

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 November 9, 2007.

MEMBERS PRESENT:

Leg. Vivian Vilorio-Fisher, Chairperson
Leg. Lou D'Amaro, Vice Chairman
Leg. Wayne R. Horsley
Leg. John M. Kennedy, Jr.
Leg. Daniel P. Losquadro

ALSO IN ATTENDANCE:

Legislator William J. Lindsay, Presiding Officer
George Nolan, Counsel to the Legislature
Ian Barry, Assistant Counsel
Renee Ortiz, Chief Deputy Clerk of the Legislature
Ben Zwirn, Assistant Deputy County Executive
Thomas Isles, Director of Department of Planning
James Bagg, Chief Environmental Analyst/Department of Planning
Walter Dawydiak, Suffolk County Water Quality, Health Services
Christopher E. Kent, Director of Real Property Acquisition
Lauretta Fischer, Department of Planning
Janet Longo, Department of Real Estate
Ginny Suhr, Aide to Chairperson Vilorio-Fisher
Linda Bay, Aide to Minority Leader
Paul Perillie, Aide to Majority Leader
Debra Alloncius, AME Legislative Director
Kara Hahn, Director of Communications
Fred Gorman, Nesconset-Sachem Civic Association
Michael White, Executive Director of the Long Island Regional Planning Board
John Cameron, Chairman of the LI Regional Planning Board
Stephen Jones, Suffolk County Water Authority
And all other interested parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING COMMENCED AT 1:13 PM)

CHAIRPERSON VILORIA-FISHER:

Good afternoon. Sorry for the delay. We had a couple of details to iron out. Can you all please stand and join us for the Pledge of Allegiance.

SALUTATION

Thank you. Okay. We have a number of cards. And then we'll go to the agenda.

The first is Fred Gorman. Hello, Mr. Gorman. Make sure that's on; the button on the top of the mike you pull it towards you.

MR. GORMAN:

Here we go.

CHAIRPERSON VILORIA-FISHER:

That's it.

MR. GORMAN:

Good afternoon. My name is Fred Gorman. I'm the Chairman of the Nesconset Sachem Civic Association. A lot of people don't realize it, but the Bavarian Inn is in Nesconset Smithtown.

This is a property that is very vital to the Lake and the future of the Lake and it really belongs in the hands of the County. {Nelson Pope and Verdes}, for example, I don't know if they've sent you a letter yet, but they will be telling you how they consider it ecologically extremely important.

Recently I described the purchase of this property as the beginning of the forth wave of Ronkonkoma and the gentrification of that area. You have to realize behind it, you have a 100 acres of the most amazing land you could possibly want. It's ancient forest as well as it's a bog or, you know, natural area. They have trails through there that are 20 foot wide. It's one of the most interesting walking areas basically in Smithtown. And I've heard that from people that love Blydenburgh Park. We have a 200 year old farm house back there. You have an amazing park directly next to this. The Ronkonkoma Park has been so revitalized with that children's play area, you have no idea how many people go there every single day and how the kids pay and how this plays in perfectly.

Now the bog park itself empties into Lake Ronkonkoma through a 24 inch pipe which is directly next to the Bavarian Inn. And I'm sure you realize that this area is flooded right now but that raised platform could be of extreme value to the community.

Ronkonkoma is revitalizing. The Ronkonkoma Chamber of Commence will be talking in a little while about their plans for Hawkins Avenue in the area all around here. And this is just amazing. This is an opportunity for the County to create another Port Jefferson in one of its most historic places, Lake Ronkonkoma. And if done properly, this could be another Sayville. And you certainly can revitalize this area. So these parks play an extremely important part. So I really suggest you think very seriously about purchasing it.

Also, you have to be careful with the purchasing price. If your price is going to include you taking the building down, I would recommend that you give the community a chance to see if we could do some fundraising or whatever to make it attractive to keep the building up. Personally I don't care if the building goes up or down. The property is more valuable to me. But if it's going to affect us being able to purchase it, I certainly can put together a rather large community effort that can

immediately go out and try and raise some funds in order to preserve and protect the building as we did with the Commerdinger property. Thank you very much.

CHAIRPERSON VILORIA-FISHER:

Thank you, sir.

LEG. D'AMARO:

Okay. The next person Michael Fallacara; please step up. Mr. Fallacara, welcome.

MR. FALLACARA:

Thank you.

LEG. D'AMARO:

Go ahead, please; you have three minutes.

MR. FALLACARA:

I am the Director of the WS Commerdinger County Park Preservation Society. And I believe we're one of the most recent acquisitions from the County Parks Department to take over an area that the Parks Department purchased. And we hope that we're a good example of what a community can do by joining together and being a forceful entity and being able to preserve, protect and maintain County parkland as a separate 501 (C) (3) organization.

We support fully the purchase of the Bavarian Inn property and to incorporate it into a very large vast parkland. As Fred mentioned there are 90 to a hundred acres right there across the street from the Bavarian Inn that encompass some great environmental preservations. The land used to be a Native American meeting place so there's some significant history, some signature culture that we hope that the acquisition of the Bavarian Inn will also enhance.

And as I mentioned, we were able to put together a forceful committee to keep things going. And we have funds coming in. We would like to try to do the same thing for the Bavarian Inn area and as support maybe even incorporate it into the same park and same 501 (3) (C). So we fully support it. It's a great place. I've been a resident of Ronkonkoma for over 60 years. And I've watched that Bavarian Inn start off as a small little place and grow into something that now is sadly unusable because of the level of the water. It would be great to turn it possibly into a meeting house if that's possible or without the building to just incorporate it into the park for community use. So we have full support. And I thank you for the opportunity to give that.

CHAIRPERSON VILORIA-FISHER:

Thank you, sir. Steve Jones.

MR. JONES:

Good afternoon. I'm just here to answer any questions on IR 1980. And I can wait if you want to take the other speakers. I'll be happy to wait if other people are --

CHAIRPERSON VILORIA-FISHER:

Oh, okay. You know, there's one more speaker. So just stay right there. I'll take the other speaker and then we'll come right back to you. I don't know that there are that many questions about it. But, you know, I'm glad you're here because I didn't want to speak for all members of the Committee. So I'll take the other speaker who will go to the podium and you just stay right there, Steve. Thank you. And we'll take it out of order, too, if you'd like.

Okay. Kevin Hyms.

MR. HYMS:

Good afternoon. Thank you for the opportunity, Mrs. Fisher. I'm also here on behalf of the purchase of the property known as the Bavarian Inn on Lake Ronkonkoma. I am a 38 year resident

of the Lake Ronkonkoma community and the treasurer of the Ronkonkoma Chamber of Commerce and also very involved with the Civic Association. And we would all like to see this property saved, used for recreational purposes. It is in a very strategic and environmentally sensitive area where it could be combined as a greenbelt with other recreational lands.

Also, the Chamber and the Civic of Lake Ronkonkoma is currently in the process of revitalizing the entire Portion Road Hawkins Avenue areas. And this would fit in very well with the plans. The property could be used for recreational purposes and possibly, if the building is retained, for meetings of different community groups and non-profit organizations. Thank you very much for your consideration and have a good day.

CHAIRPERSON VILORIA-FISHER:

Thank you. And thanks for coming down. Okay. Mr. Jones. I just wanted to ask a little bit about this. So there is an action. And what is the status right now? I don't think that's for executive session because it's in the resolution.

MR. JONES:

That's all -- that's all done. That was all done in 2005.

CHAIRPERSON VILORIA-FISHER:

So this money was set aside because there were a settlement? There had been an action?

MR. JONES:

Yes. It's considered a liability of the County that's on the books somewhere, I would presume. And this bill just deducts a hundred thousand dollars from that liability.

CHAIRPERSON VILORIA-FISHER:

So it's almost like you have an endowment and you just draw on the interest.

MR. JONES:

It's a little box with chits in it and we say, you know -- so we're part of a consortium to buy the aerial photos. And we just want to -- we want to have it come off of your liability.

CHAIRPERSON VILORIA-FISHER:

Who are other members of the consortium that will be using those aerials?

MR. JONES:

Well, I believe there are a number of towns that signed up. Certainly a number of agencies of the County signed up. We did -- probably -- probably other utilities. The state itself. And I'm not sure who else.

CHAIRPERSON VILORIA-FISHER:

Does Penny LaValle also use those or she --

MR. JONES:

Sorry?

CHAIRPERSON VILORIA-FISHER:

Penny LaValle, does she use --

MR. JONES:

Yes. Well, it's Jim Daly is the guy who's kind of coordinating the thing; but, yes, Real Property would use them, planning and a number of other agencies of the county.

CHAIRPERSON VILORIA-FISHER:

Okay. Any other questions? Yes, Legislator D'Amaro.

LEG. D'AMARO:

Forgive me if you just asked this. I was just reading some of the bill. But this is a credit established by Suffolk County for the benefit of the Water Authority?

MR. JONES:

That's correct.

LEG. D'AMARO:

And what was the reason the credit was established?

MR. JONES:

The reason was that there was a court action between the County and the Water Authority.

LEG. D'AMARO:

What was that action about?

MR. JONES:

That action was about a -- about the County polluting a Water Authority well in Westhampton. And the Water Authority sued the County. And the County decided to settle rather than go to trial.

LEG. D'AMARO:

And are there any parameters laid out in the settlement agreement as to how the funds can be used?

MR. JONES:

Yes. The settlement agreement contains -- essentially sets up an interest bearing account that goes for five years. We're in the -- probably -- what? The second -- at least the second year of that five years. During that intervening time, the Water Authority can do like is proposed in this bill and can come and say to the Legislature we'd like to use it. We'd like to take a credit on whatever it might be. And that stipulation includes the possibility that we might show up in an auction, for instance, and you may have a piece of property at auction that we may want to buy. And we could say use some IOU's or use some chits for that instead of us paying for it.

LEG. D'AMARO:

What about the clean up of the contaminated well?

MR. JONES:

Well, the County, I think -- the County modified its practice of destroying fire works in an unlined pit by, I think, lining the pit and taking care of that. At the time it was -- there was certainly no malice there. Nobody knew what {pro chlorate} was; nobody knew it was in fire works. And it was just -- it just, you know, was a practice of the Sheriff to destroy fireworks that way; confiscate fireworks that way. But unfortunately it showed up in the wells that we have there right next door to the Bowmark site. And we had -- we needed to --

LEG. D'AMARO:

Forgive me for interrupting but have the wells --

MR. JONES:

We abandoned the well and have just recently opened it up with very expensive filtration device.

LEG. D'AMARO:

All right. And how is that paid for?

MR. JONES:

We're paying for it ourselves.

LEG. D'AMARO:

Through consumer? Through ratepayers?

MR. JONES:

Yes, through the bonds and the revenues of the Water Authority.

LEG. D'AMARO:

Well, how come the settlement of the proceeds were not used for that?

MR. JONES:

They could have been. We just felt rather than the County paying us 1.5 million, why not let it ride for a while because if there were places where the Water Authority's going to pay the County, we could just, you know, set it up as this credit situation. I mean it could have just as easily been that the County would have said, yeah, we'll pay the 1.5 million. And then we would have taken that money and used it for the filtration.

LEG. D'AMARO:

Right. But that's not the why it was done. And again the settlement agreement has parameters that govern how the proceeds can be used. And you feel this falls within those parameters?

MR. JONES:

It doesn't govern how the proceeds can be used. It basically sets up an interest bearing account where the Water Authority can come to the County and ask for credits. The money can't -- it's sitting there basically. I mean it's owed to us. And if we don't use it in this fashion by the end of the five years, the County will at that point pay the Water Authority.

LEG. D'AMARO:

Was a request to use the credits voted on at the Water Authority? Did it require a vote of the Water Authority?

MR. JONES:

Yes.

LEG. D'AMARO:

It did.

MR. JONES:

Yes.

LEG. D'AMARO:

And have the credits been tapped in the past or is this the first time?

MR. JONES:

No, this would be -- this is the first piece of legislation that taps the credits. And it was also, of course, the stipulation was approved by the County Legislature as well.

LEG. D'AMARO:

Right. What's the cost of the -- what's the amount of credit you're looking to use in this legislation?

MR. JONES:

A hundred thousand dollars.

LEG. D'AMARO:

And that's being charged by Suffolk County to the Water Authority.

MR. JONES:

No, it's actually -- it would actually come off of the \$1.5 million liability where the County would do a book transfer from the liability -- term liability of the 1.5, deduct a hundred thousand, move the hundred thousand into whatever line is being used for the expenditure and the purchase of the aerial photography.

LEG. D'AMARO:

Okay. Thank you.

CHAIRPERSON VILORIA-FISHER:

Any other questions? Legislator Kennedy, I see you're touching your mike; yes, no?

LEG. KENNEDY:

Only that similar to Legislator D'Amaro, I think I recall some of the deliberation that went on about this matter. And I guess I would just ask not so much you, but I see County Attorney's Office in the audience. I'd just like an assurance from them that this comports with what we discussed, what was it, two years ago, I guess, right? Was it?

MS. LOLIS:

I think it was 2005, actually, we presented it. This is fine under the agreement. It was up to the County to decide whether or not you would allow the Water Authority to utilize credits for any particular purchase, but this particular transaction would be appropriate.

LEG. KENNEDY:

This falls within the context of what was discussed. My question goes to, I remember the framework, I guess, of the stip. And there was particular areas that settlement funds could go towards. And in your opinion this falls in that category?

MS. LOLIS:

Yes.

LEG. KENNEDY:

Fine. Okay.

CHAIRPERSON VILORIA-FISHER:

Okay. I'd like to take IR 1980 out of order. I'll make a motion to take IR 1980 out of order, seconded by Legislator Losquadro. All in favor? Opposed? **IR 1980 is before us. (Authorizing the County of Suffolk to deduct from a credit fund established for the benefit of the Suffolk County Water Authority, the authority's share of the cost of the purchase of aerial images under the New York State Statewide Digital Orthoimagery Program (the "DOP") (County Executive Levy)** Is there a motion or comment? I will make a motion to approve, seconded by Legislator Losquadro. All in favor? Opposed? **IR 1980 is approved. (Vote: 5-0)** Thank you for coming down.

Mr. Bagg, if you can come forward for our CEQ resolutions. And this is odd having this meeting on a Friday and our CEQ meeting is next Wednesday so we just miss one another.

MR. BAGG:

A week from Wednesday. The 21st.

CHAIRPERSON VILORIA-FISHER:

Oh, is it? Time is just flying lately. Oh, that's right, I remember I have 30 people for Thanksgiving and CEQ the day before. Silly me. Also my son's 30th birthday is on Thanksgiving so very busy. Okay, go ahead, Jim.

CEQ RESOLUTIONS

MR. BAGG:

All right. The first **CEQ resolution is resolution number 110-07. It's concerning legislative resolutions laid on the table September 20, 2007 and October 16, 2007. (Type II Actions)**. Pursuant to Chapter 279 of the Suffolk County code, this is pro forma. This is CEQ's recommendations for Type II's mainly.

LEG. LOSQUADRO:

Motion.

CHAIRPERSON VILORIA-FISHER:

Motion to approve by Legislator Losquadro, seconded by Legislator D'Amaro. And I'll do same motion, same second, same vote on these. All in favor? Opposed? **Approved. (5-0)**

MR. BAGG:

CEQ resolution number 111-07 is for the purposes of Chapter 279 of the Suffolk County code for the proposed illicit discharge elimination Local Law. (Type II Action) Action involves the Suffolk County at a minimum to extend allowable under state or local law effectively prohibit through ordinance or other regulatory mechanisms, illicit discharges into the storm sewer system and implement appropriate enforcement procedures and actions as required by the EPA and New York State DEC Phase II storm water regulations. Council recommends that it's a it's Type II Action pursuant to 617.5 (C) (20) and (27).

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number 112-07 for the proposed traffic improvements on the southwest corner of CR 85 and Atlantic Avenue in the Town of Brookhaven (Type II Action) The action involves the enlargement of the southwest radius to improve site distance and traffic safety. Council recommends that it's a Type II Action pursuant to part 617.5 (C) (1), (4) and (7) since it involves the enlargement of a southwest radius less than 4,000 square feet to improve site distance and traffic safety.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution 113-07 is for the proposed CR 17 Wheeler Road early implementation project. (Type II Action) The action provides for improved level of service and riding surface to an existing paved road CR 17 Wheeler Road in front of the Central Islip High School and Early Childhood Center. The pavement markings will be reconfigured to provide a contiguous center turning lane with minor widening to accommodate the new configuration in the left turn lane. Traffic signals will be installed along with handicapped ramp access as well as curbs and sidewalks as required at the school. All work will be done within the existing right-of-way. Council recommends it's a Type II Action pursuant to 617.5 (C) (1), (4) and (16).

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number 114-07 for the proposed Chandler Estate revised adaptive re-use plan and proposed construction of a New Parking lot. The project involves the implementation

of the Chandler Estate revised adaptive reuse plan and proposed construction of a new parking lot which includes a crushed stone parking area for five to 15 vehicles with a school bus turn-around along with preexisting and some new natural trails for passive recreational purposes. Council recommends that it's an unlisted action that will not have a significant impact on the environment. None of the SEQRA criteria will be exceeded. The project does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified and/or regulated in the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code. Project does not appear to suffer from any severe environmental development constraints. The small parking area will be for only 10 to 15 cars and constructed of crushed stone which is permeable and will not produce storm water run-off.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number 115-07 is the proposed reconstruction of CR 97 Nicolls Road Early Implementation project from Furrows Road to NYS 25, Middle Country Road in the Town of Brookhaven. The project involves the reconstruction of CR 97 Nicolls Road early implementation project from Furrows Road to New York State Middle Country Road including roadway widening, improvements at select intersections, new traffic signals, new curb and sidewalks, drainage improvements and roadway resurfacing. Council recommends it's an unlisted action that will not have a significant impact on the environment. None of the criteria of SEQRA will be exceeded. The project will not appear to significantly threaten any unique or highly valuable environmental cultural resources. Project does not suffer from any severe environmental developmental constraints. This section of CR 97 where the project is located experiences severe congestion and is a high traffic accident location. Therefore, the action will improve traffic flow and safety.

CHAIRPERSON VILORIA-FISHER:

Okay. And further to what you said, this is a really -- I think a really valuable project. Anyone who's not in Public Works, take a look at what's involved in this project. You know where people get stuck in traffic as they go north -- I find when I'm going north from the Expressway and you get to those traffic lights, it's a dead stop. It's a horrible situation. And I really commend the Department of Public Works for being proactive on this and really coming up with an excellent plan. We were all very impressed at CEQ when we saw this. Same motion, same second, same vote. **(Vote: 5-0)**

MR. BAGG:

CEQ resolution number 116-07 is the proposed acquisition of land under the Multifaceted Land Preservation Program, parkland purposes known as the Three Mile Harbor County Park addition, Boys and Girls Harbor, Inc., property in the Town of East Hampton. Project involves the acquisition of 27.82 acres of lands by Suffolk County and the Town of East Hampton for parkland purposes. Council feels it's a Type I Action because it involves the purchase of more than 25 acres which is adjacent to publically owned parkland. Council further recommends that it will not have an impact on the environment for the following reasons: None of the SEQRA criteria is exceeded, does not appear to significantly threaten any unique or highly valuable environmental or cultural resources, parcel does not appear to suffer from any severe environmental developmental constraints. The proposed use of the subject parcels will be for park purposes as stated above. And if not acquired, the property will most likely be developed for residential purposes incurring far greater environmental impact than the proposed acquisition and preservation of the site.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number 117-07, the proposed acquisition of land under the Suffolk County Save Open Space Fund Hamlet Parks Component for the Aero World Corporation property

in the Town of Islip. Project involves the acquisition of 4.42 acres of land by Suffolk County for active recreational purposes. Council recommends that it's an unlisted action that will not have an impact on the environment for the following reasons: None of the SEQRA criteria will be exceeded. The project will not significantly threaten any unique or valuable environmental or cultural resources. Parcels do not appear to suffer from any severe environmental development constraints and the proposed use of subject parcels will be for hamlet park for the development of ball fields and or creation of a dog run.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

CEQ resolution number 118-07 is the proposed acquisition of land for open space preservation purposes known as Hallock Acres County wetlands addition, Sebasta property in the Town of Smithtown. Project involves the acquisition of point 37 acres of land by Suffolk County for open space purposes. Council recommends it's an unlisted action that will not have a significant impact on the environment for the following reasons. None of the SEQRA criteria will be exceeded. The proposed use of parcels is for passive recreation and if not acquired the property will most likely be developed for residential purposes.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

The next CEQ resolution is 119-07. This is the proposed acquisition of land for open space preservation purposes known as the Aspatuck Creek, Gary J. Sapiane & the Estate of Frank Bilski property in the Town of Smithtown. Project involves the acquisition of 2.42 acres of land by Suffolk County for open space preservation purposes. Council recommends that the activity's an unlisted action that won't have an impact on the environment for the purposes none of the criteria of SEQRA will be exceeded, property will be used for passive creational purposes; and if not acquired the property will most likely will be developed for residential purposes.

CHAIRPERSON VILORIA-FISHER:

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

MR. BAGG:

Last **CEQ resolution is number 120-07. This is for the proposed 2008 Vector Control plan of work.** Okay. This was sent out by the Department of Public Work to all Legislators and the Clerk as well as the County Executive. The action is an ongoing year by year implementation of Vector Control operations. The action involves the implementation of the 2008 Vector Control Annual Plan of Work by Suffolk County Department of Public Works, Division of Vector Control to control mosquito infestations that significantly threaten public health or create social or economic problems to communities in which they occur. To achieve this goal the Division employs an integrated control program. Control measures are employed in a hierarchical manner that emphasizes prevention. Control first proceeds from surveillance and more permanent environmentally friendly measures such as water management and biological control. Then through the highly specific larvicides and finally uses chemicals such as adulticides only after other measures prove to be either insufficient or not feasible. This integrated approach is recognized as the most effective and environmentally sound manner in which to conduct a mosquito control program. Only pesticides that are federally and New York State registered and approved for mosquito control will be used. All work within existing mosquito ditches for the purposes of eliminating mosquito breeding areas will be reviewed by the Suffolk County Office of Ecology with the Department of Health Services, the Council on Environmental Quality and the Department of Environment and Energy and approved by the New York State DEC in order to minimize environmental impacts on wetlands.

Now someone has asked me to make a clarification of the project description. And that last sentence says, really should read "all work within the existing mosquito ditches for the purposes of eliminating mosquito breeding areas that involve best management practices four and above." Best management practices one through three are basically maintenance. Okay? Will be reviewed by the Suffolk County Office of Ecology, the Council on Environmental Quality and the Department of Environment and Energy and approved by New York State DEC. Council's recommendation on this is that based on the information received, a quorum of the Council recommends to the Suffolk County Legislature and County Executive pursuant to Chapter 279 of the Suffolk County code that the proposed 2008 Vector Control annual plan of work will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the County Vector Control and Wetlands Management long term plan Final Generic Environmental Impact Statement and associated finding statement as approved by Suffolk County in 2007. Therefore no further SEQRA compliance is required pursuant to Six NYCRR part 617.10 (D) (1).

CHAIRPERSON VILORIA-FISHER:

Okay, Jim, and the paragraph that you indicated someone requested that you read, this is a part of the plan and it's a part of the findings statement as well.

MR. BAGG:

That's correct. I mean it's just a clarification on the project description.

CHAIRPERSON VILORIA-FISHER:

Okay, thank you, Jim. Same motion, same second, same vote. **(Vote: 5-0)**.

Before you leave, Jim, I just wanted to mention to my colleagues that Jim had done a brief description of some of the decisions that you see here, what constitutes a Type I Action, Type II Action, unlisted, what is neg dec, pos dec. If you are interested and tell me by e-mail, I don't want to put anybody on the spot because you might find this eminently boring, but if you are interested in knowing more about this and you want me to invite Jim to come to a subsequent meeting, please shoot me an e-mail indicating that. He doesn't take a long time in explaining this. And he does show us how SEQRA really does categorize these different things. And it's helpful.

LEG. KENNEDY:

You're right. As a matter of fact he's a wealth of information. And he could lecture us really and walk us through the whole process. Did you do a writing with it? Did you do a synopsis or a summary or is it basically a verbal presentation?

CHAIRPERSON VILORIA-FISHER:

No. Jim, when he did it for CEQ because we have some new members, what he did was he gave us a written summary of the descriptions of the, you know, what a Type I Action is, Type II Action, what constitutes --

LEG. KENNEDY:

Through the Chair, I would request an e-mail or a copy of the written brief or the written material. That would be helpful.

LEG. LOSQUADRO:

And if we need any further clarification, we can request it.

CHAIRPERSON VILORIA-FISHER:

Okay. All right. Well, as I said I didn't, you know, want to put anybody on the spot. You could have made that request but you're making it here and so, Jim, you know the precis that you gave everyone in CEQ, if you could just forward that to the members of the Committee.

MR. BAGG:

Right. Yes. Great. Yes. One clarification is Walter Dawydiak --

CHAIRPERSON VILORIA-FISHER:

Yeah, I saw Walter here so I figured there was something you wanted to tell us.

MR. BAGG:

Walter Dawydiak says that clarification should read that involves best management practices and machine work in BMP's four and above. Machine work.

CHAIRPERSON VILORIA-FISHER:

But that's already implied in BMP's over three.

MR. DAWYDIAK:

Walter Dawydiak from Suffolk County Health. As I reread the BMP's, BMP four could have minor hand maintenance like removing a shopping cart or a tire. And I just want to be precise. I know it's what CEQ contemplated. Machine maintenance four and above. We just want to make sure that it's clear on the record.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you both. Did you have a question for Jim or Walter?

LEG. KENNEDY:

I do. Now, that you -- you do get my interest with this Best Management Practice stuff. And I'll go back to just a simple question I had throughout this whole many months of deliberation. Are we in any way re-visiting what we talked about with the OMWAM or the actual creation of ponds in any of those marshes?

MR. BAGG:

No. This is strictly maintenance of mosquito ditches pursuant to New York State DEC law.

LEG. KENNEDY:

Fine.

CHAIRPERSON VILORIA-FISHER:

That's why it was very clear that it was only the BMP's one through three, machine work. Because in order to create those ponds and the extensive OMWAM you really do need more extensive work to be done.

LEG. KENNEDY:

Works for me. Thank you.

CHAIRPERSON VILORIA-FISHER:

Is that correct?

MR. BAGG:

And that would also -- would all have to go before -- back before the Office of Ecology and Department of Health. It would have to go before the CEQ and the Department of Energy and Environment as well as DEC on any of those operations.

LEG. KENNEDY:

Okay. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you, gentlemen.

TABLED RESOLUTIONS

Okay, to the Tabled Resolutions. **IR 1484, Amending the Adopted 2007 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2007 Capital Budget and Program and appropriating funds in connection with storm remediation improvements for CR 36, South Country Road. (County Executive Levy)**

Motion?

LEG. D'AMARO:

Motion to table.

CHAIRPERSON VILORIA-FISHER:

Motion to table by Legislator D'Amaro, seconded by Legislator Horsley. All in favor? Opposed? **IR 1484 stands table. (Vote: 5-0)**

IR 1485, Amending the Adopted 2007 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2007 Capital Budget and Program and appropriating funds in connection with storm remediation improvements at County Road 65, Middle Road. (County Executive Levy) Motion to table by Legislator D'Amaro, seconded by Legislator Horsley. All in favor? Opposed? Motion tabled. **(Vote: 5-0)**

IR 1554, Adopting local law number -2007, a Charter Law to strengthen the Water Quality Protection and Restoration Program (Schneiderman) We had a lot of discussion about this. When I spoke to the candidate for Parks Commissioner, I asked him if he could do a clearer summary of the duties of the Park employees who are paid through the 477 account because those were the questions, if you recall, Legislator Losquadro we had asked. And I don't think that the summary we had gotten was that clear. So we'll give the new Commissioner an opportunity to do that before we move on this. So I'm going to make a motion to table, seconded by Legislator Losquadro. All in favor? Opposed? **IR 1554 stands tabled. (Vote: 5-0)**

IR 1604, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, Open Space Component for the Lawnsdale LLC property, Fresh Pond/Dickerson Creek, Town of Shelter Island. (County Executive Levy) And that was withdrawn. Was that withdrawn?

DIRECTOR ISLES:

No, I think we're requesting that it continue to be tabled as we work with the town on a revision.

LEG. LOSQUADRO:

I was just going to, if I may, I actually had a conversation with the Supervisor of Shelter Island yesterday. And we happen to both be at a same symposium so we had a discussion on this. And obviously he was talking about a willingness of a partnership; but beyond that, that there is actually a significant amount of land publically held if not directly adjacent within the same stream or creek corridor there, that it would provide an extension of bulk heading for -- that there's a marina close by, something along those lines. So it's definitely something that's going to require a lot further investigation. But I'm glad you said we're looking into this because it is something that he brought to my attention yesterday.

DIRECTOR ISLES:

Right. And we believe that we have partnership with the town which we think is excellent. And so we're awaiting the documentation on that. And then we'll bring it back to you.

MS. LONGO:

This one is moving forward. We just got the contracts back signed by the seller and the town. A

new resolution will be coming, I think, next month.

DIRECTOR ISLES:

Or an amended resolution.

MS. LONGO:

Under a new funding source.

CHAIRPERSON VILORIA-FISHER:

Okay. Yeah, actually when I said withdrawn I was looking at the wrong piece of legislation.

MS. LONGO:

Yeah. So the entire deal is different so there'll be a new resolution.

LEG. LOSQUADRO:

And I would just say to Planning and to Real Estate, just be prepared perhaps with a little bit wider map to show us how this would fit in with the existing town holdings or public holdings in the area. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. Did I make a motion on that? Okay, I'll make a motion to table.

LEG. LOSQUADRO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Losquadro. All in favor? Opposed? **IR 1604 is tabled. (Vote: 5-0)**

IR 1720, authorizing planning steps for acquisition under Suffolk County Save Open Space, Farmland Preservation and Hamlet Parks fund, Hobbs Farm property (Town of Brookhaven) (Viloria-Fisher) I'll make a motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1720 stands tabled. (Vote: 5-0)**

IR 1795, authorizing planning steps for acquisition under Suffolk County Save Open Space, Farmland Preservation and Hamlet Parks fund, Joan Schwonik and Therese Southworth property, Town of Riverhead. (Romaine) Okay. That had a low rating if I recall.

DIRECTOR ISLES:

It had a rating of 18 points. We had indicated our recommendation not to pass the planning steps on this by virtue of the fact that the rating is somewhat below the minimum criteria; but more importantly this is a long narrow parcel located along Wading River Road wedged between that road and a subdivision. And it's really disconnected or disjointed from any other significant public open space. There is County land extending to the west. But we just felt that this was somewhat fragmented and really didn't benefit that property.

And then secondly the property is a former farm field. So it's basically an overgrown brush type, vegetation at this time. So in terms of the criteria that we used in examining parcels for open space acquisitions, this is not one that we would recommend to you.

CHAIRPERSON VILORIA-FISHER:

Okay. I'll make a motion to table.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro. All in favor? Opposed?

LEG. LOSQUADRO:

Opposed.

CHAIRPERSON VILORIA-FISHER:

Note the opposition. **1725 is tabled. (Vote: 4-1-0-0. Leg. Losquadro opposed)**

IR 1819 (accepting a donation of real property for open space purposes, a SCHDS Board of Review transfer of development rights) (County Executive Levy) This is the one that, I believe, has been withdrawn because that property was donated to the Town rather than the County. Mr. Isles, has it in fact been accepted by the Town?

DIRECTOR ISLES:

We've been informed that that's what the intention is; that they would be donating it to the Town instead of the County. And that'll satisfy the Board of Review requirements. So at this point we would withdraw the resolution. And I'll certainly differ to Mr. Zwirn on that in terms of when that actually occurs and since it's no longer an action that's going to be requested.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you, Mr. Isles. Did you have a question on that?

LEG. D'AMARO:

Well, I just want to confirm, do we need to vote on this if it's not formerly withdrawn? I guess I would ask the Clerk's Office has it been withdrawn?

MS. ORTIZ:

Not as of yet.

LEG. D'AMARO:

All right. Then I'll offer a motion to table.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. LOSQUADRO:

Subject to call.

LEG. D'AMARO:

Okay. Table subject to call.

CHAIRPERSON VILORIA-FISHER:

Okay. Motion to table subject to call by Legislator D'Amaro, seconded by Legislator Losquadro. All in favor? Opposed? **1819 is tabled subject to call. (Vote: 5-0)** I thought it had been withdrawn and was inadvertently placed on the agenda.

IR 1867 (adopting local law number -2007, a local law to ban low-efficiency incandescent lamps and to create the Energy Efficient Lighting Task Force) (County Executive Levy) Legislator Horsley, Brendan spoke with me about this.

LEG. HORSLEY:

I also spoke to Brendan earlier. I think what I'm going to do is I'm going to -- there are some questions about it still outstanding. And I haven't had a moment to work on it. So maybe I'll resolve it the next week or two and we'll table it this time.

CHAIRPERSON VILORIA-FISHER:

Okay. So your wish is to have it tabled.

LEG. HORSLEY:

Yes.

CHAIRPERSON VILORIA-FISHER:

Motion to table by the sponsor -- oh, no, you're not the sponsor.

LEG. HORSLEY:

No, I'm not the sponsor, no.

CHAIRPERSON VILORIA-FISHER:

Okay. I associate you with it. By Legislator Horsley, seconded by myself. All in favor? Opposed?

IR 1867 is tabled. (Vote: 5-0)

Moving right along. And you are in deed the sponsor on the next one, Legislator Horsley.

LEG. HORSLEY:

I make a motion to approve.

CHAIRPERSON VILORIA-FISHER:

Well, let me read the title.

LEG. HORSLEY:

I get anxious.

CHAIRPERSON VILORIA-FISHER:

So eager. **1868, adopting local law number -2007, a local law to establish an At-Store Recycling Program. (County Executive Levy)** And, Madam Clerk, I thought I was a co-sponsor on that. But can you add if I'm not?

LEG. LOSQUADRO:

The same, Madam Clerk.

CHAIRPERSON VILORIA-FISHER:

When he pestered us we said yes.

LEG. LOSQUADRO:

I know I made a request to be a cosponsor. But if I'm not already on there, please add me.

LEG. D'AMARO:

And also myself. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. It looks like we have the vote.

LEG. HORSLEY:

There you go.

CHAIRPERSON VILORIA-FISHER:

Did I say there that there was a motion to Legislator Horsley to approve? Okay, seconded by Legislator Losquadro. All in favor? Opposed? **1868 is approved. (Vote: 5-0)** Good idea.

IR 1924 (County Executive Levy) And, Mr. White, can you please come forward? You can stay there, Laretta. There's enough room for the two of you. We won't be that long. Okay. **IR 1924, amending resolution number 636-2005.** And, Mr. White.

MR. WHITE:

Thank you, Madam Chairman and members --

CHAIRPERSON VILORIA-FISHER:

Make sure that your mike is on or that you're close enough to it.

MR. WHITE:

Okay. Are we on now?

CHAIRPERSON VILORIA-FISHER:

You're on.

MR. WHITE:

Thank you. Thank you, Madam Chairman and members of the Committee. Michael White, Executive Director of the Long Island Regional Planning Board. I also have with me here today John Cameron who's the new Chair of the Long Island Regional Planning Board.

I wanted to follow up. I did come to the Committee at the last meeting when this resolution was tabled. There was a specific issue raised with respect to one provision. And that specifically had to do with the qualifications of Executive Director and Deputy Executive Director. Because this was a little awkward because I am the Deputy Executive Director but we're going to get through that and look forward.

CHAIRPERSON VILORIA-FISHER:

No, you're not the deputy.

MR. WHITE:

I am the Executive Director.

CHAIRPERSON VILORIA-FISHER:

Right.

MR. WHITE:

I'm sorry.

CHAIRPERSON VILORIA-FISHER:

You just demoted yourself, Mike.

MR. WHITE:

I don't have a deputy. Okay. So the recommendation that we would like to make is to amend that section respecting those qualifications. And if I may read the proposed language? Okay. Right now so we -- for the record the present language just expresses this. "The Executive Director and Deputy Executive Director shall be persons with professional experience in regional planning or related areas." We're adding, as was suggested by members of the Committee, a little bit more meat onto those bones. And we're proposing the following language. "The minimum qualifications for the position of Executive Director shall be a graduate degree from an accredited college or university in regional planning or related fields and a minimum of five years professional experience in regional planning or related fields. The minimum qualifications for Deputy Executive Director shall be a graduate degree from an accredited college or university in regional planning or related fields and a minimum of three years professional experience in regional planning or related fields."

CHAIRPERSON VILORIA-FISHER:

Thank you. Legislator Losquadro; and then Legislator D'Amaro.

LEG. LOSQUADRO:

What I was just going to say was that I had a conversation with Mr. White. I am satisfied with this language and would like to make a motion to discharge this without recommendation so that the amendment can be made. The amended version can come before us at the General Meeting and we can pass it as expeditiously as possible being that we began work on this two-and-a-half years ago. So I'll make a motion to discharge without recommendation.

CHAIRPERSON VILORIA-FISHER:

I'll second that motion. And I do want to say, Mr. White, that you've been very really very accommodating. You've worked with both myself and Legislator Losquadro and for all I know other people, other members of the Committee. And you've certainly responded to all of the comments that were made on the record at the last meeting and in our private conversations. And I appreciate your efforts. Legislator D'Amaro has a question.

LEG. D'AMARO:

I don't have a copy -- is this a copy of the new language that you gave me?

CHAIRPERSON VILORIA-FISHER:

No, he changed it even more because we just had a conversation.

LEG. D'AMARO:

On line there is no Sixth Resolved Clause. I don't have the old language, I don't think.

MR. WHITE:

I'm looking at now the -- what I believe is a copy of what was introduced resolution number 1924. And this would be on the third page when I was referencing the Sixth Resolved that the Fourteenth Resolved Clause is amend as follows.

LEG. D'AMARO:

Michael, I'm sorry. What page?

MR. WHITE:

Okay. I'm looking at the resolution that was introduced, the 1924-2007 laid on the table 9-20-07. And if we go to the -- at least on the copy that I have, it's the third page. And in the middle of the page it shows Sixth Resolved. I received this from the County Attorney's office.

LEG. LOSQUADRO:

Right. And that Fourteenth Resolved clause is amended.

MR. WHITE:

Correct.

LEG. LOSQUADRO:

What he just read actually.

LEG. D'AMARO:

What he just read.

CHAIRPERSON VILORIA-FISHER:

Which is a little bit different from this because we asked that the Deputy Executive also have -- Executive Director also have the qualifications of graduate school and experience but with only three years rather than the five years.

LEG. LOSQUADRO:

And, Legislator D'Amaro, also the clarification was put in there to repeat the language so that it was clear that the degree had to be in regional planning or related field also; not just the experience. So we clarified both of those for both the Executive Director and Deputy Executive Director.

MR. WHITE:

Which is clearly what we meant to propose.

LEG. LOSQUADRO:

Right.

LEG. D'AMARO:

The language you're including says related field.

MR. WHITE:

Correct.

LEG. D'AMARO:

Planning -- what was it?

MR. WHITE:

Regional planning or related field.

LEG. D'AMARO:

And it was five years, then three years.

MR. WHITE:

Yes.

LEG. D'AMARO:

Right.

MR. WHITE:

I feel also compelled for the record just with all due respect to confirm that law is a related field since I have the graduate degrees in law.

CHAIRPERSON VILORIA-FISHER:

And I want to further clarify that what we're voting on now is not that language because we don't have that before us. What we're voting on now is what we have before where we're discharging it without recommendation because it's been represented to us that the language that Mr. White read into the record will be the language in the amended version that will come before us at the General Meeting.

LEG. D'AMARO:

Right. Wasn't there also an issue with Nassau County agreeing to the same language?

MR. WHITE:

There is an issue because what the -- what I'm advised by both County Attorneys' offices is that the legislation in Nassau and the legislation in Suffolk has to be substantially similar. Quite frankly with the language that we're really proposing today, I don't know if that's the case. I'm hoping that it just expands with respect to the issue of qualifications. It's still will be substantially similar. But if this difference does cause us to go back to Nassau county, we've already had some discussions with the Nassau Legislature. And I feel assured or at least confident that we'd be able to move a technical amendment through. But at this point I'm not sure we would really actually have to go back depending on that judgement as to what is substantially similar.

CHAIRPERSON VILORIA-FISHER:

I just want to know if Legislator D'Amaro is finished.

LEG. D'AMARO:

Yes.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator Kennedy.

LEG. KENNEDY:

I have to go through some of the same -- some of the same dialogue again because as I sat here -- I know you, Counsellor, as an attorney and I thought that your masters degree might have been in planning. But so then clearly other than planning, who's going to tell us that in fact JD does meet that equivalent? Counsel, are you going to tell us what --

MR. WHITE:

The Planning Board.

MR. CAMERON:

If I may, John Cameron, Chairman of the -- newly elected chairman of the Regional Planning Board. I believe it would be up to the planning board itself to make that determination. And frankly I think, you know, it's not a difficult one but one we would have to assess. And I think the confidence and trust that the Legislature or the Committee would put in the board itself would be entrusting us with being able to make a determination whether it is a related field or not a related field.

LEG. KENNEDY:

Well, we do appoint the trustees. And it occurs to me, I guess, we appoint you to go ahead and carry out and exercise the duties that we have you sit there for. But then I was even going to go ahead and query as to whether an engineer would suit that. But I don't want to make this an open-ended missive. It just -- yeah, I know, I know. It's in our nature that we hate ambiguity, you know, we crave certainty but I'll yield.

CHAIRPERSON VILORIA-FISHER:

Because it's in our nature to be distrustful.

LEG. D'AMARO:

Can I jump back in?

CHAIRPERSON VILORIA-FISHER:

Sure, Legislator D'Amaro.

LEG. D'AMARO:

I know we went through this last time you appeared. And I want to echo our Chairperson's comments that I appreciate how well informed you are and how you're helping us. But why -- I'm looking at the original version, which was approved and we're taking out the specifics that seem to define related fields. Why are we moving away from that?

CHAIRPERSON VILORIA-FISHER:

If I may interrupt. They had -- what we were asked to approve when it came to us, was with that language stricken. And our objection was that having struck that language from the resolution, it was too open-ended. We didn't ask for that to be stricken. That had been stricken when it came to us.

LEG. D'AMARO:

Right. Okay, so now what happened was Nassau County struck out the specificity that we originally

had and came up with the Executive Director shall be persons with professional experience in regional planning or related areas.

CHAIRPERSON VILORIA-FISHER:

Yes.

LEG. D'AMARO:

That was the Nassau language. Professional experience in regional planning or related areas. And what's our language now?

MR. WHITE:

Let me read that one more time. And I think I could clarify on the issue as well, Legislator D'Amaro. Okay, the language that we're looking for at this point is the minimum qualifications for the position of Executive Director shall be a graduate degree from an accredited college or university in regional planning or related field. And a minimum of five years professional experience in regional planning or related field. The minimum qualifications for Deputy Executive Director shall be a graduate degree from an accredited college or university in regional planning or related field and a minimum of three years professional experience in regional planning or related field.

LEG. D'AMARO:

So now we're requiring the degree and we're putting a time period on how much experience you need to have?

MR. WHITE:

That's correct.

LEG. D'AMARO:

But we're keeping the related field language which Nassau suggested. They don't want the specificity.

MR. WHITE:

Well, I could address that because we did speak a little bit about this last time. And we've also had some conversations. There's two things that work here. The reason why Nassau County made the change up to -- to really just put it briefly in terms of the qualifications, really has to do with the reasoning that even the new Chair has reported. The suggestion being that while the County Executives appoint the members to the board, the respective Legislators confirm those appointments. And during your confirmation you have the ability to question your board -- the board members moving forward specifically with respect to this. And there's an argument to be made. And there's some precedent out there that suggests that in the case here where the Regional Planning Council would indeed be a contract agency of the County, that it's up to the board of that council, agency or so forth to set those criterias specifically as an example of qualifications for Executive Director through its by-laws and so forth.

So what we're trying to do here is at least add some further minimum credentials and qualifications. But quite frankly not go overboard, so you know, we don't get past that substantially similar language. And so if you go to the other specifics, you know, I think in any writing or a statute or whatever, we can list a lot, a lot of things. It's almost like we don't want to miss those things but leave a little more discretion in those related fields.

LEG. D'AMARO:

So you're hoping that the new language is substantially similar; you don't have to go back to Nassau and go through the process.

MR. WHITE:

That's correct.

LEG. D'AMARO:

Are you comfortable with the new proposed language when you think about this revamped board and moving it in the right direction as opposed to having the real specific qualifications to help you to do that? Are you -- you know, tell me about that. Are you comfortable with that?

MR. WHITE:

Perhaps I could let the new Chair answer the question.

MR. CAMERON:

I personally am very comfortable. I think that, you know, the board, there's a lot of philosophical similarities, if you will, that we all agree we need competent assistance whether it's the Executive Director position or the Deputy Executive Director. It's critical for us to have that talent and that expertise because, again, we're a part-time board.

Getting back to your issue with regard to defining the related fields, I think the danger is if you look at it, I would venture to say there's probably literally hundreds of degrees that one could receive now. If you realize it, a lot of the colleges today you could actually almost tailor and come up with a specific major in your degree that is one which probably if we put all minds together we can't probably come up with half the ones that are available in the country today. The danger with defining them is we may have somebody in some urban policy, political or public policy, some downtown revitalization technology, logistics and transportation; there's ones that we can't even -- we might not even think of.

And to limit that, I think, to a half dozen categories, I think, it should be up to the board to be able to assess that, if we need to get outside assistance or if we want to come back and discuss that with you, we would do that also. But I think, you know, I think there has to be some trust placed in the board that we're going to be making intelligent decisions with regard to the hiring of at least successor personnel to Executive Director and also when we hire a Deputy Director. But I think there has to be some confidence placed in the board that we're going to hire the right people for the job with qualifications.

MR. WHITE:

Legislator D'Amaro, and I just personally added the specific -- the law question because here I am sitting as the Executive Director. And I also don't want to see legislation get passed that sort of puts me out of the job. I really love this job.

LEG. D'AMARO:

I have no doubt. I just get -- I think that the original language probably was too specific because I agree with you; you could exclude very willing and capable and educated or competent individuals for the position. At the same time you can get into a lot trouble with an open-ended requirement, you know, down the road. And it's not -- it's not a function of whether I put faith in the board. It's a function of giving you the right tool so you avoid that quagmire later on. And that's why I ask the question if you're comfortable with this.

MR. CAMERON:

The board is. We've discussed it and the board is very comfortable with the language.

LEG. LOSQUADRO:

I'll just follow that thought up. If you look at the original language of the -- what was formerly the Thirteenth Resolved Clause, I had actually drafted most of that language initially. And I tried not to be exclusionary. And in fact if you saw, there was the little line or a related field for someone's experience. I think where the real hang up came up was the specificity over the AICP, the American Institute of Certified Planners certification. That is something that is rather esoteric and perhaps not even everyone in the planning arena would have that certification. So I can understand that.

Unfortunately Nassau went completely back the other direction and took out all of those categories

that I had listed. So I think this is a way to find a middle ground, still put some specificity in there of what we would like to see, yet still give the board some freedom to choose who's best to lead them and be able to get Nassau County on board, which unfortunately when this resolution was first passed by this body, we couldn't get Nassau County to do.

So this is the -- this language that I just went over with Mr. White and I'm comfortable with this language. I think it gets us to where we need to be and allows us to have Nassau County on board as well. Look, and the Chairwoman is back, not that I was dragging that out or anything.

CHAIRPERSON VILORIA-FISHER:

Thank you. We have a motion and a second to discharge without recommendation. All in favor? Opposed? **Discharged without recommendation passes. (Vote: 5-0)** Okay, thank you very much.

MR. WHITE:

Thank you very much.

CHAIRPERSON VILORIA-FISHER:

Thanks for your help.

IR 1948, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Smithtown Boulevard property, Town of Smithtown. (Kennedy) And this is that former gas station property, right?

LEG. KENNEDY:

Green grocer; how can you say that?

CHAIRPERSON VILORIA-FISHER:

That's called a Quick Mart.

LEG. D'AMARO:

Motion to table.

CHAIRPERSON VILORIA-FISHER:

Motion to table by Legislator D'Amaro.

LEG. KENNEDY:

At least let me hear them say something.

CHAIRPERSON VILORIA-FISHER:

Or you can say it on the motion. I'll second the tabling motion.

LEG. KENNEDY:

All right.

LEG. D'AMARO:

I just wanted to give you an open forum.

LEG. KENNEDY:

Thank you, I appreciate that. But we're presuming a foregone conclusion. But nevertheless let's hear from Planning. What do we -- have we heard anything more about this? Do we know anything more?

DIRECTOR ISLES:

No, we don't. We spoke about this at the last meeting. We had raised questions about the -- what is the intended use, what is the plan for the property and so forth. And not that we need a, you

know, detailed engineered plan but at least have some sort of sense as to -- what the intention is for the property. Because it's, here again, we're dealing with a -- it's submitted under general parkland purposes.

LEG. KENNEDY:

Yes.

DIRECTOR ISLES:

It seems to be similar to a hamlet type park although I'm not of that.

LEG. KENNEDY:

Yes.

DIRECTOR ISLES:

It is not a typical County park acquisition. The County typically operates a regional park system. So anytime we're dealing with these smaller vest pocket park type things, we feel from County Planning's perspective that that's often times at a local level. And if we're doing that as a County function, is there a partner? What is the plan? How will -- you know, will this become a burden to the County in some way? And here again I know it's planning steps and we don't have to have all the answers.

CHAIRPERSON VILORIA-FISHER:

John, 85 percent. You get no sympathy. We have 12 pages.

LEG. KENNEDY:

Yeah, okay. All right. It takes us to another conversation that I'll keep it short. And I will certainly obviously support the motion to table. But you and I have had a lot of, you know, correspondence now. You know the limitations I work with in my town. I prevail upon my town board to go ahead and make what in their opinion is a herculean commitment to another parcel as far as funding a tear down. And I will be happy to get the local civic group to formally commit to agree to maintain here. And yes it is the intention to create a park. I guess what I'm asking you is how much do I have to bring to you?

DIRECTOR ISLES:

Well, right now we don't really have anything. So the answer to your question from County Planning's perspective would be some explanation of what the intention is so that we can complete the rating review with more information. The intention is to create a vest pocket park to remove the buildings and structures. And so whether it's a narrative, whether it's a drawing, a sketch that would then give us something to evaluate and to the extent that it's possible to give some information about the potential partner, I will tell you we have a preference for municipal partners because they have a permanence. Civic groups are wonderful groups, but they don't have the same level and so that would be an additional concern. And let me just make one comment that as we go into the new year, perhaps this is something collectively we should address in hamlet parks and so forth, I don't want to have a schizophrenic thing with you certainly.

LEG. KENNEDY:

I'm a Gemini, Tom; feel free.

DIRECTOR ISLES:

What I meant by that is -- I like these Friday meetings.

LEG. KENNEDY:

A little walk on the wild side. All right. Go ahead.

DIRECTOR ISLES:

I think we need a little bit more clarity on policy for these things, on hamlet parks, what the standards are and so forth. So we can give you good guidance back on your proposals and vice versa. So with this one, if we have more information as described that would help us complete the review and report back to you as you may deem appropriate to decide further.

LEG. KENNEDY:

I'll be happy to do that in the next two weeks. And just assure me we will survive the end of the year with this, won't we, with this resolution as we continue to work it?

CHAIRPERSON VILORIA-FISHER:

No, it expires at the end of the year.

MR. NOLAN:

You have to re-introduce it.

LEG. KENNEDY:

How about the program that it's under?

DIRECTOR ISLES:

Multifaceted.

CHAIRPERSON VILORIA-FISHER:

It's Multifaceted. It keeps going.

LEG. KENNEDY:

Okay. Fine. All right. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. There's a motion and a second to table. All in favor? Opposed? **IR 1948 stands tabled. (Vote: 5-0)**

We approved 1980 and we move to the SEQRA resolutions. **IR 1981, making a SEQRA determination in connection with the proposed tower renovation at Francis S. Gabreski Airport, Town of Southampton. (Presiding Officer Lindsay)**

LEG. LOSQUADRO:

Motion to approve and place on the consent calendar

CHAIRPERSON VILORIA-FISHER:

Seconded by myself. All in favor? Opposed? **1981 is approved and placed on the consent calendar. (Vote: 5-0)**

1982, making a SEQRA determination in connection with the proposed replacement of light line lights at Francis S. Gabreski Airport, Town of Southampton. (Presiding Officer Lindsay) Same motion, same second, same vote. **(Vote: 5-0)**

1983, making a SEQRA determination in connection with the proposed redevelopment of Long Island Jet Center East (Inc, revised proposal, Francis S. Gabreski Airport, Town of Southampton) (Presiding Officer Lindsay) Same motion, same second, same vote. **(Vote: 5-0)**

IR 1984, making a SEQRA determination in connection with the proposed hangar development, AMPCO, Inc., Francis S. Gabreski Airport (Town of Southampton) (Presiding Officer Lindsay) Same motion, same second, same vote. **(Vote: 5-0)**

1985, making a SEQRA determination in connection with the proposed drainage

improvements on County Road 58, Old Country Road from Long Island Expressway to NYS Route 25, Town of Riverhead. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

1986, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Carlls River County Park addition, Nixon property, Town of Babylon. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

IR 1987, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Carlls River County Park addition, Soliman property, Town of Babylon. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

IR 1988, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Southaven County Park addition, Rodrigue-Karras property, Town of Brookhaven. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

IR 1989, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Swan River County Park addition, estate of Davi and Crino property, Town of Brookhaven. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

IR 1990, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Patchogue River, Wetlands addition, Golden properties Construction Corporation property, Town of Brookhaven. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

IR 1991, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Mastic/Shirley Conservation area addition, Haliab property, Town of Brookhaven. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

1992, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Mastic/Shirley Conservation Area II addition, Gerrato property, Town of Brookhaven. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

1993, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Penataquit Creek County, Wetlands addition, William H. Leverich family Trust property, Town of Islip. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

IR 1994, making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Sterling Creek, Pollert property, Town of Southold. (Presiding Officer Lindsay) Same motion, same second, same vote. (Vote: 5-0)

IR 1995, making a SEQRA determination in connection with the proposed future acquisitions of properties for preservation of open space for passive park purposes as set forth in resolution number 625-2004, Mastic/Shirley Conservation Area Phase I and resolution numbers 621-2004 and 877-2005, Master Lists I and II reports respectively. (Presiding Officer Lindsay) May I just ask a quick question about this? Is this because we asked in CEO that we put the master list together so we don't have to itemize them one at a time? Okay, this is what reflects that. Okay, thank you. Same motion, same second, same vote. (Vote: 5-0)

IR 1996, reappointing George Proios as a member of the Suffolk County Soil and Water Conservation District. (Losquadro) I'm going to make a motion to table just for one cycle because there are some questions that some members have for Mr. Proios, second by Legislator D'Amaro. All in favor? Opposed? **IR 1996 is tabled. (Vote: 5-0)**

IR 2004, authorizing planning steps for acquisition under Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks fund, Brookfield Presbyterian Church property, Town of Brookhaven. (Romaine)

DIRECTOR ISLES:

We have circulated the aerial photograph as well as a rating form for the property known as Brookfield Presbyterian church located in Manorville in the Town of Brookhaven. It's about 15.7 acres in area. It's depicted on the map in red indicating it's located along the south side of South Street. It's a bit east of the intersection with Wading River Road south of the Expressway in Manorville. Our review of this based on County criteria is that the parcel rated about 17 points. As you'll see on the aerial photograph the parcel does not adjoin any other public open space. There is some County purchase of development rights land up into the upper left-hand corner of the map which is farmland. There is some Town of Brookhaven open space in the general vicinity but not adjacent to the subject parcel. There is some private open space to the north which is part of the Silver Ponds Condominium HOA development.

So based upon the information we have thus far, the lack of contiguity or proximity to other County holdings, it's not a location that's planned for a County park or County conservation purposes. It is within the hydrogeologic zone three so it did receive points; a high number of points for that. But in and of itself it's not a location that we feel would merit County consideration at this time. And certainly if you have any questions, we'll try to answer those questions.

CHAIRPERSON VILORIA-FISHER:

Legislator Losquadro.

LEG. LOSQUADRO:

I'm sorry, if you could just clarify the land immediately on the other side of South Street. Was that land that was part of that HOA --

DIRECTOR ISLES:

It's part of a cluster.

LEG. LOSQUADRO:

-- that open space there because of clustering?

DIRECTOR ISLES:

Yes.

LEG. LOSQUADRO:

I just wanted to clear that up, sorry.

DIRECTOR ISLES:

Yes, it is.

LEG. LOSQUADRO:

I thought that's what I heard. But, okay. Thank you.

CHAIRPERSON VILORIA-FISHER:

Is there a motion?

LEG. D'AMARO:

Yeah, I'll make a motion to table.

CHAIRPERSON VILORIA-FISHER:

Motion to table by Legislator D'Amaro. I'll second that motion. All in favor? Opposed? **IR 2004 is tabled. (Vote: 5-0)**

IR 2006, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Union Cemetery property, Town of Islip. (Presiding Officer Lindsay)

DIRECTOR ISLES:

This is a new planning steps resolution to replace a planning steps resolution that is going to be expiring. And so it is proposed under Multifaceted. So it was previously approved. We do have the aerial, if you would like to see it. But here again you did see it before. If you want some background, I'll be happy to give it to you.

LEG. LOSQUADRO:

Just a question. I didn't think planning steps expired.

DIRECTOR ISLES:

This is -- the program is expiring. Right. But you're right otherwise, yes.

LEG. LOSQUADRO:

I thought we've gone through that, though, that we can change programs. We still don't have a clear answer on that. Sometimes we need to change the resolution to change a program. Other times we'll get through the negotiation process. We'll have an accepted offer or we'll, you know, the owner will accept our offer. And then we see we don't have enough money in one fund so we need to switch it to something else. And we seem to be able to do that without a problem. And yet other times we need to change it by resolution. So I still don't think we have a definitive answer on what needs to be done there. Can it just be done administratively or does it absolutely one hundred percent every time need to be done legislatively? Maybe Counsel can answer that.

MR. NOLAN:

You are right. This has been a bone of contention probably for the last two years. My belief has always been if you had a planning steps resolution that generally you wouldn't need to do another one even if a program was expiring; that you could do the acquisition under the old planning steps. I mean I don't think the Planning Department's now going to redo the planning they've already done for this particular acquisition. But I believe the County Executive side has always insisted that we needed to do that, so to do a belts and suspenders approach. Most of the times we end up doing a new planning steps resolution.

DIRECTOR ISLES:

I wouldn't disagree with that. And I think the key thing is the program expiring so when we have to pay bills for the appraisals and so forth, we have to go back to that one fund. So that's my understanding of where the problem comes in at least in this case.

LEG. LOSQUADRO:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. And this was that active parkland; right?

DIRECTOR ISLES:

Yes.

CHAIRPERSON VILORIA-FISHER:
Okay. I'll make a motion to approve.

LEG. D'AMARO:
To approve? I'll second.

CHAIRPERSON VILORIA-FISHER:
Yeah, it has a rating of 34. Okay. Is there a second? Nobody wants to second it.

LEG. D'AMARO:
I thought I seconded it.

CHAIRPERSON VILORIA-FISHER:
I made the motion.

LEG. D'AMARO:
I seconded it.

CHAIRPERSON VILORIA-FISHER:
Okay. Sorry. All in favor? Opposed? **IR 2006 is approved. (Vote: 5-0)**

IR 2027, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Bavarian Inn property) Town of Smithtown. (Kennedy) Now, see, the question is we usually like water front property, not water under foot property.

LEG. D'AMARO:
Isn't there a building on this?

LEG. KENNEDY:
Yes, there is.

LEG. HORSLEY:
Oh, this is the lake?

LEG. D'AMARO:
Is this one under water?

LEG. KENNEDY:
No, it's not now, anyhow.

CHAIRPERSON VILORIA-FISHER:
Oh, I thought it was under water.

MS. FISCHER:
The parking lot is under water.

LEG. KENNEDY:
Not now, no.

MS. FISCHER:
It has been.

LEG. KENNEDY:

In the past, yes, it has. Yes, it has.

LEG. HORSLEY:

When I went out for a visit, it was under water.

LEG. KENNEDY:

How are we going to do this? Do you want to talk about it then I'll talk about it? What do you want to do?

CHAIRPERSON VILORIA-FISHER:

We'll let Planning talk about it first; and then you can react.

LEG. KENNEDY:

Okay.

DIRECTOR ISLES:

We have circulated an aerial photograph as well as a rating form. The aerial photograph indicates the parcel in red. Other County holdings are indicated in green. There are extensive County holdings going to the north and to the west as you can see. As far as the subject parcel, we have done a highlighted part of the aerial. It is a rather intensely developed site including a building which has been referred to this afternoon as the Bavarian Inn. There's also a large parking lot. And in doing the review of this, the Planning Department noted that the property certainly has an importance in terms of considering for county acquisition given the proximity to other County holdings.

And the big concern, however, in this case would be the fact that obviously it's a developed property. And as we get into with some of the other properties we've talked about today, the question then being is there a partner on this with the County because we're potentially facing not only just an acquisition cost but potentially a demolition cost as well as a site restoration, an extensive restoration with a removal of the parking lots and so forth.

I heard today some residents speaking about possibly using it as a clubhouse. That also would have its own implications from a financial standpoint and something, here again, we would typically seek a partner for. So I think -- and also environmental in terms of the continued use of the property for -- a club house would actually diminish the value of the acquisition in the sense of removing an intrusion into the lake physically as well as additional extensive nitrogen loading into the lake as well.

So to summarize, the Planning Department's viewpoint in this acquisition, we do think it's worth considering because of its critical location adjacent to other county holdings and a very important, largest lake in Suffolk County and so forth in a stressed environment. But I think we just have concerns about the details in terms of is there a partner anticipated in this case, how would the County accomplish this, what would be the plan of the use. It's indicated as being active recreation. Is that intended to be, here again, the clubhouse that was spoken of before? Would it -- otherwise such as the building demolition and maybe waterfront access, fishing access, swimming, something of that nature.

So we feel at this point that that additional information is important. Not that we have to have all the details before we start, launching the efforts of Real Estate in terms of the title work, in terms of appraisals, in terms of all the aspects that go into a planning steps on such a significant potential acquisition, we feel additional information to that effect would be important. Thank you.

CHAIRPERSON VILORIA-FISHER:

Legislator Losquadro. I thought you wanted everybody to speak first and then you would react; right?

LEG. KENNEDY:

Absolutely. Absolutely.

LEG. LOSQUADRO:

First of all, I wasn't aware this was actually located within the Suffolk County Legislature. You said it was in a stressed environment, so I was a little confused there. This parcel given its location and the significant holdings around it, I think, is a wonderful parcel to consider for acquisition. And as far as the -- I know sitting on Environmental Trust Review Board, as we have been doing and much more precisely as of late, having someone within our own staff that has knowledge of construction and demolition, we have been, as we move forward with acquisition of properties that have existing structures, we're putting a specific dollar figure on if they do not want to move the structure themselves, we will say, okay, that's fine. But if we do it, this is how much is going to come off the top so to speak. So if this was being contemplated for that sort of use, I think, removal of the structure would be something that we would negotiate into -- into the acquisition, would it not?

DIRECTOR ISLES:

I think it would but I'm not sure if that's the contemplation by the sponsor; is it to keep the building or remove the building. So I think that's something we would want to know as we approach this.

LEG. LOSQUADRO:

Okay, John, the garland's been thrown down. What's your contemplation?

LEG. KENNEDY:

What am I doing?

CHAIRPERSON VILORIA-FISHER:

The building, to keep or not keep?

LEG. KENNEDY:

I'm jumping right in here both feet?

CHAIRPERSON VILORIA-FISHER:

Jump in. I have some questions but I'll go after you go.

LEG. KENNEDY:

I had an opportunity to go head and speak not only with the Commerdinger Society folks but also with Nesconset Sachem as you heard here. Nesconset Taxpayers Association has an interest in it as well. One of the other things I guess that I'll ask you to look at and contemplate as we go forward -- and by the way, I will point out this is the highest rating in the myriad of parcels I've ever put forward before you that I've ever gotten. So I'm gracious. You like that, huh? You know when we go around the balance of the lake, we have the Islip Town park facility not too far away from there as well. So it really does fit in, I guess, with that regionalized district concept area of park parcels and park property.

There is no decent sized place in order to go ahead and hold public forums, public educational types of things, public meetings or anything along those lines. And the civic groups, I think, would like a location or an area where they could meet. Clearly I know it would take work as far as filling in the basement. Clearly we would have to render the septic systems and everything inoperable. But you can access your bathroom areas and things right adjacent with the Lake Ronkonkoma Park restroom facilities and things like that.

So one school of thought says let's try to keep the facility available for public meetings and things like that and somewhat functional. However, there's another faction that says if the way to

ultimately acquire is only through demo, then let's not, you know, go through so many gyrations. We have the Commerdinger house on the north side of the bog. We're working with Parks now with the Commerdinger Society to retrofit and get access there. So we will have a smaller facility. Certainly we couldn't fit 100 folks in there. Everybody loves the idea of boating, passive boating, paddle boats, sunfish, things like that. And the Chamber of Commerce has expressed the interest as well. You've seen some of the letters that I sent over; right?

DIRECTOR ISLES:

I have, yes.

LEG. KENNEDY:

Yeah, we got a ton of letters. So we have a number of groups in the area that will come forward. And I'll even put together a consortium of the groups if you want to partner on this one. If you want groups on the hook, I got a whole slew of groups to get on the hook to go ahead and, you know, adopt the property, take on the planning aspects of it, take on some of the fund-raising aspects necessary and all the other stuff. That's there. Even ripping up the asphalt and stuff like that, I know a few folks who do that. We'll get the donations, don't worry about that.

MS. FISCHER:

I think one of our main concerns here is the environmental constraints and issues going on on this property and its impact on the Lake itself water-quality wise with the existing use. So that is something that we're concerned about.

LEG. KENNEDY:

Well, there's no existing use right now, Laretta. You know that this has been shut down since March by Public Safety and by the Suffolk County Health Department. The Sanitary system was violated. Their food vendor's permit has been yanked. They are non-operational. There is no use here at all now.

MS. FISCHER:

Exactly. And, you know, if we're going to rev it up to use the existing buildings, we're going to have to re-think about how we're going to approach those issues.

LEG. HORSLEY:

There's buildings; more than one?

MS. FISCHER:

There's one building.

LEG. KENNEDY:

One building.

MS. FISCHER:

There's a few little storage --

LEG. KENNEDY:

Sporadics, there's like, I guess, if you want -- things that have been added on.

MS. FISCHER:

Yeah.

LEG. KENNEDY:

Clearly if we were going to go forward with actual use of this structure, it would be with the understanding that we would have no water facilities or no bathroom facilities or anything like that.

DIRECTOR ISLES:

I don't know if that's practical. And to me it defeats the purpose of trying to protect the Lake by maintaining this intense public assembly use.

LEG. HORSLEY:

Is there any historic nature to it?

DIRECTOR ISLES:

Not to my knowledge.

MS. FISCHER:

It's in pretty bad condition, the building.

LEG. KENNEDY:

If you're having a civic meeting and people have to use the bathroom --

LEG. HORSLEY:

I saw the building and I was not impressed.

MS. FISCHER:

Pretty bad condition.

CHAIRPERSON VILORIA-FISHER:

Okay, I have about this piece. Chris, I asked you to join us because we know that the existing use isn't existing because the business has not been able to continue there based on health violations and sanitary code violations, which would suggest to me that if we were not to acquire it, that this might be a piece which would come to the County through tax default eventually. I don't know. Laretta, you're shaking your head no. Maybe I'm just assuming too much.

LEG. KENNEDY:

Madam Chair, I can also tell you I got a quick and dirty title search on this one already. And there are a slew of creditors who have an interest on the property. And before the property goes ahead and defaults due to tax delinquency, other creditors, I think, can go ahead and protect their interest on it. It may be an upside down position. I mean we may see foreclosure. We may see a variety of things. But I think it's highly unlikely based on a list of creditors that I've seen already on here that you're going to see it actually go to tax default.

CHAIRPERSON VILORIA-FISHER:

Okay, and Laretta, you had an answer to that as well Chris?

MR. KENT:

Well, I don't know the status of the taxes on that. But once the planning steps resolution be adopted, we would do some research in our division regarding the status of the taxes whether they're current or whether they've been paid. We'd also look -- we've started something just recently in the last month where we are looking at other departments' files within the County to gather information within the planning steps process, within the process of determining whether we want to go forward with the acquisition. So we would at that -- we'd also look at Health Department records and things like that.

CHAIRPERSON VILORIA-FISHER:

Okay. I'm asking this, John, I know this has a high rating and, you know, it's part of a contiguous County parkland possibility and that we do take demolition of the building and other remediation into consideration when the appraisals are being done as Legislator Losquadro has said. But I'm trying to look very carefully at every planning steps resolution that comes before us to seek ways in which the County could eventually acquire something. Well, maybe not even acquire a parcel that could be

preserved in some other way because we're into this by half a billion dollars at this point with our land acquisition program. I think there might be the beginnings of public fatigue. And we want to use our money as wisely as possible rather than just give a stamp to all planning steps because very often when we do the planning steps, and then months or even a couple of years later we get the acquisition, the resolution for acquisition, we're not really looking at those very carefully. And so I'm hoping that we are very circumspect at this point. And, you know, I understand your enthusiasm for this and the community enthusiasm but I just think that there might be another way that we -- we wind up preserving it because I don't see someone building something there.

LEG. KENNEDY:

Well, you know what, Madam Chair, I mean you bring up good points obviously. And I don't think that it's, you know, any of our mission to go ahead and just, you know, wily pop away across the landscape acquiring here and acquiring there. Nevertheless, I will say that this is a piece, I think, that's critical for that area already by virtue of the fact that Planning has given it this rating. It occurs to me I have really no other mechanism to attempt to shop this acquisition with other entities than to go this route. I would happy to go ahead and correspond with DEC, because as you know, they have oversight over the Lake itself. It is a protected watershed. It is a watershed of great interest and concern under the Clean Lakes Program, I believe. And I also know that going back as far as 1986 with the Planning Department's study done by Clean Lakes, that this was identified for acquisition. So while Madam Chair articulates important policy, I think, what I'm pointing to is, is we have policy actually that's decades old that talks about consolidation and acquisition around this Lake for the purposes of preservation. I'll be happy to table for a cycle.

CHAIRPERSON VILORIA-FISHER:

I have a follow-up question on what you just said.

LEG. KENNEDY:

Okay. Sure.

CHAIRPERSON VILORIA-FISHER:

Because I've had this discussion various times with Ms. Fischer which is, this is clearly a wetlands area. And I know that wetlands management is certainly an important piece of why we acquire our land and open space. And is this a critical piece to the wetlands management in this area?

MS. FISCHER:

Well, as it's developed, there are no wetlands specifically on the property at the present time, although there's some wetland fringe along the Lake itself. The issue I'm concerned about is that it is low lying. It's flooding and it's adjacent to all our other wetland holdings to the north which is an extremely important watershed to the Lake itself. And so -- I -- my preference would be to revert this parcel back to a more natural state so that that could absorb some of the issues with regard to flooding and high ground water table issues that are affecting this area right now. So my basic premise would be to look at it from a more environmentally sensitive perspective to almost rehabilitate the site back to a more natural environment and being able to absorb --

CHAIRPERSON VILORIA-FISHER:

So then it would act at part of the wetlands systems.

MS. FISCHER:

Exactly. That it should have -- that it was --

CHAIRPERSON VILORIA-FISHER:

So that it would be permeable.

MS. FISCHER:

Exactly. That it was original before it was developed.

LEG. HORSLEY:

Vivian, can I ask a question.

CHAIRPERSON VILORIA-FISHER:

Sure, Legislator Horsley; and then Legislator D'Amaro.

LEG. HORSLEY:

On that just exact point, I'm looking at it. It looks like the parking lot juts out into the Lake. Is that natural or what did -- did they build that out? They just filled it in at some point?

LEG. KENNEDY:

Secretion.

MS. FISCHER:

I would imagine it was filled and bulkheaded.

LEG. HORSLEY:

It was all bulkheaded and they filled in behind it and stuff like that; then built the --

MS. FISCHER:

Yeah. It was built, I think, in the '50's.

LEG. HORSLEY:

So your intention would be to get rid of all that. Just bring it back to --

MS. FISCHER:

At least a good portion of it. We'd have to do a drainage and, you know, environmental analysis of where the waters, that drainage pipe and what's going on there. And I certainly want to encourage public access to this site. As you go by it, it brings a beautiful vista of the Lake which you don't necessarily have along major parts of that Lake area so you could have some parking, some access for fish and swimming and that kind of use, I think, would be more amenable to more of a, you know, active recreational use as, you know --

LEG. HORSLEY:

Sounds like a good vision.

LEG. KENNEDY:

One of the other things, I guess, that you would see or you may have seen when you looked at it is that there is some question as to even whether there's been encroachment onto the town portion that slivers along the outer part of the park. But there again, you know, questionable as to a private operator and its use but certainly something that goes towards fitting with filling in disjoint or discontinuous municipal holdings so we get continuity there.

MS. FISCHER:

Right, I agree.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator D'Amaro.

LEG. D'AMARO:

Thank you. The rating form that indicates 42 is the score, is that form contemplating what you're speaking of returning the parcel to its original state or trying to not develop the parcel? Does that relate to with the building down, with the building not taken down, you know?

MS. FISCHER:

We took it in relation to what was being proposed, being active parkland. So if you're looking for a

passive use, which I'm, you know, recommending, it would then go onto our other natural environment rating form. But there might be a possibility that you get some mixed use where you're having, you know, access as well as, you know, wetland restoration. That would have to be done with a study. And I don't want to preclude anything at this point but I'd certainly like to look at it more holistically with regard to storm water issues and wetland issues and uses that are being proposed.

DIRECTOR ISLES:

Just to add to that, Mr. D'Amaro, it was not determinant then on whether the building would be there or taken down. It just was done generically on an active recreation based on the information we have which we weren't sure either way. Upon further information we would probably review the form again to see if there's any changes in either direction.

Let me just, if I could, just make one final point from staff's standpoint and that is that when we talk about the issue of hamlet parks or active parks and relationships with organizations or municipalities, I think we also have to look at it in relation to the project itself. If we're dealing with a small like in Copiague Park we did one where there's a little monument and some flowers and things like that, benches. So there's a degree of improvements that's kind of modest. We then look at this potentially where there's a degree of improvements that could be extensive and expensive whether it's saving the building or taking it down. And so I think we just have to keep that in our minds so we go forward as to what's a capable partner. The parcel we've been discussing in Nesconset -- I'm sorry.

LEG. D'AMARO:

Can I just ask, how can we be talking about saving the building when I'm hearing the septic system is breached? It's adjoining a watershed area that's important to the Lake. I mean, you know, I'm very confused on this as to what are we talking about here?

DIRECTOR ISLES:

Right. Well, we have the same confusion and we've been talking about that today in the sense that we think it may be incompatible to save the building and have that use. I think there's been some testimony today that maybe suggested saving the building, but the determination has not been made.

LEG. D'AMARO:

But the testimony is to save the building to use it for what purpose?

DIRECTOR ISLES:

A clubhouse, I believe I heard.

LEG. D'AMARO:

I mean we're talking about a specific acquisition program where, you know, we can buy land to put a clubhouses for civic associations? I don't understand this. I mean how far do we go with this stuff?

MS. FISCHER:

That's not our recommendation.

LEG. D'AMARO:

Okay. So my question is, all kidding aside, is that something that would fall within the parameters of the Multifaceted Program?

DIRECTOR ISLES:

For active recreation or parkland purposes.

MS. FISCHER:

Yes. You know, I can't remember exactly how it's said, but building facilities for --

LEG. KENNEDY:

Community organizations.

MS. FISCHER:

Yeah. Are a part of the uses that are listed under Active Parkland uses. So in a sense we always think active parkland as being ball fields and that type of use but that also is one of the uses as well.

LEG. D'AMARO:

Well, would this property, let's say you were going to use it for active purposes with all of these problems, could you even get a permit to use this property that way?

MS. FISCHER:

That's one of our questions.

LEG. D'AMARO:

Okay. Thanks.

CHAIRPERSON VILORIA-FISHER:

Any other questions? You said you were willing to table it for one cycle?

LEG. KENNEDY:

I'm willing to table it for a cycle, Madam Chair, but I think I also -- look, obviously, you know, as always you articulate and state important points, you know, that we have to look at in the macro perspective. Legislator D'Amaro's points are well taken, too. I don't know that it's our responsibility to go ahead and fit out every community organization that we have in the County. You know, there's just not enough money put in anywhere for us to do that nor is that my ultimate goal here either.

At the end of the day my goal with this is to go ahead and to acquire and consolidate what are fairly extensive municipal holdings here. And if the collective wisdom or the experts, the planners say it is better to move towards restoration to more natural state, then certainly that's fine and that's something we'd be willing to push.

Also I will formally write to the DEC to see whether or not they can join us in partnering in it. The one thing I don't want to do is, is this has a for sale sign on it. It's been marketed since July. We all sit here and we say, well, you know, you could never do this or you could never do that. The one thing that I can say is, is I can never predict what a particular town permitting entity is going to do. I just --

CHAIRPERSON VILORIA-FISHER:

You say that to me all that time.

LEG. KENNEDY:

You know, I don't want to go a long time trying to calculate where we'll get with this. And in this case I know we spend twenty to 25 grand for planning steps.

CHAIRPERSON VILORIA-FISHER:

Is this Brookhaven or Islip, I forget.

LEG. KENNEDY:

Smithtown.

CHAIRPERSON VILORIA-FISHER:

Smithtown. Oh, I forget, Ronkonkoma's covered --

LEG. KENNEDY:

Yeah. So I don't know that it would be money that would not be well spent to take on a level of commitment to the next level in order to go ahead and try to perfect acquisition. So I'll agree to go ahead and table one cycle.

CHAIRPERSON VILORIA-FISHER:

And I'm not saying nay here.

LEG. KENNEDY:

I understand.

CHAIRPERSON VILORIA-FISHER:

I'm just saying let's be very circumspect each time.

LEG. KENNEDY:

Okay.

CHAIRPERSON VILORIA-FISHER:

And with the agenda that's ahead of us, I don't know if we're going to be able to be as careful as I'd like.

LEG. KENNEDY:

Okay.

CHAIRPERSON VILORIA-FISHER:

Okay. So there is a motion to table by the sponsor, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 2027 is tabled. (Vote: 5-0)**

IR 2030, appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and authorizing acquisition of farmland development rights under the Suffolk County Multifaceted Land Preservation Program for the Yakaboski as contract vendee of the PF & E Associates Inc, Town of Brookhaven. (County Executive Levy) And it's 22 acres, yes? And it's an active farm?

DIRECTOR ISLES:

Yes, it is.

CHAIRPERSON VILORIA-FISHER:

It's a 70/30 split with the Town of Riverhead. Okay. Motion to approve by Legislator Losquadro, seconded by Legislator D'Amaro. All in favor? Opposed? Motion passes. **(Vote: 5-0)**

IR 2031, authorizing the acquisition of Farmland Development Rights under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund, farmland component, and appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and authorizing the acquisition of Farmland Development Rights under the Multifaceted Land Preservation Program for the Raine property, Town of Riverhead. (County Executive Levy) Same motion, same second, same vote. **(Vote: 5-0)**

IR 2035, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Hiliab Corporation property, Mastic/Shirley Conservation Area II, Town of Brookhaven. (County Executive Levy) And this is that point 09 acres that I asked you about. This is the one where I wondered, and I asked for a map on that because -- thank you. This is part of that high flood area?

DIRECTOR ISLES:

It absolutely is, yeah. This is in the Mastic/Shirley conservation area, an area that's been

extensively studied. We have actually brought today with us a copy of the Narrow Bay Study that was done by County Planning in 1995, which identified this area. It's Narrow Bay because it's so close to the barrier beach at Smith Point. Unlike in parts of eastern Suffolk where there is large tracts of land that are still available, there are a few of those in western Suffolk. So we see in some areas such as Mastic/Shirley Penataquit Creek in Islip, Carlls River in Babylon a situation where the master list as well as individual resolutions sponsored by Legislators are coming forth with small parcels. And as we talked about in the policy plan that we presented to you this summer, there is a value to considering those for the sake of consolidating important holdings. And if we look at the specific case of the wetlands, this is an area actually that's subject to daily tidal inundations. So this is an area that you would get your feet wet walking around here, around this parcel during different times of the day.

And then we look at the question of is this a resource that needs to be protected? And I would submit that it's probably the most important resource or at least parallel to our drinking water protection resources in Suffolk County. Wetlands, and not to go through a little environmental lesson, but they're the maternity ward of our marine ecosystem. It's a factor in Suffolk County and on Long Island and in the northeast for that matter that there' been a decline in wetlands. It has a direct impact on our environment. And here again especially our coastal environment. So it is probably the most sensitive environmental feature of our County. And we feel from County Planning standpoint that it warrants the consideration of the highest protection which is public control and ownership.

This piece is rather small. We have highlighted on the aerial photograph the existing County holdings which do proliferate this area. Indicated in the cross hatching is the master list recommendations. But considering that Mastic/Shirley is the most densely developed community in Brookhaven Town, we have these large acres upon acres, tens of acres of land in Mastic/Shirley that's still available that's subject to that tidal inundation, that's subject to flood hazard impacts from storm events. It is actually a velocity zone in terms of the flood hazard, damage capabilities. And although this parcel's small and we could debate whether it could be developed or not, it probably can't. But it is adjacent to privately owned land. It could be consolidated and developed.

So where windows of opportunities open up for a negotiated, voluntary purchase and -- sale and purchase, we believe it is in the interest of the citizens of Suffolk County to seek those opportunities, to provide for this coastal protection, to provide for habitat protection and also provide that ancillary benefit that's been magnified into the south shore estuary.

CHAIRPERSON VILORIA-FISHER:

And you use more than one tool in this area because you also do the swaps in this area, don't you, where if the County has a piece somewhere else and somebody has a piece here, you'd do -- it's not the same as the TDR. But you've swapped with the flood areas, isn't that correct?

DIRECTOR ISLES:

The County does have a program that does enable the exchange of land, a land exchange program. We have done that. That is a complicated program but we have done it, yes. And we would certainly consider doing it in the future.

CHAIRPERSON VILORIA-FISHER:

And this map answers one of the questions that I had, which is that if we have a piece that is this small, the only thing that gives it -- I mean one of the things that gives it value is whether or not there are privately owned lands contiguous so that it could consolidate in order to meet the code requirements to build on it.

DIRECTOR ISLES:

Right.

CHAIRPERSON VILORIA-FISHER:

So this has answered my questions. Are there any other questions regarding this acquisition? If not, there is a motion to approve by -- I don't know whose voice it was -- Legislator D'Amaro, seconded by Legislator Kennedy. All in favor? Opposed? Motion carries. **(Vote: 5-0)**

IR 2036, authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program -- oh, a 12-5-E -- for the William H. Leverich Family Trust property, Penataquit Stream Corridor, Town of Islip. (County Executive Levy) How much money's left in that 12-5-E in Islip? 50 cents after this?

MS. LONGO:

No, we have a couple of hundred thousand. Whenever we have an opportunity to spend it, we do.

CHAIRPERSON VILORIA-FISHER:

Okay. Okay, it's good to see a west end acquisition. And is this something similar where it is in a water protection zone and you have maps. We'll take the maps.

DIRECTOR ISLES:

Sure. Yeah, this is on Penataquit Creek which is a creek that has been impacted by development; however, both the Town as well as the County have purchased properties in the watershed. And it is not a foregone conclusion that this watershed is destroyed. There is still a difference that could be made by the remaining developments. So whether it's protected or developed will directly affect the future water quality and functioning of this stream corridor.

So this was a planning steps resolution introduced, I think, by Legislator Alden. It was consistent with the pattern of County ownership to the south. It has standing water on the back of the property. It is directly in the watershed. It would meet what we consider to be a criteria for County consideration.

CHAIRPERSON VILORIA-FISHER:

And is it large enough to get the requisite permits to build on, I guess, the upland side of the piece of property? I mean it is only quarter of an acre.

DIRECTOR ISLES:

In my belief and having worked in Islip for twenty years, I think it would be a strong candidate for a permit.

CHAIRPERSON VILORIA-FISHER:

Okay. Motion? Legislator Losquadro, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 2036 is approved. (Vote: 5-0)**

IR 2037, authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program, 12-5-E (1) (a) for the Nixon property, Carlls River Watershed addition, Town of Babylon, (County Executive Levy) And this is a place where we don't see a lot of acquisitions.

DIRECTOR ISLES:

Sorry?

CHAIRPERSON VILORIA-FISHER:

It's a place we don't see a lot of acquisitions. I mean we have seen Carlls River watershed area.

DIRECTOR ISLES:

Right. Okay. We are circulating an aerial photograph on this as well. Here again, this is another example of a western Suffolk County watershed that has been in part compromised by land development activities; however, as the aerial shows there are still extensive portions of this watershed that are natural, that are undisturbed, that are preserving wetlands as well as the

vegetation and topography.

In this case the County owns the parcels that are indicated in green, which are extensive. The County master list that you've approved include the cross hatched parcels. And I'll point out, too, that in the map before you, the red indicates the subject parcel. Directly below that is the next parcel on the -- on your agenda, the Soliman piece. So the Real Estate Division has been doing a great job in securing interests and presenting proposals to you.

Once again this also adjoins private land. And here again we can debate whether the Town would issue a permit or not. There's always a certain unknown to that. It would certainly be eligible if it was consolidated and even independently. It may or may not qualify for a variance but certainly it's not a slam dunk that it won't. So we just present that for your consideration.

CHAIRPERSON VILORIA-FISHER:

And although the -- obviously the DEC fresh water wetlands goes right through the piece that's immediately to the east of it, it could -- but there's privately held land to the west of it, right? Or is that --

DIRECTOR ISLES:

There's probably held land to the north.

MS. FISCHER:

There's a paper street to the west. And then to the south is where the wetland in the blue line is.

CHAIRPERSON VILORIA-FISHER:

Okay. So Legislator Horsley is saying that it might be good for affordable housing. Is that what you said?

LEG. HORSLEY:

No, I didn't say that.

CHAIRPERSON VILORIA-FISHER:

Okay. Is there a motion?

LEG. D'AMARO:

I'll make a motion to approve.

CHAIRPERSON VILORIA-FISHER:

Motion to approve Legislator D'Amaro, seconded by Legislator Horsley. All in favor? Opposed? **IR 2037 is approved. (Vote: 5-0)**

IR 2038 (authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program, for the Soliman property, Carlls River Watershed addition, Town of Babylon) (County Executive Levy) is the Soliman property. And we already saw that on the map. It was just to the south of the subject property of the last resolution. Babylon Legislators, would you like to make the motion? Legislator D'Amaro, seconded by Legislator Horsley. All in favor? Opposed? **IR 2038 stands approved. (Vote: 5-0)**

IR 2039, authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund, open space component, for the Golden Properties Construction Corporation property, Patchogue River, Wetland addition, Town of Brookhaven. (County Executive Levy) And this is a lot more expensive than the one that was on the Carlls River, like twice -- three times as much.

DIRECTOR ISLES:

Once again, the aerial photograph indicates the subject parcel in red, indicates County parcels in

green. This is a location on the Patchogue River and obviously the upper regions of the Patchogue River, but this obviously represents a continuation of the County's policy of protecting this watershed, a significant investment by the County already either by acquisition or tax deed transferred to County Parks. This case the hatched area, of course, are the master list parcels that you've approved. This would be a parcel that would be considered eligible for development. That was part of the appraisal review. And has been -- there was consultation with Brookhaven Planning as well. So we feel that this would be a complement to the prior acquisitions, would protect the watershed and water quality and would recommend it to you today.

CHAIRPERSON VILORIA-FISHER:

So you don't think it would be a good place for a small affordable house?

LEG. D'AMARO:

Or two.

CHAIRPERSON VILORIA-FISHER:

A small affordable house.

MS. FISCHER:

Would you like them to --

DIRECTOR ISLES:

Well, anything's possible. It's a policy decision on your part. We will not recommend it at this location. It's not a sewer area either.

CHAIRPERSON VILORIA-FISHER:

You would not recommend it?

MS. FISCHER:

No.

LEG. D'AMARO:

Could I just jump in?

CHAIRPERSON VILORIA-FISHER:

Okay, Legislator D'Amaro.

LEG. D'AMARO:

It's been my understanding that it is a policy decision, but that parcels such as this would have been considered by the appropriate department for the town's workforce housing programs. Is that the case or not? Or should we ask that that be done?

DIRECTOR ISLES:

Okay. When you say parcels like this would be considered by the County for affordable housing or by the Town. I'm not sure --

LEG. D'AMARO:

Well, in other words, the County looks at this parcel and contacts the Town. And, you know, we've had other parcels here where it's been represented to us that the Town has no interest for reasons A, B and C. But this just based on the size and based on the fact that it has street frontage, based on the fact that there's a house across the street from it looks like it may be conducive. I mean I'm looking at an aerial photography. I really don't know.

DIRECTOR ISLES:

Right.

LEG. D'AMARO:

But I've usually received assurances from you that you did look at it as possibly or potentially going into an affordable housing program or workforce housing program.

DIRECTOR ISLES:

You know, we certainly have done that.

CHAIRPERSON VILORIA-FISHER:

Guys, you got to use your mikes.

LEG. KENNEDY:

All right. Look, I sat with Lou and we went through this over and over and over again in Ways and Means, when we would look at parcels that were going out for 13's, I guess, local law 13's. And we were assured that in each and every case there was something that was offered out there. So are you saying that we have a policy when it comes to property that's delinquent in taxes that the town gets the opportunity to consider it for workforce housing? But in this case we go a different path?

LEG. D'AMARO:

John, if I may, just through the Chair.

CHAIRPERSON VILORIA-FISHER:

Yes.

LEG. D'AMARO:

In that -- in those instances we own the property through tax default.

DIRECTOR ISLES:

Right.

LEG. D'AMARO:

This is a little different. This is a privately owned parcel that we're considering so there is a difference. I'm not saying --

LEG. KENNEDY:

That's true.

LEG. D'AMARO:

But there we already own the parcel. And then we can go to the towns and find out whether or not they're interested so I apologize for that.

CHAIRPERSON VILORIA-FISHER:

And Planning is also recommending that there's a difference here in as much as they're trying to protect the watershed.

LEG. LOSQUADRO:

Exactly.

LEG. KENNEDY:

Okay. All right.

CHAIRPERSON VILORIA-FISHER:

And that's -- okay. It's Friday afternoon. It's tough to have the Environment meeting Friday afternoon.

LEG. LOSQUADRO:

That's what I was just going to add, Madam Chair, is totally different animal, you know, we're talking about a river wetlands addition here with property that is partially wetlands affected and we're talking about discharge into a river corridor so very different animal.

CHAIRPERSON VILORIA-FISHER:

Okay. So you'll make a motion to approve, yes?

LEG. LOSQUADRO:

Yes.

CHAIRPERSON VILORIA-FISHER:

I'll second that. All in favor? Opposed? **IR 2039 is approved. (Vote: 5-0)**

IR 2040, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Gerrato property, Mastic/Shirley Conservation Area, Town of Brookhaven. (County Executive Levy) This is a large junior piece. It's almost 2.7 acres.

DIRECTOR ISLES:

Right. It has an actual small stream tributary, drainage way going through it part of the property. It's outlined in the map with the red with the very bold dots as well. Polka dots.

CHAIRPERSON VILORIA-FISHER:

I have a dress that looks like that.

DIRECTOR ISLES:

I'm not sure why it has that. And here again the County holdings are indicated in green. The master list is indicated in the hatched work. I also believe that there are other acquisitions pending in this area as well so we're continuing to fill in these large areas in Mastic/Shirley that are either going to be developed and continue to degrade this environment and also threaten future homeowners with high hazard locations. So we think this is a great opportunity. And there's been success at this location. You can see actually mosquito ditches on the south part of the site. Here again this is a wet tidal wetland.

CHAIRPERSON VILORIA-FISHER:

That's interesting. Okay, there's a motion by Legislator D'Amaro, seconded by Legislator Losquadro. All in favor? Opposed? Motion carries. **(Vote: 5-0)**

IR 2041, amending the 2007 Capital Budget and Program by accepting and appropriating up to 75% grant funds in the amount of \$1,089,428 from the New York State Department of Agriculture and Markets to the Suffolk County Farmland Preservation Program for the acquisition of Agricultural Development Rights. (County Executive Levy)

LEG. LOSQUADRO:

Motion.

CHAIRPERSON VILORIA-FISHER:

I'll second that motion. Did you want to talk about that at all? So we can use it for any ag rights?

DIRECTOR ISLES:

It's specific farms that we have to get approved, which we have gotten approved; that they would then reimburse us on for 75 percent of the purchase price.

CHAIRPERSON VILORIA-FISHER:

That's good. I thought that money had dried up.

DIRECTOR ISLES:

No, we just filed the grant in September actually for another round actually.

CHAIRPERSON VILORIA-FISHER:

Sounds good to me. Okay. There's a motion and a second to approve. All in favor? Opposed? **IR 2041 is approved. (Vote: 5-0)**

IR 2042, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Rodrigue-Karras property, Southaven County Park addition, Town of Brookhaven. (County Executive Levy) Point two acres. And this is right near the shooting range, yes? Is this the one that's near the shooting range? And we can see it's right in the middle of all of the other holdings; County holdings.

LEG. D'AMARO:

Motion.

CHAIRPERSON VILORIA-FISHER:

Motion by Legislator D'Amaro, seconded by Legislator Losquadro. All in favor? Opposed? **IR 2042 is approved. (Vote: 5-0)**

IR 2043, authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund, open space component, for the Patanjo property, Patchogue River Wetland addition, Town of Brookhaven. (County Executive Levy) Is that near the other one we just saw?

DIRECTOR ISLES:

It's directly to the west so directly adjoins the other one.

CHAIRPERSON VILORIA-FISHER:

We'll take it any way. Okay. It's the same map as the other one? Okay. Any questions?

LEG. LOSQUADRO:

Motion.

CHAIRPERSON VILORIA-FISHER:

Motion by Legislator Losquadro, seconded by -- somebody over there.

LEG. D'AMARO:

Me.

CHAIRPERSON VILORIA-FISHER:

Legislator D'Amaro. All in favor? Opposed? Motion carries. **(Vote: 5-0)**

IR 2044, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component for the Campo Brothers property, St. Germaine of Alaska Preserve, Town of Brookhaven. (County Executive Levy) 10,000 square feet. And it's two separate little pieces.

DIRECTOR ISLES:

Yes. And here again the County parcels are in green.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator D'Amaro?

LEG. D'AMARO:

Just explain to me the theory why we would just -- you know, if we don't buy them, what happens

to them? Nothing really. What's the point?

DIRECTOR ISLES:

Well, I guess the question then would be what would happen if we don't buy them. There was actually an application and actually there is an application I think still standing in this area that's been presented to the Town of Brookhaven to build on one of the these properties; not the red properties but one of the other master list properties. So in just one sense there is still some development pressure on the potential that in what is a high preponderance of County land, essentially a County park here to have private development constructed here.

In this case the two parcels probably are not eligible for development. Whether the private sector could fence them in, they might be able to do that, whether they could still enjoy some other, you know, camping or hunting type activities on there is a question. Here again, it's the feeling in our policy recommendations we had put forward that where we have these little holes in the County parkland, it's probably best for control -- for access control, for management, for restoration, for issues of clarity in terms of access in terms of Park Police, what they will know as County property or not; and then finally this area is characterized by paper streets in an old file map system. We can't abandon those paper streets until there's complete County control to do so or consent. We'd be able to de-map deal this area, consolidate the properties. So that's the basis of our recommendation for the two acquisitions for including them on the master list essentially. It's your call as to whether you agree with that.

LEG. D'AMARO:

The master list properties that are identified, there's not many in here, but there's a few, those are already -- because they're on the master list, that means we've approved planning steps and we're pursuing those.

DIRECTOR ISLES:

Pursing in the sense that we'll contact the owner if they're interested.

LEG. D'AMARO:

Right.

DIRECTOR ISLES:

Right.

CHAIRPERSON VILORIA-FISHER:

I'm going to make a motion to table.

LEG. LOSQUADRO:

Motion to approve.

CHAIRPERSON VILORIA-FISHER:

Okay. We have a motion to table and a motion to approve. We don't have a second to either one.

LEG. HORSLEY:

Whose district is --

LEG. D'AMARO:

Hold on a second. Let me think about this.

CHAIRPERSON VILORIA-FISHER:

Coram, which is hard to tell because so many of us intersect near here.

LEG. D'AMARO:

If the County were to, let's say, be successful in acquiring the entire block, what happens next? I

mean you abandon the streets and this is passive park land in effect?

DIRECTOR ISLES:

Yes.

MS. FISCHER:

Correct.

DIRECTOR ISLES:

It's in hydrogeologic zone three.

MS. FISCHER:

Zone three. Hydrogeologic zone three.

LEG. D'AMARO:

And an impediment to getting the street abandonment done would be if you did not own all of the properties adjoining the filed maps streets; the paper streets?

DIRECTOR ISLES:

Right. And I'm not trying to characterize that as being the end all of the County's program that we have to abandon those streets. But if we ask the question why does this matter, we think filling in and completing the County acquisition is good. De-mapping the streets would then revert that control back to the County as well. If a private owner still wants to retain access, which certainly I would expect they would, we would not be able to do so. There would still be ambiguity potentially in terms of private rights -- right within this County park and so forth. Here again, it is a policy decision quite obviously. We feel it avoids future conflict of uses and provides that kind of stewardship opportunity.

CHAIRPERSON VILORIA-FISHER:

I can understand that. But do you know we --

LEG. D'AMARO:

How much?

CHAIRPERSON VILORIA-FISHER:

27,000. I just -- it's the taxpayer money, \$27,000. And we have so much acreage that we can't have active, you know, management over. You and I talked about this, Legislator Losquadro. But I can't see that this would ever be developed these two little 5,000 square foot pieces. I think eventually the person won't even keep pay taxes on it and we'd wind up getting it anyway. Maybe, maybe not. I don't know. And if they did build something on 5,000 square feet, it probably wouldn't be that big. Boy, would they have a big backyard. And would it be worth their while to have the infrastructure that they need to get to it from this street?

MS. FISCHER:

It's not that much. And it's very positive for them in the sense that they are surrounded by County parkland and it increases the value of that property. You know, 5,000 square feet isn't an end all. So if they had a variance and they moved that forward, I wouldn't -- I wouldn't say that it's a negligible possibility.

CHAIRPERSON VILORIA-FISHER:

So your judgement is that they would be able to get a variance on 5,000 square feet?

P.O. LINDSAY:

Madam Chair?

MS. FISCHER:

Possibly, yes. We've seen it in other areas. So there are lots that -- of that size -- not that we would support such a development, but it's not known that it wouldn't happen.

LEG. LOSQUADRO:

Before the Presiding Officer, I just want to say that Rocky Point and Sound Beach until the town small lot ordinance which then did expire, you have countless properties up there developed that 40 by a hundred. Those are 4,000 square foot parcels. And they're countless throughout Rocky Point and Sound Beach.

CHAIRPERSON VILORIA-FISHER:

Legislator Lindsay.

P.O. LINDSAY:

Well, the only thing that I wanted to say is in my short tenure here I've seen us do some crazy things. I mean I've seen abandoned property that we wind up acquiring and then somehow it winds up on the auction block. We sell it. And after we sell it, then we want it back. I mean I have a parcel in my district right now that was excess property that was auctioned off and now a developer is trying to develop that shouldn't be developed. I mean, I don't think it's that much of a price \$27,000. I think that we should really for that price eat it up. If it was a lot of money, I would agree with you, that probably they can't develop it.

CHAIRPERSON VILORIA-FISHER:

Well, you weren't here for the whole meeting. What we're trying to say is that we want to examine each piece on its own merits; and whether or not it's a lot of money, it's still taxpayer money. And each time we're making a decision, I want us to make a very careful decision.

P.O. LINDSAY:

This is on the merits of this. I was here to listen to the debate on this. And it's on the merits of this. I'm not saying in a general policy.

CHAIRPERSON VILORIA-FISHER:

Okay. So, go ahead.

LEG. D'AMARO:

Yeah, I just want to add to that that some of the other considerations also you have to look at this as an entire program of acquisition here. And, you know, we've come this far and we have the Planning Department telling us that there are other issues when you come this far such as control and access and rights and things like that, that, I think, you know, the cost benefit analysis here probably leans in acquiring the property at this point.

CHAIRPERSON VILORIA-FISHER:

Okay. We still don't have a second on either motion.

LEG. LOSQUADRO:

Motion to approve.

LEG. D'AMARO:

I'll second.

CHAIRPERSON VILORIA-FISHER:

Okay. There's a motion to approve by Legislator Losquadro, seconded by Legislator D'Amaro. All in favor? Opposed? Motion carries. **(Vote: 5-0)**

IR 2045, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Karras property, Southaven County Park addition, Town of Brookhaven. (County Executive Levy) And this is again -- it's on the same map as the other, isn't it? The Rodrigue Karras property. And it's by the shooting range.

LEG. LOSQUADRO:

Motion.

CHAIRPERSON VILORIA-FISHER:

Second. There's a motion to approve and a second. All in favor? Opposed? Approved. Motion carries. **(Vote: 5-0)**

IR 2046, authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund, open space component, for the F. Doob J. Doob & Piccininni property, Wading River Wetlands, Town of Riverhead. (County Executive Levy) That doesn't seem like a bad price. And that's right outside of your district; Ed's district. This is a very colorful map. So we have the the Town of Riverhead has holdings, the County has holdings. And we have Nature Conservancy, right, is that nice orange yellow. And then we also have holdings there so I don't think that -- yeah, it's not direct beach access, is it?

LEG. LOSQUADRO:

No, it's not.

MS. FISCHER:

This is a very important area that has always been at the forefront of the Nature Conservancy's interest in acquiring properties throughout this watershed and wetland area. Just to the west of here is the Shoreham plant.

CHAIRPERSON VILORIA-FISHER:

Okay. Motion, Legislator Losquadro. And I'll second that. All in favor? Opposed? **IR 2046 is approved. (Vote: 5-0)**

IR 2047, authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund, open space component, for the Colbert property, Mastic/Shirley Conservation Area II, Town of Brookhaven. (County Executive Levy) This is another one of those little pieces point one three acres. And that's the Mastic/Shirley area. Laretta is distributing a map on that. Tom, where is this peninsula connected? I mean what are we looking at?

LEG. D'AMARO:

Right after Smiths Point Bridge.

CHAIRPERSON VILORIA-FISHER:

So it's actually on Fire --

MS. FISCHER:

This is Sheep Pen Creek. And just to the south of here is Narrow Bay. And then just to the south of that is Fire Island Smith Point County Park. Very close. If you look at the location map, in the yellow on the right side, you can kind of get an idea of how close you are down to the barrier beach.

LEG. D'AMARO:

Motion.

CHAIRPERSON VILORIA-FISHER:

Motion by Legislator D'Amaro, seconded by Legislator Losquadro. All in favor? Opposed? **2047 is approved. (Vote: 5-0)**

IR 2048, and again, Laretta, just so we can have it on the record, it's clear that this is a very sensitive wetlands area. But do you think that that could ever get approvals? Point one three? Well, they have private property that they could have a continuous --

DIRECTOR ISLES:

Yeah, definitely.

MS. FISCHER:

Yeah.

CHAIRPERSON VILORIA-FISHER:

IR 2048, authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund, open space component, for the Miller Weinberger and Leichter property, Forge River addition, Town of Brookhaven. (County Executive Levy) And this is another one of those 10,000 square foot pieces but we very well know how important the management is here along the Forge River corridor. But, Tom, when I'm looking at this map, I know we've had so many acquisitions in the Forge River. But this area, are we starting in a new area now?

DIRECTOR ISLES:

Yeah, we're going north of Sunrise Highway. I don't know, Janet, do you want to add to how the current acquisitions are going?

MS. LONGO:

The bottom in the green, that's what we already -- I'm sorry, that's we picked up. That was all off of Master List One. Up here, is checkboarded, that's Master List Two. So we've just started working in that area. We've just begun. We've just sent out, you know, the interest letters recently. And this is one of the first ones that we've received back in this area.

CHAIRPERSON VILORIA-FISHER:

Okay. Very good. Motion.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Motion to approve by Legislator Losquadro, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 2048 is approved. (Vote: 5-0)**

IR 2049, authorizing acquisition of land under the Suffolk County Environmental Legacy Fund, for open space preservation, for the Moeller & TMJ Realty, Inc., property, Peconic Dunes addition, Town of Southold. (County Executive Levy) And because it's Legacy Fund we know that it's a 50/50 share. Right, all Legacy has to be 50/50?

MS. LONGO:

Yes, at least 50/50.

CHAIRPERSON VILORIA-FISHER:

Right, at least 50/50. And so this is a share with the Town of Southold. And you have the map before you. It looks like a nice piece. And that would give us access to the water. Okay. I'll make a motion, seconded by Legislator Losquadro. All in favor? Opposed? **IR 2049 is approved. (Vote: 5-0)**

IR 2050, appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and authorizing acquisition under the Suffolk County Multifaceted

Land Preservation Program, open space preservation, for the Sapiane and Bilski Estate property, Aspatuck Creek, Town of Southampton. (County Executive Levy) And that's two-and-a-half acres, 450,000. Okay. So that I see that it's adjacent to a village piece, to a town piece and now our proposed is kind of right in between them. Right?

DIRECTOR ISLES:

Right. And just keep in mind that this extends north Aspatuck Creek and there are extensive planning steps resolutions encompassing Aspatuck Creek. This is just south of the -- one of the main runways going into Suffolk County airport, Gabresky Airport. So there's an environmental issue to the -- to this property as well as quite honestly, I believe, a airport compatibility issue.

CHAIRPERSON VILORIA-FISHER:

And, Tom, let me just ask you this. Where we're seeing the village property, and the town owns the bed there, waterways, is that what that means? Where we see that purple line in the creek?

MS. FISCHER:

Yes.

CHAIRPERSON VILORIA-FISHER:

It owns the creek bed?

MS. FISCHER:

Yes, they own part of the creek bed. It's hard to read but it's between the purple line and then the orange line is what the village owns. I mean the town. And then the village owns in the orange.

CHAIRPERSON VILORIA-FISHER:

Right, right.

MS. FISCHER:

To the west.

CHAIRPERSON VILORIA-FISHER:

Okay.

MS. FISCHER:

And that flows into Moriches Bay to the south.

CHAIRPERSON VILORIA-FISHER:

Okay. I'll make a motion. Second? Seconded by Legislator D'Amaro. All in favor? Opposed? Motion carries. **(Vote: 5-0)**

IR 2051, appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program, parkland purposes, for the Boys and Girls Harbor, Inc., property, Town of East Hampton. (County Executive Levy) This is 27.8 acres. And it's a 50/50 share with the town. A bargain at half the price. Thank you. But you know what's interesting about that is that the Boys and Girls Harbor -- actually it used to be Boys Harbor which was in Harlem. And they did take the boys out there from Harlem. Legislator Losquadro.

LEG. LOSQUADRO:

What is the intended use for this property being that you have -- looks like there's a significant number of structures and paths and whatever the case may be.

MS. FISCHER:

I have another map that shows the intended uses. We've been working very closely with the Town of East Hampton to utilize some of the existing structures possibly seven or eight. The remaining structures will be -- the remaining structures will be demolished. There will be one active ball field where you see on the map an H. And there will be a new entrance way developed to give more direct access into the property itself. There will be other uses that -- parkland uses for the buildings for different activities that will be maintained and -- maintained by the Town of East Hampton. It will be open to all County residents.

LEG. LOSQUADRO:

The Town has committed to making these improvements and doing the upkeep of the property but it would open to all County residents?

MS. FISCHER:

Exactly. And they have approved through their town board a resolution to that effect.

LEG. LOSQUADRO:

I'm sorry. Did you say that motion was approved or it's --

MS. FISCHER:

Yes, it's been approved by the town to acquire 50/50 and to maintain and develop.

CHAIRPERSON VILORIA-FISHER:

Okay. Motion.

LEG. LOSQUADRO:

I'll second that.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Losquadro. All in favor? Opposed? **2051 is approved. (Vote: 5-0)**

2552, appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and authorizing acquisition of land under the Suffolk County Multifaceted Land Preservation Program, Open Space Preservation Program, for the Milazzo Family LLC property, Town of Southold. (County Executive Levy) And that's 13 acres. And that's not a partnership, right? Or is it?

MS. LONGO:

No. Town of Southold -- this is one of those areas where we bought some and the town brought some.

CHAIRPERSON VILORIA-FISHER:

Oh, okay.

MS. LONGO:

The town's actually purchased more than we have. We're trying to catch up.

CHAIRPERSON VILORIA-FISHER:

Right, right. Someone had asked me the question. And I know that Southold has always been good with doing their land acquisition.

MS. LONGO:

Yeah. If you look on the map, purple is the Town of Southold.

CHAIRPERSON VILORIA-FISHER:

Purple is the town.

LEG. LOSQUADRO:

I just want to say don't feel compelled to catch up. It's okay.

MS. LONGO:

I'm only kidding.

CHAIRPERSON VILORIA-FISHER:

Yeah, we have towns west of that who don't have the money.

LEG. LOSQUADRO:

Motion.

CHAIRPERSON VILORIA-FISHER:

Okay, motion By Legislator Losquadro, seconded by Legislator D'Amaro. All in favor? Opposed?
2052 is approved. (Vote: 5-0)

IR 2053, authorizing acquisition of land under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund, hamlet parks component, for the Aero World Corporation property, Town of Islip. (County Executive Levy) Legislator Losquadro, you're ahead of us. You have that map.

LEG. LOSQUADRO:

Yeah, I was already given that map.

CHAIRPERSON VILORIA-FISHER:

And it's almost four and a half acres. And Laretta is walking again. Thank you, Laretta.

DIRECTOR ISLES:

This is located in the hamlet of the West Sayville in the Town of Islip along Cherry Avenue. There's Town of Islip property to the north which is soccer fields. The property to the west that is wooded is a federal preserve known as the former FAA property. The subject property as proposed for acquisition as an recreation site. And in this case unlike a lot of the active recreation we're doing that has dependency upon partners, there's an intention that there would be a County park facility developed here. In discussions with County Parks it's anticipated a portion of the property could be used for a dog run. There's also been discussions with the Town of Islip on a possible active recreation use that might complement that. So we are also -- we're talking with the town about sharing access. And there are bathroom facilities that are located on the map just to the north so there can be shared parking, shared access and shared restroom facilities.

CHAIRPERSON VILORIA-FISHER:

And you cut out the footprint of the house I see. Well, there's some kind of building that you cut out there. I see the private property.

DIRECTOR ISLES:

Correct.

CHAIRPERSON VILORIA-FISHER:

In the northeastern part of the -- I'm sorry. I'm looking at the wrong piece. The southeastern piece of it with the checkerboard around it.

DIRECTOR ISLES:

Correct. That's excluded from the purchase.

CHAIRPERSON VILORIA-FISHER:

Legislator Losquadro, go ahead.

LEG. LOSQUADRO:

To whoever can answer it, being that it's adjacent to a town park, I just would have assumed that this would have made a natural addition to the town park that we wouldn't develop this ourselves. So perhaps if the Presiding Officer has some information on that.

P.O. LINDSAY:

Well, Tom could certainly add to it. But this actual acquisition, the planning steps pre-date me being in the Legislature. This has been kicking around for at least eight years. I think we've appraised this no less than three times, four times? And I'm happy to see you finally can agree on a price. And I originally wanted it for active parkland for some lacrosse fields. But Parks has expressed a wish to create a dog park in this area which, you know, I'm okay with.

DIRECTOR ISLES:

And it may be possible to do both. We're still looking at that. One field and one dog park.

CHAIRPERSON VILORIA-FISHER:

Actually I think that's a nice idea, you know. If you could go watch your kid play ball and you have a dog park nearby.

MS. FISCHER:

Actually that's what was proposed; half of use for dog park, half ball field at this point in time.

CHAIRPERSON VILORIA-FISHER:

Okay, Bill, would you like to make the motion?

P.O. LINDSAY:

Yes.

CHAIRPERSON VILORIA-FISHER:

Okay. Motion to approve by Legislator Lindsay, seconded by --

LEG. D'AMARO:

I'll second it.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro. All in favor? Opposed? **IR 2053 is approved. (Vote: 6-0. Presiding Officer Lindsay included in vote)**

Moving right along. **IR 2054, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Sebesta property, Hallock Acres County Wetlands addition, Town of Smithtown. (County Executive Levy)**

LEG. KENNEDY:

I'll make a motion, Madam Chair.

CHAIRPERSON VILORIA-FISHER:

What is the street between the County parkland and the Sebesta property, John?

LEG. KENNEDY:

Hallock comes down on the left. And it is North Avenue on the right. Those are the two legs of the

triangle.

CHAIRPERSON VILORIA-FISHER:

Oh, North Avenue, that's the one that goes up to one of the Sachem elementary schools?

LEG. KENNEDY:

No, this is actually -- this is running towards Smithtown. This is Terry Road running right up to Middle Country Road.

CHAIRPERSON VILORIA-FISHER:

Oh, okay. All right. I didn't know there was a Hallock there.

LEG. KENNEDY:

Yes. Yeah, yeah. And this is Nissequogue River tributary north, the whole corridor there actually.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. KENNEDY:

So we're taking a building lot basically out of circulation so we don't have another flooded house for all intent and purposes. You kind of got it in a nutshell.

DIRECTOR ISLES:

Lauretta might add to that a little bit with her research that she's done on it.

MS. FISCHER:

Well, we have acquired a number of pieces in this area and this watershed, as Legislator Kennedy has indicated, this is a tributary to Nissequogue River low lying flooding area. There is a road in between our holdings but it certainly is within 50 feet of the wetland boundary there. And, you know, those areas we strongly support non-development.

CHAIRPERSON VILORIA-FISHER:

This is the North Street where all of those people came to talk with us.

LEG. KENNEDY:

102-year-old lady lives there.

CHAIRPERSON VILORIA-FISHER:

The 102-year-old lady, okay. That North Street. Okay. They don't have to come Tuesday to advocate for this acquisition.

LEG. KENNEDY:

Okay. You sure about that?

CHAIRPERSON VILORIA-FISHER:

I'll second that motion. All in favor? Opposed? Motion carries. **(Vote: 5-0)**

IR 2055, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component for the Mills property, Mastic/Shirley Conservation Area II, Town of Brookhaven. (County Executive Levy) And that's one of those other teeny tiny pieces.

LEG. LOSQUADRO:

Motion.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Okay, but Laretta made the maps for us so give her a chance to give them to us. It's also Mastic/Shirley conservation area. And this is another patch work as you said before for water management.

LEG. D'AMARO:

It's on Master List One. Two, rather.

CHAIRPERSON VILORIA-FISHER:

Okay, there's a motion by Legislator Losquadro, seconded by Legislator D'Amaro. And anyone who wants to notice there are wetlands demarcations here. All in favor? Opposed? **2055 is approved. (Vote: 5-0)**

IR 2056, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Estate of Blazek property, Mastic/Shirley Conservation Area II, Town of Brookhaven. (County Executive Levy) Now this is one of these parcels where we say probably it costs more to appraise it than what the price of the property is.

DIRECTOR ISLES:

Yeah, that's probably true. Janet can comment on that. Does it cost more to appraise it than buy it?

MS. LONGO:

Yeah; on some of these it's true.

CHAIRPERSON VILORIA-FISHER:

Thank you, Laretta. Okay, Laretta, you wanted to say something about this? We'll give you a minute.

MS. FISCHER:

It's in between two county-owned properties at this time. We're just trying to consolidate this. There's actually -- there's a stream in there along the -- in between the property lines -- along the property lines in between the circle areas in the cross hatched areas which then flow south into the the tidal wetlands to the south. Again, this is in Mastic/Shirley area. And we're trying to consolidate some of our holdings here for wetland protection.

CHAIRPERSON VILORIA-FISHER:

Thank you. I'll make a motion.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro. All in favor? Opposed? And you know when I was speaking about this with Mr. Isles, he said -- because I said what do you mean by water management, you know, because sometimes that's just a term that's used a lot. But he talked about invasives when you have holdings and you have wetland and then you have a privately owned area that's loaded with fragmitis and you've been clearing it in all the surrounding area and you can't get at that other piece, it becomes very problematic to control an invasive like that. Okay. So your lovely assistant is handing out the maps.

IR 2057, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Anything You Want LLC property,

Southaven County Park addition, Town of Brookhaven. (County Executive Levy) And I think that's -- is that -- no, that's not by the range. Okay.

MS. FISCHER:

This is up north actually just south of the railroad tracks south of the L.I.E. To the east is Southaven County Park.

CHAIRPERSON VILORIA-FISHER:

Oh, it is by the park, okay.

MS. FISCHER:

And this was an old file map area that we took a number of properties over the last decade or so. And these are pieces that we want to include into our holdings to expand our acreage in the important Carmens River watershed, which is -- you can see a piece of it just in the top right hand corner of the map. And it's an important watershed to Great South Bay just Bellport bay area just to the west of Mastic/Shirley.

CHAIRPERSON VILORIA-FISHER:

Okay, yeah I remember these from ETRB. I'll make a motion, seconded by Legislator Losquadro. All in favor? Opposed? **IR 2057 is approved. (Vote: 5-0)**

IR 2058, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Dittmer Estate property, Mastic/Shirley Conservation Area II, Town of Brookhaven. (County Executive Levy) And this is point nine acres for \$8,000 dollars. Is that correct? Am I reading that correctly?

LEG. KENNEDY:

09.

CHAIRPERSON VILORIA-FISHER:

Okay. I thought, boy, that was a bargain. I had point nine. I didn't have point O nine.

DIRECTOR ISLES:

About a tenth of an acre.

MS. FISCHER:

This is just west of the Sheep Pen Creek that we spoke about a few properties before. Again, very close to Narrow Bay to the south. And then just beyond that is the Smith Point County Park, the barrier beach.

CHAIRPERSON VILORIA-FISHER:

And what's this state park that we see to the west?

MS. FISCHER:

Those are New York State Conservation area where the state actually bought a large piece of wetland -- tidal wetland with some fresh water fringe wetlands just to the west of this site areas.

CHAIRPERSON VILORIA-FISHER:

That looks pretty big.

MS. FISCHER:

Yeah. It was one of their -- and I think it was actually in the late '70's, '80's. It was one of their key locations for acquisition for wetland conservation on Long Island.

CHAIRPERSON VILORIA-FISHER:

Thank you. I'll make a motion.

LEG. LOSQUADRO:

Good.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Losquadro. All in favor? Opposed? **IR 2058 is approved. (Vote: 5-0)**

IR 2059, authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program, open space component, for the Montgomery Estate property, Mastic/Shirley Conservation Area II, Town of Brookhaven. (County Executive Levy) And it's about a quarter of an acre. It's the same area? Okay. Motion by Legislator Losquadro, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 2059 is approved as we get the map. (Vote: 5-0)** Oh, yeah, that's the same one we saw a little while ago. That's a great map. Did I call the vote? Okay. Thank you.

IR 2066, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Kraft property, Town of Huntington. (Cooper) 23 acres.

LEG. D'AMARO:

Through the Chair, I believe there was a request by the sponsor to table this one.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. D'AMARO:

So I'll make a motion to table.

CHAIRPERSON VILORIA-FISHER:

Motion to table by Legislator D'Amaro, seconded by Legislator Kennedy, I believe.

LEG. KENNEDY:

Yeah.

CHAIRPERSON VILORIA-FISHER:

All in favor? Opposed? **2066 is tabled. (Vote: 5-0)** Is it because he's looking for a partnership with Town of Huntington and what the use will be? However, if I may ask Planning about this, and I know that it was the request of the -- yeah, it's an estate. There's a big building there. Do you remember this from ETRB? I do. I remember the --

P.O. LINDSAY:

No.

CHAIRPERSON VILORIA-FISHER:

But anyway it says that it expires by the end of the year. So is it a problem that we're tabling that?

MS. FISCHER:

No, this is for planning steps.

CHAIRPERSON VILORIA-FISHER:

Oh, it's planning steps. Okay. Sorry.

LEG. D'AMARO:

There's a mansion on the property. Legislator Lindsay.

P.O. LINDSAY:

If you remember, the sponsor this morning briefed us that there's a mansion there. They were trying to make a deal with Cold Spring Harbor Laboratories that might take the mansion. And we might have a partner with the town so it's an interesting property but needs a little more work.

CHAIRPERSON VILORIA-FISHER:

I was just concerned about a note that I have here that it says -- oh, it's all resolutions, never mind. He would have to re-introduce it again in January. Okay. There's a motion to table and a second. All in favor? Opposed? **IR 2066 is tabled. (Vote: 5-0)**

IR 2068, authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program, Froelich/Wicks Farm Preserve property, Town of Huntington. (Cooper) And Froelich is a name we have seen over and over again over the years. It's again in the Town of Huntington. And that's five acres. What's going on with Froelich Farm? I mean is it still -- how is it being used now because I know that that changed a little bit over time. Janet, do you know what's going on there?

MS. LONGO:

I think that was purchased under open space.

DIRECTOR ISLES:

Right. There is a portion that is being used as a farm.

MS. FISCHER:

The Wicks Farm. To the south of the Road. Pulaski Road, I believe.

DIRECTOR ISLES:

There's a not-for-profit group that is operating a farm on the property.

MS. FISCHER:

But the property that surrounds this piece was bought for -- actually under the Old Drinking Water Protection Program. And it's for open space purposes.

CHAIRPERSON VILORIA-FISHER:

This is one strangely shaped piece.

DIRECTOR ISLES:

Right. These are two sub-divided lots that are proposed. And we have highlighted them in an enlarged aerial photograph on the map. As you can see, the green indicates County properties which is the Froelich Wick property you discussed earlier. Interestingly the Kraft property, the prior resolution is to the west outlined in yellow just for your informational purposes. And Cold Spring Harbor and so forth tributary goes in on the left.

As far as County Planning's position on this, this was submitted as a planning steps resolution earlier this year encompassing three lots. We expressed concern to you and to the sponsor at that time with the fact that there's a house on the north end of this property that wanted to maintain, and according to the subdivision, map maintained an access and vista and ownership through the middle. We expressed that this would be a difficult arrangement in terms of having somewhat of a fragmentation or an intrusion into potential County land. So the application or the resolution's been resubmitted with the two lots as indicated.

The position of County Planning is that we have done a rating. Did rate it as 18 points so it's a little on the low side. We do feel that the interest of the County in protecting the County Park should be considered. If there were two houses built here, here again, especially if you look at the large map, it is somewhat intrusive into the County Park use potentially. So we think that that's a mitigating circumstance. And we would support or not object a planning steps resolution at this time.

CHAIRPERSON VILORIA-FISHER:

With this peculiarly shaped piece, would you envision that long narrow piece -- I mean this looks like it's already inside so that would just be a good access.

DIRECTOR ISLES:

It could be a good access. I mean if they were developed privately there would be a driveway; probably a shared driveway coming in and making those 90 degree turns and then two houses built. It would be Somewhat intrusive we feel into the County Park.

CHAIRPERSON VILORIA-FISHER:

Right.

DIRECTOR ISLES:

If the County purchased it, then we'd probably, you know, de-map the subdivision and just included it within the park. And I don't think we'd have access coming in from this area.

CHAIRPERSON VILORIA-FISHER:

Now on the south side of the subject parcel, the County line, then, would be along the lines of the south side of the property?

MS. FISCHER:

Yes.

CHAIRPERSON VILORIA-FISHER:

And then it would run along the eastern side of that property. And then jut out with that kind of little peninsula on the northwest?

MS. FISCHER:

Yes.

CHAIRPERSON VILORIA-FISHER:

But between the subject property and the existing County property, we have three homes or three private properties. I see three little white boxes between that green peninsula and the flag lot.

MS. FISCHER:

Yeah. Our piece actually goes back behind there. It's all one lot. But you can't see it because the black line obliterates it. But it's all one contiguous piece that we own, yes.

CHAIRPERSON VILORIA-FISHER:

So those three white boxes are not privately owned? The County owns them?

MS. FISCHER:

Being in between the green and the red?

CHAIRPERSON VILORIA-FISHER:

Between the green and the red, yes.

MS. FISCHER:

Yes, they're privately owned.

CHAIRPERSON VILORIA-FISHER:

They are. That was my question. Maybe I didn't say it correctly.

MS. FISCHER:

Sorry.

CHAIRPERSON VILORIA-FISHER:

Okay. So those three homes would be between -- boy, nestled right in the middle of County property.

LEG. LOSQUADRO:

I'm going to make a motion to table. I want to speak to the sponsor more about this.

CHAIRPERSON VILORIA-FISHER:

Yeah. I'm fine with that. I'll second the tabling motion so we can look at that use because we have those three houses right in the middle. There's a motion to table and a second. All in favor? Opposed? **IR 2068 is tabled. (Vote: 5-0)**

IR 2112, authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the Zaweski property, Town of Riverhead. (County Executive Levy) And this is 24 acres. I don't see an indication that there's a partnership. Is Riverhead out of money? Okay, that's what I thought. I mean we see some here that are shared, but I think that probably the money was committed before they ran out.

MR. KENT:

We've sat down with Riverhead and agreed on parcels that we're going to partner on and ones they're going to acquire and ones we're going to acquire. This was one of the ones we identified that we'd acquired.

CHAIRPERSON VILORIA-FISHER:

Right. I thought I remember you saying that at a previous meeting. Okay. Motion by Legislator Losquadro. I'll second that. All in favor? Opposed? **2112 stands approved. (Vote: 5-0)**

IR 2113, authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the Warner, 2669 Sound Avenue LLC property, Town of Riverhead. (County Executive Levy) And this is 60 acres with a 70/30 split with Riverhead. And it seems like a good price for 60 acres.

LEG. LOSQUADRO:

Motion.

CHAIRPERSON VILORIA-FISHER:

Motion by Legislator Losquadro, seconded by myself. All in favor? Opposed? Abstentions? **Vote carries. (Vote: 5-0)**

IR 2114, authorizing the acquisition of Farmland Development Rights under the New Suffolk County Drinking Water Protection Program for the Bell property, Town of Riverhead. (County Executive Levy) This is 19 acres and a 70/30 split with Riverhead. Again, the County share is 1.2 million for 19 acres of farmland development rights. I'll make a motion, seconded by Legislator Losquadro. Not too far from your neighborhood. All in favor? Opposed? **2114 is approved. (Vote: 5-0)**

IR 2115, authorizing the acquisition of land under the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund, hamlet parks component, for the Grace Presbyterian Church property, Town of Brookhaven. (County Executive Levy) This is Joe's. And, you know, we've talked about this, how we're trying to have a kind of green, athletic belt in Centereach. This isn't too far from the junior high. It's not far from Selden Middle School. I'll let you explain the rest of it.

DIRECTOR ISLES:

There's a town park actually pretty close, I think, on Hawkins Road.

CHAIRPERSON VILORIA-FISHER:

On Hawkins there's a town park. And there's a town pool not too far from it either.

DIRECTOR ISLES:

The only point I wanted to bring to your attention is obviously this is developed with two ball fields. They need rehabilitation. We do not have a partner. This was discussed when the new planning steps resolution was considered, I believe, in June. And Legislator Caracappa appeared on that. At that time I had raised that issue with Mr. Caracappa. He indicated he had spoken to Commissioner Foley from the Parks Department. I did speak to Commissioner Foley about it. And it was his opinion that due to the lack of recreational opportunities in this area, Commissioner Foley felt that we could do a license agreement for management with either the school district next door or a community organization. And that the improvement level was somewhat limited here because there already were ball fields that needed to be rehabed but they they didn't have to be built from scratch. The need was great. And upon his recommendation County Planning felt that the issue of the partner was satisfied with Commissioner of Park's recommendations at that point. So I just wanted to point that out to you in terms of we're always saying there has to be a partner if this is not strictly a County Park acquisition. That has been taken into consideration. And I trust the recommendation of the Commissioner of Parks upon which the recommendation is made.

CHAIRPERSON VILORIA-FISHER:

Where would the parking be for this?

DIRECTOR ISLES:

The church, I believe, has parking. And other than that I believe they just pull on to the side of that dirt area between the two ball fields.

CHAIRPERSON VILORIA-FISHER:

Oh, there's some space between the ball fields?

DIRECTOR ISLES:

Right.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. HORSLEY:

They're going to sell the property or --

LEG. LOSQUADRO:

Microphone.

LEG. HORSLEY:

Sorry.

MS. FISCHER:

The church is selling a portion of their property. The church is in the area outlined solidly colored in red on there.

CHAIRPERSON VILORIA-FISHER:

Okay, I'll make a motion to approve. Anybody want to second that?

LEG. LOSQUADRO:

Yeah.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Losquadro. All in favor? Opposed? Abstained? **2115 approved. (Vote: 5-0)**

IR 2116, authorizing the acquisition of Farmland Development Rights under the Suffolk County Environmental Legacy fund for the Topping property, Town of Southampton. (County Executive Levy) And again because it's Legacy Fund we know that there's a split 40/60 so that means we're doing the 40. Okay.

MS. LONGO:

Yes, this is our first.

CHAIRPERSON VILORIA-FISHER:

And the County's share 5.9 million for 25 acres in Southampton. Okay. Do I have a motion?

LEG. LOSQUADRO:

Motion.

CHAIRPERSON VILORIA-FISHER:

A motion by Legislator Losquadro, seconded by Legislator Horsley. From one end of the County to the other. All in favor? Opposed? Abstained? **Motion carries. (Vote: 5-0)**

IR 2117, adopting local law number 2007, a local law to reduce nitrogen pollution by reducing use of fertilizer in Suffolk County. (County Executive Levy) There's a public hearing so we have to table for public hearing. Thank you, George. I'll make a motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? Motion is tabled. **(Vote: 5-0)**

IR 2188, adopting local law number 2007, a local law to refine procedures of the Planning Commission. (County Executive Levy) We need to table that for public hearing. I'll make a motion to table, second by Legislator D'Amaro. All in favor? Opposed? Abstentions? **2118 is tabled. (Vote: 5-0)**

IR 2119 (appointing member to the Council on Environmental Quality, Eva Growney) (Presiding Officer Lindsay) Eva Growney is not here today so I'm going to make a motion to table 2119, seconded by Legislator D'Amaro. All in favor? Opposed? Motion to tabled carries.

And that's the end of the agenda. Okay. Thank you very much. Thank you for accommodating us with the maps. And maybe when we see things as we're building up to this, we should make better notes to ourselves where we have questions. Thank you.

**(THE MEETING CONCLUDED AT 4:06 PM)
{ } DENOTES SPELLED PHONETICALLY**