

**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 June 19, 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:**

John M. Kennedy, Jr, Twelfth District  
Jay H. Schneiderman, Second District  
George Nolan, Counsel to the Legislature  
Ian Barry, Assistant Counsel  
Renee Ortiz, Chief Deputy Clerk  
Kevin Duffy, Budget Review Office  
Ben Zwirn, Assistant Deputy County Executive  
Thomas Isles, Director of Department of Planning  
Jim Bagg, Chief Environmental Analyst/Department of Planning  
Patricia Zielenski, Department of Real Estate  
Lauretta Fischer, Department of Planning  
Janet Longo, Department of Real Estate

Michael Deering, Commissioner of Department of Environment and Energy

Ginny Suhr, Aide to Chairperson Viloría • Fisher

Lisa Keys, Aide to Leg. Romaine

Deborah Harris, Aide to Leg. Stern

Gloria Russo

Peter Lambert

Marian Zucker, Director of Division of Affordable Housing

Walter Dawydiak, Division of Environmental Quality

**MINUTES TAKEN BY:**

Diana Kraus, Court Stenographer

**(THE MEETING COMMENCED AT 10:43 AM)**

**CHAIRPERSON VILORIA • FISHER:**

Welcome to this morning's meeting of the Environment, Planning and Agriculture Committee. Please join us in the pledge led by Legislator D'Amaro.

**(SALUTATION)**

**CHAIRPERSON VILORIA • FISHER:**

I'm going to walk you through the agenda for today so that you understand how we're going to be doing this. We have four candidates whom we will be interviewing this morning for appointments •• two very important groups in Suffolk County. We will do those four interviews. Then we will go to the public

portion. And just so that most of the people who are here for the public portion understand, we're going to be taking •• many of you are from Smithtown. And we have heard about the flooding problem that you have •• that you have been suffering under in Smithtown.

And so we are going to take introductory resolution 1593 out of order. And we're going to address that before we go to the public portion because that's a resolution on which you've already spoken and which you •• and which we know that you support. So we will vote on that. At that time if there are those •• if those of who have you come to support that resolution still want to speak, of course, it's your public portion and you're welcome to speak. But we did want you to know everyone has busy schedules and we wanted you to be aware that we were indeed going to be passing •• well, supporting 1593. I can't say how everyone's going to vote. I can say for myself that we have made amendments to it. It has past through our Council On Environmental Quality and so we are prepared to pass that out of committee today.

Legislator Kennedy is here who represents that district and has been working on introductory resolution 1593. And he, of course, is happy with the changes that were made and the way it's moving forward. I don't want to speak for you, but that's I believe what you represented to me.

**LEG. KENNEDY:**

Well, yes, Madam Chair. And thank you. And I appreciate the accommodation of the Chair for this resolution. As you know we've heard now over several committees about the problems and the ongoing hardship associated with the flooding issues. And I want to commend the County Executive's Office for reaching out to go ahead and actually collaborate with me on this initiative and, in fact, to work very diligently for the amendments which we'll consider today and which has the full support of the administration; and hopefully will allow us to bring this resolution to full culmination on Tuesday in Riverhead at the General Meeting assuming we pass here today. Thank you for the accommodations, Madam Chair.

**CHAIRPERSON VILORIA • FISHER:**

Thank you, Legislator Kennedy. Okay. That being said I am going to ask the candidates for the Council on Environmental Quality to come forward to meet with •• excuse me.

**(DISCUSSION OFF THE RECORD)****CHAIRPERSON VILORIA • FISHER:**

Okay. The first candidate is Gloria Russo. And for members of the committee, that's introductory resolution •• Ms. Russo, if you could come up. Counsel's not here. Can you tell me the number of that one?

Thank you. That's IR 1744.

Thank you for coming down today, Ms. Russo. It's good to see you. Make sure the mike is on.

**MS. RUSSO:**

Is this on?

**CHAIRPERSON VILORIA • FISHER:**

Thank you. Yes, it is. First I'd like you to tell us a little bit about yourself and why you are interested in serving on CEQ.

**MS. RUSSO:**

Well, I've always been interested in the natural world and the outdoor world. I've always loved the outdoors even as a child. I became very active with Earth Day, our first celebration when I was quite young where I grew up and I followed many different things that way.

I majored in biology in college and minored in environmental science. I then worked for the Suffolk County Health Department in the Water Quality Unit. I became very aware of Long Island's groundwater and how to protect it. We were doing studies on certain types of chemicals that were being

found in certain public drinking wells and private drinking wells.

I also participated in a shellfish study research in Great South Bay, a joint project with the EPA and Suffolk County Health Department. From there on I worked for Grumman for a few years; then stayed home and raised my children for a few years and slowly got back into the environmental field. Got my masters of science in environmental technology. Worked for a little while for New York City Transit doing environmental compliance work. And then worked for a private environmental engineering consulting firm in •• located in Valley Stream. And now I am currently employed as an environmental compliance engineer with the Long Island Railroad.

I like looking at the big picture and seeing how all the small pieces of certain actions fit together to create hopefully a better end for everything and a whole picture that covers many bases. And I feel with my background in biology and environmental science that I could be an asset to interpret different environmental assessment statements for certain projects that the county is working on.

**CHAIRPERSON VILORIA • FISHER:**

Okay. With your background I can assume that you do have knowledge of SEQRA •• of the SEQRA law. Can you tell us a little bit about that, please?

**MS. RUSSO:**

The private environmental engineering firm that I worked for, I prepared many city environmental quality review documents for environmental assessments for certain clients. I didn't prepare state environmental quality review, but city. They're very, very similar. They follow a very similar format. It's the •• you know, it's almost •• almost the same. And I was responsible for preparing these documents for our clients to get the environmental assessments statements for New York City's review to see if the client could get their permits. Most of the SEQRA environmental assessments I did prepare were for clients handling waste transfer stations.

**CHAIRPERSON VILORIA • FISHER:**

Thank you. Are there questions from other members of the committee? Legislator D'Amaro.

**LEG. D'AMARO:**

Good morning. Thank you very much for appearing here this morning. I wanted to ask you a little bit in that very impressive background, have you ever represented any private individual or company before any county boards or commissions?

**MS. RUSSO:**

No, I have not.

**LEG. D'AMARO:**

Okay. And are you familiar with what the county code of ethics would prohibit you from doing should you be appointed to this board?

**MS. RUSSO:**

I'm not familiar with the county board of ethics but being a railroad employee •• Long Island Railroad employee, I'm very familiar with New York State's code of ethics.

**LEG. D'AMARO:**

Okay. Well, I think the crux •• the point I'm trying to make is that if you become a county official by appointment to this board, you would effectively be prohibited from representing other interest before other county agencies. Is that something you're prepared to accept?

**MS. RUSSO:**

Oh, Yes. I have no opportunities for such a thing any way so it wouldn't really affect me.

**LEG. D'AMARO:**

Okay. Terrific. Thank you.

**CHAIRPERSON VILORIA • FISHER:**

Thank you very much, Ms. Russo. And we'll be voting on 1744 later on in the agenda. Thank you very much.

Mr. Daniel Pichney.

**LEG. LOSQUADRO:**

That's 1745.

**CHAIRPERSON VILORIA • FISHER:**

That's IR 1745. That's correct. Good morning, Mr. Pichney. Thank you for being here. Before we begin to get to the substance of your appointment, it has been pointed out to me this morning that there is a problem with the resolution which was drawn to create the appointment for you. And so we will have to table that today just so that we can fix the technical corrections. But I did want to let you know about that. And •• however, you wouldn't have to come back again. We can talk today about your interests and the role you would be playing on CEQ.

**MR. PICHNEY:**

Yes.

**CHAIRPERSON VILORIA • FISHER:**

If you could just tell us a little bit about yourself and why you would like to serve on CEQ.

**MR. PICHNEY:**

I have a background in city planning. I graduated from the New York University with a master's degree in urban planning. And I worked for Suffolk County for •• in the transportation area for 30 years. And I was retired as of last year. I retired as a principal planner. I moved to the Bayport community in 1980. We purchased a house that was built in 1873 and restored that house. And around that time we also founded the Historical Society in Bayport. And as one of our major protects we took on the Roosevelt estate which was located on the Browns River in Sayville, which the county had purchased as part of the San Sousi Preserve as a wetlands preservation. And at that time the home there, the Roosevelt home was supposed to be used as a •• by the firemen as a house to test putting out fires. And we were able to save that. And over the years, you

know, to this day we have restored and preserved the house. And we can certainly say that it's one of the gems of historic preservation in the County and particularly on the south shore.

I also have a background in horticulture. I was always interested in that since I was a teenager and the natural world as well. I have a certificate in landscape design from the New York Botanical Garden. I designed the •• what is called the Kitchen Garden at the Meadowcroft Estate which uses plants that are of the same period of the house approximately 1910. And I also have •• now that I've retired I have a business doing a landscape design and maintenance as well.

**CHAIRPERSON VILORIA • FISHER:**

Good save. What a shame to use the Roosevelt House for that.

**MR. PICHNEY:**

Yes.

**CHAIRPERSON VILORIA • FISHER:**

Putting out fires. And we have spoken about your interest in historical preservation. And that's an important component of the Council on Environmental Quality. You're certainly •• you've certainly demonstrated a tremendous commitment to the community. We look forward to a tour of Meadowcroft by the way.

Are there questions by other members •• we're losing members of the •• I don't think we have a quorum right now so •• oh, you are here. Okay. Legislator D'Amaro.

**LEG. D'AMARO:**

Yes. Thank you. Mr. Pichney, welcome. Thank you for coming here this morning. I appreciate it. I just wanted to ask you the same question that I asked the prior applicant. If you have in the past done any business with the county on a going forward basis, if you intend to do any type of consulting work before county boards or agencies?

**MR. PICHNEY:**

I haven't done any. Neither do I plan to do that.

**LEG. D'AMARO:**

Okay. Thank you very much.

**MR. PICHNEY:**

Thank you.

**CHAIRPERSON VILORIA • FISHER:**

Thank you very much for coming down, Mr. Pichney. And we will be in contact with you when that particular resolution comes back before us in the corrected version.

**MR. PICHNEY:**

Very good. Thank you very much.

**CHAIRPERSON VILORIA • FISHER:**

Thank you for you being here.

The third person whom •• the third person with whom we'll be speaking is Lauren Elizabeth Stiles. And this is for IR 1746.  
Good morning, Ms. Stiles.

**MS. STILES:**

Hello.

**CHAIRPERSON VILORIA • FISHER:**

Thank you for being here.

**MS. STILES:**

Thanks for having me.

**CHAIRPERSON VILORIA • FISHER:**

And our contingent is growing behind the horseshoe as we speak. Can you please tell us a little bit about yourself and •• of your interests in becoming part of our Council on Environmental Quality.

**MS. STILES:**

Sure. My name is Lauren Elizabeth Stiles. I grew up in Merrick and I currently live with my husband in East Moriches. I've been an environmentalist since •• as far back as I can remember when I was a little kid. My parents were very active in the civics in Merrick and helped me develop an appreciation for the natural environment. I attended SUNY Stony Brook and I have a degree in earth and space science and a minor in marine science. And most of my studies at Stony Brook were focused on studying Long Island's environment.

I taught marine ecology on Fire Island for a summer. That was a very interesting experience working with young people and trying to explain the environment to them. I also just received a JD from Pace Law School. And I have a certificate in environmental law from Pace Law School. Pace has a really good environmental program. And also they have the land use law center which I participated in as a student intern. And we focused on local land use decisions and how that impacts the environment.

I also worked at the Long Island Pine Barrens Society where I did a lot of SEQRA work, helping the society review development projects before the various town boards. And, you know, preparing comments and submitting comments on those development projects. I also interned for the Suffolk County Department of Planning, Division of Real Estate. That's Pat Zielenski and Janet Longo over here. That's who I interned for. I was able to work on some open space preservation issues with them which was very interesting. And let's see; what else? I also just completed an internship this past school year with Brookhaven Town Hall where I was mostly working on land use and environmental legal issues, preparing memorandums for the planning board and the town board on SEQRA compliance and the Pine Barrens Act and energy issues. So that's about it.

**CHAIRPERSON VILORIA • FISHER:**

Well, I think we're doing very well today. We have three people who are three for three, wonderful backgrounds. You certainly •• I mean it's very clear that you would have knowledge of

SEQRA. You would bring a lot of experience to the Council on Environmental Quality. Now what about time? Would you be able to have the •• the Council meets once a month and it sometimes has to read voluminous materials.

**MS. STILES:**

All SEQRA work seems to involve reading voluminous materials so I'm a fast reader so don't worry.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Very good. Thank you very much. And thank you for being here.

**MS. STILES:**

Thank you.

**CHAIRPERSON VILORIA • FISHER:**

I will pass the mike over to Legislator D'Amaro.

**LEG. D'AMARO:**

Just as a matter of being fair, first of all, congratulations on your JD.

**MS. STILES:**

Thank you.

**LEG. D'AMARO:**

Are you presently studying for the bar exam?

**MS. STILES:**

I am. I have my {Barbery} review course later this afternoon so ••

**LEG. D'AMARO:**

I took the same one. Well, good luck with that. Same question though to the prior applicants. Are you doing any type of consulting work or have any intention of doing any consulting work before any boards or agencies of Suffolk County?

**MS. STILES:**

No, I don't.

**LEG. D'AMARO:**

Okay. Thank you.

**CHAIRPERSON VILORIA • FISHER:**

Ms. Stiles, thank you very much for being here. We will be addressing that •• the resolution pertaining to your appointment later on during this meeting.

**MS. STILES:**

Okay. Thank you very much.

**CHAIRPERSON VILORIA • FISHER:**

You're welcome to stay, of course but you don't really need to. Thank you.

Okay. We have a number of cards. Yes? I'm sorry. Thank you very much. Dale Moyer. You're here to be considered for IR 1806 which is the Farmland Committee. And this would be a reappointment, wouldn't it, Dale?

**MR. MOYER:**

No.

**CHAIRPERSON VILORIA • FISHER:**

You don't serve on that currently?

**MR. MOYER:**

Not at the present time.

**CHAIRPERSON VILORIA • FISHER:**

Okay. I thought you served on that, you know, all of those having to do with farms.

**MR. MOYER:**

Not yet.

**CHAIRPERSON VILORIA • FISHER:**

Good to see you, Dale. Can you please tell us a little bit about yourself, your background and why you want to serve on this particular committee?

**MR. MOYER:**

Yeah, good morning. My name is Dale Moyer. I live in Mattituck, New York. I have basically dedicated my career to Suffolk County agriculture spending the first 22 years as a crops specialist; the last three years as a ag program director for Cornell Cooperative Extension agriculture program. A lot of my focus the last several years has been regarding environmental issues and agriculture and spent quite a bit of time in committees and tasks force working on those issues.

I'm very familiar with the agriculture issues and the concern about maintaining farmland in Suffolk County and trying to maintain the economic viability of the agricultural industry. As I mentioned I served on many committees. And it would be an honor to serve on this committee to help Suffolk County agriculture.

**CHAIRPERSON VILORIA • FISHER:**

I'm sorry.

**MR. MOYER:**

It's okay.

**CHAIRPERSON VILORIA • FISHER:**

We just have to take care of this little piece of business. I'm sorry. I'm sorry, Dale. We have many balls in the air today. I have to take care of a number of things. Well, I know the kind of hard work you do because you were an important part of the pesticide and fertilizer •• the decrease in the use of that in farmland, the task force that I had put together. And I know how valuable your work was on that.

Can you just tell us a little bit about what the charge or the mission of the Farmland Committee is and how you see that and what you bring to it?

**MR. MOYER:**

Well, my understanding is that this committee reviews the applicants. It's kind of the base review before it goes to the Legislature in terms of reviewing those applications, looking at how that particular piece of property fits in with other preserved lands so we can maintain a large tack of land and not have spots here and there. And also help maintain the limited agriculture that's in the west end towns because you don't have the large blocks as you might have in Riverhead or Southold or things like that. So our •• we're to evaluate those pieces, look at what the agriculture's going to be used for, see if it fits into the total system of maintaining a viable agricultural industry on Long Island.

**CHAIRPERSON VILORIA • FISHER:**

Thank you, Dale. Are there questions from other members of the committee? Legislator Romaine.

**LEG. ROMAINE:**

I just want to say I met with Dale in my office. And we've had discussions of agriculture particularly as it relates to my district which is heavily agriculture district. He's extremely knowledgeable. I'd like the clerk to note that I'd like to be a co •sponsor of this resolution. And I would recommend his appointment highly.

**CHAIRPERSON VILORIA • FISHER:**

Terrific. I agree with you. And by the way I didn't see either one of you at the strawberry festival yesterday. It was great. Okay.

**LEG. ROMAINE:**

That's where the out•of•towners go.

**CHAIRPERSON VILORIA • FISHER:**

Oh, well, like me. Okay.

**MR. MOYER:**

I wouldn't comment on that.

**CHAIRPERSON VILORIA • FISHER:**

But you know what? I dropped a lot of money. I bought a lot of perennials as I drove home along Sound Avenue.

**MR. MOYER:**

We appreciate the business.

**CHAIRPERSON VILORIA • FISHER:**

Any time.

**LEG. ROMAINE:**

As long as the sales tax can stay east.

**CHAIRPERSON VILORIA • FISHER:**

Okay. We won't go there. Boy, you love being the fly in the ointment, don't you? Okay. That being said, it's great to have you here, Dale, and we look forward to voting on IR 1806.

**MR. MOYER:**

Okay.

**CHAIRPERSON VILORIA • FISHER:**

Thank you very much. Again, as I promised earlier, for those of you, and I know there are many of you here from Smithtown, I am going to make a motion •• for those legislators who were not here earlier, because we have so many people who are here from Smithtown again concerned about the very serious flooding issues, I told them that what I would be doing as Chair using my prerogative is to make a motion to take 1593 out of order. And just by way of explanation, Counsel?

**LEG. LOSQUADRO:**

Second that motion by the way.

**CHAIRPERSON VILORIA • FISHER:**

Thank you. Okay. Motion to take 1593 out of order.

**LEG. LOSQUADRO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

All in favor? Opposed? **1593 is before us. (Amending the adopted 2006 operating budget to transfer funds from Fund Water Quality Protection fund 477 and amending the 2006 capital budget and program and appropriating funds in connection with stormwater system discharge remediation and stream water silt removal and remediation at the Nissequogue Tributary Headwaters north from CR 76, Town Line Road to Miller's Pond, Smithtown) (Kennedy)** I have been advised by Counsel that because of the changes that have been made in the resolution, the lead agency for SEQRA is now the Town •• is going to be the Town. So we had been waiting for the CEQ determination. Apparently it didn't go through the CEQ determination. However, because we will not be the lead agency but rather Smithtown will be, my motion will be to discharge without recommendation because that has not yet been codified and so it wouldn't be appropriate for us to approve it at this point. But by the time we meet on Tuesday that should all be taken care so that we can go ahead and move 1593 so that we can begin our help for Smithtown. Is there a second?

**LEG. LOSQUADRO:**

I'll second the motion to approve. On the motion.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Losquadro. On the motion Legislator Losquadro. And I will also ask Counsel to weigh in on this so that it's absolutely clear. 1593 we have a discharge without recommendation.

**MR. NOLAN:**

Okay.

**LEG. LOSQUADRO:**

I would just like to first thank Legislator Kennedy •• he is still

here •• I didn't see him sneak in •• for bringing this piece of legislation forward for us to vote on. And I would like to thank all of the residents from the community for coming out and voicing their opinions and bringing it to our attention, just the severity and the nature of this problem, I am happy as a member of this committee to be able to bring this forward early. And co•sponsor the resolution with Legislator Kennedy if the Clerk's Office can put me down. These are the types of things that the County should be doing, whatever steps that we can take part in with the Town of Smithtown to help alleviate the type of problems; happy to take whatever small part I can in it.

**CHAIRPERSON VILORIA • FISHER:**

Legislator Losquadro, as the Chair the Environment Committee I was going to suggest that this entire committee be listed as co•sponsors in support of both Legislator Kennedy and his resolution, the County Executive's Office that has been working hard with Legislator Kennedy and for all the people in Smithtown who have been weighed down by this very, very big problem. I do want Counsel to explain to us at what's going to be happening with the SEQRA part of this.

**MR. NOLAN:**

Well, this was tabled at the last meeting because it had not gone through CEQ and it still has not. I spoke with Jim Bagg from CEQ and Legislator Kennedy a few moments ago. And we believe what's going to happen is Smithtown is going to be the lead agency. And we're making inquiries now with Smithtown whether they neg dec'd the action or not. But we're going to be •• we have to the end of the day to make amendments. So what I'm suggesting to the committee is that it vote it out without recommendation at this point and we'll have to make those changes by the end of today.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Thank you very much, Mr. Nolan.

**LEG. KENNEDY:**

Madam.

**CHAIRPERSON VILORIA • FISHER:**

Yes. On the motion, Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Madam Chair. And I appreciate the support of the committee. Just so that we can be crystal clear, I guess, with this initiative, it's actually been a resolution that's been in the works for a couple of months. Its genesis actually began with the Drinking Water Quality Review Committee in Yaphank which did give an approval on this project. It has come about as the result of quite a bit of advocacy for many of the people that you see sitting here in the audience today including Mr. Cuzzucoli and also one of my most ardent and strongest advocates Ms. Renner. And she advises me to please do what my predecessors, I guess, had attempted to do all along. And this is important first step towards remedying a phenomena that is actually impacting hundreds and hundreds of homeowners throughout my legislative district. And I think, Legislator Losquadro hit the nail on the head as you did, Madam Chair, that this is something about doing the right thing, the responsible thing. Much of this tributary moves through county park lands. And it is our obligation and responsibility to go ahead and address an issue that's being presented to us that has such profound impact throughout the course of our communities.

I have worked with the Town of Smithtown. The Supervisor actually convened a public hearing on Thursday evening. And the town portion was passed at that point for 100,000. So this truly represents the partnering that we seek so often with 477 funding projects where we actually have hard measure from the local municipality as well as participation from the county. It's our sincere hope, I've worked with Commissioner Deering and Chief Counsel Sabatino. We intend to us this as an effort to access and tap into both state environmental funding and federal funding as well because it will take significant amount of resources in order to ultimately remedy this issue. But having said that all, I appreciate the committee's support and thank you.

**CHAIRPERSON VILORIA • FISHER:**

And, you know, you're absolutely right. You feel like we've come to know Mr. Cuzzucoli, Ms. Elsie Lane who has come to •• this is her fourth meeting, I believe. And her neighbor •• I believe, Miss Renner is her neighbor? Yes. We feel like we've become very familiar with you. So you've put a face to the problem and that always helps. Okay. There is another comment by Legislator Stern.

**CHAIRMAN STERN:**

Thank you, Madam chair. I have to say that at first I did have concerns about the resolution. I'm pleased to see that Legislator Kennedy has worked closely with the Town of Smithtown and that Town of Smithtown will be participating in a meaningful way. So I'm pleased to support my colleague and the people of Smithtown and will support the resolution.

**LEG. KENNEDY:**

Thank you, Legislator Stern.

**CHAIRPERSON VILORIA • FISHER:**

Okay. There's a motion and a second. All in favor? Opposed? The motion is discharged without recommendation and it will be before the full meeting on Tuesday in Riverhead. **(Vote: 5 •0)** Thank you.

**LEG. LOSQUADRO:**

Thank you.

**(APPLAUSE)**

**LEG. KENNEDY:**

Thank you.

**PUBLIC PORTION**

**CHAIRPERSON VILORIA • FISHER:**

Thank you. Okay. We will now go to our public portion. The first card Gerry Crean from the Village of Patchogue. And this is regarding IR 1642.

**MR. CREAN:**

Good morning and thank you for your consideration. My name IS Gerry Crean. I am a trustee within the Village of Patchogue. And I'm here to speak in favor of 1642 the Multifaceted program for funding for land preservation and workforce housing. For the last two years, our local administration has worked shoulder to shoulder with the County Executive and the County Legislature to provide workforce housing. And we can spend hours swapping stories about friends and relatives that have buckled under the challenges of buying their first home here in Suffolk. And I'm here proud to say that we've taken a small step in trying to resolve an issue of giving that next generation of first time home buyers an affordable opportunity to get a foothold in the housing market.

Back in November of 2002 there was a downtown business district study that was provided to our village that was underwritten by Commissioner Isles that designated a specific area within our village appropriate for a higher density of housing. And from that recommendation we picked up the ball and ran with it. And with the County Legislature's resolve we'll be able to provide funding for not only market rate units but also workforce housing units. It's within foot steps of our train station as well as within footsteps of our mainstream. So not only will it provide an opportunity for a first time home buyer, but also give us some very important foot traffic for our merchants to try and compete with some of the big box stores that have sprung up along Sunrise Highway.

So in recognition of both of those purposes, we've worked quite diligently with the Long Island Housing Partnership and {Pulti} Homes. And we're proud to say that there's been an assembly of over 21 properties owned by 19 different property owners. When we were first designated as a potential site, there were

many that felt that the challenges were too great. But through Mayor {Pontiari's} efforts and the rest of our village board's efforts, we've reached out to the community and lowered the hurdles for the developer {Pulti} Homes to acquire these properties. And they have really bent over backwards and taken into consideration the property rights of those businesses and homeowners that were able to do so; acquire those properties without the use of any sort of threat of condemnation or eminent domain so ••

**CHAIRPERSON VILORIA • FISHER:**

Mr. Crean, could you please wrap up?

**MR. CREAN:**

Sure. I just appreciate your consideration. It's the County Legislature's resolve that will give other local municipalities the initiative to undertake the efforts that we have undertaken. And I really appreciate your time. Thank you.

**CHAIRPERSON VILORIA • FISHER:**

We may have some questions for you. As a matter of fact I did want to make a comment because having served on the Workforce Housing Commission, I know the kind of work that has gone into this project. Last time there was some questions about this. Legislator Schneiderman, would you just mind holding on a minute because I believe we had questions about this particular resolution last time. And I wanted to make sure if there were questions we could ask Mr. Crean.

Mr. Losquadro, I thought you had questions about this last time we saw it, but I'm not certain. And it is a very important resolution. We're all set to go on this very important initiative. Workforce housing is admittedly one of the largest problems that we face here in Suffolk County. This is the first project that was sanctioned by the Workforce Housing Commission. We all worked hard on this. We all tried very hard to see it happen. Last week the (Pulti) Corporation was honored by •• what's the name of it?

**MR. CREAN:**

Long Island Vision.

**MR. CREAN:**

Vision Long Island.

**CHAIRPERSON VILORIA • FISHER:**

Long Island Vision. Vision Long Island. Thank you. I was thinking it backwards also. Vision Long Island. They received the award. It's a real smart growth project. It's near public transportation. It has all of those elements that we're looking for and so we need the support of this committee to pass it out of committee so that it gets to the meeting on Tuesday. Does Budget Review have any problems with any of this?

**LEG. LOSQUADRO:**

Or a comment.

**CHAIRPERSON VILORIA • FISHER:**

Or a comment, yes.

**LEG. D'AMARO:**

I didn't bring my notes from last time.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Because I thought I had a question last time.

**LEG. LOSQUADRO:**

I did.

**CHAIRPERSON VILORIA • FISHER:**

And I wanted to make sure that it was addressed while everybody was here.

**MR. DUFFY:**

Our concern was that under the Multifaceted Program, there isn't an affordable housing component. And what our question was is that this resolution seeks to move money to capital project 8704 which is strictly for affordable housing. That was our concern.

**CHAIRPERSON VILORIA • FISHER:**

But in the budget, didn't we put money under multifaceted for affordable housing? I thought we had.

**MR. DUFFY:**

Well, this •• Multifaceted •• the purpose of Multifaceted was that it was very flexible. It could be used for any project.

**CHAIRPERSON VILORIA • FISHER:**

Right.

**MR. DUFFY:**

By now moving this to capital project 8704, you're locking yourselves in to just using it for affordable housing. If it's put under 7177, the Suffolk County Multifaceted, it could be used for affordable housing. But if another priority came up or there was something else, you could not use that money for that project.

**CHAIRPERSON VILORIA • FISHER:**

Okay. When Ms. Zucker comes up later on, she'll explain to us why. But I believe that there was a need to be able to access all of this for this project, you know, to have this available so we'll ask her to come up later. Legislator Losquadro.

**LEG. LOSQUADRO:**

I recall now that was the crux of the discussion; was that even without transferring this money, if Budget Review can confirm this, it is available through the current mechanism of the Multifaceted Use Program.

**MR. DUFFY:**

That is correct.

**LEG. LOSQUADRO:**

So it is unnecessary to transfer the money to a specific capital project. It is currently available for this use?

**MR. DUFFY:**

Under the Multifaceted Program it could be used for affordable housing.

**LEG. LOSQUADRO:**

Right.

**CHAIRPERSON VILORIA • FISHER:**

But it's creating an extra step is what you're saying? We'll ask •• when we get to the resolution we'll ask Ms. Zucker to come up and for somebody from the County Executive's Office to also speak to this. Okay. Thank you very much for coming down.

**MR. CREAN:**

Thank you.

**LEG. SCHNEIDERMAN:**

Madam Chair, is it possible to take 1490 out of order?

**CHAIRPERSON VILORIA • FISHER:**

Can you just make your comments before you leave? And then •• because I can't keep putting off the public hearing •• the public portion. I put them off. Would you like to make comments relative to that?

**LEG. SCHNEIDERMAN:**

I'd like it taken out of order.

**CHAIRPERSON VILORIA • FISHER:**

Okay. I can't keep putting off the public portion. Tony Cuzzucoli.

**MR. CUZZUCOLI:**

Good morning, Madam Chairwoman. I'll answer to Cuzzucoli if I may.

**CHAIRPERSON VILORIA • FISHER:**

I'm sorry.

**MR. CUZZUCOLI:**

Thank you very much. Don't be sorry. I wish to thank the Chair as well as the Committee for your adaptability and your courtesy in recognizing 53 so early and voting on it. I have immediately revised some of my remarks. But I'm from Missouri and please take everything I say within the context of what has happened and certainly what has happened in the last 30 years.

Thus far leadership in the Legislature and in the Executive branch has only recently shown signs that they recognize the urgency of groundwater flooding only miles from this center. The acidious nature of groundwater flooding is unlike surface flooding in the aftermath of hurricanes like Katrina. Groundwater is virtually undetectable. And because of geologic formations it ravages some families while sparing others. Few Legislators have bothered to walk into basements breached by this invasive force. Few Legislators have walked through abandoned county wetlands. Repugnants has conspired with reluctants in the past and their offspring has been institutional indifference. This difference has been reflected in unattended streams, in tributaries that retard stream flow. This in turn guarantees that groundwater hydrostatic pressure will continue reducing a number of our homes to the status of a third world nation right here in our own county.

And the incubation of West Nile infestation isn't far behind. Our question has been where is Vector Control? Where is Health Services? Where is Public Works? Where is Environment and Planning? Who stands to mobilize these groups into battle? Since many of us began to expose this issue just recently on June 7th in another committee, the mantle of responsibility has increasing slipped from previous legislatures and executive offices to the current county government. It was the legacy of others and it has now become yours.

The Legislature has the power to make 1593 meaningful and to give it real funding teeth. So, Madam Chair, this is why I opted to speak in spite of your vote. What is being offered to the

residents over a period of 26 years of hard suffering is insufficient to the cause. And anyone who has worked in private hydraulic firms, engineering firms can tell you that a lot more money is needed. And I hope and pray that that will also follow your vote.

Rescue people at one in the same time resurrect the life blood of a river that's choking on county neglect. Please give me one additional moment if I may. Yes, thank you.

**CHAIRPERSON VILORIA • FISHER:**

Okay. We have a lot of cards.

**MR. CUZZUCOLI:**

I understand.

**CHAIRPERSON VILORIA • FISHER:**

I'm going to ask you if you could wrap it up.

**MR. CUZZUCOLI:**

I understand. I understand. Clean up the river and its tributaries, dry up the basements and you'll certainly strike a blow for the quality of life •• improved quality of life in the Smithtown area. I wish to thank you very much. I would end with just a simple quote from {Desraeli} who is both a politician as well as a great statesman. "Action may not always bring happiness, but there is no happiness without action." I'm hoping that the vote this morning is only the beginning of sustained action that was left behind quite sometime ago. Again, I wish to thank your courtesy, Madam Chair, and the members of the committee for your flexibility and your willing to act. Thank you so much.

**CHAIRPERSON VILORIA • FISHER:**

Thank you for coming down again. Thank you.

**(APPLAUSE)**

**CHAIRPERSON VILORIA • FISHER:**

Lisa Pollicino. Elsie Lane. Since we have voted on this I would like to ask that everyone keep your remarks as brief as you can because we do have such a full agenda. Good morning, Ms. Lane.

**MS. LANE:**

Good morning everyone.

**CHAIRPERSON VILORIA • FISHER:**

Good morning, Ms. Lane.

**MS. LANE:**

Good morning to all my friends and my good neighbors. So, I'm here.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Well, as you know, Ms. Lane, we did vote on this to get it out of committee. And we would just like to extend the courtesy since you're here to make some short remarks.

**MS. LANE:**

So where should I start? I'd like to start with that a little over 20 years ago I had (Don Legro) my legislator. He didn't hesitate to take me out to the court. And we had the judge lower some boards right away in Miller's Pond. And the whole neighborhood got dry. But year after year they've been lagging about it. We can't get anyone to do anything. And that was over 20 years ago. Why can't they go and get Miller's Pond either lowered, boards taken away? If it was up to me I'd drain it all together. The livestock that's in there, they would flow with it. But it would help all the people because everyone in the neighborhood right down to the Bypass has water.

I was down the cellar this morning. And I had to walk through water to get something. It's still that high, the water table (indicating). So I don't know why they can't do something to lower that water table. Why are they holding back? Someone has to do something. You did it for me years ago and it worked. Why can't they do it now? Why make people suffer?

**CHAIRPERSON VILORIA • FISHER:**

Miss Lane, if I could just interrupt? Miss Lane? The boards were removed. There were two boards removed. There was one that was put back up illegally but it was removed again. We're going to have Park Police keep an eye on that so those boards are not put back there. The boards were removed, Ms. Lane.

**MS. LANE:**

They were taken down?

**CHAIRPERSON VILORIA • FISHER:**

Yes. Yes. So we've been listening to what you're saying.

**MS. LANE:**

Were all the boards taken down?

**CHAIRPERSON VILORIA • FISHER:**

I don't know how many boards there are. I just know some boards were taken down.

**MS. LANE:**

So what can they do for us?

**CHAIRPERSON VILORIA • FISHER:**

We're working on it.

**MS. LANE:**

The water's table right •• my back yard, the water table's right to the top. I used to have a nice vegetable garden. I couldn't have it this year. I worked that vegetable garden all by myself. Couldn't have no vegetables. The board •• you can see the water laying right on the top. What can we do? Someone's got to do something.

**CHAIRPERSON VILORIA • FISHER:**

We're working on it. Thank you very much for coming. And Ms. Renner, you're next. If you could just keep it short,

please?

**MS. RENNER:**

Sure. I hope you all are serious about what you are planning on trying to help us with. I'm just speaking briefly for people that are very interested that couldn't attend that would like to have attended, but unfortunately you have these meetings during the week when people are working and unable to attend these meetings.

I work in a health care facility where I have seen in the last almost 20 years that I've worked there such an increase with respiratory issues, chronic sinusitis and things around so many of our elderly and our young children coming up. It's very, very scary. So the importance of trying to do something about this immediately and get this done fast is very, very important; to get the sediment removal so that the mosquitos can't produce their larvae and get the water flowing is very, very important. The elderly in our area are pumping nonstop. One lady just told me the other day that they gave her a quote of 9 to \$10,000 to clear the black mold in her basement. So the increase with these people on fixed incomes is very, very important to try to get done fast so we can get our cost down so these people don't lose their homes which a lot of them are very fearful of right now. But I do hope that we do plan to do it. And we do plan to watch this through the 27th.

And another concern of mine is that everybody, people that were here last week that aren't here this week, we're really, really listening because many people came up to me last week saying I hope those legislators are really listening because many of them look very disinterested. They were walking in and out of meetings. They were talking in the back. I hope that our voices really, really were heard. All of them are watching just so that you know. Thank you.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Mr. Moran. James Moran. And again I implore you to keep it brief, please.

**MR. MORAN:**

I'll BE very brief. I would just like to thank you, Madam Chairwoman and members of the committee for your vote today. And I would just like to keep in mind an article that appeared in yesterday's Newsday which indicated that many pediatric asthma attacks are caused by mold. And mold is a major problem right here in Hauppauge and Smithtown.

The other thing as far as Miller's Pond is concerned which we keep discussing and the state at times has refused to lower it further is we keep talking about the fact that there is a number of species of fish in there. And I just •• my wife went to the website for the DEC. And this is what was indicated. There are large mouth bass, sunfish, brown bullheads and yellow perch. And Miller's Pond serves primarily as a neighborhood fishing hole. The question I'm asking is which is more important? The health of our children or a fishing hole that contains these four species of fish? And the value of the homes in the community of Smithtown and Hauppauge where many people are in danger of losing their houses due to foreclosure because they cannot continue to pay the expenses associated with trying to keep water out of there basements. Thank you.

**(APPLAUSE)**

**CHAIRPERSON VILORIA • FISHER:**

Thank you very much, Mr. Moran. Joanne Greco.

**MS. GRECCO:**

Hi. I'm Joanne Grecco. I live at 286 Bow Drive in Hauppauge. I'm just going to read a statement that I wrote up. I know that you voted on it. And I thank you for supporting us, but I don't think that's enough.

Our largest financial investment is most likely for everyone. It's the purchase of our homes. However, our children are our greatest assets. Our children are our future and I am concerned about their safety and welfare. We're being told that you the Legislature hear us. If you hear us, why was the resolution voted down through partisan lines? I'm a registered

voter. I vote not by partisan lines. I'm educated. I vote by who I think is best for that position. And I'm appalled that you as legislature voted it down due partisan lines. I just can't believe that that's the issue that's coming to its head. Are politics and party lines more important than the safety and welfare of our children? It's not just one or two homes being affected in in one or two neighborhoods. We are talking about approximately 50% of home and at least ten different neighborhoods. We all have serious health concerns. Mold spores, black mold, asthma West Nile Virus and now even childhood drownings. I have neighbors that have ponds in their back yards yet the yards aren't fenced off. I not only have to worry about my son throwing a ball possibly in their yard and getting stuck in the mud there trying to retrieve their ball and possibly drowning. This is just unacceptable. I know I don't want to feel responsible for a child drowning and I don't think you guys do either. I think you guys want to take responsibility and it's time to step it up.

I feel that our cries are falling upon deaf ears. Myself and my neighbors are willing to do anything to clear up the situation. It is not just lowering Miller's Pond that is needed. We need the tributaries cleared so the water can flow to Miller's Pond. If they're not cleared, Miller's Pond •• lowering Miller's Pond isn't going to help us because the water's not going to flow up hill. We're all willing to get boyscouts, different groups together to clear the tributaries ourselves if we wouldn't be arrested for doing that. I just •• I would respectfully ask you guys to do the right thing and stop passing the buck from department to department and supply the funding that's needed to clear up the situation.

**CHAIRPERSON VILORIA • FISHER:**

Thank you very much. Eileen Cook. On deck is Kathy Lloyd.

**MS. COOK:**

Good morning, members.

**CHAIRPERSON VILORIA • FISHER:**

Good morning.

**MS. COOK:**

I respectfully request that you listen to us even though the vote has been heard and you've done what you think you can do. Our voices are as loud as they may be, our individual voices, we need the Legislators to act on our behalf, not just while we're looking but behind the closed doors to hear what needs to be heard to all of the Legislators, not just this individual committee.

Some of you were here in the last session when we did have the attention of the entire legislative body. And everybody looked at us and they heard hundreds of stories of •• horror stories of children and water and everything. And then they turn around and you vote. And if it gets voted down. It's just disheartening to us. We vote everybody into these positions to act on our best interest that we cannot do so ourselves. If we could do so ourselves, we would be using the money to fix the problem. We are. We're taking our individual money that we make everyday working hard, going to work to fix the problems that we have in our homes. We're spending thousands of dollars on drainage systems and pumps and electric bills and everything you've heard before. Only now we're looking to you to do your part with our tax dollars to fix our problem. We're not asking you to do anything that we haven't done already ourselves. We're using our money as well. We'll use our hands if we need to.

We just need you guys to stand up to everybody else to tell them this is not water in a basement. This is a huge issue affecting thousands of people and their children, and their homes and their schools and everything else. Everybody needs to stand up and say, yes, we voted this resolution. For now we're going to go to Riverhead. Now we're all going to come out again in Riverhead and say please vote this down. We're moving it and moving it and moving it. Meanwhile basements are still flooding, mold is still forming. West Nile •• we're coming into the summer season and the heat. And we're going to have mosquitos. And the threat of West Nile, it's only getting worse while it gets moved around from committee to

committee to vote to vote to vote. It's time to take action. We need action now; not in 20 years that we requested it last time. We need action now. Today. Thank you.

**(APPLAUSE)**

**CHAIRPERSON VILORIA • FISHER:**

Kathy Lloyd.

**MS. LLOYD:**

Good morning. I appreciate your listening to us. And although this matter was already spoken about this morning, we're just going to tell our stories again because it needs to be appreciated for the fact that this is an ongoing problem and it's not going to be an easy fix. And lowering a few boards in Miller's Pond can help, but my house in particular has a terrible problem. I pump all the time since •• the last few years. And last week in particular all the sediment in the water is causing the pump to stop and it's an ongoing problem. I can't even keep the water out of the house. It's just constantly building up and then I have to have someone come over, take it all apart and get the whole thing going again. And in the meantime there's four or five inches of water on the basement floor. And, you know, this is something I really need people to appreciate. It is an ongoing problem and it is not going to happen overnight that it just dries up. I don't believe that that actually can happen like that.

And now my children don't want to come visit me. My son walked into the house two weeks ago, he said what died in here? I go that's the water in the basement. You really can't believe how bad this is until you actually see it and smell it and look around. It really and truly is a horrendous problem. And we've dealt with it for many years; but now that we have your attention, you need to see that we need help. We can't keep doing it on our own. Thank you very much. I appreciate it.

**CHAIRPERSON VILORIA • FISHER:**

Thank you very much for coming down.

**(APPLAUSE)****CHAIRPERSON VILORIA • FISHER:**

Arthur Godsell and Richard Johnson.

**MR. GODSELL:**

Thank you very much for your cooperation. One of the things that I haven't heard anyone talk about while we all know it's been an ongoing problem for many, many years •• I've lived in my house on Rainbow Drive since 1960. And it wasn't until about 1970 when we started having the problems. It got very bad through the '70's. And then something was done. And the problem initially was worse than it is today because the water was over the banks from lake Ronkonkoma right over Smithtown Boulevard.

Now today we don't have that problem. So that much water isn't laying up in the Ronkonkoma area. What's stopping it from going through our area is the problem that no one seems to be able to identify or rectify. One of the problems I can tell you is it's been an ongoing problem for years and years and years. This is nothing new to us in Hauppauge.

But this year ever since the torrential rains we had in October, it's never been anywhere near this bad. I have neighbors that are constantly pumping their basements. They used to pump them a few days at a time. And then it would stop raining and the water table would go down considerably. And they wouldn't have a problem again for months. I have neighbors on either side of me that since October have been constantly pumping out their basements. They can't pump it out on their property any longer. So many, many months ago they started pumping into their driveways down into the street. There's constant water in the street that's green. I know it's illegal, but I'm not going to go down and file a complaint against them because I don't know what the heck else they would do with the water. There's no place to put it. You can't put in your cesspools. If you build a drywell, it'll fill up in two days and it wouldn't work anywhere. The water has to be drained off. Something is

stopping that water from draining off. Miller's Pond might be part of the solution, but it's not the whole solution. There's got to be a lot of other reasons that this water is too slow to move out of the area.

And I appreciate that you say you're voting on something that's going to help us; but until I see results, it's not going to satisfy me or anyone in Hauppauge. Thanks very much.

**CHAIRPERSON VILORIA • FISHER:**

Thank you, sir.

**(APPLAUSE)**

**CHAIRPERSON VILORIA • FISHER:**

Richard Johnson. James Altemose will be next. If you can start coming towards the front so when one speaker is finished, the next one is ready to go, please.

**MR. JOHNSON:**

Good morning. My name is Richard Johnson. I have lived on South Avenue for 77 years which is along the 347. The water problem has been explained by many, many people. The mosquito problem, I'm not even going to go into that. What I am really afraid of is what's going to happen in the future. They said that we were going to have a hurricane season like we've never had before. If we don't have it this year, we will have it next year. What happens when the electric goes off? What happens to all these people, all these homes, the foundations, everything is going to demolish. It is a disgusting situation. And anything you can do •• you have to live it to know what it's really like. You have got to give us help. I beg you, please, help us.

Hidden Ponds, what a fine name that was. Hidden Ponds, it used to be when I was a kid, we'd go down to Hunts Pond and Dowling's Pond, which is now covered with buildings, homes and so forth. It's got to stop. It has got to stop and we need help. If this hurricane comes and the electric goes off and the

basements fill with water, is there anyway just an extra suggestion opening Miller's Pond all the way, let the water go. I thank you for your time.

**CHAIRPERSON VILORIA • FISHER:**

Thank you, sir.

**(APPLAUSE)**

**CHAIRPERSON VILORIA • FISHER:**

Bill Buckley.

**MR. BUCKLEY:**

Thank you. My name is Bill Buckley. I appreciate everything you've been attempting to do. And of course I've gone through many of the horrors that everybody else has gone through. My house fortunately is on a slab so it's not so•so bad except when it does rain for any period of time, I have a stream running through my garage. And, of course, I get the mop and everything ready because nobody can flush the toilet. You've heard it all so I won't go into that.

My concern is Smithtown's had this problem and been given the problem over the years and has done nothing about it or at least very little. So I trust with what's going forward, something can be done in a positive nature. And is there any way to find out what exactly will be done as far as what measures are you going to be taking other than taking a board out of Miller's Pond?

**CHAIRPERSON VILORIA • FISHER:**

We'll let you take a look at the legislation that we just passed out of committee and you can read in that all of the different actions that that particular resolution calls for. Okay? We'll have that available for you before you leave.

**MR. BUCKLEY:**

That would be appreciated. Have a nice day.

**CHAIRPERSON VILORIA • FISHER:**

Thank you. Thank you all for being here.

**(APPLAUSE)**

**CHAIRPERSON VILORIA • FISHER:**

And as some of you have already stated, this is a tremendous problem. And it's going to take more than one or two pieces of legislation. And it's going to take more than one level of government. I think it's been a tremendously big move to include the Town of Smithtown in this and to have them take charge of some of their responsibility. I think we have to have the federal and state governments also help us. I think this problem is too big just for the county to take care of.

**(APPLAUSE)**

**CHAIRPERSON VILORIA • FISHER:**

We can't change the water table on our own. We really need the federal and state governments to help us. And we are hearing you. Okay. We need to take 1490 out of order. I'm going to make a motion to take that order of order.

**LEG. STERN:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Stern. And we're taking this out of order out of respect for Legislator Schneiderman who's here in support of that. And he does have an appointment. Thank you. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

If you vote on taking it out of order first then it's before us.

**CHAIRPERSON VILORIA • FISHER:**

All in favor? Opposed? **1490 is out of order. (Creating a Regional Solid Waste Management Commission to reduce pollution, traffic congestion and financial impact of current solid waste disposal practices in Suffolk County) (Schneiderman)** It's before us.

**LEG. SCHNEIDERMAN:**

Okay. Thank you. This bill, actually we were here for quite some time with Commissioner Deering from the Department of Environment and Energy. I think it's very important that Suffolk County plays a leadership role in solid waste manage. In the past it was very much a town issue. The towns collected garbage at their landfills up until the DEC New York State prohibited landfilling on Long Island. And what's happened over the course of time is the towns now all contract to get rid of their garbage which goes from town to town. Most of it or about half of it heading out of the state to places like Virginia and Ohio.

A lot of it gets incinerated. About half in four Long Island incinerators. We've heard a lot about diesel fuel and the impacts on asthma, the carcinogens. We're talking right now we truck approximately 3,000 tons off the Long Island every single day. It's an enormous amount of trucking. In fact I calculated about 10% of the diesel fumes on Long Island originate just from the trucking of garbage. The idea was to bring in some experts together in a committee chaired by our very capable Commissioner of the Department of Environment to look at this issue, look at some of the emerging technologies, see if there's a more environmentally beneficial way of handling it.

There's also a tax implication as well because a huge portion of our town taxes relate directly to getting rid of garbage. About \$100 of ton or a number approaching \$100 a ton to get rid of it in the way that we do. And if we can find a better way of doing it, we can potentially lower our town tax bills. So there are leaders on this commission at the town level, various regulatory agencies, Stony Brook with WMRI, the Waste Management

Reduction Institute, DEC. And I know the Commissioner is here to speak on the bill as well. And I have amended this bill many times to take into consideration some of the comments from the Presiding Officer as well as others on the Legislature. The bill is being co-sponsored by the Presiding Officer as well as Legislator Horsley. And I just ask that we can move forward with it.

**CHAIRPERSON VILORIA • FISHER:**

To quote a line from a popular movie, you had me at hello. But I do want to ask you a question though.

**LEG. SCHNEIDERMAN:**

Sure.

**CHAIRPERSON VILORIA • FISHER:**

I've been concerned since I've been here that the county has such a non-aggressive or passive recycling policy. We probably produce more paper than anything I have ever seen. And it seems to me that all of our municipal governments going from county government to the schools where I've worked do not have good paper recycling. Will this address that kind of issue as well?

**LEG. SCHNEIDERMAN:**

Absolutely.

**CHAIRPERSON VILORIA • FISHER:**

It's always been disturbing in the high schools •• both high schools where I taught, the kids would start recycling programs because the schools always contended that it was too expensive to recycle the paper. Imagine. Schools are not recycling paper.

**LEG. SCHNEIDERMAN:**

County-wide recycling is down by something like 25%. It's actually alarming how much it's down. And we do need to revive recycling for many reasons; environmentally and economically on Long Island and Suffolk County. But Suffolk County as an institution, I've never seen an institution waste

more paper.

**CHAIRPERSON VILORIA • FISHER:**

Neither have I.

**LEG. SCHNEIDERMAN:**

And even though we have converted so much to electronics, we still produce these reams, these giant stacks of paper.

**CHAIRPERSON VILORIA • FISHER:**

Well, we have three back-ups for every e-mail we get.

**LEG. SCHNEIDERMAN:**

Right. Every legislative meeting, we're all familiar with the stack of new bills. They're all electronic now. And, you know, I think there ought to be ways where we can say no or we don't need that. We'll tell you if we want it. But if we can look at that comprehensively, not just Suffolk County but maybe, you know, as Legislator D'Amaro has been working with the schools and bringing the County involved in planning, trying to find some cost efficiencies with the schools, maybe we can do that as well with the recycling. Combine it all maybe into one RFP somehow where a company can take our paper as well the school's.

**CHAIRPERSON VILORIA • FISHER:**

Well, I'm looking at e recycling also. You know, electronics which are tremendous ••

**LEG. SCHNEIDERMAN:**

Those are all things that can come out of this commission, absolutely.

**CHAIRPERSON VILORIA • FISHER:**

Legislator Romaine.

**LEG. ROMAINE:**

Thank you, Madam Chair lady. There is a bill on the floor •• a

bill, a law in Suffolk County mandating that all departments recycle paper. It was a bill I passed and drafted in the 1980's when I served in this legislative body. And that's being ignored by most departments except one I know of and that's the County Clerk's Office. County Clerk's Office recycle •• has the highest recycling of any county agency or department in Suffolk County. That law is on the books. I see Mr. Zwirn sitting there. I would ask that he go back to the Executive with a message to search out •• Steve was with me •• I believe he voted on that bill with me when he served in the Legislature •• to check to determine in fact if that law is being complied with by all county departments. Maybe we can have someone at our next meeting, Madam Chair lady, that would address that issue to see if my law that was passed •• not only was it a law for all county departments to recycle the paper they use, it was a law for counties •• for Suffolk County to buy paper with recycled content. There were two separate laws. I'd like to see if the Executive could tell us if the departments of Suffolk County are applying that law.

**CHAIRPERSON VILORIA • FISHER:**

Actually I'm hearing what you're saying, but I think we would be better served if we pass what's before us. And that that particular issue be addressed by this task force that's being set up. I think that that would be the most appropriate place to do it because we could have somebody come here, but then we wouldn't be the ones to be proactive. I think we have to look comprehensively at it.

I'm going to make a motion to approve 1490.

**LEG. LOSQUADRO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Losquadro. All in favor? Opposed?  
**1490 is approved. (Vote: 5•0)** Thank you, Legislator Schneiderman. That's a very important piece of legislation.

We have a presentation by Mr. Isles.

**DIRECTOR ISLES:**

Good morning. I know the meeting has been running lengthy.

**CHAIRPERSON VILORIA • FISHER:**

Good morning.

**DIRECTOR ISLES:**

So we will make this as to the point as we possibly can, but I do appreciate the time today. And the Planning Department is often before you on matters dealing with lands acquisitions, farmland protections and so forth. Water quality in some cases. There's an awful lot that happens in the Office of General Planning matters. And one of which I'd like to present to you today, which is a recent report completed by the Department on retail activity in Suffolk County.

Here today to provide the primary presentation is Peter Lambert, a principal planner in the office with about 20 years of experience in planning demographics and research in economics. So we will give you a condensed version of the presentation that I think is significant in terms of getting the status of retailing in Suffolk County as it may affect future both county land use policy recommendations to the towns and villages and their basic zoning and planning requirements. With that I'll turn it over to Peter.

**MR. LAMBERT:**

Good morning. What this study involved was an actual visitation of every shopping center in Suffolk County. So we actually field inspected more than 800 shopping centers and 72 downtown districts. We updated the inventory of shopping centers in downtowns that we maintain consistently. And we also analysed all the information by the location of the shopping centers and downtowns. We calculated vacancy rates by shopping center by community by town and analyzing information by the date of construction, the retail and non •retail mix which is an issue that's come up recently specifically in the Village of Southampton. And we also compared this information with previous studies so we have a time series of

data on vacancy rates and the amount of retail construction taking place.

One of the questions that pops up quite often is what exactly is a downtown. It's actually a pattern of development of closely clustered buildings. And in general you have stores that are individually owned and managed. And most of the buildings are sited close to public streets. And you often have on street parking that is supplemented by off street parking that's located behind the stores. These are some examples of downtowns around Suffolk County.

What is not a downtown are patterns of developments such as strict commercial along roads like Middle County Road, commercial buildings that are set way back from major streets, buildings with large parking lots in the front like you see in the bottom right there. And traditional shopping center development where you drive right up to the front of the stores like that.

In terms of the statistics about the downtowns and shopping centers, we have 803 shopping centers in Suffolk County, 72 downtowns that we counted. The square footage 37 million square feet in shopping centers represented by the bright red. And 8 million square feet of downtown space. So there's quite a bit more space in shopping centers than in our downtown districts. And the shopping center space continues to grow.

We mapped every shopping center in the county. So you get sort of a picture here of where they're located. And most of them do cluster along the roads that you would expect like Route 347, Route 25, Sunrise Highway on the south shore. The largest concentration here is located in Lake Grove on the border between the Towns of Smithtown and Brookhaven. You also have other large concentrations, for example, in Commack on the border of Huntington and Smithtown.

In eastern Suffolk County there are far fewer shopping centers. You have a large cluster in Riverhead along Route 58. But in general there are not too many. They're in every town but

there are not nearly as many as there are in western Suffolk as you would expect.

In terms of the downtown districts we have 72, as I had mentioned, and they're scattered amongst the towns. This map shows western Suffolk's downtown districts. And this map shows eastern Suffolk's downtown districts. They are relatively more downtowns in eastern Suffolk that support the local population. Eastern Suffolk relies less on shopping centers and more on its downtown districts for shopping. Over time the square footage of shopping centers has increased dramatically. In 1970 we had 12 million square feet. By 2005 the square footage had increased to more than 37 million square feet. On a per capita basis which is the graph on the bottom, there was 11 square feet of shopping center space in 1970 per person for every person. That number even though we've had an increase in population, we now have 25 square feet of shopping center space per person as of 2005. So the map on the •• the graph on the bottom right shows the downtown square footage in the darker read which is relatively constant per person, but per person square footage of shopping centers has continued to increase ••

**CHAIRPERSON VILORIA • FISHER:**

Before you leave this slide, can I ask you a question about this?

**MR. LAMBERT:**

Sure.

**CHAIRPERSON VILORIA • FISHER:**

When you reserve to the number of square feet per capita ••

**MR. LAMBERT:**

Right.

**CHAIRPERSON VILORIA • FISHER:**

Now is that active shopping center or are some of these abandoned shopping spaces?

**MR. LAMBERT:**

I will get into information about vacancies.

**CHAIRPERSON VILORIA • FISHER:**

Okay.

**MR. LAMBERT:**

But it does include all the shopping center space including vacant spaces, yes.

**CHAIRPERSON VILORIA • FISHER:**

It includes vacancies as well? Okay. All right. Thank you.

**MR. LAMBERT:**

Of which there's only about 7% of the space is vacant or 8%. We also have 7 million square feet of shopping center is currently on the boards proposed but not yet built.

Vacancy rates. In shopping centers in 2005 we determined the vacancy rate to be 8% of stores. That was an improvement over the 2000 figure which was 12%. In downtowns the vacancy rate has been slightly better than in shopping centers. 7% in 2005 compared to 8% in the year 2000.

**CHAIRPERSON VILORIA • FISHER:**

I'm sorry, I have a question about that, too.

**MR. LAMBERT:**

Yes. Sure.

**CHAIRPERSON VILORIA • FISHER:**

To put this in context, when you have a robust economy, what's the vacancy rate? You know, what makes it a town in trouble or an area in trouble?

**MR. LAMBERT:**

Around 6 or so percent, 5,6,7 % is sort of a full employment. It's kind of hard to get lower than that in a region because you always have some turnover.

**CHAIRPERSON VILORIA • FISHER:**

So the 8% isn't that far above what a robust economy would have?

**MR. LAMBERT:**

Right. These vacancy rates are pretty good. And I'll get into a little bit of the historical context.

In the largest downtowns, this table show a vacancy rates that we found in 2005 compared to 1996. For example in Huntington we have a very favorable vacancy rate as well as in Southampton and Babylon. Bay Shore, Patchogue, Riverhead have traditionally had much larger or higher vacancy rates over the years, but even those have improved in recent years.

In the largest shopping centers in the county, vacancy rates have tended to be even better than in the largest downtowns. The malls have traditionally had very low vacancy rates especially the Tanger Outlet Center which has been a very successful outlet shopping center in the county.

Overtime since 1996 the vacancy rates in both shopping centers and in downtowns have improved. But what you notice is the vacancy rate in downtowns has been consistently better than in shopping centers. So it's almost a myth actually that the vacancy rate is much worse in downtowns. It's actually today rather similar overall. But you do have certain areas that do have vacancy problems which we need to address. The question is then why have vacancy rates improved? Some of the reasons I list here, in downtown districts in particular you have an introduction of some sort of entertainment retail. And things like theatres, movie theatres, performing arts, restaurants and things like that which encourage people to visit the downtowns. And that's continued to result in an improvement in their vacancy rates.

In downtowns and shopping centers you have an introduction of more and more non-retail uses such as offices, salons, gyms, things like that. In many cases in shopping centers you have stores that have expanded to include the space adjacent to the existing store so that actually would improve the vacancy rate

just by reducing the number of stores in the center. In addition we have several popular new store types that I have pictured here. And all these pictures are from around the county. Wireless or cell phone stores is a use that you really didn't have even five years ago, services for calling centers and money wiring, that is an exploding new service that exists around many parts of Suffolk County. Tanning salons, nail salons are also things that you see a lot more of than you used to. And these are occupying a lot of the store fronts in downtowns and in shopping centers.

Another issue is the retail uses versus non•retail uses. As I mentioned the non•retail uses such as hair salons, beauty salons, nail salons, laundromats, insurance offices, medical offices are taking up more and more of the shopping center in downtown space. In some cases they've taken over entire shopping centers so that you don't even •• we don't even count them as shopping centers any more.

**CHAIRPERSON VILORIA • FISHER:**

Can you read the legend for us because we can't see what the •

**MR. LAMBERT:**

Sure. On the left you have the percentage of retail uses in downtowns through the years. And on the right you have the percentage of retail uses in shopping centers.

**CHAIRPERSON VILORIA • FISHER:**

No. What I meant was down at the bottom. The white stands for what? I couldn't see it.

**MR. LAMBERT:**

Yes. The lightest color is 1988, '89. Moving to the right we have 1996, 2000, 2005. So over the years you have a decreasing percentage of retail stores in both downtowns and shopping centers. And in general the retail percentage in shopping centers has maintained at higher than in downtowns. So the downtowns are becoming a little bit more service oriented, more medical offices, more other offices, which can be

an issue because they don't draw the foot traffic, the leisure shoppers, the strollers like some of the retail stores do. But in some cases, in some downtowns, we very varied downtowns. Sometimes you need that •• the offices to fill the store fronts and bring people in where otherwise there would be vacant store fronts. But in a place like Southampton Village, they depend more on retail stores, foot traffic and entertainment leisure shopping than a smaller would.

**CHAIRPERSON VILORIA • FISHER:**

That's why they just had that controversy recently.

**MR. LAMBERT:**

Right. Exactly.

**CHAIRPERSON VILORIA • FISHER:**

About no more realtors or that type of office.

**MR. LAMBERT:**

Right. A place like West Hampton Beach, I think, has brought in a lot more real estate offices so they kind of frown on that in Southampton. They don't want that to happen there in their downtown. But if otherwise the store isn't going to be occupied, it's not such a bad idea. But once the tipping point is reached where there's too many non•retail stores, you don't really have a tourist•oriented downtown any more where people are retailing, leisure shopping.

In terms of trends in shopping centers, big box stores continue to dominate more and more. We've always had big box stores but they're much more dominant than then used to be. Their size is increasing; even the size of the smaller stores in shopping centers has increased. Outlet centers are no longer a new concept. They're maturing. In fact the Bellport Outlet Center, if you've seen it recently, has quite a few vacant stores. Another outlet center has been proposed in Deer Park. So it remains to be seen how successful that one will be. Even malls themselves which are sort of a classic Americana, they are continuing to evolve by bringing in new types of tenants, some discounters like Walmart are entering traditional malls

where usually you had mid and high level department stores. Some malls are re•making themselves around the country and bringing in some other uses like housing on•site, which is something that may end up happening here. The Smithaven mall in Lake Grove is actually re•inventing itself by creating an outdoor life•style center as part of the mall. So that's a completely new concept for a mall in Suffolk County.

Smaller shopping centers, also, the last item here, continue to have that same mix of traditional stores that we see in a lot of our shopping centers. Pizza parlors and nail salons, karate, deli's and things like that, that are really separate from the big box retailing. So we're seeing two diverging types of retailing. The big box versus the smaller stores. And they're competing less and less actually.

In terms of downtowns the trends there are a return to the appreciation of a downtown as the core of a community and it reflects the community's character and identity. So we're seeing a return to the traditional downtowns as centers of activities, centers of meeting, of gathering and leisure shopping. Downtowns are adapting by orienting to non•retail uses, incorporating restaurants, leisure shopping, tourism and entertainment. Outdoor dining and things like that. They're competing less and less with the big boxes and less and less with malls and they found their own niche in many cases; especially the more successful ones such as Sayville and Huntington and places like that.

We came up with several recommendations for the downtowns. Okay. We're going to run through these pretty quickly. We want to encourage the development or re•development of higher density housing in and around the downtown areas. This is a map showing the sewage ••

**CHAIRPERSON VILORIA • FISHER:**

Can you just go back to that just a second?

**MR. LAMBERT:**

Sure.

**CHAIRPERSON VILORIA • FISHER:**

I just want to quickly ask, you're talking about higher density so you're talking about •• but are you referring also to apartments over retail?

**MR. LAMBERT:**

Yes. It includes apartments over stores, condos and rental apartments immediately adjacent to the downtown centers.

**CHAIRPERSON VILORIA • FISHER:**

Okay. And how were the townships doing with the zoning for that kind of development?

**MR. LAMBERT:**

Right. The top right photo here is in Huntington. That's a brand new building. That shows rental apartments over retail stores. I think the towns that are different •• there are different stages in terms of where •• how much they allow the stores to have.

**CHAIRPERSON VILORIA • FISHER:**

The villages are doing better. When you have villages, it tends to be ••

**MR. LAMBERT:**

Incorporated villages tend to have a little more control over what's happening. They're smaller. They have one downtown instead of many.

**CHAIRPERSON VILORIA • FISHER:**

Right.

**MR. LAMBERT:**

The Town of Smithtown would like to have more density in its downtown. It's major downtown Smithtown. But there's issues with sewage capacity and things like that which would make it more difficult to bring restaurants and higher density. So that's

another issue that we have a recommendation about.

**CHAIRPERSON VILORIA • FISHER:**

Legislator Romaine has a question as well.

**LEG. ROMAINE:**

Thank you. Have you worked with the Town of Riverhead? I know that they have major plans for downtown Riverhead. Have they consulted with your department? And if so what is the relationship and the recommendations and ••

**DIRECTOR ISLES:**

They've not consulted with us directly. We certainly have had a couple of conversations with them. Unfortunately, I don't say this too often either, but we had a meeting with them, myself and the Deputy Director two weeks ago. We waited about an hour and 15 minutes. And the person was late. We had to then move on. We were meeting with the Planning Director. So unfortunately we attempted to meet with him to talk about both downtown and 58. Rick Anley. So we've asked to re •schedule that meeting at some point in the future. So we would like to talk to them and to work with them. But at this point it's been kind of hit or miss at this present time to be honest.

**LEG. ROMAINE:**

The only reason I ask that is, as you know they are contemplating doing a great number of apartments and condos over their proposal to re •do Main Street in Riverhead. They're talking about several hundred.

**DIRECTOR ISLES:**

Yes.

**LEG. ROMAINE:**

Thank you.

**DIRECTOR ISLES:**

Just the one point. They will have to come to the Suffolk County Planning Commission when they do make the referral

to them.

**MR. LAMBERT:**

Okay. The next recommendation for downtowns was that we would encourage sewage capacity extensions or expansions, be pursued in downtown areas that desire that additional development. That's what I was talking about, about Smithtown. The map shows •• the darker shaded areas are the areas that are sewered currently. And the little squares are the existing downtowns centers. While many of them are in the sewered areas, many of them are not in desired extensions if they want to expand their downtowns.

We want to encourage infill commercial development to fill in the large gaps between buildings and downtowns. When you're walking along a downtown and you encounter a large gap between stores, it kind •• it discourages you from continuing. So if there's a nice continuous frontage of retail, it's a lot more inviting and cohesive. And it makes for a much better downtown. The bottom right is Montauk. And that's a good example of continuous retail. The other photos show gaps in a downtown district that are not really favorable.

We want to encourage a significant amount of glass frontage. And that creates again a more positive downtown shopping experience. You have a good example on the left. And an example of a walled up store front on the bottom right. That's very uninviting to shoppers.

Municipalities should also acquire key parcels for parking and green spaces. And they should coordinate parking within downtowns. It's a common sense recommendation to have a little parkland there in each downtown; good access from the parking lots to the shopping districts. And also improve the backs of the store fronts which in many downtowns actually front on the parking lots. So you'd want to have them as attractive as possible.

You want to encourage destination uses located in downtown areas. That includes not only chains such as chain drug stores,

and you don't want to have too many chains in the downtown because it sort of removes the authenticity or the uniqueness of a downtown. You can also bring in restaurants like you see on the left; performing arts theatres and movies theatres have also been successful in some of our more successful downtowns.

We want downtown business districts to investigate the possibility of forming business improvement districts. They can raise money to improve not only pedestrian safety but improve the aesthetics of a lot of downtowns and possibly even improve the parks that are in and adjacent to our downtowns.

Public restrooms is another important item for the larger downtowns because many of them don't have them. These are three eastern suffolk downtowns that do have them. Bridgehampton, West Hampton Beach and Greenport. Some of the larger downtowns in the west end would benefit from a restroom because essentially they're quite large. And if you want to walk them in total •• it's essentially the same as walking a mall. And in a mall you always have a restroom.

Our recommendations for shopping centers. There are four of them we came up with. Municipalities should rezone surplus commercially zoned land and limit the amount of new commercial zoning. In some cases it might be wise to actually use part of a shopping center site for other uses such as non •retail uses like housing or offices. In some cases you have one new shopping center built. A large store goes to the new shopping center. And as you see on the top right there, abandons its site nearby and you're left with a vacant shell. Certain municipalities that don't want to have new big box retailers should amend their zoning codes to prohibit them. This has actually been down somewhat in eastern Suffolk County already. Certain areas might want to limit them to particular sites that are appropriate instead of having a surprise proposal come in that would create controversy.

Another common sense recommendation is that municipalities should approve only well designed site plans. The top left is an

aerial photo that shows connectivity between parking lots between shopping centers. And that is helpful in improving safety for motorists. Instead of them returning to the major road, they can sort of connect through from one parking lot to another.

Building re•use and re•development should be encouraged before new shopping center construction takes place. Another common sense recommendation. Always a good idea to renovate or use existing vacant space before new construction takes place.

We have five recommendations for both downtowns and shopping centers. Municipalities should have architectural plans and review architectural elements of proposed commercial developments so you don't ugly signage, ugly store fronts. There should be a pedestrian orientation to make parking lots and streets pedestrian friendly; not only crosswalks, handicapped access, pedestrian bump•outs and spaces for bicyclists.

Buildings and parking lots in downtown business districts should also be maintained in good condition. Not only that but shopping center sidewalks should also be maintained. Keep the vacancy rate low. Lighting and landscaping, another common sense recommendation, attractive lighting is not only attractive but it helps improve the safety or perceived safety of pedestrians. And landscaping is always an added benefit in downtowns. And that concludes the presentation.

### **DIRECTOR ISLES:**

So that's it. With the presentation, you know, a couple of fundamental points is that in the past 25 years our population has gone up 58%. The amount of retail development has gone up 87%. We have 7 million square feet pending. There's real questions as to the appropriateness of that given, though, the fact that our population growth is not that significant. There are obviously many aspects of county government that affect downtowns. Obviously zoning review by the County Planning Commission, but certainly the legislature with the hamlet park

program, the downtown grants that you do. A lot of that is evidenced by the presentation that Peter just made including a number of the downtowns areas with hamlet beautification projects. There was the Lindenhurst hamlet park which was funded by the County of Suffolk and is managed by the village.

So with that, that was a synopsis of the report. And, here again, I would to thank Peter for the presentation and the work that he did on this. We do have copies available for you today. And certainly if you have any questions, please call upon us. Thank you.

**CHAIRPERSON VILORIA • FISHER:**

We look forward to that. We would like copies of that because it was a good presentation, Peter. But I just have to ask, and it's a little frustrating because we're seeing the curb cuts on major roads, the additional lights. I travel 347 all the time so that's a nightmare in itself.

**LEG. ROMAINE:**

It should be a bypass.

**CHAIRPERSON VILORIA • FISHER:**

Right, exactly. It was meant to be a bypass. But those are decisions made by the towns. And so, hence, the frustration. And as useful as this presentation is, what •• how much of a role do we play then?

**DIRECTOR ISLES:**

Well, we play a direct role in certain actions that come before the County Planning Commission which I realize can be overridden. But on the other hand I think the •• to make the County Planning Commission and the county government in general as relevant as possible, I remember when I was in the town planning department for twenty years, we didn't have the ability to do the county•wide planning collect that information and to put specific applications into perspective. And so I think by doing the work that we're doing, it is a resource made available to them. And I think it's, here again, we do have this disconnect between state and county road systems and local

land use decisions. And I think as much as possible you have to try to connect the two and work together. And there have been recent initiatives including the four town corridor and Commack Road corridor that the County Executive and the four town supervisors have gotten together.

We've also begun a regular meeting and work sessions with not only those four town planning directors but we're doing it in five other growth and development zones in the county including Riverhead which is the meeting we had tried to schedule two weeks ago. Anyway, it's a quick answer in terms of being active and proactive in terms of getting out there and trying to have a coordinated ••

**CHAIRPERSON VILORIA • FISHER:**

A regional view of the planning and a master plan trying to work toward. You know, everyone seemed to have a master plan ••

**DIRECTOR ISLES:**

And I think everybody's got to work in the same universe. It can't be these separate places. And that's been a historical problem.

**CHAIRPERSON VILORIA • FISHER:**

That balkanization rather than have a regional plan. Thank you very much. That was helpful. It was a good overview. Thank you.

**DIRECTOR ISLES:**

Thank you for the time.

**CHAIRPERSON VILORIA • FISHER:**

Okay. We're going to go to the agenda. Tom, you may as well stay up here; right?

IR 1172 •• you know what? I wanted to do the CEQ resolutions first. Jim Bagg? Jim, we'll go through the CEQ resolutions first. We can all find a spot. There we go. Okay, Jim. **57•06 (proposed SEQRA classifications of legislative resolutions laid on the table on June 13th, 2006)**

**MR. BAGG:**

57•06 is the Council's recommendations for Type II Actions for the June 13th, 2006 Legislative packet. It's pretty fairly Pro forma.

**CHAIRPERSON VILORIA • FISHER:**

I'm going to make a motion to approve and place on the consent calendar, seconded by Legislator D'Amaro. All in favor? Opposed? 57•06 is approved and placed on the consent calendar. Pro forma. Sorry, not consent calendar. That's pro forma. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**MR. BAGG:**

**The next 58•06 is the acquisition of land for open space preservation known as the Forge River County Park addition, Catholic Near East property in the Town of Brookhaven.** Council recommends that it's an unlisted action with a negative declaration.

**CHAIRPERSON VILORIA • FISHER:**

Same motion, same second. Pro forma. Same motion, same second, same vote on 58•06. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

59.

**MR. BAGG:**

**59•06 is the proposed acquisition of a conservation easement for the preservation purposes known as Great Pond • Manos property in the Town of Southold.** Council recommends that it is an unlisted action, negative declaration.

**CHAIRPERSON VILORIA • FISHER:**

Same motion, same second, same vote. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**MR. BAGG:**

**60•06, proposed acquisition of land for open space**

**preservation purposes known as Noyack Greenbelt • 357 Brick Kiln property in the Town of Southampton.** Council recommends an unlisted action, negative declaration.

**CHAIRPERSON VILORIA • FISHER:**

Same motion, same second, same vote. **(Approved. Vote: 4 • 0 • 0 • 1. Leg. Stern not present)**

**MR. BAGG:**

**Resolution number 61 • 06 is the acquisition of land for open space preservation purposes known as Hauppauge Springs, Lucyshyn property in the Town of Smithtown.**

Council recommends an unlisted action negative declaration.

**CHAIRPERSON VILORIA • FISHER:**

Now are these •• anybody from the Planning Department, is this near that flooding area that all these people have been talking about?

**MS. FISCHER:**

Yes. This is off of Brooksite Drive.

**CHAIRPERSON VILORIA • FISHER:**

So that's pretty close to where they are, isn't it?

**MS. FISCHER:**

Yes, it's in that general vicinity where there's a lot of flooding issues and high groundwater table.

**CHAIRPERSON VILORIA • FISHER:**

Well, that's very good, then. Because it seems that development has been part of the problem there.

**MS. FISCHER:**

Absolutely.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Same motion, same second, same vote. **(Approved. Vote: 4 • 0 • 0 • 1. Leg. Stern not present)**

**MR. BAGG:**

**CEQ resolution number 62•06 is for the proposed acquisition of land in partnership with the Town of Brookhaven for open space preservation purposes known as the Overton Preserve, Pinelli property in the Town of Brookhaven.** Council recommends an unlisted action negative declaration.

**CHAIRPERSON VILORIA•FISHER:**

Same motion, same second, same vote. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**MR. BAGG:**

**CEQ resolution number 63•06 is for the proposed acquisition of land with the Town of Huntington known as the Mohnenhoff property, joint purchaser for the purposes of developing a new active recreational conflicts in the Town Huntington.** This is a Type I Action which involves the acquisition of 10.2 acres of property in the Town of Huntington and Suffolk County upon which the Town of Huntington will construct new recreational facilities including two regulation size soccer/lacrosse fields, two small youth soccer lacrosse fields, playground, restroom building, grandstands, pathways, parking and landscaped areas. Council recommends that this is a Type I Action. A coordinated review has been done with the Town of Huntington. The county has been designated as the SEQRA lead agency. The Council recommends that a negative declaration be issued for the following reasons. Proposed action will not exceed any of the criteria in Section 617.7 Title Six NYCRR which sets forth thresholds for determining significant affecting environment. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources that are identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and code. The Town of Huntington is to remove all existing infrastructure on the property and properly dispose of it at an approved facility. The Town of Huntington will remediate the agrochemical contamination on the property in

conformance with the Suffolk County Department of Health Services requirements and standards. All necessary permits required by the New York State DEC and the Suffolk County Department of Health Services will be obtained. The project is in conformance with the 1993 Town of Huntington comprehensive plan and adjacent roads have the capacity to handle the additional traffic generated by the project which is not significant.

**CHAIRPERSON VILORIA • FISHER:**

Same motion, same second, same vote. **(Approved. Vote: 4 •0•0•1. Leg. Stern not present)** Thank you very much, Jim.

**TABLED RESOLUTIONS**

**CHAIRPERSON VILORIA • FISHER:**

We will now go to the tabled resolutions.

**IR 1172, 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)** This was tabled.

**MS. LONGO:**

Right. We already have planning steps on this.

**DIRECTOR ISLES:**

Right.

**CHAIRPERSON VILORIA • FISHER:**

Right. So I'm going to make a motion to table again.

**LEG. D'AMARO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator D'Amato. All in favor? Opposed? On

the motion.

**LEG. ROMAINE:**

Thank you. Could I ask the status under the other planning steps which was obviously not the program that we would be buying under since we'd have to change that at the time we did the acquisition. And that's why this resolution came forward. Could I could ask you the status of where negotiations are at this point?

**MS. LONGO:**

The appraisals are in. And they should be on the ETRB next month.

**LEG. ROMAINE:**

Next month.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Motion to table and a second. All in favor? Opposed? 1172 is tabled. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)** Hopefully we'll see an acquisition pretty soon.

**1220, authorizing planning steps for acquisition Save Open Space Farmland Preservation and Hamlet Parks Fund, Governale property, Town of Brookhaven.  
(Romaine)**

**MS. LONGO:**

Again, we already have planning steps. This is core Pine Barrens. And the appraisals aren't in yet on this.

**LEG. ROMAINE:**

The appraisals aren't in?

**MS. LONGO:**

No.

**LEG. ROMAINE:**

When do you expect that the appraisals would be in on this parcel of property?

**MS. LONGO:**

Hopefully any moment.

**LEG. ROMAINE:**

Okay.

**LEG. LOSQUADRO:**

I apologize, Madam Chair. How long ago were they ordered? I know we have specific time frames in which they must be delivered.

**MS. LONGO:**

We do. I think there were issues •• I don't recall exactly but I think there were issues that needed to be resolved regarding what's going to be retained by the Governales, what they actually wanted to do with it. So there was some discussions before we could determine how many acres we're actually appraising for that lot.

**LEG. LOSQUADRO:**

And whether or not any demolition or anything like would have to take place on the site or ••

**MS. LONGO:**

Well, the house would be cut out but they also have a business; an existing business there. So we had to •• they had to decide if they wanted to sell that property, if they wanted to keep that property, how many acres we needed. So it took a little while. And the appraisals were ordered.

**LEG. ROMAINE:**

We'll see.

**MS. LONGO:**

And they should be in. They should be in soon.

**LEG. LOSQUADRO:**

Okay. Thank you.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? **1220 is tabled. (Approved. Vote: 4•0•0 •1. Leg. Stern not present)**

**1390, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Treemont Avenue property, Town of Brookhaven. (Eddington)**

**DIRECTOR ISLES:**

There was issue with this one with the intent of the sponsor. The property is a triangular piece along state route 112 in Medford. A portion of the property is developed with a building. And I believe the sponsor last time I spoke to him or his aide a while ago was that they were trying to reconcile what to put forward. We would have concerns with the proposal as it currently stands with the house being included in the acquisition.

**CHAIRPERSON VILORIA • FISHER:**

Okay. I'm going to make a motion to table.

**LEG. LOSQUADRO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Losquadro. And, Mr. Isles, I'll reach out to the sponsor. And if you have an opportunity to speak with him. We'll try to resolve this by the next meeting. We have plenty of time between now and the next meeting. Do you know if there is development pressure on this?

**DIRECTOR ISLES:**

I don't believe there is from what I know.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Thank you. There's a motion to table and a second. All

in favor? Opposed? **1390 is tabled. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1490, we already approved this.**

**1522, authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program, Peter's property, Town of East Hampton. (Schneiderman)**

**DIRECTOR ISLES:**

We would respectfully request that this matter be tabled. I did meet with Mr. Peters on Friday afternoon and I spoke to the sponsor today. We have concerns with this. It rated 14 in the county's rating system. It certainly had an important groundwater recharge area; however, we still have a number of questions in terms of this appears to be a very fragmented acquisition. So, we'd like a little extra time to do further review of this on the bigger picture of this aquifer.

**CHAIRPERSON VILORIA•FISHER:**

Okay. We'll respect that request. And I'll make a motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? **1522 tabled. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1527, authorizing planning for acquisition under Suffolk County Multifaceted Land Preservation Program, Oregon Avenue property, Town of Brookhaven. (Eddington)**

**DIRECTOR ISLES:**

Okay. We had presented a brief review of this at the last meeting. And it circulated a rating form. It rated very low. It is a single one acre parcel in a developed area. It does lead to some additional land to the north that is the back yards of the rear parts of the number of lots that front on Oregon Avenue. At this point in time in terms of the County's criteria for acquisitions, it's not one that we would recommend to you. I don't profess to speak for the sponsor and I believe his concern was for future development, here again, of a flag lot situation

or the rear lot development; but as far as the county criteria of acquisitions based on wetlands, on proximity to other county holdings and so forth, this is one that we feel would not be an appropriate county acquisition; maybe an appropriate town acquisition. But unless we hear other information from the sponsor, it's not one we would support at this time.

**LEG. LOSQUADRO:**

Motion to table.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Motion to table by Legislator Losquadro.

**LEG. D'AMARO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator D'Amaro. All in favor? Opposed? 1527 unless we hear more compelling reasons to acquire this. **1527 is tabled. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1572, authorizing acquisition of a conservation easement under the Suffolk County Multifaceted Land Preservation Program, Open Space Preservation Program for the Manos property, Town of Southold. (County Executive)**

**LEG. ROMAINE:**

Motion.

**CHAIRPERSON VILORIA • FISHER:**

Motion to approve by Legislator Romaine, seconded by Legislator Losquadro. On the motion? We had tabled this.

**DIRECTOR ISLES:**

Yeah, we had requested this be tabled at the last cycle pending review by CEQ. That has been completed.

**LEG. ROMAINE:**

And I believe I'm listed as a co•sponsor on this resolution by

the County Executive.

**CHAIRPERSON VILORIA • FISHER:**

Okay. All in favor? Opposed? **1572 is approved.**  
**(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1582, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Demasi property, Town of Smithtown. (Nowick)**

**DIRECTOR ISLES:**

This is next to or in the vicinity of Arthur Kunz County Park. And it's about •• the overall site is about two acres. It's proposed that a portion of the site be considered for acquisition by Suffolk County. We rated it at 9 points. It's one that is •• I'd call it a marginal acquisition. The County just recently completed the acquisition of the Schmidt property which was surrounded on three sides by county parkland. And that made imminent sense.

This one is more towards the edge. So at this point in time it would have a relatively low point score. Here again, we did make a brief •• I had a brief discussion with the sponsor. But at this point there's nothing new I can bring forward to you on this matter.

**CHAIRPERSON VILORIA • FISHER:**

Okay. And it did have a very low rating.

**DIRECTOR ISLES:**

Yes.

**CHAIRPERSON VILORIA • FISHER:**

And it looked odd to us at that, too. I'm going to make the motion to table.

**LEG. D'AMARO:**

I'll second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator D'Amaro. All in favor? Opposed?  
 Okay. **1582 is tabled. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1596, authorizing acquisition of land under Save Open Space, Farmland Preservation and Hamlets Park Fund, Open Space Component, 357 Brick Kiln property, Town of Southampton. (County Executive)**

**DIRECTOR ISLES:**

This property was also requested for tabling at the last meeting pending review by CEQ. That has occurred and they have completed their review and made a recommendation to you as far as the SEQRA aspects. Therefore, it is ready for action today if the committee sees fit. It is one that is in the south fork SGPA. It totals almost 10 acres of land. Real Estate has complete the appraisal and review process and the negotiations. It is one we would recommend your positive consideration of today.

**CHAIRPERSON VILORIA • FISHER:**

**And it had been on the master list, hadn't it.**

**DIRECTOR ISLES:**

Yes.

**CHAIRPERSON VILORIA • FISHER:**

Okay. There's a motion to approve by Legislator Losquadro, seconded by Legislator Romaine. All in favor? Opposed? **1596 is approved. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1642, amending the 2006 Capital Budget and Program and appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and Workforce Housing program. (County Executive)**

We had asked some questions about this earlier. Marian, could you come please up, please? You could take the podium.

**MS. ZUCKER:**

As I understand at the last committee meeting, this resolution was tabled; that there was concerns from the Budget Review Office as to why there was a specific earmark of funds for Workforce Housing developments when there was still 3 million and change left in the Affordable Housing.

**CHAIRPERSON VILORIA • FISHER:**

Marian, they had a second concern which was represented today which is that the money could be accessed directly from the Multifaceted Program rather than transferring it from the Multifaceted Program out. So if you could ••

**MS. ZUCKER:**

May I address?

**CHAIRPERSON VILORIA • FISHER:**

Yes, please.

**MS. ZUCKER:**

I'll address both of them.

**CHAIRPERSON VILORIA • FISHER:**

Thank you.

**MS. ZUCKER:**

In the first regard about why are we looking for a specific earmark for Workforce Housing when there is still three million 160 in change available in CP 8704, that is because the Patchogue initiative will fully deplete that fund and then some. The Patchogue resolution is scheduled to be before the Labor and Workforce Housing Committee meeting this Wednesday.

One of the reasons that I had asked Trustee Creen to show up this morning and speak to you was to try to convey the sense of how important it is to our local municipalities to see the County's commitment to workforce housing. And by having the funds available and knowing that the County is there to partner with the local communities, it gives them •• comfort is not quite the word, but it gives them a partner to walk down that road with.

The second concern of Budget Review why do we need a specific earmark for housing, we can just access the funds from Multifaceted, this is clearly a policy decision for this committee to consider. I think what I would argue is that, first of all, to make the case that it is important to municipalities to know that we're there, that the funds are available; and to understand that the lead time to bring a workforce housing development to the Multifaceted Program and try to get access to that funds, we have much longer lead time than an open space acquisition. We started working on Patchogue at least in 2003. Anything that I'm in conversations on now will take at least nine months to bring to fruition. And that's because generally we need to have a re-zoning of the property. We need to bring all of the development partners together. We need to identify all of the other sources of funding both public and private to make a development to happen. And it is important for people to see that the County will still be there when they get to the finish line; that our funds will be there assuming positive consideration from the committee and the full Leg, but that we're there with funds in hand to help them out.

**CHAIRPERSON VILORIA • FISHER:**

Those are really very good and strong points, Marian. And I think that they come •• I think that they're very timely coming on the heels of the excellent presentation by the Planning Department regarding downtowns.

**MS. ZUCKER:**

I didn't pay Peter to say that, but I couldn't have been more happy to hear what he said about housing and downtowns working hand in hand.

**CHAIRPERSON VILORIA • FISHER:**

And it really is good. And so what you're saying is that this isn't just a way of accessing money, but we are putting the money in the right place so that it's accessible to the workforce housing initiatives that the County has represented that we made a commitment to.

**MS. ZUCKER:**

Yes.

**CHAIRPERSON VILORIA • FISHER:**

And so that we're locking that •• not locking it up •• well, moving the money so in a way it is locking it up. So that's it's not all eaten up in one program. We're putting it in another. And it was a great presentation, Tom. And I think having looked at that and looking at the project; and I hope that you'll be bringing something to the general meeting on Tuesday.

**MS. ZUCKER:**

Yes.

**CHAIRPERSON VILORIA • FISHER:**

To let all of the Legislators see what a tremendous project this is and what a model it is in workforce housing and downtown revitalization. I think it's great. I heard a voice.

**LEG. LOSQUADRO:**

Yes.

**CHAIRPERSON VILORIA • FISHER:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

I believe this is a policy decision. I think that the policy that the County has in place was quite visionary for its time. Putting this component into Multifaceted and allowing us to draw down on these funds for these uses. And I think the Executive branch would agree that giving the towns a comfort factor •• I think the towns have been the ones who have been a bit reluctant to take part in this process. I don't know how much more comfort factor we can give them in terms of our willingness to take part in this. And again the lead times on these projects, I understand, are significant. But again fall back to the home rule powers of the towns in regards to land use.

My point to all this is we have the money. It is available in its

current form for this intended use. And I see no reason to change our policy to take money out of this program and put it into a separate line item. I think the visionary manner in which the legislation was originally drafted for the Multifaceted Preservation Program gives us more than enough flexibility to accommodate these programs as well as others. And I for one do not see a reason to change it to accommodate something that is already permitted.

**CHAIRPERSON VILORIA • FISHER:**

Okay. I'm going to make a motion to approve, seconded by Legislator D'Amaro. All in favor?

**LEG. LOSQUADRO:**

I would like to hear what Mr. Zwirn had to say.

**CHAIRPERSON VILORIA • FISHER:**

Well, since it's just a policy decision, and some of us agree with what Ms. Zucker said which is that our policy here is to put •• you can •• Mr. Zwirn can answer, but I thought that that ••

**LEG. LOSQUADRO:**

Well, the County Executive put the bill in so ••

**CHAIRPERSON VILORIA • FISHER:**

But what was said by Marian was precisely that we want to insure that that money is earmarked. It's put some place precisely for the use of workforce housing; but Mr. Zwirn can answer your question.

**MR. ZWIRN:**

I'll be very brief.

**CHAIRPERSON VILORIA • FISHER:**

There was a motion and a second on the table.

**MR. ZWIRN:**

Yeah, everything that Legislator Losquadro is true. But the problem is this; is that you have the multifaceted money. And as the Chairwoman has suggested, we want to make sure that

there is money available for workforce housing because that fund can be used for lots of different projects. And we're just saying that there are a number of projects that Marian is working on, Jim Morgo is working on. We want to make sure that when those projects come to fruition that there's this \$5 million there so they can be addressed; otherwise with all the planning steps resolutions that are in today for open space acquisition, we're concerned that these projects •• all the work will have been done and then at the final moment we won't have the funds to see them through.

**CHAIRPERSON VILORIA • FISHER:**

There is a motion and a second. Question by Legislator Romaine.

**LEG. ROMAINE:**

Ben, you make a very good point. Does that mean on open space and farmland preservation when we want something utilizing Multifaceted Program, we should look to appropriate that money to make sure the money is there when that project eventually comes up for acquisition?

**MR. ZWIRN:**

No. I think workforce housing is sort of unique. The county has made a commitment to try to •• made a policy commitment to •• and so has the Legislature.

**LEG. ROMAINE:**

I don't disagree with you.

**MR. ZWIRN:**

We want to make sure that there's going to be money there because of all the work that's gone into it. It's always been easier to have money available for open space acquisition because Marian suggested they go through much quicker. It's a much easier process. So there are three projects that I think that they're working on now. And they believe that they're going to come to fruition and they want to make sure that there's some money available.

**LEG. LOSQUADRO:**

Just to follow up on that?

**CHAIRPERSON VILORIA • FISHER:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Again, I think it's a bit of a circular argument because by the same token the County a very longtime ago and still remains a leader in the field made the commitment to preserve agricultural lands. So I think the point that Legislator Romaine brings up is an important one. We have a commitment to any number of programs which •• and I'm not saying that these are not worthwhile projects •• I'm very excited to see them go through. But you have •• each group is going to argue that one side is more important than another. And that's why programs such as Multifaceted were created that create an overall pool that can be drawn down upon. And I just don't necessarily think as a policy decision that it's the right way to go about it to •• to pull money out of a program that already allows for this, you know, for this function. And you make an excellent point in terms of making sure that it's available; but I think Legislator Romaine makes a very good point saying, you know, every bill that's put forward to acquire a piece of land, everyone thinks their worthwhile acquisitions. And we want to make sure that the money in the future will be available for those when they come forward for acquisition. So, you know, it is a policy decision of this body; but it's one that I think is already accommodated by the existing legislation.

**LEG. ROMAINE:**

But it will set a precedent on the land acquisitions.

**CHAIRPERSON VILORIA • FISHER:**

We have a number of funding streams for lands acquisitions. And we want to ensure that our workforce housing initiatives are viable; that there is money that's available for these workforce housing initiatives. There is a motion and a second.

**P.O. LINDSAY:**

Madam Chair, if I might?

**CHAIRPERSON VILORIA • FISHER:**

Yes, Legislator Lindsay.

**P.O. LINDSAY:**

If I might just before you call the vote. I've been listening to the debate. And I think it's a matter of prospective and a matter of putting your money where your mouth is. Over the last 20 years this Legislature spent a billion dollars on land preservation. That's certainly putting money your money where your mouth is. In terms of workforce housing, had a lot of rhetoric. Haven't spent a lot of money. We haven't spent a lot of money, guys. If we spend \$15 million, we've appropriated \$15 million. We haven't spent it. And I think to pass this resolution would give some comfort level that we are putting our money where our mouth is for the first time.

**CHAIRPERSON VILORIA • FISHER:**

There's a motion and a second. All in favor? Opposed? 1642 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)** Okay, Marian, we'll see you Wednesday at the Labor and Workforce Housing meeting. Good.

**1651, authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program. (Romaine)**

**LEG. ROMAINE:**

I'd like to make a motion to discharge without recommendation. This resolution is being amended as we speak. An amended copy will be filed. The town, I believe, and I'll let Mr. Isles speak to that, has supplied us with a better map, better parcels. And we've amended the program in which we would be selecting this from. And this has been recommended to me by the Town Brookhaven, which is why this is before us today. I'd like to discharge it without recommendation and then the full Legislature can look at the amended copy a make a decision on Tuesday.

**LEG. LOSQUADRO:**

I'll second that motion.

**CHAIRPERSON VILORIA • FISHER:**

Okay. We still have before us the criteria which is the evaluation which you're saying that it does not meet any criteria. That was just handed out to us. Can you please speak to that?

**DIRECTOR ISLES:**

Yeah. There are two issues, I believe, from the last meeting two weeks ago. One is there was an inconsistency with what we had seen in the original resolution than what we understood. The Town of Brookhaven was suggesting in a letter from Supervisor Foley as requested by the committee we did contact the town and we have reconciled the list. And it's actually a nine page list of parcels. This is an old file map area. So it's many parcels. They total 49 acres.

The second item we had pointed out is that we did not feel that this qualified under the New Drinking Water Protection Program. The sponsor's indicated apparently that he is going to be putting in an amended program. We will judge that when the time comes. But the only point I did want to make is that the •• obviously it's your call as to whether you want to discharge or not. Certainly 50 acres is a significant amount of land. When we look at it, however, in terms of county open space acquisition criteria, it's still not going to score too high because it's not protecting either a natural resource or an environmental asset such as significant habitat. As simply open space, obviously 50 acres is significant; but here, again, it's not going to be a high score in terms of the criteria that we apply to open space protection acquisitions.

**CHAIRPERSON VILORIA • FISHER:**

Mr. Isles, generally when we •• are we looking at a partnership with Brookhaven Town?

**LEG. ROMAINE:**

Yes.

**DIRECTOR ISLES:**

I believe so.

**CHAIRPERSON VILORIA • FISHER:**

When we are looking at a partnership before we approve these out of committee, we have some kind of resolution from the town. Has there been a resolution from the Town of Brookhaven to your knowledge? Laretta?

**MS. FISCHER:**

No. We did contact the town and they do not have a resolution at the present time. They usually wait until they acquire it.

**CHAIRPERSON VILORIA • FISHER:**

Okay.

**LEG. ROMAINE:**

Madam Chair?

**CHAIRPERSON VILORIA • FISHER:**

I would like to finish my questioning. I would like to have an idea if there's any development pressure here? Is it one owner? It's so many parcels. Is it one owner or multiple owners? Are we looking at development pressure?

**MS. FISCHER:**

Yes, they have •• they have a site plan for a new subdivision for this at the Town Planning Department as we speak. They have not made a determination on it at this time. Final approval.

**CHAIRPERSON VILORIA • FISHER:**

The Town has not made a determination? The Town has not made a determination?

**MS. FISCHER:**

No, no. It's in the process of being reviewed as far as I was told. And also that the •• there are multiple owners, but they are all working towards redeveloping this as a whole lot.

**CHAIRPERSON VILORIA • FISHER:**

Okay. We have a list. Legislator Romaine and then Legislator D'Amaro.

**LEG. ROMAINE:**

Yes. The town normally doesn't supply a resolution until acquisition is at hand. What they do do at planning steps stage is they provide a letter of intent which I believe is attached to the resolution firstly.

Secondly, the town is poised to approve this. This has gone through all the steps. And the town is poised to approve this. This is 58 acres in which they will be building 62 four-bedroom homes, which will have a huge impact on the community, on the school district; plus which this parcel is adjacent to other county lands which were purchased prior to this. And this is a significant amount of woodland just south of the critical groundwater discharge area core Pine Barrens, just south of that. And I think the town brought this to my attention, came to me and asked for the county to partner with the town. I would suggest that we vote it out as we already have a motion without recommendation. We wait for the amended resolution. And then the entire Legislature can consider it at that time. And I will make a personal appeal to Supervisor Foley to have him or one of his aides come down to speak to this issue at the full Legislature meeting.

**CHAIRPERSON VILORIA • FISHER:**

I'm going to •• Legislator D'Amaro.

**LEG. D'AMARO:**

Just very briefly. Do we have any handle at all on what the acquisition costs could be for this?

**DIRECTOR ISLES:**

No.

**LEG. D'AMARO:**

None at all? Just planning steps right now?

**DIRECTOR ISLES:**

No.

**LEG. D'AMARO:**

It just seems to me •• right, I understand, I understand. I just want to ask is this rating system form that I was just handed now still applicable to the proposed acquisition before us?

**DIRECTOR ISLES:**

It's based upon the resolution as it was presented which is under the New Drinking Water Protection Program. If the resolution is corrected today and comes in under a different program, then it may qualify. Because what we found when we looked at the Drinking Water Program, it didn't even qualify. So we didn't even rate it.

**LEG. D'AMARO:**

So we don't have the rating form for the revised resolution? Is that that we're saying?

**CHAIRPERSON VILORIA • FISHER:**

Right.

**DIRECTOR ISLES:**

We did a preliminary rating and we came •• you know, based on, well if it were changed to a multifaceted SOS or something like that, it came out to •• based on the information we have now, 13 points. Here again that's because it's not looking at environmental asset, wetlands, tidal wetlands, SPGA, something of that nature that typically the county prioritizes its acquisitions toward environmental assets or resource assets. That's why the rating form is geared in that manner.

**LEG. D'AMARO:**

So under the new or revised resolution, the rating form would reflect 13 points?

**DIRECTOR ISLES:**

Right.

**LEG. D'AMARO:**

And maybe you said this. Just forgive me for asking again, but under what category would it score the 13 points?

**DIRECTOR ISLES:**

It scored it based on the parcel size. So if it's greater than ten acre ••

**LEG. D'AMARO:**

The size of the parcel.

**DIRECTOR ISLES:**

Right.

**LEG. D'AMARO:**

Right.

**DIRECTOR ISLES:**

Because here again the County's trying to buy larger pieces, not the small pieces. It typically would be handled by localities. So it got 8 points for that. And then the possibility of an intermunicipal management agreement, five points. So that was the 13 points. Here again in terms of the natural resources, the environmental, the physical characteristics of unique physical land forms and so forth, we did not find any point value as a result of that.

**LEG. D'AMARO:**

So it's just the fact that it's a larger parcel that the town is willing to partner with the county on.

**DIRECTOR ISLES:**

Here, again, it may be locally important to them but as far as the County criteria, it did not score high.

**CHAIRPERSON VILORIA • FISHER:**

What is the size of it? I thought it was close 50 acres.

**DIRECTOR ISLES:**

Well, we have it as 49 and change, I think, in the total numbers on this print out.

**CHAIRPERSON VILORIA • FISHER:**

Say that again.

**DIRECTOR ISLES:**

49 acres and change. Now just keep in mind that that property doesn't include the paper streets that are within this location.

**CHAIRPERSON VILORIA • FISHER:**

So actually that would change the •• raise the point value a little bit because it would make it 10 points for being 50 acres? And then 5 points for being adjacent to other public lands.

**MS. FISCHER:**

We don't know where those other public lands are. Are you talking about the farm to the west?

**LEG. ROMAINE:**

Yes.

**MS. FISCHER:**

That farmland development rights. Those are not parklands.

**LEG. ROMAINE:**

Right.

**MS. FISCHER:**

And that's our criteria.

**DIRECTOR ISLES:**

Yeah, we don't buy paper streets either.

**CHAIRPERSON VILORIA • FISHER:**

Okay.

**DIRECTOR ISLES:**

Maybe it's a little semantics. We just total the numbers based on what we had.

**CHAIRPERSON VILORIA • FISHER:**

Okay.

**LEG. ROMAINE:**

I can provide a copy the Supervisor's correspondence or if you want to the members of the committee. Obviously the Supervisor felt that this was a very important acquisition in his township that he wanted to make. What I would suggest is that we vote it out as I said without recommendations and we allow the Supervisor to send a representative down to address the committee when they have the amended copy before them. What the Supervisor is saying is that this •• and I'll just read what he says. The parcel has environmental and scenic value. It's extremely wooded with primarily pine and oak forest and provides a while life habitat to the typical host of Long Island woodland species. It's adjacent to over 100 acres of farmland some of which Suffolk County has protected through farmland protection program. Woodlands provide an important buffer between residential and active farms reducing potential conflicts. Furthermore the parcel's within hydrological zone six, a shallow recharge zone the protection of which is critical to maintaining the purity of the coastal waters of Moriches Bay. And he goes on to say that he supports the planning steps.

**CHAIRPERSON VILORIA • FISHER:**

Legislator Romaine, if I may just interrupt you because I'm looking at the open space criteria. And with 49 and change I see that close enough to the 50 acres to constitute another five points on that. And I'll support the discharge without recommendation. Looking forward to the change because we do have to look at it, the criteria under the changes that you would be making. And a partnership with the town would be very good in this area.

So there's a motion to discharge without recommendation and a second. All in favor? Opposed? 1651 is discharged without recommendation. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)** You know, that zero criteria kind of puts you off.

**LEG. ROMAINE:**

Right.

**CHAIRPERSON VILORIA • FISHER:**

**Introductory resolution 1661, authorizing planning steps for acquisition for Suffolk County SOS Farmland Preservation and Hamlet Parks Fund, McCarthy property, Town of Southold. (Romaine)**

**LEG. ROMAINE:**

Motion to approve.

**CHAIRPERSON VILORIA • FISHER:**

Motion to approve by Legislator Romaine.

**LEG. LOSQUADRO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Losquadro. Mr. Isles.

**DIRECTOR ISLES:**

Okay, Madam Chair. The parcel itself totals 1.9 acres. It's outlined in red on the aerial photograph before you. A little bit of an unusual configuration to the lot, but it is adjacent to Suffolk County owned land which is immediately to the north. The wetlands and the land form on the top of the map is owned by Suffolk County.

We did do a rating of this. It does qualify under the SOS program for open space. And what the rating indicates is a point value of 26 points, here again, give the fact that it's adjacent to county land and does contain wetlands and coastal environments. Certainly if the committee has any questions, we'll try to answer those questions.

**CHAIRPERSON VILORIA • FISHER:**

There's a motion to approve and a second. All in favor? Opposed? **1661 is approved. (Approved. Vote: 4•0•0•1.**

**Leg. Stern not present)****1662, authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program, Riverhead Meadow property, Town of Riverhead. (Romaine)****LEG. ROMAINE:**

Motion to approve.

**CHAIRPERSON VILORIA • FISHER:**

Motion to approve by Legislator Romaine, seconded by Legislator Losquadro. On the motion, Mr. Isles.

**DIRECTOR ISLES:**

The parcel's outlined in red on the aerial photograph before you. Similar to the oaks in Moriches. We do have an issue with the program once again. It does not appear to meet the requirements of the New Drinking Water Protection Program. As you can see in the photograph, the subject parcel is in red. The County does own basically a landlocked parcel which is outlined in that light green. The Town of Riverhead owns the blue shaded parcel.

To the right of that or to the east of that is, you can see, our subdivision map overlain on an undeveloped land. That's property that has been targeted for acquisition by both the County and the Town along Riverview Drive in Riverhead. And our point of view on this is well, there is a technical issue with the program. But getting beyond that for a moment, we feel that at the present time this is a little bit of a parcel kind of standing off on its own with limited environmental value inherently. So at the present time we wouldn't recommend it.

If something happens where there is preservation of the Riverview parcel and we can have a connection then to that and essentially at the point adding to either a county park or a town park at that point and it becomes more cohesive, then we think it has more sense. But obviously if the Riverview is developed and separated from the larger piece that drains down into

Flanders Bay as part of the Peconic Estuary, we feel would have less merit as a county acquisition. Hopefully that's not too confusing what I just said.

**LEG. D'AMARO:**

I think the rating form says it all.

**CHAIRPERSON VILORIA • FISHER:**

Yeah. Tom, why does it have that little •• by the MTA, why is there that that little piece in red?

**DIRECTOR ISLES:**

That is a separate tax map parcel.

**CHAIRPERSON VILORIA • FISHER:**

Oh, it's because it's two tax map parcels and so we had to indicate it that way. I'm going to make a motion to table until we get the right program for this.

**LEG. ROMAINE:**

I'll withdraw my approving motion.

**CHAIRPERSON VILORIA • FISHER:**

Okay.

**LEG. ROMAINE:**

And second your tabling motion because we're put in the right program. I will say, however, that •• I agree totally with the end of Mr. Isles' statement. We are trying to acquire the River Club which is approximately 52, 56 acres. And if we could do that and the blue and green parcels are both in public hands, it would be great to add this parcel to it. I think it has tremendous value. It impacts on the Peconic River. It's part of that zone where you would •• if this is developed, and by the way if we don't buy this, this will be developed. This will be developed with single family homes. And this will further impact the quality of Peconic River. But I want to table it so we get the right resolution. I want •• I would like Planning to take

a look at it again in light of the River Club because very simply what happens if we approve a planning steps is if River Club doesn't go, then you recommend against acquisition for Riverhead Meadows which I would completely understand. But I don't think that we should say well, we'll wait for one to be done before we do the other because in which case that other parcel Riverhead Meadows will be developed. There is no question about that. So, I would just make that appeal to you. And with that I agree with you to table it for one cycle.

**CHAIRPERSON VILORIA • FISHER:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Just a quick point. We've heard testimony earlier today about the lead time on acquiring parcels for various uses be they for open space or workforce housing. Knowing the process as I do, and I know that our Chair person does, the time that it takes to order the appraisals and get them back and have it go through our Environmental Trust Review Board and then come back to us, if the property to the east is acquired, I would not want to see us then have to begin our process and have this property be even more enticing to a developer because it abuts a significant amount of preserved land. I think the prudent action would be is •• would be to pass a planning steps resolution; even if we hold an acquisition in abeyance for a period of time until the other acquisition would hopefully be completed. At least at that point we have the process begun and we're not starting from zero. And to get the process moving at that point I think would be burdensome.

**CHAIRPERSON VILORIA • FISHER:**

Okay. There's a motion and a second to table. All in favor? Opposed? 1662 is tabled. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1664, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Emerald Estates • Houde property, Town of Huntington.** Motion by

Legislator Losquadro. Sorry. Thank you. Sorry about that. Motion by Legislator Losquadro •• we can place this on the consent calendar. Place on the consent calendar. Seconded by myself. All in favor? Opposed? **1664 is approved and placed on the consent calendar. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1665, making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Emerald Estates •Mauro property, Town of Huntington. (Leg. Lindsay)** Same motion, same second, same vote. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1666, making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Emerald Estates •Cooper property, Town of Huntington. (Leg. Lindsay)** Same motion, same second, same vote. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1668, making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Emerald Estates •Borelli, property, Town of Huntington. (Leg. Lindsay)** Same motion, same second, same vote. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)** Remember these four last month?

**1669, making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Santapogue Creek addition • Mastic Homes Limited property, Village of Lindenhurst. (Leg. Lindsay)** Same motion, same second, same vote. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1670, making a SEQRA determination in connection with the proposed donation of property, Miller Place, Town of Brookhaven. (Leg. Lindsay)** Same motion, same second,

same vote one. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1671, making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Forge River Watershed addition, Gilbert/Blydenburg property, Town of Brookhaven. (Leg. Lindsay) Same motion same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1672, making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Fresh Pond Addition, Montagna property, Village of Smithtown. (Leg. Lindsay) Same motion, same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1673, making a SEQRA determination in connection with the proposed acquisition of land for Open Space Preservation purposes known as the Fresh Pond addition, Bylott property, Village of Huntington. (Leg. Lindsay) Same motion, same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1674, making a SEQRA determination in connection with the proposed sewer district number 5, Strathmore Huntington, force main replacement, Town of Huntington. (Leg. Lindsay) Same motion, same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1675, making a SEQRA determination in connection with the proposed donation of property to Suffolk County Parks to satisfy a Suffolk County Department of Health Services transfer of development rights requirement, Town of Brookhaven. (Leg. Lindsay) Same motion, same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1676, making a SEQRA determination in connection with the proposed donation of property to Suffolk County Parks to satisfy a Suffolk County Department of Health Services transfer of development rights requirement, Town of Brookhaven. (Leg. Lindsay) Same motion, same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1677, making a SEQRA determination in connection with the proposed safety and security improvements to Suffolk County Sewer Districts. (Leg. Lindsay) Same motion, same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1678, making a SEQRA determination in connection with the proposed donation of property to Suffolk County Parks to satisfy Suffolk County Department of Health Services transfer of development rights requirement, Town of Brookhaven. (Legislature Lindsay). Same motion, same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1679, making a SEQRA determination in connection with the proposed donation of property to Suffolk County Parks to satisfy Suffolk County Department of Health Services transfer of development rights requirement, Town of Brookhaven. Same motion, same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1680, making a SEQRA determination in connection with the proposed donation of property of Suffolk County Parks to satisfy Suffolk County Department of Health Services transfer of development rights requirement, Town of Brookhaven. Same motion, same second, same vote. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1683, a local law to require the recycling of cellular phones. (Viloria•Fisher) This needs to be tabled for a public**

hearing. I'll make the motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? **1683 is tabled for public hearing. (Vote: 4•0•0•1. Leg. Stern not present)**

**1714, approving planning steps for acquisition of farmland development rights • 2006. (County Executive)** Planning, can you go through this with us, please?

**DIRECTOR ISLES:**

Okay. This is proposed planning steps involving 15 farms totally 215 acres involving properties located in Brookhaven Town, Huntington Town and Southampton Town. All the properties have been reviewed by the County Farmland Committee and are here because they've been recommended by the Farmland Committee. Once again it is only planning steps. And this would initiate the formal contact with the property owners and the appraisal process.

**CHAIRPERSON VILORIA • FISHER:**

Thank you. I'll make a motion to table. Is there a second?

**LEG. D'AMARO:**

To table?

**CHAIRPERSON VILORIA • FISHER:**

I mean to approve. I'm sorry. I make a motion to approve. Sorry, getting a little punchy.

**LEG. ROMAINE:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Romaine. All in favor? Opposed? 1714 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**LEG. ROMAINE:**

Would the Clerk's please list me as a co•sponsor. The County Executive should call this a master list, Ben, just as a suggestion.

**CHAIRPERSON VILORIA • FISHER:**

Well, this is the way this has always been presented to us with the recommendations of the Farmland Committee. I'd also like to be listed as a co•sponsor, Madam Clerk.

**1744 (appointing member of the Council on Environmental Quality, Gloria G. Russo) (Leg. Lindsay)**

Ms. Russo came before us earlier today. This is appointing her as a member to the Council on Environmental Quality. I will make a motion to approve.

**LEG. D'AMARO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator D'Amaro. I don't know where she lives. I'm sorry.

**LEG. D'AMARO:**

I don't know where she lives either.

**CHAIRPERSON VILORIA • FISHER:**

If she's in anybody's district. All in favor? Opposed? 1744 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)** Thank you.

**1745 (appointing member to the Council on Environmental Quality Daniel Pichney) (Leg. Lindsay)**

Earlier today when we interviewed Mr. Pichney I had been advised that there was a conflict regarding this resolution. Counsel has informed me that he has worked on that. And we are able to move on this resolution. And so I will make a motion to approve 1745 which is appointing a member to the CEQ Daniel Pichney. Do I hear a second?

**LEG. D'AMARO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator D'Amato. All in favor? Opposed? 1745 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1746, appointing member to the Council on Environmental Quality, Lauren Elizabeth Stiles. (Leg. Lindsay)** Again, Miss Styles came before this committee earlier today. All in favor? I haven't made a motion yet. I'm really getting bad.

**LEG. D'AMARO:**

I'll move.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Motion by Legislator D'Amato, seconded by Legislator Losquadro. All in favor? Opposed? 1746 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1759, amending the 2006 capital budget and program and appropriating funds in connection with public health related algal blooms. (County Executive)**

**LEG. ROMAINE:**

Motion.

**CHAIRPERSON VILORIA • FISHER:**

Motion by Legislator Romaine.

**LEG. LOSQUADRO:**

I just wanted to ask for an explanation, also.

**CHAIRPERSON VILORIA • FISHER:**

Okay. I'll second the motion so that we can discuss it. And we have Mr. Dawydiak here to explain it to us. Hi, Walter.

**MR. DAWYDIAK:**

Legislator Vioria•Fisher, thanks very much. Walter Dawydiak, Chief Engineer for the Suffolk County Health Department here for Vito Minei, our Division Director. This is a harmful algal

bloom capital project with has been around for probably about five or so years now. This money would be sub•contracted with the Stony Brook University Marine Sciences Research Center. There's been a harmful algal bloom which has affected the shellfish beds in the Peconics. It's *Cochlodinium polykrikroides*. It's new to our area. It has resulted in some widespread mortality and clams and other shellfish. Mr. {Goldbler}, the primary researcher, is also looking at cyanobacteria which is potentially harmful to public health as well as Alexandria. Some of you may have heard other red tides that have been going up and down the northeast recently. The DEC has detected this in Northport Harbor. So this is a \$60,000 appropriation that we're requesting. All of it would be contractually allocated to Stony Brook Marine Sciences.

**CHAIRPERSON VILORIA • FISHER:**

Okay.

**LEG. LOSQUADRO:**

Very good. And having Mt. Sinai Harbor in my district, I would just like the Clerk to add me as a co•sponsor as well.

**CHAIRPERSON VILORIA • FISHER:**

And i believe Legislator Romaine wanted to be added as a co•sponsor. I would also like to be a co•sponsor. Legislator D'Amaro, can I include you? The Committee would like to co•sponsor that. There was a motion to approve and a second. All in favor? Opposed? Clearly we're all in favor of this.

**(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1760, amending the 2006 capital budget and program and appropriating funds in connection with the purchase of equipment for groundwater monitoring and well drilling. (County Executive)**

**LEG. ROMAINE:**

Motion.

**CHAIRPERSON VILORIA • FISHER:**

Motion by Legislator Romaine, seconded by Legislator •• I'll second that myself. On the motion. Walter, did you want to speak to that?

**MR. DAWYDIAK:**

I can give you a quick summary or answer questions, whatever you prefer.

**CHAIRPERSON VILORIA • FISHER:**

A quick summary, please.

**MR. DAWYDIAK:**

Okay. The drill program is essential to our \$300,000 a year pesticide grant. It's also important for brown fields and for pollution control clean ups. In the absence of this well drilling program a lot of these sites would eventually become super fund sites so it's important to a lot of our environmental health and water quality protection programs. This funding is to recondition a ten-year old drill rig, one support vehicle, some drill rods and trailers to move drill cuttings. So they are replacements of preexisting units which are aging in our drill fleet.

**CHAIRPERSON VILORIA • FISHER:**

Okay. We have a motion and a second; right? All in favor? Opposed? **1760 is approved. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**LEG. ROMAINE:**

Would the Clerk please add me as a co-sponsor to that resolution. Thank you.

**CHAIRPERSON VILORIA • FISHER:**

**1761, amending the 2006 capital budget and program and appropriating funds in connection with the study for the occurrence of brown tide in Suffolk County marine waters. (County Executive)** I think you're going to have us all again here, Walter.

**LEG. ROMAINE:**

Motion.

**CHAIRPERSON VILORIA • FISHER:**

Motion by Legislator Romaine, seconded by Legislator D'Amaro. Walter, can you just tell us a little bit about this on the record.

**MR. DAWYDIAK:**

Sure. This information historically has been critical to supporting brown tide research. We've received \$3 million in grants from NOAA, the local research community. There's another ecology of coastal harmful algal blooms call for proposals out. We expect more research funding. This money would be contractually allocated to Cornell to look at groundwater underflow and its impacts. That's \$100,000. We would also use \$50,000 for a continuous measurement instrument to look at temperature, {chlorofilays}, {silinity} and other parameters; again important for brown tide research as well as scallop seeding, eel grass transplants and other resource restoration activities.

**CHAIRPERSON VILORIA • FISHER:**

Walter, there had been a previous contract with Cornell for brown tide, hadn't there?

**MR. DAWYDIAK:**

This is actually a continuation of the groundwater underflow measurement contract. This is another phase. I think we've allocated about \$100,000 to them. They purchased equipment and they've taken some measurements. This is to continue very intensive measurements in brushes, creeks, Sag Harbor Cove, Forge River and to add additional areas as well.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Good thank, you Walter. There's a motion and a second. All in favor? Opposed? **1761 is approved.**  
**(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**LEG. ROMAINE:**

Would the clerk please list me as a co•sponsor on that bill,

please.

**CHAIRPERSON VILORIA • FISHER:**

**1762, amending the 2006 capital budget and program and appropriating funds in connection with the water quality model phase IV. (County Executive)** I would like you to explain this, Walter, because this is a really important project. I'd like to make a motion to approve.

**LEG. ROMAINE:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Romaine. Go ahead, Walter.

**MR. DAWYDIAK:**

Thank you, Legislator Vilorina•Fisher. This is actually the comprehensive water resources management plan. It began several years ago; was a groundwater model. We leveraged out with a half million dollars state award to do a source water assessment plan. Now \$400,000 in Suffolk County capital have resulted in an \$800,000 comprehensive water resources management plan. That's because the Water Authority has underwritten half of this program. This is to look at pollution control, water supply and wetlands and coastal resource management issues throughout the County. It's an update to the 1988 comprehensive water resources management plan. We're about a third of the way through this. We have another 14 or 15 months to go. We envision that this money will be used for implementation of that plan.

Now, one element of this comprehensive water resources management plan is pilot studies in all of the ten towns to accommodate smart growth and workforce housing. One of the big impediments is you know to this has been that an unsewered area is Health Department regulations are very strict as to the types of housing densities which can be allowed only by very intensive sub•regional studies which look at transfer of development rights, the effects of open space and possibly sewerage; can we actually amend the sanitary code to

allow for more flexible approaches to accommodate smart growth and workforce housing. We expect that this implementation money will be used to design some of these pilot plans which can be implemented on a hamlet or sub watershed scale. So that's what we expect to be used with this money.

**CHAIRPERSON VILORIA • FISHER:**

Okay. That's great, Walter. Thank you. So 1762 has a motion to approve and a second. All in favor? Opposed? 1762, and I would like along with Legislator Romaine to be listed as a co •sponsor on that. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1764, amending the 2006 capital budget and program and appropriating funds in connection with the Peconic Bay Estuary Program. (County Executive)**

**LEG. ROMAINE:**

Motion.

**CHAIRPERSON VILORIA • FISHER:**

Motion by Legislator Romaine, seconded by myself. Walter?

**MR. DAWYDIAK:**

We receive \$400,000 a year from the EPA in federal grant funds. We received them from 1993. And there's a commitment to continue these for the foreseeable future. That \$400,000 a year needs to have a 50/50 or a dollar for dollar local match. This Capital Program has served as a large portion of that match. This particular appropriation we're requesting most of it will go towards benthic mapping, \$115,000 would go contractually to Stony Brook University. This is important for the county in developing an agriculture strategy. It's important for eel grass restoration, for nature conservancy, bio diversity and critical natural resource areas and for other environmental management purposes. So there's also a \$25,000 Cornell contract here for eel grass restoration and \$10,000 for miscellaneous marine monitoring equipment. So that's the overview of that program.

**CHAIRPERSON VILORIA • FISHER:**

Thank you. There's a motion and a second. All in favor? Opposed? **1764 is approved. (Approved. Vote: 4•0•0•1. Leg. Stern not present)** And Legislator Romaine would like to be listed as a co•sponsor, please. Thank you. Thank you, Walter.

**MR. DAWYDIAK:**

Thank you.

**CHAIRPERSON VILORIA • FISHER:**

**1768, authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program, Land Preservation Partnership Program for the Pinelli property, Overton Preserve, Town of Brookhaven. (County Executive)**

**DIRECTOR ISLES:**

This is property located as indicated in the Town of Brookhaven essentially in the Coram area along Mill Road. The Overton Preserve is a targeted acquisition area of about 500 acres. It's in the central Suffolk SPGA, special groundwater protection area. Real Estate has been proceeding with a number of appraisals and negotiations. This one and the Pinelli one is at that point now where they've completed their work. It's gone through the Environmental Trust Review Board. As indicated it is a partnership with the Town of Brookhaven and certainly I'll turn it over to Janet Longo for any specific questions you may have on the appraisals. Let me just point out, too, it is adjacent to a large county parkland directly to the north as well as being within the Overton Preserve area.

**CHAIRPERSON VILORIA • FISHER:**

We've become familiar with Overton Preserve. And Legislator Losquadro makes a motion to approve. I'll second that. All in favor? Opposed? **1768 is approved. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1769, authorizing acquisition of land under Suffolk**

**County Save Open Space Farmland Preservation and Hamlet Parks Fund, Hamlet Parks Component for the Mohlenoff property, Town of Huntington. (County Executive)**

**LEG. LOSQUADRO:**

Money spent on the west end.

**CHAIRPERSON VILORIA • FISHER:**

There we go.

**LEG. D'AMARO:**

Motion to approve.

**CHAIRPERSON VILORIA • FISHER:**

Motion to approve by Legislator D'Amaro, seconded by Legislator Losquadro for the west end. And would you like to tell us anything about this, Mr. Isles?

**DIRECTOR ISLES:**

Certainly it's a very significant and important recreation acquisition. It will be redevelopment of greenhouse property. It is in partnership with the Town of Huntington. Here again, Real Estate is here for any questions regarding the appraisal process. We consider it to be appropriate and we would recommend this acquisition to you.

**CHAIRPERSON VILORIA • FISHER:**

And again I related back to the program that was •• by the presentation made by your department on the importance of hamlet parks. And this is a hamlet park.

**DIRECTOR ISLES:**

This is under the Hamlets Park Program. It is intended to be active recreation.

**CHAIRPERSON VILORIA • FISHER:**

Active.

**DIRECTOR ISLES:**

Okay. Right. It's next to Froelich Farm, by the way, in the Town of Huntington.

**CHAIRPERSON VILORIA • FISHER:**

Oh, excellent. Very good. Okay. All in favor? Opposed? 1769 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1770 ••** and I'm sure we'll hear again on Tuesday that it is indeed in the west end of Suffolk County.

**(1770) Authorizing acquisition of land under the New Suffolk County Drinking Water Protection Program, Open Space Component for the Curley property, Pine Barrens Core, Peconic River area. (County Executive)** Well, that kind of speaks for itself in the title, doesn't it? I'll make a motion to approve, seconded by Legislator Losquadro. I'm sorry, Legislator Romaine. I thought it said Brookhaven Town. All in favor? Opposed? 1770 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**LEG. ROMAINE:**

Yes. Thank you. Could the Clerk please list me as a co-sponsor of that resolution.

**CHAIRPERSON VILORIA • FISHER:**

**1771, authorizing acquisition of land under the New Suffolk County Drinking Water Protection Program, Open Space Component for the Lucyshyn property, contract number 2, Hauppauge Springs. (County Executive)**

**DIRECTOR ISLES:**

Okay. This was previously approved for planning steps, I believe, under Master List II. As recently discussed there are a number of parcels in the Hauppauge Springs area that have caused flooding in this general area. This acquisition is part of the continuing effort to group acquisitions around the headwaters of the Nissequogue River, which is what this is. It's

right across the street and a little bit to the east of where we are today.

So there are two acquisitions, this one being 1.5 acres of land off of Brookside Drive. There's a second one in the next resolution of 4.8 acres. Real Estate has completed the appraisal process and the review process and certainly can address any questions you may have on that end.

**CHAIRPERSON VILORIA • FISHER:**

I think we're good to go. I'll make a motion to approve.

**LEG. LOSQUADRO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded By Legislator Losquadro who will probably make note that it's a western town here. All in favor? Opposed? **1771 is approved. (Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1772, authorizing acquisition of land under the New Suffolk County Drinking Water Protection Program Open Space Component for the Lucyshyn property, contract number one.** Funny that put number one after number two. **It's Hauppauge Springs. (County Executive)**

**MS. LONGO:**

I think they did it in size order.

**CHAIRPERSON VILORIA • FISHER:**

Okay. So, we'll have the Same motion, same second, same vote on 1772. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1773, authorizing acquisition of land under Save Open Space Farmland Preservation and Hamlet Parks Fund, Hamlet Parks Fund, Open Space Component •• I guess that was written twice •• Catholic Near East Welfare Association, Forge River Watershed •• another familiar**

watershed •• **in the Town of Brookhaven.** Is there a motion?

**LEG. LOSQUADRO:**

Motion.

**CHAIRPERSON VILORIA • FISHER:**

Motion By Legislator Losquadro, seconded by myself. Did you want to tell us •• I see you shifting papers around.

**DIRECTOR ISLES:**

It's a relatively small piece, but here again it's part of a concerted effort to acquire the remaining vacant lands in the •• the watershed, I should say. So we would certainly recommend it.

**CHAIRPERSON VILORIA • FISHER:**

Thank you. All in favor? Opposed? 1773 is approved.

**(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**IR 1777, amending the 2006 operating budget to transfer funds from Fund 477 Water Quality Protection amending the 2006 capital budget and program and appropriating funds in connection with the Forge River Watershed Management Plan. (County Executive)** Well, I think we hardly even need to ask whether or not it passed through the committee because this is such a critical area, but I'm assuming it did pass through the 477 review ••

**DIRECTOR ISLES:**

I believe it did.

**CHAIRPERSON VILORIA • FISHER:**

•• Water Quality Committee? You believe it did?

**MR. DAWYDIAK:**

It did.

**DIRECTOR ISLES:**

I believe it did. I have to look at the resolution.

**CHAIRPERSON VILORIA • FISHER:**

Walter, you're saying yes, that it did pass the Water Quality Committee. Well, looking at the problems that we have in the Forge River, I'm certain that that's a good use of 477 monies. I'll make a motion to approve, seconded by Legislator Losquadro. All in favor? Oppose? **1777 is approved.**

**(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1785, amending the adopted 2006 operating budget to accept an appropriate 50% federal grant funds from the United States Environmental Protection Agency to the Department of Health Services, Division of Environmental Quality for the national estuary program and to create two new positions. (County Executive)**

**LEG. LOSQUADRO:**

Motion to approve.

**CHAIRPERSON VILORIA • FISHER:**

Motion to approve By Legislator Losquadro.

**LEG. D'AMARO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator D'Amaro. All in favor? Opposed? 1785 is approved. Whenever we get money from the EPA, we're very happy. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**1799 authorizing planning steps for implementing Greenways program in connection with acquisition of active parkland and Hawkins Road, Centereach. (Caracappa) This is •• is it right near the pool?**

**MR. ISLES:**

I don't think it's the pool. Basically it's just east of the intersection with Wireless Road and Hawkins Road just east of Nicolls Road.

**CHAIRPERSON VILORIA • FISHER:**

Okay.

**LEG. LOSQUADRO:**

Quite a ways.

**LEG. D'AMARO:**

I'll make a motion to approve.

**CHAIRPERSON VILORIA • FISHER:**

Motion to approve by Legislator D'Amaro.

**LEG. LOSQUADRO:**

Second.

**CHAIRPERSON VILORIA • FISHER:**

Second by Legislator Losquadro. Yes.

**MR. BROWN:**

Hi, for those of you I haven't met, Dennis Brown from the Law Department. I'd just like to mention that •• thank you. I would just like to mention that I think it was on Thursday or Friday there was some discussion between Gail Lolis and George Nolan about possibly tabling this for some editing that had to be done to the resolution.

**LEG. LOSQUADRO:**

Such as?

**CHAIRPERSON VILORIA • FISHER:**

Okay. Can you be more specific please?

**MR. BROWN:**

Sure.

**CHAIRPERSON VILORIA • FISHER:**

By the way for those of who are not very familiar with this, I am, and this •• very close to this is also the Brookhaven recreation facility where the senior citizens club meet and other

groups meet there.

**LEG. ROMAINE:**

Across the street.

**CHAIRPERSON VILORIA • FISHER:**

Yeah, it's right across the street from it, but facing Wireless Road rather than Hawkins. So this looks to me like something that would be very useful and helpful. Yes.

**MR. BROWN:**

Now, with respect to the first resolve clause the resolution refers to authorized planning steps. But in the third resolve clause it could actually be looked at as empowering the respective departments and or divisions to acquire the property without further approval of the Legislature. This was brought to counsel's attention.

**CHAIRPERSON VILORIA • FISHER:**

Okay. Because we •• the way we do things is to have the planning steps and then it comes back us to for approval. So I think that we could probably discharge this without recommendation and make that change before Tuesday.

**MR. BROWN:**

Okay. Thank you.

**CHAIRPERSON VILORIA • FISHER:**

Can you refer us back to that? What's the number of this?

**LEG. LOSQUADRO:**

1799.

**CHAIRPERSON VILORIA • FISHER:**

Thank you. Yes, Mr. Isles.

**DIRECTOR ISLES:**

Madam Chair, very briefly we did do a rating and it did score high based on the criteria. We do have an issue always with the partnership. And here again it's not clear us. One would

think it would be the Town of Brookhaven that would be the partner, but, you know, it would be useful to know that as well.

**CHAIRPERSON VILORIA • FISHER:**

Okay. And we would need to know that before we go to the acquisition piece of this. Yes.

**MS. LONGO:**

Actually we did meet with the Town of Brookhaven regarding this. And they are very interested in ••

**CHAIRPERSON VILORIA • FISHER:**

Well, being that it's right across the street from their facility I think it would make a lot of sense. Okay. And so ••

**LEG. LOSQUADRO:**

I'll second the motion to discharge.

**CHAIRPERSON VILORIA • FISHER:**

I'm going to ask our counsel, Mr. Barry, to please take a look at that particular resolve and work on that with you.

**MR. BROWN:**

Thank you.

**CHAIRPERSON VILORIA • FISHER:**

Did I make the motion?

**LEG. LOSQUADRO:**

I think you did. To discharge.

**CHAIRPERSON VILORIA • FISHER:**

To discharge without recommendation because we are going to have it changed. And it's seconded by Legislator Losquadro. All in favor? Opposed? **1799 is discharged without recommendation in order to have the aforementioned changed in the RESOLVED. (Vote: 4•0•0•1. Leg. Stern not present)**

**1806, approving the appointment of Dale Moyer as a**

**member of the Suffolk County Farmland Committee.  
(County Executive)**

**LEG. ROMAINE:**

Motion to approve.

**CHAIRPERSON VILORIA • FISHER:**

Legislator Romaine makes the motion to approve, seconded by myself. All in favor? Opposed? 1806 is approved.

**(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

## **MEMORIALIZING RESOLUTIONS**

**CHAIRPERSON VILORIA • FISHER:**

**Memorializing Resolution 39, in support of New York Ocean and Bays Protection Act. (Romaine)** Can you give us a brief description, Legislator Romaine.

**LEG. ROMAINE:**

This is an act in the state Legislature that has been introduced by Owen Johnson. And this act would allow the state to study and to propose regulations concerning oceans and bays particularly as it relates to road run•off among other things.

**CHAIRPERSON VILORIA • FISHER:**

Any money from the state involved?

**LEG. ROMAINE:**

We hope so.

**CHAIRPERSON VILORIA • FISHER:**

Okay. You're making a motion to approve?

**LEG. ROMAINE:**

Yes.

**CHAIRPERSON VILORIA • FISHER:**

Seconded By Legislator Losquadro. All in favor? Opposed? M

39 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**Memorializing Resolution 41, in support of State Legislation prohibiting heavy industry uses including liquid natural gas terminals in coastal areas.** Motion by Legislator Losquadro.

**LEG. LOSQUADRO:**

And ask the Clerk to please list me as a co•sponsor.

**CHAIRPERSON VILORIA•FISHER:**

Okay. Seconded by Legislator D'Amaro and I believe the entire committee would like to support this as sponsors. All in favor? Opposed? Memorializing resolution 41 is approved.

**(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**Memorializing resolution 46, in support of legislation requiring vehicle dismantlers and scrap processors to obtain a solid waste management permit from the Department of Environmental Conservation.** It makes sense to me. I'll make a motion to approve, seconded by Legislator D'Amaro.

**LEG. D'AMARO:**

Yes.

**CHAIRPERSON VILORIA•FISHER:**

All in favor? Opposed? Memorializing resolution 46 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**Memorializing resolution 51, requesting United States Congress to enact the Open Space Preservation Promotion Act of 2005.**

**LEG. D'AMARO:**

Does that include the west end?

**LEG. ROMAINE:**

I hope so.

**LEG. LOSQUADRO:**  
Of the country?

**LEG. ROMAINE:**

What this is, this is a piece of legislation sponsored by my congressmen, Mr. Bishop. And this would allow change in the IRS code so that when we purchase land we could pay it over installment without having an adverse affect on the tax situation, the estate tax or other taxes that it would impact.

**CHAIRPERSON VILORIA • FISHER:**

Which is very helpful considering that many of the acquisitions that we're able to make because they're voluntary really help us to create a package that doesn't impact on people's estates. So this is really clearly very important. Legislator Romaine makes a motion to approve, seconded By Legislator Losquadro. All in favor? Opposed? Memorializing resolutions 51 is approved. **(Approved. Vote: 4•0•0•1. Leg. Stern not present)**

**LEG. ROMAINE:**

Motion to adjourn.

**CHAIRPERSON VILORIA • FISHER:**

Motion to adjourn by Legislator Romaine. If there is no further business from anyone in the room we stand adjourned.

**(THE MEETING CONCLUDED AT 1:35 PM)  
{ } DENOTES SPELLED PHONETICALLY**