thank you.

CHAIRPERSON VILORIA-FISHER:

Hadn't there been an original resolution before your resolution?

LEG. ROMAINE:

Yes, and there was a previous resolution that had stalled. There was no activity on the property for over three or four years. It was using a totally different program. I came up and suggested it -- using the standard established by the County Executive; introduced another planning steps resolution to revive this effort using the program that I suggested, which was the New Suffolk County Drinking Water Protection Program. But I'm happy to see that it's done nevertheless despite the polemics that sometimes get involved and the disingenuous comments that are sometimes made to this Legislature.

CHAIRPERSON VILORIA-FISHER:

Mr. Isles? Oh, oh, Mr. Zwirn.

MR. ZWIRN:

Madam Chair, if I might interject just a second. This is a duplicate. Legislator Romaine's planning steps resolution was a duplicate of the one that was originally adopted. We said at the time that it was unnecessary.

LEG. LOSQUADRO:

Madam Chair, point of order.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. LOSQUADRO:

I'm sorry. No, point of order. Did you or anyone else make a request of information from Mr. Zwirn?

CHAIRPERSON VILORIA-FISHER:

Well, actually I was asking Mr. Isles. And Mr. Zwirn is clarifying. So --

LEG. LOSQUADRO:

Well, I'd appreciate in --

CHAIRPERSON VILORIA-FISHER:

-- it's in order.

LEG. LOSQUADRO:

-- the future if you could make a request of Mr. Zwirn prior to him offering commentary.

CHAIRPERSON VILORIA-FISHER:

Well, I had made a request.

LEG. LOSQUADRO:

No. Actually you did not.

CHAIRPERSON VILORIA-FISHER:

Okay. He's in order. Go ahead, Mr. Zwirn.

LEG. LOSQUADRO:

Just point of order.

CHAIRPERSON VILORIA-FISHER:

Go ahead Mr. Zwirn.

MR. ZWIRN:

Thank you. But the fact is, this is a duplicate resolution. At the time, Mr. Isles, the Planning Department said it was unnecessary. And that's why it was tabled. And the property's being purchased because originally we said it was unnecessary.

CHAIRPERSON VILORIA-FISHER:

That was my recollection.

MR. ZWIRN:

And we were -- and it was borne out by the facts.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you. That was my recollection. Okay. There's a motion to table and a second. All in favor? Opposed? 1979 stands tabled. **(VOTE: 5-0)**

IR 1980, (Authorizing planning steps for acquisition under Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Governale Property, Town of Brookhaven.) (Romaine) Legislator Romaine.

LEG. ROMAINE:

Motion to table.

CHAIRPERSON VILORIA-FISHER:

I'll second that motion. All in favor? Opposed? IR 1980 is tabled. **(VOTE: 5-0)**

IR 2096, Authorizing planning steps for acquisition under Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks fund, Froelich/Wicks Farm Preserve property, Town of Huntington.) (Cooper) The sponsor has asked that this tabled. I'll make that motion. Seconded by Legislator Stern. On the motion?

LEG. D'AMARO:

Is there an update or a status on this? I apologize if we went over this at the last committee meeting. But where are we at with this right now?

DIRECTOR ISLES:

Okay. My understanding on this is that the sponsor is speaking with the town and determining if there's a town interest in participating with this or not.

LEG. D'AMARO:

Okay. That's fine. Thank you.

DIRECTOR ISLES:

You're welcome.

CHAIRPERSON VILORIA-FISHER:

Okay. There's a motion to table and a second. All in favor? Opposed? **IR 2096 is tabled. (VOTE: 5-0)**

IR 2169, Authorizing planning steps for acquisition under the Suffolk County Multifaceted Land Preservation Program, Manngard/Kleet Revocable Trust property, Town of Brookhaven. (Schneiderman) I will make a motion to table.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro. All in favor? Opposed? **2169 stands tabled. (VOTE: 5-0)**

2240, Authorizing planning steps for acquisition under Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Toppings Farm property, (Town of Brookhaven.) (Romaine) Legislator Romaine.

LEG. ROMAINE:

Yes. I'm going to make a motion to table. If I can make a brief comment. This resolution --

CHAIRPERSON VILORIA-FISHER:

Let me just get a second on that.

LEG. ROMAINE:

Okay. Sure.

CHAIRPERSON VILORIA-FISHER:

Legislator Losquadro.

LEG. LOSQUADRO:

Second.

CHAIRPERSON VILORIA-FISHER:

Go ahead.

LEG. ROMAINE:

Okay. I'm making a motion to table this because the Town of Brookhaven originally brought this to my attention. Apparently they were supportive of this. And I am waiting for them to come forward so that they can come to this Committee or provide written indication on this. This is brought to us by Heather {Lonza}. And in fact, just recently, and I want to say this for the record, Councilwoman Bissonette indicated to me the desire to acquire this property as part of an overall plan to try to preserve land along the County 51 corridor. Thank you.

CHAIRPERSON VILORIA-FISHER:

There's a motion and a second. All in favor? Opposed? **IR 2240 is tabled. (VOTE: 5-0)**

CHAIRPERSON VILORIA-FISHER:

IR 2267, it -- the sponsor has indicated to me that he has made a number of changes. But we haven't -- there's no corrected copy available yet. So I'm going to Counsel to explain to us what the changes are that he has made. I think he made an effort to respond to the issues that were raised here at this committee. And I would like to see this discharged out of committee but I need clarification. Oh, he hasn't filed yet. Okay.

MR. NOLAN:

No, it has not been filed yet. The changes that he's requested, I believe, he's going to add two additional members to the committee. And also establish a longer timeline for the Committee to report back.

CHAIRPERSON VILORIA-FISHER:

And the members -- the additional members are from the industry, is my understanding.

MR. NOLAN:

That is -- that's my understanding as well.

CHAIRPERSON VILORIA-FISHER:

And that was a request that we had made in this Committee.

MR. NOLAN:

And we will be making those changes. We have until 5:00 pm today to make those changes. It would be eligible for a vote on Tuesday.

CHAIRPERSON VILORIA-FISHER:

Because of the time and the season, because it is December, I would like to make a motion to discharge without recommendation pending the changes that are made. Do I have a second on that? Would you -- Legislator Losquadro?

LEG. LOSQUADRO:

I know we've -- I guess for the purposes of discussion, I'll make a motion to table.

LEG. ROMAINE:

I'll second that. Second.

CHAIRPERSON VILORIA-FISHER:

Okay. There's a motion to table and a second.

LEG. LOSQUADRO:

This is a -- I think something that's very worthwhile. We've discussed it before. Simply adding two additional members and changing the timeline I'm -- without looking at it in depth and having the chance to review the legislation, I don't think I'm comfortable with putting this up for a vote before the full Legislature at this point. I would like to see those changes come back before this

Committee, have a chance to review it. And if necessary, speak to the sponsor and have him -- at least have the opportunity to make additional revisions at that point prior for it going up to a vote. So, again, I think it's worth while and that we should be working towards, but I don't think it's ready to go before the Legislature at this point.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator Stern.

LEG. STERN:

Thank you. I would just wonder how long it would take to make these suggested changes. And whether or not it would be possible to distribute an amended copy to members of this committee, you know, days in advance of the meeting coming up on Tuesday. I leave it to you -- what kind of time are we talking about?

CHAIRPERSON VILORIA-FISHER:

They have to be filed today. There's a deadline today.

MR. NOLAN:

Yes.

CHAIRPERSON VILORIA-FISHER:

And so they would have to be filed. And I believe from the sponsor, that he has every intention of having those changes filed today. And that that's why I made the motion to discharge without recommendation. Legislator Losquadro's point are well taken; that this is a very important piece of legislation and there's some complexity to it. But I believe that the basic structure of the legislation is sound. And I support it. And we did suggest that he add members of the industry, which I agree is a very important addition to it. And I'm comfortable with it, with those changes and with the increased timeline. So it's -- I don't have a second on the discharge. There is a motion on the floor right now to table.

LEG. STERN:

Which will take precedence. But I'll second, Madam Chairwoman, your motion. If the basic structure is sound and -- but are -- there is going to be sufficient time for not only members of this Committee, but the entire body to review those changes prior to the upcoming meeting, then I'll support a discharge without recommendation.

CHAIRPERSON VILORIA-FISHER:

And if we're not comfortable with it next Tuesday, then certainly it could be voted up or down. Well, there's no record of it because he hasn't filed it yet. The changes are that he's adding two new members and they would be members from the utilities so that you have the industry on board. Yes, Legislator Losquadro.

LEG. LOSQUADRO:

I think this is the -- exact to the point. We are sitting here trying to explain to each other what somebody's changes might be. The difficulty of having this Committee on this Monday is that it is in advance for the filing deadline for amended copies. And I apologize for the voice. But we have the Committee process to vet out these concerns we may have with pieces of legislation. And I think this piece of legislation will be well served to allow us to look at it through the committee process. As we have continued, and have made some recommendations based on what we saw initially, but there may be additional recommendations as it approaches something closer to what may or may not be its final form. So again, I think the committee process works well especially for something of this complexity. And we should maintain that this should stay in the Committee until such time as it's -- we have a chance to review in its final form.

CHAIRPERSON VILORIA-FISHER:

We also don't to penalize Legislators who are filing amended copies and have a deadline which is this

afternoon. And hopefully next year we will set up the structure of the committees so that we don't run into this problem. But I don't want to hold up the legislation being that the filing of the corrected copy will be done in a timely manner. I don't want to hold it up because our meeting occurs before that filing time. Legislator D'Amaro.

LEG. D'AMARO:

Through the Chair, just to Legislator Losquadro, your concerns not so much as who's being appointed to the board but more substantive as to how the committee's going to function or what its mandate is going to be?

LEG. LOSQUADRO:

To be perfectly honest, without having seen a final form of the bill, I raise some of the concerns that I had but haven't really put the time into this bill that I would of had I known that we were going to be looking at something that was in its final form, that we would be voting it out of this Committee for consideration by the full Legislature. So I'm not sure what may or may not come to pass in terms of questions that I may raise because I haven't reviewed it in a form that I felt I would voting as a member of this Committee for consideration before the full body.

LEG. D'AMARO:

All right. I tend to agree that this is, with the Chair that this is very important legislation. It is certainly a goal that we need to set as a County and we should be studying these things. And I don't think it's asking all that much to see the legislation in its final form given the level of importance it's going to ultimately carry. So I would tend to support the tabling motion.

CHAIRPERSON VILORIA-FISHER:

Legislator Stern.

LEG. STERN:

Thank you, Madam Chair. I think Legislator Losquadro makes a very important point. Critical legislation. Very technical in nature. And although it's good to see that the Committee process does work, because I think that at the recommendation of Legislator Losquadro and others of this Committee the changes as recommended are being changed. But if you think that that more time needs to be devoted to it, that there might be other significant changes that might be made if its given one more cycle, then I would support that.

CHAIRPERSON VILORIA-FISHER:

Well I don't believe that the changes are other than those that have been represented. And we have had this piece of legislation before us. This is the second cycle that we have had it before us and none of the substantive changes have been made. However, because of one point that was made by Legislator Losquadro that he -- not anticipating the changes to be before us today, you haven't taken the hard look that you would prefer to have taken before voting it out. Of course we would have the opportunity before Tuesday to look at it. But what we would not have is the discourse as members of the Committee. We do have before us a motion to table and a second. All in favor? Opposed? Motion stands. Okay. 2240 -- I'm sorry **2267 is tabled. (VOTE: 5-0)**

And this is the end of this year and I hope that we will have this before us in the following year. As we all know, and I'll put this on the record again, since 2001 I have had legislation to try to cap the carbon levels in Suffolk County. It's really critical that we move on this. We -- every year that we delay, we are causing serious damage to our environmental health.

IR 2283, Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Zimmerman property, (Town of Brookhaven.) (Losquadro)

Legislator Losquadro.

LEG. LOSQUADRO:

Based on the information that we received at the last meeting, I still don't have a sufficient level of

comfort with this, that we're not just providing for the preservation of someone's estate or yard. I would like to maybe discuss some options with Planning or Real Estate as to maybe something we could do with this. In its current form, I'm going to make a motion to continue to table.

CHAIRPERSON VILORIA-FISHER:

Okay. I'll second the motion. All in favor? Opposed. 2297 (sic) **(2283) stands tabled. (VOTE: 5-0)**

2353, Authorizing planning steps for implementing Greenways Program, I'm sorry. 2297 Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Robbins property, (Town of Brookhaven.) (Lindsay) I believe the sponsor asked that this be tabled. There's an issue with DPW and condemnation. And I believe that the sponsor indicated that at this point it should be tabled? Has there been -- he wasn't certain if Planning had broken out the piece that wasn't under consideration for condemnation. Okay. So I will make a motion to table.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro. All in favor? Opposed? **2297 is tabled. (VOTE: 5-0)**

2353, Authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands for the Giambanco property (Town of Brookhaven). (Romaine) Legislator Romaine, I believe that we wouldn't be able to pass this because we won't have any ability to spend the Greenways monies on this.

LEG. ROMAINE:

I'm making a motion to table for several reasons. One because --

CHAIRPERSON VILORIA-FISHER:

I'll second the motion --

LEG. ROMAINE:

Right.

CHAIRPERSON VILORIA-FISHER:

-- before we speak on the motion.

LEG. ROMAINE:

If I could discuss? Thank you.

CHAIRPERSON VILORIA-FISHER:

Sure. Go ahead.

LEG. ROMAINE:

The Greenways Program, as you say, may be running out of money. Also --

CHAIRPERSON VILORIA-FISHER:

Well it expires --

LEG. ROMAINE:

Right.

CHAIRPERSON VILORIA-FISHER:

-- December 31st.

LEG. ROMAINE:

Right. Also the situation is that we were looking to purchase -- this is the Dream Come True Farm in Eastport. We were looking to purchase this to have a place for handicapped kids to ride horses, etcetera, etcetera. The County Executive has brought forward another resolution, which I intend to cosponsor. I'm just looking for that -- on purchasing -- yes, it's --

DIRECTOR ISLES:

I think it was at the last meeting.

LEG. ROMAINE:

Oh. We moved it out of Committee and it was approved. So I'm definitely moving to table this. By the way I want to thank the County Executive for working with me, contacting my office, carefully monitoring this program and involving my staff. And my participation in it was very helpful. And then I'll just add with the words, just kidding. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. I was going to say, do I detect sarcasm here? Okay. 2396 has been previously approved. Oh, didn't we call the vote? Didn't we take a vote on that? I'm sorry. I thought I congratulated him and took a vote on that. I did. Yeah. No. 2396.

LEG. ROMAINE:

Was approved.

CHAIRPERSON VILORIA-FISHER:

Oh. I didn't call the vote on 2353. I apologize. There was a motion to table and a second. All in favor? Opposed? **2353 is tabled. (VOTE: 5-0)**

2396, we have approved earlier.

IR 2433, Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, St. James Protestant Episcopal Church property, Town of Smithtown. (Nowick) Tom?

DIRECTOR ISLES:

Okay. We had discussed this briefly at the last meeting. The question that we had primarily from the planning standpoint was, this is proposed for general parkland purposes. We wanted to get a little more information about specifically what was intended since that's a large category allowing a diversity of uses both passive as well active recreational uses. We note that the property's just west of Deepwells County Park. However, the parcel does have a house on it. It looks like a 1950's vintage Cape Cod. And then it has a former field area.

So at this point we feel we don't have enough information to recommend it to you. I did call the sponsor last week. I did speak to an aide and that aide was going -- did call me back. And we've been playing telephone tag. So I have not been able to speak with them directly about their concept for this.

The house itself actually might for work for an affordable housing program when I looked at it yesterday. But at this point, here again, there's too many unknowns from our standpoint. And I don't think the connection to Deepwells is that strong because it's across the street. It's -- this parcel's not, you know, adjoining open space directly to this piece and so forth. So it's just a question mark at this point.

CHAIRPERSON VILORIA-FISHER:

Okay. Counsel's indicated to me that there is a corrected copy in, which the house has been cut out.

DIRECTOR ISLES:

Oh, okay. Okay.

CHAIRPERSON VILORIA-FISHER:

And I should have --

DIRECTOR ISLES:

Well we didn't --

CHAIRPERSON VILORIA-FISHER:

-- informed you earlier. But how does that impact on the evaluation or the assessment of the property?

DIRECTOR ISLES:

Yeah. And it makes it even further removed from Deepwells. Very little road frontage. And there's a main driveway going out on the west side of the property, a very stately house at the end of the driveway. And that open space frames it on both sides. So in terms of the public purpose or benefit to County citizens, it certainly isn't clear to me how that would occur here.

CHAIRPERSON VILORIA-FISHER:

I'm going to make a motion to table based on your disinclination to really strongly support this. Do I have a second?

LEG. D'AMARO:

I'll second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro. All in favor? Opposed? Okay. **2433 is tabled. (VOTE: 5-0)**

IR 2434, To appoint member of County Planning Commission Valarie S. Manzo. (Co.

Exec.) Ms. Manzo did get in touch with my office that she wouldn't be coming this morning. So I will make a motion to table.

LEG. LOSQUADRO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Losquadro. All in favor? Opposed? **Motion is tabled. (VOTE: 5-0)** We'll go past the CEQ resolutions to the introductory resolutions.

INTRODUCTORY RESOLUTIONS:

2441, Adopting Local (Law No. -2006, A Charter Law strengthening Legislative oversight of real property donations and transfer of development rights.) (Stern) This has to be tabled for public hearing? Yes. Legislator Stern makes a motion to table. I'll second that motion. **2441 is tabled for a public hearing. (VOTE: 5-0).**

2446, with these I'll make the motion. And Legislator Losquadro will second. And we'll do a same motion, same second. I'll read the resolutions.

IR 2446, Making a SEORA determination in connection with the proposed construction of a Memorial for the Victims of the September 11 Terrorist Attack at the H. Lee Dennison Building, Town of Islip. (Lindsay) I'll make a motion to approve, seconded by Legislator --

approve and placed on the consent calendar. Seconded by Legislator D'Amaro. All in favor? Opposed? 2446 -- did I say D'Amaro?

LEG. D'AMARO:

Well first you said Losquadro.

CHAIRPERSON VILORIA-FISHER:

I am very sorry. As these meetings go on I confuse those names every time. But my children can tell you, I do it to them. **Approved and placed on the consent calendar. (VOTE: 5-0)** And that's Lou, is the second. Okay.

IR 2447, Making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Mastic/Shirley conservation area addition, Schaeffler property, Town of Brookhaven. (Lindsay) Same motion, same second, same vote. **(VOTE: 5-0)** Okay. Everybody Okay? All right.

IR 2448, Making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Mastic/Shirley conservation area addition, Downey property, Town of Brookhaven. (Lindsay) Same motion, same second, same vote. **(VOTE: 5-0)**

IR 2449, Making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Mastic/Shirley conservation area addition, Furniss property, Town of Brookhaven. (Lindsay) Same motion, same second, same vote. **(VOTE: 5-0)**

2450, Making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Mastic/Shirley conservation area addition, Schneider property, Town of Brookhaven. (Lindsay) Same motion, same second, same vote. **(VOTE: 5-0)**

IR 2451, Making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Mastic/Shirley conservation area addition Angelo Accardo, Donato Accardo, L'Hommedeieu and Lagrega property, Town of Brookhaven. (Lindsay) Same motion, same second, same vote. **(VOTE: 5-0)**

IR 2452, Making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Terrells River County Park area addition, Beggins property, Town of Brookhaven. (Lindsay) Same motion, same second, same vote. **(VOTE: 5-0)**

IR 2453, Making a SEQRA determination in connection with the proposed donation of property to Suffolk County Parks for Suffolk County Department of Health Services TDR requirement (File #S02-03-0128, Town of Brookhaven.) (Lindsay)

LEG. ROMAINE:

Excuse me. Before you call that?

CHAIRPERSON VILORIA-FISHER:

Yes.

LEG. ROMAINE:

Could I ask the Clerk to record me as a cosponsor for 2452, please?

CHAIRPERSON VILORIA-FISHER:

Okay. You know, this is just a SEQRA determination?

LEG. ROMAINE:

Yes.

CHAIRPERSON VILORIA-FISHER:

Okay. And you're okay with being the second on this? Okay. Same motion, same second, same vote on 2453. **(VOTE: 5-0)**

2454, Making a SEQRA determination in connection with the proposed donation of property to Suffolk County Parks for the Suffolk County Department of Health Services TDR requirement (File #S02-05-0111, Town of Brookhaven.) (Lindsay) Same motion, same second, same vote. **(VOTE: 5-0)**

2462, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - Open Space component - for the Beggins property, Terrell River, Town of Brookhaven (SCTM No. 0200-944.00-06.00-050.000). (Co. Exec.)

LEG. ROMAINE:

Motion.

CHAIRPERSON VILORIA-FISHER:

Motion by Legislator Romaine, seconded by Legislator Losquadro. And Legislator Romaine, did you want to be listed as a cosponsor or are you already on that?

LEG. ROMAINE:

No. I don't believe I am on anything that the County usually introduces.

CHAIRPERSON VILORIA-FISHER:

Okay. Counsel is saying that indeed you are.

LEG. ROMAINE:

I am? Oh, I'm surprised.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. ROMAINE:

I can point out several.

MR. ZWIRN:

It's always the case.

CHAIRPERSON VILORIA-FISHER:

Okay. All right. Being that as it may. All in favor? Opposed? **2462 is approved. (VOTE: 5-0)**

2463, Authorizing the acquisition of Farmland Development Rights under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Farmland component for the Conklin property (Breeze Hill Farm), Town of Southampton (SCTM No. 0900-049.00-01.00-008.007). (Co. Exec.) Motion to approve by Legislator Losquadro, seconded by myself. And is Legislator Schneiderman listed as a cosponsor? I thought he was. Okay. All in favor? Opposed? **2463 is approved. (VOTE: 5-0)**

2464, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - Open Space component - for the Furniss property, Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-983.40-07.00-013.000). (Co. Exec.) I'll make the motion, seconded by Legislator Losquadro. All in favor? Opposed? **2464 is approved. (VOTE: 5-0)**

2465, Authorizing the acquisition of land under the New Suffolk County Drinking Water

Protection Program - Open Space component - for the Schneider property, Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-983.40-03.00-047.000). (Co. Exec.) Motion by Legislator Losquadro, seconded by myself. All in favor? Opposed? **2465 is approved. (VOTE: 5-0)**

2466, Authorizing the acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund - Open Space component for the Angelo Accardo, Donato Accardo, L'Hommedieu and Lagrega property, Mastic/Shirley Conservation Area, Town of Brookhaven (SCTM No. 0200-982.10-06.00-016.000). (Co. Exec.) Motion By Legislator Losquadro, seconded by myself. All in favor? Opposed? **2466 is approved. (VOTE: 5-0)**

2467, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - Open Space component - for the Schaeffler Estate property, Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-983.50-02.00-053.000). (Co. Exec.) Motion By Legislator Losquadro, seconded by myself. All in favor? Opposed? **2467 is approved. (VOTE: 5-0)**

2468, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program - Open Space component - for the Downey property, Mastic/Shirley Conservation Area II, Town of Brookhaven (SCTM No. 0200-983.40-08.00-001.000). (Co. Exec.) Motion by Legislator Losquadro, seconded by myself. All in favor? Opposed? **2468 is approved. (VOTE: 5-0)**

2469, Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5 (E)(1)(b)] - for the New Age Builders, Inc. Property - Pine Barrens Core, Town of Riverhead (SCTM No. 0600-141.01-03.00-014.000, (Town of Southampton) 0900-196.00-02.00-005.000, 0900-196.00-02.00-007.000, 0900-197.00-02.00-007.000, 0900-215.01-01.00-038.000, 0900-215.02-01.00-013.000 and 0900-215.02-01.00-022.000). (Co. Exec.)

LEG. ROMAINE:
Motion.

CHAIRPERSON VILORIA-FISHER:
Motion by Legislator Romaine, seconded by Legislator Losquadro. All in favor? Opposed? **2469 is approved. (VOTE: 5-0)**

LEG. ROMAINE:
Will the Clerk please list me as a cosponsor?

CHAIRPERSON VILORIA-FISHER:
IR 2506, Authorizing the Suffolk County Planning Federation to provide training for County Planning Commissioners and Local Planning and Zoning Officials. (Co. Exec.) Motion by Legislator Losquadro, seconded by myself. All in favor? Opposed? **2506 is approved. (VOTE: 5-0)**

IR 2531, Adopting an official map for Suffolk County. (Lindsay) Mr. Isles, did you have any comments on this?

DIRECTOR ISLES:
This does require a public hearing. So that would, I think, occur next week. This is something that's been in the works for a couple of years. The County Planning Department is required to complete a draft official map, which has been done with the Clerk of the Legislature. That has been circulated to the municipalities of the County. It is a big question for you to answer in the sense that most Counties do not have official maps. But we intend to comply with the local law that required us to

do it and present this to you and answer whatever questions you have in your consideration of the map.

CHAIRPERSON VILORIA-FISHER:

So, Tom, what we've received at our offices were drafts. They were -- that's not the official map yet? Is it --

DIRECTOR ISLES:

Well that's it until it's adopted.

CHAIRPERSON VILORIA-FISHER:

I see.

DIRECTOR ISLES:

And then you act on it. But it hasn't changed since we had sent those out to you.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator Romaine.

LEG. ROMAINE:

Yes. Could you possibly illuminate us. What would we benefit by adopting an official map? What is the benefit? What is the upside? What is the downside?

DIRECTOR ISLES:

That's a good question. The upside of the map is that it gives you the ability to identify properties that are going to be needed in the future for public purposes such as drainage basins, such as roads, potentially such as parks and so forth. So that's the upside of it.

The downside of it is if this had been 1965 and 80% of the County were still undeveloped, it would probably have more meaning than it does today; where in my conversations with Public Works, we don't have any major road corridors -- new road corridors planned. So it's not as if we're in a situation where we're going to be adding new highways and things like that. So the downside is something that might be that if the County wants to do a road -- minor road widening or an intersection improvement, it would potentially require that the official map be amended. So it may be a little bit more of a time consuming process than normally. But that is something that I think -- as I said, it is a good question, an important question when you're evaluating the pros and cons on it. It's something we were planning to have ready for you either at the public hearing next week or when you take this up for consideration after the hearing, after any comments that come in.

LEG. ROMAINE:

Let me give you some examples and perhaps you can respond to that.

DIRECTOR ISLES:

Okay.

LEG. ROMAINE:

Let's say the County finally decides to do something with County Road 111, particularly with the intersection with the Long Island Expressway service road. Or let's say they look to do eventually fund the widening of County Road 58, which is in desperate need, which everyone admits. Would at that point the official map have to be amended if it was adopted in the near future?

DIRECTOR ISLES:

I believe it would have to be amended at that point. I don't want to speak for the County Attorney because they may weigh in on this question.

LEG. ROMAINE:

He's coming right up.

DIRECTOR ISLES:

Okay.

LEG. ROMAINE:

Mr. Brown --

DIRECTOR ISLES:

Okay.

LEG. ROMAINE:

-- is coming up to the podium. Possibly he can address that question.

DIRECTOR ISLES:

Sure.

MR. BROWN:

Thank you Mr. -- through the Chair. Thank you, Mr. Romaine and Mr. Isles. We're still undertaking review, Mr. Romaine, at this point. But what I can tell you is that it rests with the discretion of the Legislature as to when the map has to be amended. But since rights of way, particularly at a major intersection that you're talking about --

LEG. ROMAINE:

Right.

MR. BROWN:

-- are to be depicted on the County map, in all likelihood there would have to be an amendment. But again with the caveat, amendments are at the discretion of Legislature.

LEG. ROMAINE:

So, for example, if let's say there was a major development coming on CR -- what is it? CR4, CR3, Commack Road? I think it's four, CR4, that -- then we'd have to amend the map. It would take longer. It would be a longer process. Is that what you're saying?

MR. BROWN:

Bearing in mind that amendments are at the discretion of Legislature, yes.

CHAIRPERSON VILORIA-FISHER:

Okay. And I think something that's pending right now, which is a lot of planning is going on -- a large portion -- attractive land in Yaphank. And that would eventually have to be reflected on the map. So that would probably require an amendment.

DIRECTOR ISLES:

If it's a new road or an expansion of a road, it would require an amendment; yeah. If it's not on the map presently.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator Losquadro.

LEG. LOSQUADRO:

Could this be done as -- since we said that it could be at the discretion of this body, could this be done similar to the way, let's say, the Hagstrom Map Company does their maps? They wait until a substantive number of changes occur. Really, you could change a map every month if you wanted to. But of course, you wait until a substantive number of changes occur. And Hagstrom, in my previous job, that was sort of the Bible, trying to find your way around places, they would only

update and re-copy, write their maps every three to four years because the basic structure had not changed substantively enough to warrant that type of investment of time and effort that you're referring to. So to the County Attorney's Office perhaps, I know you're still undertaking a review, but is that a possibility?

MR. BROWN:

I think that your question -- I would answer -- the short answer to your question is yes. And the statute and procedures and policies as to how it has to be done probably has to be worked out between this body and any of the Departments. Maybe the County Executive's Office. I really can't speak to that. But the statute, as you should know, it says, it's when it's deemed to be in the public interest.

LEG. LOSQUADRO:

And I think that could be taken the way that I just put forward. And I think that would probably go a long way towards allaying the concerns that I feel that you have in the number of changes and the frequency of changes that would have to take place by adopting this official map. So I know we'll discuss this further after the hearing, but I just wanted to just bring that up.

DIRECTOR ISLES:

Okay.

LEG. LOSQUADRO:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Mr. Brown.

MR. BROWN:

Yes.

CHAIRPERSON VILORIA-FISHER:

On that note, and I don't want to retract the discussion because we will have to have this discussion later on, but if we had an official map that had been adopted, and there were substantive changes made, and certainly in the interest of time and money that's being spent, we wait until a certain period to have another addition of that map, would there be exposure to the County if we didn't update it and had a map they we were calling an official map and it hadn't been updated? Would that be a problem?

MR. BROWN:

I would really have to give that -- give your facts scenarios some thought. I don't really have an answer to that question right now.

CHAIRPERSON VILORIA-FISHER:

Okay. All right. But that's something that I think we might --

MR. BROWN:

We could look at --

CHAIRPERSON VILORIA-FISHER:

-- discuss as we have -- when we have the public hearing. And then we'd come back -- yeah, well, you know, we'll have that discussion when we have a fuller discussion of this.

MR. BROWN:

Sure.

CHAIRPERSON VILORIA-FISHER:

Legislator Stern.

LEG. STERN:

Thank you, Madam Chair. And I would go the other way and ask that if there is no update of the map, do area residents not acquire certain rights or responsibilities that they might have because something has not been reflected on an updating of the map?

MR. BROWN:

I'm not really sure if I understand your question. But I think that that probably both questions can be addressed just simply by looking at Common Law Real Property and the rights and responsibilities and owners. The rights and responsibilities of a fee owner isn't going to change because some -- because a right of way or a County owned property is not reflected on the map. And I think you'd revert back to Common Law in that type of circumstance. But without giving it more depth, that's really the best I could say, you know, off the top of my head.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you. And I'll make a motion to table for public hearing, seconded by Legislator Stern. All in favor? Opposed? **2531 stands tabled. (VOTE: 5-0)**

IR 2534, Authorizing planning steps for acquisition under Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks fund, North Street properties, (Town of Brookhaven). (Romaine)

CHAIRPERSON VILORIA-FISHER:

We have information for.

LEG. ROMAINE:

Motion.

CHAIRPERSON VILORIA-FISHER:

Motion to approve by Legislator Romaine, seconded by Legislator Losquadro. On the resolution it said 67 acres. And this says 35. Mr. Isles?

DIRECTOR ISLES:

What we've mapped here before you is the tax map parcels that were included in the resolution. And we came up with 35 acres, which are the parcels that are outlined in red. So whether there's a -- just a parcels that were missed or something like that, we don't --

LEG. ROMAINE:

Madam Chairwoman, you know what I'm going to do? I'm going to make a motion to table it because if you look at the map, this should have included the rest of the land north of South Street as it bends around. So it would be the rest of the land that would be, I guess, east of Madison Street.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. ROMAINE:

South of the railroad --

CHAIRPERSON VILORIA-FISHER:

It's clear what you're referring to.

LEG. ROMAINE:

-- and north of South Street. Right.

CHAIRPERSON VILORIA-FISHER:

And so you're making a motion to table.

LEG. ROMAINE:

Right. We'll amend the resolution.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Losquadro. And when you make those changes it'll come back before us.

LEG. ROMAINE:

Good.

CHAIRPERSON VILORIA-FISHER:

Okay. All in favor? Opposed? **2534 is tabled. (VOTE: 5-0)**

IR 2539, Authorizing the acquisition of Farmland Development Rights under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks fund, Farmland component for the Sharkey/Molfetta property, Town of Riverhead (SCTM No. 0600-100.00-03.00-010.005 p/o) (Co. Exec.) Legislator Romaine.

LEG. ROMAINE:

Motion to approve.

CHAIRPERSON VILORIA-FISHER:

Motion to approve by Legislator Romaine, seconded by Legislator Losquadro. All in favor? Opposed? **2539 is approved. (VOTE: 5-0)**

LEG. ROMAINE:

Could the Clerk please list me as a cosponsor?

CHAIRPERSON VILORIA-FISHER:

IR 2550, (2540), Authorizing the acquisition of Farmland Development Rights under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks fund for the Jurgielewicz Duck Farm property, Town of Brookhaven (SCTM Nos. 0200-788.00-01.00-001.005, 0200-788.00-01.00-001.006, 0200-751.00-02.00-005.000 and 0200-750.00-07.00-001.004). (Co. Exec.) Legislator Losquadro makes the motion to approve. I'll second that. All in favor? Opposed? **2540 is approved. (VOTE: 5-0)**

Ms. Zielenski, I believe you were going -- there you are. You were going to give us some information on the AVR property that was an important part of the discussion last Tuesday.

MS. ZIELENSKI:

Yes. It's our intention to bring to you next Tuesday a CN on the AVR property as well as two others. This is a crazy season in Real Estate with attempts to get things closed before the end of the calendar year or very early in January. And in the case of the AVR project, also, the River View property in Riverhead and the property that will be a substitute use for the balance of the Greenway's property, that has had all its approvals but we would like to change the funding source to be able to utilize the balance in the Greenway's funding so that that monies would not be lost.

CHAIRPERSON VILORIA-FISHER:

Do you have any written descriptive information for us to look at?

MS. ZIELENSKI:

No, I don't at this time. But the AVR property is a County, state town acquisition. They total a little over 400 acres. We -- by the time it's all closed, we'll be equal partners with the state and the town.

CHAIRPERSON VILORIA-FISHER:

But there will be CN's brought to us at the general meeting. May I ask that they, at the very least, be brought to us very early in the day that day? So that we can have the information as early as possible during that day?

MS. ZIELENSKI:

Yes. And in fact we may well be able to get it to you prior to Tuesday.

CHAIRPERSON VILORIA-FISHER:

The Committee would certainly appreciate that because we like taking, you know, this is a legislative action. And this is a historically large piece of property. We'd like to be able to look at it carefully.

MS. ZIELENSKI:

Of course.

CHAIRPERSON VILORIA-FISHER:

As so we -- as soon as it's prepared, if you could forward it to the members of this committee in particular we would like to take a look at it. Probably to the whole Legislature.

MS. ZIELENSKI:

I was going to say.

CHAIRPERSON VILORIA-FISHER:

If you're going to give it to us, give it to everybody. We certainly don't want to get it, you know, in 15 minutes before we have to vote on it.

MR. ZWIRN:

Right. If I might respond?

CHAIRPERSON VILORIA-FISHER:

Yes.

MR. ZWIRN:

On behalf of the County Executive's Office, we'll get it to you early. The -- this is the appropriations that you --

CHAIRPERSON VILORIA-FISHER:

Yes.

MR. ZWIRN:

-- passed last -- at the last meeting with the CN. I think it had 15 votes to provide the funding source for the two properties; the River Club and AVR. And as Pat indicated --

CHAIRPERSON VILORIA-FISHER:

It's 14 votes actually.

MR. ZWIRN:

It's was 14?

CHAIRPERSON VILORIA-FISHER:

14 votes. It's okay.

MR. ZWIRN:

-- counting somebody in there. But at any rate, there's also -- there's 750 some odd thousand

dollars left of Greenway money that we lose at the end of this year if we don't use it. It expires at the end of 2006. And that will be the third CN. And we'll get that to you very, very early before the end of this week or Monday at the very latest. But I'm sure before the end of this week you'll have all that.

CHAIRPERSON VILORIA-FISHER:

Legislator Romaine.

LEG. ROMAINE:

Yes. I'd like to make a suggestion that this information also be forwarded to our Budget Review Office. Because I know as Legislators we all voted on a 20 point something million dollar package. And I want to see how the shift in funding is going to impact that. And specifically would like Budget Review to comment on the shift because, you know, last Tuesday we were told this is necessary, this is absolutely imperative to do it this way. And now -- this week we're hearing, well, we want to spend the Greenway's funding so we're shifting that. And I understand that these things come up and this is not in the form of a criticism. But I do want a financial analysis of this. And I would like to see how this impacts on the original resolution that we voted on last week and what that means so that we can be fully aware of the financial implications.

MS. ZIELENSKI:

That's not a problem.

CHAIRPERSON VILORIA-FISHER:

Okay. Yes. Ms. Zielenski.

MS. ZIELENSKI:

But the AVR expenditure and the River Club expenditure are not changed. And they're what that legislation was for.

LEG. ROMAINE:

Without something --

MS. ZIELENSKI:

Yes.

LEG. ROMAINE:

Without something in front of me, it's hard to comment. And that's why --

MS. ZIELENSKI:

We'll get that to you.

LEG. ROMAINE:

-- I'd like to see something in front of me. But more importantly I'd also like to see Budget Review, they're non-partisan. They can make a determination of the financial implications and come back to all of the Legislators so that there's a feeling of understanding and trust and that the facts speak for themselves. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. If there is no further business. Oh wait. We have a memorializing resolution. Thank you.

TABLED MEMORIALIZING RESOLUTION

M.071, Memorializing resolution in support of the Community Preservation Act. (Horsley).

I'm going to make a motion to table, seconded by Legislator Losquadro. All in favor? Opposed?

Yes. Mr. Isles.

DIRECTOR ISLES:

Nothing on the motion. Just wanted to add item, if I could.

CHAIRPERSON VILORIA-FISHER:

It's not on this motion?

DIRECTOR ISLES:

No. Not on your motion.

CHAIRPERSON VILORIA-FISHER:

Let me take the vote then.

DIRECTOR ISLES:

Please.

CHAIRPERSON VILORIA-FISHER:

All in favor? Opposed? **Tabled. (VOTE: 5-0)** Mr. Isles.

DIRECTOR ISLES:

Okay. With the vacancy in the Deputy Director position as a result of Carrie Gallagher moving on --

CHAIRPERSON VILORIA-FISHER:

Okay. If I could just have the attention of the Committee, please.

DIRECTOR ISLES:

Since this is the Planning Committee, I just want to introduce you to the new Deputy Director of the Department, Dan Gulizio, who started last week. And he's here today in the audience. Thank you.

CHAIRPERSON VILORIA-FISHER:

Welcome. And he's certainly a very fine addition to your staff.

DIRECTOR ISLES:

Yes, he is.

CHAIRPERSON VILORIA-FISHER:

Congratulations.

DIRECTOR ISLES:

Okay. Thank you.

CHAIRPERSON VILORIA-FISHER:

Meeting adjourned.

**(THE MEETING CONCLUDED AT 12:43 PM)
{ } DENOTES SPELLED PHONETICALLY**