

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 March 16, 2009.

MEMBERS PRESENT:

Leg. Jay H. Schneiderman, Chairman
Leg. Lou D'Amaro, Vice Chair
Leg. Brian Beedenbender
Leg. Jon Cooper
Leg. Daniel P. Losquadro

ALSO IN ATTENDANCE:

Leg. Edward P. Romaine, First District
George Nolan, Counsel for the Legislature
Sarah Simpson, Assistant Counsel
Ben Zwirn, Deputy County Executive
Renee Ortiz, Chief Deputy Clerk
Alicia Howard, Clerk
Kevin Duffy, Budget Review Office
Emerson Hausbruck, Cornell Cooperative Extension
Commissioner Carrie Meek-Gallagher, Department of Environment & Energy
Amy Juchatz, Department of Environment & Energy
Elyse O'Brien, Department of Environment & Energy
Gail Ruska, Department of Environment & Energy
Frank Castelli, Department of Environment & Energy
Martin Trent, Department of Environment & Energy
Thomas Isles, Director, Planning Department
Lauretta Fischer, Planning Department
Christopher E. Kent, Director of Real Property Acquisition & Management
Jessica Kalmbacher, Planning Department
Mike Kelly, Appointee for County Planning Commission
Joseph B. Potter, Appointee for County Planning Commission
Christine Boelke, Parks Department
Christopher Schubert
Kevin McAllister, Peconic Bay Keeper
Margo Myles, Town of Huntington

ALSO IN ATTENDANCE: (Continued)

Justin Littell, Aide for Leg. D'Amaro
Paul Perillie, Aide for Majority Leader
Linda Bay, Aide for Minority Leader
Debby Deleyer, Equine Task Force
Myron Kaplan, North Fork Preserve
Janet Krudop, North Fork Preserve
Robert Krudop, North Fork Preserve
Dale Moyer
Lorne Braussen, Cornell Cooperative Extension
Rick Brand, Newsday
Other Interested Parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary

(THE MEETING WAS CALLED TO ORDER AT 1:10 P.M.)

CHAIRMAN SCHNEIDERMAN:

Good afternoon. I'd like to call this meeting of the Environment, Planning and Agriculture Committee to order this sixteenth day of March, 2009. If you all will rise and join us for the Pledge of Allegiance led by Legislator Brian Beedenbender.

(Salutation)

Please be seated. We're going to start today's meeting off with our public portion. If you wish to be heard by the committee and have not already filled out a yellow card, please do so. I have six cards or seven cards filled out. Each speaker will be given three minutes to present their comments. I ask that the speakers come up to the podium. The first speaker is Christopher Schubert from USGS.

MR. SCHUBERT:

Good afternoon. I'm here just to perhaps offer any comments or answer any questions that may arise regarding IR 1199, amending the adopted 2009 Operating Budget and transferring funds from Fund 477 Water Quality Protection, amending the 2009 Capital Budget and Program and appropriating funds in connection with USGS monitoring of waterways for mosquito controlled products. That references a USGS proposal developed in cooperation with the Suffolk County Department of Health Services and Vector Control to do continued monitoring of waterways for mosquito insecticide, Suffolk County, New York.

CHAIRMAN SCHNEIDERMAN:

I don't typically ask questions, but if I have you up here as an expert on this, maybe a couple of quick questions. This is a program that is ongoing or is this a new program?

MR. SCHUBERT:

This is an extension of ongoing monitoring that's been done by the USGS in cooperation with Suffolk County periodically over the last several years. I believe the most recent period of this work was underway was 2002 through 2004.

CHAIRMAN SCHNEIDERMAN:

Is this the first time we're being asked to fund it?

MR. SCHUBERT:

I can't answer that question.

CHAIRMAN SCHNEIDERMAN:

Can you -- do you have any details in terms of what you're looking for in this monitoring in terms of specific pesticides?

MR. SCHUBERT:

Yes, I can. We are going to be looking for a variety of mosquito insecticides used for mosquito control. Methoprene, malathion, two pyrethroid compounds. Those are, if I am pronouncing them correctly, phenothrin and resmethrin. And also -- and, by the way, those are able to be detected at ultra low levels of nanograms per liter.

A little more background on those. Methoprene is a larvicide typically applied in slow release briquets or in liquid form by helicopter. Whereas malathion, phenothrin and resmethrin are adulticides typically sprayed from the backs of trucks or from the air. One other compound, and again, I apologize for the pronunciation, piperonyl butoxide is a chemical synergist mixed with pyrethroid insecticides to increase their effectiveness and also will be included in the proposed study.

CHAIRMAN SCHNEIDERMAN:

In what water bodies are you going to be sampling?

MR. SCHUBERT:

I believe those will be determined in collaboration with representatives of Suffolk County depending on what areas are targeted for spraying.

CHAIRMAN SCHNEIDERMAN:

In the resolution it's a transfer of funds, so it's coming out of what, the general budget, and moving over to 477? Do you know?

MR. SCHUBERT:

No, I don't know. I'm sorry.

CHAIRMAN SCHNEIDERMAN:

Okay. All right. Thank you, Mr. Schubert.

MR. SCHUBERT:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Our next speaker is Kevin McAllister, Peconic Bay Keeper.

MR. McALLISTER:

Thank you, Mr. Schneiderman. Let me start by applauding Suffolk County. Mr. Schneiderman, your recent bill for buffer zones as well as certainly Suffolk County's fertilizer bill, I give a lot of credit. And according to The New York Times, I guess we have a new deputy, Martin Trent, fertilizer police, so it is all good news. It's good public information. Ultimately over time we'll reverse the trends.

I want to also compliment the County for establishing both the Pesticide Committee as well as the Wetland Stewardship Committee post the environmental impact study. And obviously I have more than probably a casual interest in Vector Control's activities as this panel certainly knows. So that's a positive step to continue tracking the progress and activities of Vector Control.

I, too, today speak in support of the allocation of the funds. I think it's extremely important. Certainly in the past with USGS's monitoring, and they are well qualified, they certainly are. They had positive detections of some of the insecticides in the Flanders area several years ago, so that work needs to be continued and carried on. So certainly we're very supportive of this.

Again, I think it's really essential and, again, I applaud the County for pursuing this. And, you know, I am confident under the Commissioner's tutelage, you know, relative to the Pesticide Committee, we'll certainly continue to explore new information and emerging information that will certainly help make this program better. So, again, thank you very much, and I appreciate the opportunity to speak.

CHAIRMAN SCHNEIDERMAN:

Thanks for coming out, Kevin. The next speaker is Margo Myles from the Town of Huntington on the Thomas property.

MS. MYLES:

Thank you. I'm the Town of Huntington Coordinator of Open Space Conservation. I'm here to speak on behalf of your planning steps resolution, IR 1194, bringing the Town Board support from the Town of Huntington for the Thomas property planning steps resolution.

This is a property, approximately eight of the 31 acres that the Thomas family holds in Melville. It's directly across Mount Misery Road from West Hills County Park. It would create a new trails linkage that directly aligns with existing trails in West Hills County Park.

The purpose of the acquisition is for active horse riding and hiking trails. There is a trail quarter just

to the west of the Thomas property which connects through town parkland, {Marylane} Park, over to Manetto Hills County Park. This is a property that lies within the West Hills, Melville SGPA. It's directly across from a South Huntington water supply site.

We are -- I'm here today just to urge your support of the planning steps resolution and to make sure that you're aware that by resolution the Town Board has offered 50% matching capital and the management assistance and maintenance for the future in order to move forward with this, so I hope we have your support today. I've brought along an aerial photo that shows West Hills County Park and where the Thomas property lies in proximity and hope we'll have your support today. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, Miss Myles. If you could stay for one question from Legislator D'Amaro.

MS. MYLES:

Sure.

LEG. D'AMARO:

Miss Myles, thank you for coming down today. We appreciate that very much. This property is contiguous to other parkland; is that correct?

MS. MYLES:

It is immediately across Mount Misery Road, which is a very narrow residential roadway which actually splits West Hills County Park to the north.

LEG. D'AMARO:

Right. The West Hills Park is really in two parts.

MS. MYLES:

Yes.

LEG. D'AMARO:

But we kind of view it as one in the Town of Huntington.

MS. MYLES:

Right, north and south.

LEG. D'AMARO:

And just to restate for the record, the Town of Huntington Town Board did pass a resolution to partner for 50% should we go forward with an acquisition.

MS. MYLES:

Yes, and I have that with me today if anybody would like a copy.

LEG. D'AMARO:

Okay. Yes, I think we were provided a copy of that as well. All right. Thank you.

MS. MYLES:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Our next speaker is Debbie Deleyer, speaking on the equestrian -- Equine Task Force.

MS. DELEYER:

Hello. First I would like to thank you for letting me speak today. My name is Debbie Deleyer. I am the current President of the Long Island Professional Horseman's Association. I was sent an e-mail

that there was supposed to be a discussion today on IR 1076, the Equine Task Force, although it's not in your records to be talked about today.

I wanted to come up here and make a statement that myself and the other group that's here, we're very interested in this and we have questions as to one, what is its purpose? Two, is it complete and finished? Three, it states that all except 11 members and only two would be horse people. It's not very diversified, and right now it seems to say there's already been someone chosen from the Nassau Suffolk Horseman's Association. So we would like to know who do we contact to get involved in this? How do we get involved? Is Legislator Eddington our contact? It seems to be starting and we would like to get involved and we don't know how to.

LEG. BEEDENBENDER:

Legislator Eddington would be the best place to start because he's the author of the bill. We are going to make sure his office -- we'll get your information and we will make sure we get it to his office so he can contact you. But that's the best place to start because he is the author. And the only reason it's not on the agenda, it got moved. It was assigned to another committee but it should have been here. That's why it is not on the list.

MS. DELEYER:

Okay.

LEG. BEEDENBENDER:

But we will actually talk about that today.

MS. DELEYER:

Oh, you will. Okay.

LEG. BEEDENBENDER:

We will.

MS. DELEYER:

Okay. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you. Our next speaker is Myron Kaplan, on the North Fork Preserve. Myron?

MR. KAPLAN:

Good afternoon. I'm Myron Kaplan from Riverhead Town, President of the North Fork Preserve. In 1980 Robert Krudop and I purchased an abandoned telecommunications facility with a plan to keep it open. For somewhat over 20, more than 20 years, we had managed a successful hunt club and nature preserve. In the winter we offered both upland and waterfowl and deer shooting, and in the summer we've had tennis, hiking, fishing, had a stocked pond, skeet trap, sporting clays, horseback riding. During this period three times we participated in the County's program for the purchase of development rights for a total of 84 acres in three programs.

But at the end of 2003 we had the death of Robert Krudop, a tragic farm accident, and we lost our active management. At this point, given that the County's expressed by resolution -- actually the property -- which is -- the property is a very important and unique property. It's just shy of 400 acres, almost a mile square. It's been -- it's on the preservation list of both the County and the town, and it has -- its preservation has what I would call overwhelming community support. And so I'm thrilled to have an opportunity, a chance to work with the County to achieve our continuing goal of preserving this important property. And I hope that we will be able to move forward with that. Thank you.

CHAIRMAN SCHNEIDERMAN:

I may mess this last name up. Maybe if I just called Janet.

MS. KRUDOP:

Good afternoon. My name is Janet Krudop. I'm a North Fork person. I lived the first 20 years of my life in Mattituck and then moved a big seven miles when I was married to Robert Krudop to live in the Hamlet of Northville, which is north of the Town of Riverhead.

I want to tell you how beautiful the North Fork Preserve is. I know you probably think if you've seen one farm you've seen them all, but the original person that put this piece of ground together, which constituted 333 acres when my husband and Mr. Kaplan bought in 1980, was Press Wireless and they put together -- it was either seven, I'm sorry I didn't get the exact figure for you before I came today, seven or nine farms together. It was the biggest acquisition of farmland there ever was. My husband increased it by adding a farm on each side for a buffer, and that's where some of the development rights have -- property has been sold to date.

I just want to invite all the Legislators to come out and we'll give anybody a tour. I guarantee you you'll have more fun than being at Disney World at Orlando because it is a piece of property that is just as beautiful as you can ever imagine. It has everything and I do hope you'll come see it. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, Ms. Krudop. And then Robert Krudop.

MR. KRUDOP:

Good afternoon. My name is Robert Krudop. I'm here on behalf of the North Fork Preserve. Again, in the '80's my father and his best friend Myron Kaplan purchased and maintained control one of the largest tracts of land left on Long Island. Over the years the neighboring farms became available; they acquired it and saved it. An era has come to an end and change is imminent.

Riverhead Town has recently adopted a new zoning change that a group of engineers crafted with all good intentions, but they have overlooked specific parcels individually. They have placed this parcel in question in a receiving zone, making it almost impossible to preserve. The property extends itself between Sound Avenue all the way to Sound Shore Road. The property in question has rolling hills with views from the north as far as Connecticut and south to the south shore of Long Island. Farm fields, mature trees, and a few ponds stocked with fish that my mom picked up from the Post Office because my dad had a busy schedule and wasn't able to meet the time constraint.

The main building on the property currently serves as a lodge, 6,000 square feet in size, finished with wood stoves, fireplaces and the grand hole overlooks two professionally built Har-Tru tennis courts.

The property has an intense network of trails, easily managed with a side boom mower similar to the ones used by the County to maintain the roads of the public highway. Should the -- an agreement be reached on the property, and there would be -- this would be one of the greatest acquisitions to benefit the public as an immediate park. It's built, it's there, it's complete.

Again, I'd like to offer to invite you up to visit the site. I want to make myself available at anytime. My number is area code 631-275-9796. My name Robert Krudop. Have a good day.

CHAIRMAN SCHNEIDERMAN:

Thank you, Mr. Krudop. That is the last yellow card unless we've received some more. Have we received any more?

MS. HOWARD:

No.

CHAIRMAN SCHNEIDERMAN:

Before we go to the agenda, and I will in a moment move to take some things out of order. I know there are a lot of people here on 1202, including the Legislator from that district, Legislator Romaine. I won't make those individuals wait until the end of the meeting where it is listed. However, I did want to do one other presentation before we get to the agenda.

If I could bring the Commissioner of the Department of Environment and Agriculture forward, Miss Gallagher, so we can talk about the follow-up on a request I made at the last meeting to take a look at all of the 477 funds that are going to Cornell Cooperative Extension, and to look at some of the those programs. I know there is people from Cornell Cooperative who are here as well. And I want to have this discussion before we get into the discussion on the 477 resolution that is in front of us today. Thank you, Commissioner Gallagher.

COMMISSIONER MEEK-GALLAGHER:

And I do have -- we have handouts so that you'll have more information in front of you. So as you can see, on the first sheet what we tried to do is just summarize all the projects that are currently being funded out of 477 to Cornell Cooperative Extension. There are seven projects currently; two of them are fairly new, eel grass and fertilizer nitrogen reduction. However, the first five have been -- are multiyear projects. And so you can see that since 2004, if you include the entire 2009 budget year, it's almost \$8 million.

Now, Cornell Cooperative Extension covers, you know, all the like fringe benefits so that's another -- on their side they are putting in over \$2 million towards that, which, you know, otherwise we would have to fund that somehow. If it was not going to Cornell Cooperative Extension they weren't covering that cost.

So there's the Peconic Bay Scallop Project which hopefully most of you are familiar with, Storm Water Phase II, and there is two that deal with pests really. One is alternative management strategies for the control of pests, specifically more on agriculture, and then the Integrated Pest Management Program, which deals with our pesticide phase out. The Agricultural Stewardship Program, which works with the best management practices on farms, eel grass restoration, and fertilizer nitrogen reduction. I think that those two have come before you recently so you might be more familiar with those.

Essentially, I mean, the restoration of Peconic Bay scallop populations and fisheries, it is pretty clear-cut. The idea was to restore the scallop population and essentially that's been fairly successful, similar to the clam program. We have seen that there is roughly -- they seeded about 3.5 million scallops. We think there are about 6.5 million now there we've created the largest spawner sanctuary in the world in that area. This is a very successful program and we think it's important to continue funding it to a certain degree, maybe not to the same level we have been funding it, but to make sure that that success continues.

That's the short version on that one. More details, we'll go through it all if anyone has questions. For some of them I would like to call up some of the representatives that are here from Cornell since they took time out to -- and they might be able to give you, you know, a short version. And actually Storm Water Phase II is one of them. I know that we have Emerson and -- do you guys want to just come up and case there are questions be ready.

This is really a requirement from the EPA. It is storm water regulations that has been delegated to DEC and they then delegate to the local municipality. So this is implementing basically six minimum control measures, public education and outreach, public involvement and participation, illicit discharge elimination detection. We had to pass a local law regarding that making sure that we are -- we have controls in place for any -- storm water controls in place for construction sites, that we know how we are going to deal with storm water management post construction, and then a whole host of pollution prevention and good housekeeping measures. So, Emerson, do you want to just give a brief update maybe on where we are at and how we're meeting those?

LEG. ROMAINE:

Before we do that, could I ask two very general questions?

CHAIRMAN SCHNEIDERMAN:

Legislator Romaine.

LEG. ROMAINE:

Thank you, Mr. Chairman. You have demonstrated that we have spent almost \$8 million between 2004 and 2009. Now, I realize that we are only in the first quarter of 2009, but from 2004 to 2008 in what your estimate might be for 2009, how much money has been collected for the 477 funds? So we have an idea of proportions.

COMMISSIONER MEEK-GALLAGHER:

I don't know.

LEG. ROMAINE:

You have no idea.

CHAIRMAN SCHNEIDERMAN:

It's about \$8 million a year. That's typically the --

LEG. ROMAINE:

About eight million.

COMMISSIONER MEEK-GALLAGHER:

It might have been. I don't know if it was up or down in previous years, so.

CHAIRMAN SCHNEIDERMAN:

It may have been seven million at one point, but --

LEG. ROMAINE:

Well, can I ask Budget Review that question, then, because if you are showing us programs that spent \$8 million over a period of time in which 40 million was collected, I'd be interested to know about the rest of the money.

CHAIRMAN SCHNEIDERMAN:

A lot of it went to salaries.

COMMISSIONER MEEK-GALLAGHER:

It's in the annual report.

LEG. ROMAINE:

Well, that's my second question. That's my second question.

MR. DUFFY:

I believe Legislator Schneiderman when he indicated that \$8 million per year is a ballpark figure would be correct. There have been years when it's been less and years when there's more.

LEG. ROMAINE:

So roughly in the five year period if 2009 holds true, roughly around \$40 million. You are showing us how eight of the \$40 million were spent. I just want to make that clear for the record that this is by far an incomplete picture for 477.

COMMISSIONER MEEK-GALLAGHER:

We gave a 477 Fund presentation last committee. This was a specific request.

LEG. ROMAINE:

I'm not on this committee, I'm visiting. The second question, very simple. How much over those five years went to salaries as opposed to programs?

CHAIRMAN SCHNEIDERMAN:

Roughly -- I can try to help. Around \$3 million, about 40% of the fund is currently -- and in the past it was smaller, so over the last few years an increasing percentage has been going towards --

LEG. ROMAINE:

So 40% of a fund that was established for clean water programs are going for salaries.

CHAIRMAN SCHNEIDERMAN:

Is that about right, Kevin? I think about three million of the eight million.

LEG. ROMAINE:

That's one heck of an administrative overhead.

MR. DUFFY:

Correct. Salary and benefits is approximately three million a year.

CHAIRMAN SCHNEIDERMAN:

So whatever percentage that is of the eight million.

LEG. ROMAINE:

It sounds like a tremendous -- you know, I've dealt with number of organizations that deliver services, but to require 40% overhead, Mr. Chairman, pretty close to incredible. Thank you.

COMMISSIONER MEEK-GALLAGHER:

I would like to make two clarifications quickly. One is that it was actually -- it would be a six year period if it's 2004 through 2009, so it's \$48 million roughly. And I'll defer to the Deputy County Executive.

CHAIRMAN SCHNEIDERMAN:

I'm trying not to go back to the discussion we had last month if we can. But I understand --

MR. ZWIRN:

I just would like to respond, if I may Mr. Chairman, with respect to the salaries. Some of those salaries came out of the fact that the Labor Department, if you remember some years ago, I don't know if Mr. Romaine's recollection goes back then, but 30 people were about to lose their positions. And when you take 40% of whatever number it is that we use for salaries, that money would be going to personnel that don't work for the County to do the work that they are doing. They change storm drains, they do a lot of work that is related to clean water. It's not just capital projects. You need people to do the capital projects, to actually do the work.

It was discussed with the Legislature, with the unions. Those people would have been terminated at the loss of that grant and everybody involved, we came to the Legislature to get their approval. An agreement was worked out to put those people in. So Mr. Romaine likes to paint one picture; he ought to paint the whole picture.

CHAIRMAN SCHNEIDERMAN:

And we did entertain a cap.

MR. ZWIRN:

And if the Legislature --

CHAIRMAN SCHNEIDERMAN:

As you know, we did not pass a cap. So we --

MR. ZWIRN:

-- so desires to remove those people from those positions, then the County Executive will terminate them at that point and there'll be more money in the 477 Program for whatever else you want to use it for.

CHAIRMAN SCHNEIDERMAN:

Okay.

COMMISSIONER MEEK-GALLAGHER:

And if I could just add two things. Legislator Romaine, that presentation was circulated as an attachment to the agenda from last time, I believe, and was made available. And recently, within the past week or two, you should have received the full annual report which we have now been providing since 2006 -- or since the 2006 year on 477, the program.

Okay. Should we, Mr. Chairman, go back to Emerson giving a brief status on where our storm water --

CHAIRMAN SCHNEIDERMAN:

Yes, thank you.

MR. HAUSBRUCK:

This is a mandated program. It was developed by the EPA and it's implemented in New York through the DEC so Suffolk County actually has a SPEDES permit to conduct it's Storm Water Program. There are concern conditions on that permit, certain things that the County has to do every year to be in compliance with that SPEDES permit. So we are working with DEE, DPW and Health Services to make sure that the County is in full compliance with it's storm water permit.

We have inventoried all County roads and County parcels throughout the County. We have identified all catch basins, all discharge pipes. We have put the County logo not to dump into the catch basins on a significant portion of the catch basins for the County. We continue to work on that. We've got all of the information in a GIS format so that we can, you know, identify a parcel and then within that a road or a section of road, and then within that we can identify where the catch basins are, where the discharge pipes are relative to those catch basins.

CHAIRMAN SCHNEIDERMAN:

Emerson, can I ask you a couple of quick questions?

MR. HAUSBRUCK:

Yes.

CHAIRMAN SCHNEIDERMAN:

How many full-time dedicated staff at CCE work on this program and this program only?

MR. HAUSBRUCK:

We currently have -- let's see. We currently have about seven or eight people who work on this project but they are not all just dedicated to this project. Of that, there are probably three people who are just dedicated and work only on this project.

CHAIRMAN SCHNEIDERMAN:

I'm trying to get a handle on it. We're spending three hundred and almost \$400,000 a year on this compliance which typically seems like a County function that DPW might do. Now Cornell Cooperation Extension may have some specialized skills that help with the SPEDES permit compliance. Maybe you could tell me a little bit as to, you know, what special expertise Cornell has

and why this is something -- I guess it's been going on with Cornell doing this for the last five or so years. But, you know, the County also is in a difficult position financially right now.

COMMISSIONER MEEK-GALLAGHER:

Let me just -- hold that, let me just jump in on that. This is the last year of the contract. It's been actually for two years now, a no cost contract extension because the contract didn't actually start on time and because we did have to get to certain, you know, phases, before it could be turned over to the County. We are actually working right now with -- Departments of Public Work is in charge. Technically they run the County Storm Water Management Program, but working cooperatively with the Department of Health Services and with the Department of Environment and Energy and we are trying to work out a strategy to basically take over, starting in 2010, all the different functions that --

CHAIRMAN SCHNEIDERMAN:

Okay. That's really what -- it surprises me that a County with its own Health Department would be contracting out for a permit like this.

COMMISSIONER MEEK-GALLAGHER:

I think a lot of it is, you know, there is too many reasons. One is there is already so many mandated programs that staff are required to do that then to add something like this where you need to get a lot of things done in a very short period of time to be compliant they needed outside assistance.

And second was that we are fortunate to have Cornell Cooperative Extension in our backyard because they give us depth and breadth and expertise that we wouldn't necessarily have at the County and it's much easier for them to nimbly adjust their staffing levels if they need to to work on these projects than it is for us to try to go out and hire the expertise in a timely fashion to get things done.

CHAIRMAN SCHNEIDERMAN:

Okay. But it is -- so we're under contract for another year and this is something that you are reviewing.

COMMISSIONER MEEK-GALLAGHER:

Yes.

CHAIRMAN SCHNEIDERMAN:

Okay. Why don't we move on then, unless there is questions on the Storm Water Phase II piece of it. Let's move on to the next, alternative management strategies for control against insects, pests, in Suffolk County agriculture.

COMMISSIONER MEEK-GALLAGHER:

Yes. So this is really focused on, and Dale, I don't know if you want to jump up and say anything. But this is really focused on trying to help commercial agriculture, you know, that industry, horticulture, etcetera, in finding alternatives to using pesticides. And so they do applied research, they look at new control strategies, they have education and training programs for the landscapers, for the agricultural producers, to try to help improve, you know, what they're using, reduce the amount of pesticides they are applying and finding alternatives to, you know, to using those pesticide. I don't know, Dale, if you want to add anything. So it's separate from then we have an integrated, the IPM, which is focused really on the County and the County's pesticide phase out. So one program is focused on helping the commercial agricultural sector and the other is focused on assisting the County with it's pesticide phase out.

CHAIRMAN SCHNEIDERMAN:

Right. Which is -- is that --

COMMISSIONER MEEK-GALLAGHER:

A different program but I just want to -- sometimes it's confusing when you see there are two programs that have pest in the name.

CHAIRMAN SCHNEIDERMAN:

Right. Which one is the pesticide phase out, assisting the County.

COMMISSIONER MEEK-GALLAGHER:

That's the other one.

CHAIRMAN SCHNEIDERMAN:

That's the Integrated Pest Management Program?

COMMISSIONER MEEK-GALLAGHER:

Yes.

CHAIRMAN SCHNEIDERMAN:

Okay, that's what I thought. So this -- now this is a program, the alternative management strategies for control of insects, pests, in Suffolk County agriculture. That's something that's available to farmers? It's basically you advise farmers as to how to deal with insect problems in a way that minimizes pesticide use?

MR. MOYER:

Right. The alternative is basically for farming and the landscape community, so it is basically all horticultural industries, okay. And what we're trying to look at, and the emphasize was on in this case pesticide use because entomology is trying to reduce the amount of pesticides, especially those that were concerned with groundwater. There are several that have been found in groundwater. Some of them have been taken off the market. Other ones that are at low levels and we're trying to replace those with non-pesticide strategies, which we're evaluating and testing.

So it's not just -- not just consultation education, it's also research on those topics, okay, looking at alternatives. And most of them are looking at either reduced risk, which means pesticides that will not get in the groundwater, that are less toxic to the environment compared to some of the older pesticides, and also looking at a lot of alternatives such as use of pheromones to trap insects and avoid uses of pesticide. So the goal is to reduce significantly the amount of pesticides that are going in the environment, both from the agricultural folks and also the landscape gardener folks.

CHAIRMAN SCHNEIDERMAN:

And have you tracked to see to what degree this program is being effective?

MR. MOYER:

Yeah. We have several reports and we can provide you more information. We have moved tremendously away from some of the pesticides, especially in some of the greenhouse operations and some of the field crop operations where we are using more --

CHAIRMAN SCHNEIDERMAN:

Do you go out to the farmers or they come to you?

MR. MOYER:

A combination of both. We will provide educational training for them, which we have been doing for years and years, but this --

CHAIRMAN SCHNEIDERMAN:

And those are free? Are they free, Dale?

MR. MOYER:

In some cases free, sometimes we charge a minimal amount because we are providing lunch or something like that. Basically it's just to cover the cost of the seminar.

CHAIRMAN SCHNEIDERMAN:

Do you know in a given year typically how many inquires come in, roughly?

COMMISSIONER MEEK-GALLAGHER:

They had last -- it says in 2008 there were 120 samples received in the laboratory and 400 inquiries received at the entomology diagnostic laboratory. And 21 research trials were conducted in 2008.

CHAIRMAN SCHNEIDERMAN:

Actually two quick questions and then I will turn it over to Legislator D'Amaro. I asked before on the other program how many staff people are dedicated to this program?

MR. MOYER:

We have two staff that are funded by this, this is the alternative management one. Two staff people and from some of the other grants and so --

CHAIRMAN SCHNEIDERMAN:

Is this all they do or --

MR. MOYER:

It's all they do. They work on the entomology aspect of pest management. Two people, you have the entomologist and you have his technician. They also hire, as of result of some of the projects, with other dollars they hire summer help, they hire a part-time technician. They also got involved in the four poster project because Dan {Green}, the entomologist, is a specialist and he understands the tick situation and so has gotten involved in that aspect on Shelter Island kind of as a side. But basically those are the two people, plus some supporting people, which they get with special grants and so forth to add to that program.

CHAIRMAN SCHNEIDERMAN:

Is there funding coming in from this program from another source as well, besides the County?

MR. MOYER:

The funding is coming in is year by year grants or projects that might pay for certain aspects, but usually that's to cover summer support, supplies, you know, fertilizer, whatever we are doing for the research project. It's not additional monies that we could -- it supports the summer help and maybe a part-time technician, but it's not enough to support that individual or those two individuals.

CHAIRMAN SCHNEIDERMAN:

Can I ask in terms of Cornell Cooperative's funding if -- what percentage of, if any, of money the money is coming in from companies that may have a vested interest in chemical -- the agrichemical industry, particularly the manufacturer.

MR. MOYER:

Okay. We get some funding and we think it is very important, we always have felt it is very important to test those materials, one for efficacy because there are companies that will come in and say something works and it does not work on a pest, okay. And so I think it's very important to look at those materials on Long Island. A lot of those materials we are testing now, as I mentioned before, are biologically based materials and so they are not like the organophosphates and some of the materials --

CHAIRMAN SCHNEIDERMAN:

But in particular the funding for Cornell Cooperative, does a large percentage come from the

industry that --

MR. MOYER:

No, it's a very small percentage to run some of the trials and help support the summer staff to do hoeing, to do maintenance on the plots, to do counts, to do leaf samples, things like that.

CHAIRMAN SCHNEIDERMAN:

My last question, this program, and I am going to ask this about a later program, was it envisioned initially as a one year program or was it always thought to be this was going to be an ongoing expense to the County.

MR. MOYER:

The initial program was designated to be a multiyear, I think a three year program, to start with. We met with the review committee. They said at that point in time we would give you the three years, I believe it was, and work from year to year from then on to see what would happen with the program and where it would go and what were the objectives and what were the needs in the future.

CHAIRMAN SCHNEIDERMAN:

Commissioner, have you reviewed this program and feel like it should be an ongoing program?

COMMISSIONER MEEK-GALLAGHER:

Yes, and the Water Quality Review Committee has now been proactively each year, well, starting last year I should say, reviewing the budget request from Cornell Cooperative Extension and agreeing that, you know, again, for another year let's move forward, it seem to be making progress, their seems to be good outcomes. Obviously, you know, this year may be a little different in terms of the level of funding we may be able to commit for next year, but --

CHAIRMAN SCHNEIDERMAN:

Since it's largely an educational program and in other parts of the budget we have kind of pared down to core programs that are providing, you know, direct services. Here with the environment I think we need to think the some way as well and make sure that every dollar is going to having a direct effect. If you feel like this is something that is helping to reduce the use of pesticides then certainly it is worthy.

COMMISSIONER MEEK-GALLAGHER:

I think we have a, you know, I think in Suffolk County, across Long Island, we are much more concerned about toxins in our environment because we do drink our groundwater and because we are so dependent for our environment health, our public health and our economy on our surface waters as well. So there is a much greater concern as to what is landing, you know, in our water and what the impacts are.

CHAIRMAN SCHNEIDERMAN:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Commissioner, the handout that you provided says there were 36 educational programs and then the next portion says there were 120 samples and greater than 400 inquiries with some positive results and now there were 21 research trials. And then next you are looking at going after the corn worm and the Qbiotype whitefly. My question is, just looking at the budget line items, how much of the budget percentage wise goes to education as opposed to sampling as opposed to the trials of the County funded portion?

MR. MOYER:

We have never broken it down, but just so you get a clarification.

LEG. D'AMARO:

All right. If you don't have the breakdown I just want to move on.

MR. MOYER:

I can give you an overview.

LEG. D'AMARO:

No, that's okay. I don't need that. I just want to move on. So we have been doing these samples, and it says with nearly all resolved with either non-chemical options or use of reduced risk biopesticide etcetera, and that's been successful as far as inquiries go. And the research trials are continuing. But what policy decisions have come out of now four, five, six years of funding these trials and studies over time. Have we made any changes as a result of all of this research and trial work?

COMMISSIONER MEEK-GALLAGHER:

One of the frustrating things being at the County is, for instance, we could pass a fertilizer nitrogen reduction law, but pesticides are controlled by the State. And therefore, any -- most or any pesticide laws or policy changes we might want to make we would not be able to because we would be preempted by the State. So -- but we do know, and Martin Trent is here from the Department of Health Services, Division of Environmental Quality, we do know that they do continue to find in their water quality monitoring agricultural pesticides, chemicals, etcetera, in public water supply wells. Therefore, we're hoping that this is one small, obviously it's big picture wise of what's being spent out there on the chemicals and agriculture, this is a small percentage, but we are hoping that if we can reach enough farmers and enough horticultural professionals, every little bit we can do to reduce the amount of chemicals that they are using will show increases.

LEG. D'AMARO:

Is that the goal here, when you say you have 400 inquiries and they were resolved, and I guess you're educating people that make an inquiry about, you know, how can I attack pests and what insecticide should I use, pesticides, and it is great that there is someone there to answer that question and show a better alternative, a more environmentally friendly alternative. And then --

COMMISSIONER MEEK-GALLAGHER:

Right. And the other very important component is the research component, to actually come up with our own alternatives for problems that are specific to Long Island growers.

LEG. D'AMARO:

Right, but are we -- are we just, you know, nibbling at the tip of the iceberg here? I mean, are we -- we're not coming up with any overall policy directive as a result of the trails and the inquiries. Or do we make recommendations to the State of New York? I mean, it seems to me we are funding the studies and the trials and the inquiries and -- but we are not -- we are not doing anything with that information other than on that case by case basis which --

COMMISSIONER MEEK-GALLAGHER:

Right. Well, it does dovetail with the next program, which is Agriculture Stewardship Program, where we do try to then, again, it's on a volunteer basis, though, get farmers involved in implementing these best management practices on their farms and get these audits of what is happening on their farms and --

LEG. D'AMARO:

Well, is there any way to make that mandatory? At least from the County's jurisdiction?

COMMISSIONER MEEK-GALLAGHER:

We would most likely be sued and New York State Ag and Markets would say that we were being overly restrictive. I mean, we can look into that, but that's my, you know, preliminary take on it, is that if we were somehow going to try to mandate that you must, you know, take these practices there's -- it is just like with the greenhouses issue. There are issues where we are preempted by New York

State Ag and Markets Law and there is a lot of protections in place for farmers to, you know, under that law, so that they can continue to -- they basically have the right to farm.

LEG. D'AMARO:

Well, so it seems like we have the worst of both worlds, where we have to fund the studies and come up with reasonable alternatives to protect the environment but the folks that we're doing the studies for don't necessarily have to pay any attention to them.

COMMISSIONER MEEK-GALLAGHER:

I think they, I mean, yeah, I think they are paying attention to us. The feedback is that I don't think that -- I think that the farmers and the growers and actually you can see with the response, every single fertilizer course we have been offering to landscapers has been overbooked and, in fact, we are trying to, you know, the demand is there. One, yes, because they want to make sure they can renew their licenses, but, two, I think they know that there is a constituency in Suffolk County who are very interested in having, you know, preserving their groundwater and knowing that you are using best management practices, that you're a farmer who is not polluting, that you are a landscaper who is not polluting, so.

LEG. D'AMARO:

I appreciate that. I'm not trying to say that we are not being successful in what we are trying to do as far as come up with the alternatives and protect the environment and I support that. My issue, though, is that we are continuing to fund this every single year and if ultimately --

COMMISSIONER MEEK-GALLAGHER:

We can't change our --

LEG. D'AMARO:

We're not changing behavior, we are not setting new policy, and what little impact we are having is really not sufficient anyway, it seems to me like we need some greater coordination, at least with the State agency. We need to get more attention on something like this. So, you know, we are looking at dollars and cents also, and so how long do we continue to fund, you know, studies going after the Qbiotype whitefly when, you know, a farmer may not even be concerned about our methods of controlling that if, you know, to put it in layman's terms.

COMMISSIONER MEEK-GALLAGHER:

Dale wants to jump in. I know there is statewide there is also a push for AEM, agriculture environmental management, so there is some of that discussion going on, but.

MR. MOYER:

In terms of policy, no, it's a voluntary program. What we do in education is voluntary. But we have seen significant changes, and we can provide you that documentation if you like, in terms of people using biological, the non-insecticide use controls. There's been significant changes in the greenhouse, in the nursery area, in the field crops area, vegetable area. There has been significant changes; we've seen it and we have documented a lot of. Sometimes it's very difficult because it's a change, it takes time, and it is a biological system and it does take efforts and continual efforts to keep up with those things. Because like with the whitefly you have a different strain come in next year and the growers have a hard time controlling that, for example. But we have seen significant strides in moving away from pesticides and getting into more biological and organic methods. If you would like us to document that we can get you some information.

LEG. D'AMARO:

I appreciate that answer because what you are saying is, you know, there is a result coming from the trials and the studies and what you do and the research. Do we share that with any other jurisdiction?

MR. MOYER:

Yes. We cooperate, obviously, with DEC on a lot of things, Department of Environmental Conservation. We work closely with the University and so it's a State thing and so there's always interaction between the different agencies, USDA and so forth. So it's not like it's a one way street and we are not developing these things basically from scratch. We are working with people throughout the northeast, throughout the country, finding out what they're doing to manage the whitefly or any other pest in a way that's much more environmentally friendly than maybe it was, you know, last year or ten years ago. So there is always that interaction. We're spending a tremendous amount trying to keep up with technology of all sorts.

LEG. D'AMARO:

So even though we can't dictate policy you feel that the policies that you're recommending are being followed by a sufficient number of operators within this industry, these industries.

MR. MOYER:

Right. With one project, the Stewardship Program which gets into the management of stewardship of fertilizers and pesticides, there is a whole -- we have over 200 growers participating with our project on a voluntary basis right now, and every year that increases. We are trying to do things that are environmentally sound. We are working with control released fertilizers to minimize nitrate leaching in groundwater, all those aspects. It does take time, and with anything that's voluntary, it takes several years. You get your leaders to go first and then the followers will come afterwards. So we're very happy with the progress we've made over the last four or five years in terms of working with the growers and the industries and them moving into an area of much more environmentally friendly use of pesticides or non-pesticide control measures.

COMMISSIONER MEEK-GALLAGHER:

But we'll --

CHAIRMAN SCHNEIDERMAN:

We are kind of segueing into the next program which is the Agricultural Stewardship Program. Let's see if we can get through that. The last two, the eel grass and the fertilizer are very recent so I don't think we need to spend time there, but if we could quickly touch upon, you've already started this Agricultural Stewardship Program.

COMMISSIONER MEEK-GALLAGHER:

Yeah, I think Dale -- I mean Dale started talking about it. Basically it's four main focus areas. You've got these on farm demonstration projections, there is educational programs, working with New York State's Agriculture Environmental Management Plan, along with the County's own plan that it came up with a few years back, and this Cost Share Environmental Improvement Program. So it really is hands on working with the growers and every year they have been increasing the number of growers who are participating in these programs. But I think it is a good suggestion that we, you know, have -- we'll have five years, pretty soon we'll have almost five years worth of data, in some cases can do, and we could look back and see if there are some -- even if they are small, but policy changes we could recommend as a result.

CHAIRMAN SCHNEIDERMAN:

But a program like this sounds almost like it ought to be largely funded by the State or University or -- are we the sole funder of this Agriculture Stewardship Program too?

MR. MOYER:

The primary funder, I mean initially this came through a task force that was done four years ago, Vivian Viloria-Fisher.

CHAIRMAN SCHNEIDERMAN:

Was it recommended as a one year program or is this --

MR. MOYER:

What's that?

COMMISSIONER MEEK-GALLAGHER:

It was originally a three year program, I think. Was this originally a three year program, too, Dale?

MR. MOYER:

It was -- the original smaller part before the task force came in place was designated for a two to three year program. And, again, the committee was willing to look at and review it again as long as we were making progress. The task force came in and it just was put in as a program at that point in time after the task force met and came up with the recommendations. A lot of the recommendations are based on the Peconic Estuary Program, the Long Island Study, the South Shore Study, all recommending looking at reducing nitrate and pesticide use in agriculture and landscapes.

COMMISSIONER MEEK-GALLAGHER:

I see that Legislator Losquadro is not here right now, but I know that he could probably tell you that the Soil and Water Conservation District is, you know, always looking for funding for projects similar to this or that can help out farms, but that they don't always have the resources that they need to be able to, you know, to go after those grants dollars. So it may be that there is some competitive funding out there that needs to be looked into. And the Cost Share Environmental Improvement Projects are all funded. They are 75% cost share, some of those -- those funding that does come through USDA, NRCS, through the State for doing those types of projects. But it's -- yeah, there is not a lot of dollars out there directly to do exactly what we want this program to do.

CHAIRMAN SCHNEIDERMAN:

Well, I mean, it sounds like, again, its an educational program. It's just that we have to decide how much of our 477 Funds are to be going toward education and how much should be going toward actually reconfiguring storm drains and pollution remediation and those kinds of things.

COMMISSIONER MEEK-GALLAGHER:

Yeah. Again, this is, I think, more the concern of the piece of groundwater improvement versus just water quality improvement because there have been -- the highest incidence that we see, especially on the east end, of chemicals and contaminants in the public water supply wells are from, you know, can be traced back to agricultural uses, horticultural uses, so.

MR. MOYER:

We are also looking at trying to get a grant from EPA through the Peconic Estuary Program for \$100,000 to help support this program, too. So that we're working on that, we're moving ahead with that. I'm not sure when that's going to fall into place, but we are looking for other dollars.

COMMISSIONER MEEK-GALLAGHER:

Right. And we were actually looking into Federal stimulus funds, but most of that money that's going through the NRCS seems to be -- it's the landowner, not municipalities, that are eligible for the funding.

CHAIRMAN SCHNEIDERMAN:

All right. Any questions from the committee on the Ag Stewardship Program? Then we will go right to the last one, the Integrated Pest Management Program. My understanding is this program was set up to initially to assist the County in implementing the pesticide phase out, that we had passed a bill that the County would try to reduce the use of pesticides on it's own lands and Cornell Cooperative was brought in to provide us with some expertise in achieving that goal, yet I don't know, six or so years later you're still there.

MS. JUCHATZ:

We're still working.

CHAIRMAN SCHNEIDERMAN:

You're still working. So explain what happened. Why were we not trained to do this ourselves at this point?

MS. JUCHATZ:

Well, it's not an easy task to reduce, to eliminate, actually, the use of pesticides on County property. The law was first passed in I think 1999 and shot -- the goal was to eliminate all use of pesticides on County property by the year 2001. Very early on we realized that that was not a feasible goal. We went back to the Legislature and asked for an extension to that phase out. That did get extended until 2003.

We also realized that it was going to be nearly impossible to eliminate the use of pesticides in every situation, such as the jails, the nursing homes, food establishments, where there are certain circumstances where pesticides will likely need to be used, either for medical treatment of lice and things like that or in the jails. It was just such a difficult situation to -- you can't leave baits in jails out and things like that.

CHAIRMAN SCHNEIDERMAN:

I don't think that was the goal of the initial resolution. I think the goal was to -- if it was focused on lawns. I don't think it was rats and vermin and things of that --

MS. JUCHATZ:

No, actually the original resolution was everything. It was everything, and it still is more or less, but it gives us the ability, the pesticide CAC, the ability to grant these special use exemptions. So, for example, in buildings termites is a very difficult thing to -- once you have a termite infestation -- you can prevent it, you can take steps to try to prevent it, but once it happens there is -- we have not found an alternative treatment aside from the traditional chemical pesticide. So we are given the ability, the pesticide CAC, has given the ability to grant these exemptions for those kinds of situations. The jails have very, you know, very -- you can envision it's a very difficult thing to, you know, just go around and use pesticides in that kind of setting. So it gives us the ability to look at the situation and grant those exemptions.

So answering your question is that we are -- we are gradually, there are some things that we have eliminated completely, such as lawn care. We do not use fertilizers, we do not use pesticides to -- on aesthetic purposes. Occasionally it might be used in cracks and crevices on sidewalks or parking lots because of safety hazards, but that is the only reason it is used on outdoor treatments.

The Community Colleges have -- on occasion we have granted them an exemption for ticks in the Riverhead Campus because students walking between classes would get -- would be attacked almost by lone star ticks. So those are the only times that it really is used outdoors and in lawn settings. But all aesthetic uses like that -- and we're very strict about that, even to the point that the Ammerman Campus has a beautiful, if you've been there recently, the Veterans Plaza. It's gorgeous, very nicely done. They came to us saying we may need to seek an exemption here because in order to maintain it in such a beautiful, you know, manner we are going to need to use pesticides. And we said no, you can't. You are going to have to either, you know, get volunteers from students or find something else to do because we don't grant that for aesthetic reasons. So they are working on that and part of their problem was they selected vegetation or plant species that were prone to disease in this area, so we are kind of trying to work on that. But that is -- we're very strict --

CHAIRMAN SCHNEIDERMAN:

My only concern is it's become an ongoing program. I believe initially it was supposed to be training the County for the phasing out so that I would think at this point we would have well-trained people working in DPW who could do the same thing that you're doing.

MS. JUCHATZ:

Right. Unfortunately, I think it has not turned out to be that way because one, it's -- we are continually looking for alternative products. So for termites we are continually looking for those alternative products. For vegetation control, poison ivy; we're continually looking for better products that we can use to control unwanted vegetation. So there's -- it's not that we have been about to find the magic bullet that says okay, here, we have the alternative, it's a done deal, we can move on.

CHAIRMAN SCHNEIDERMAN:

For us, Amy, for us to evaluation a program like this, you know, I mean, we don't have the things we need. So, you know, this is a \$200,000 program, and without knowing how many hours were spent by Cornell Cooperative on solving this I can't figure out how much an hour we are paying for this without, you know, knowing all the specific cases where you guys were called upon to do this. All I know is we are giving you \$200,000 and it certainly is a noble cause, but it is very hard to evaluation whether, you know, this \$200,000 is being spent effectively when we have all these other 477 programs that we can't fund because we have no money to do them. It's not a personal attack on CCE. I certainly laud the goals of this program but --

COMMISSIONER MEEK-GALLAGHER:

Chairman, if I might. You know, one of the things they were able to measure is that basically over the past ten years 135 pounds of active ingredient per year have been, you know, eliminated because of this program. One of the things that we have found, there is a report that's done every year on everything that happened.

CHAIRMAN SCHNEIDERMAN:

Did that take an hour of work to make that happen or did that take, you know, 500 hours of work.

COMMISSIONER MEEK-GALLAGHER:

No, actually what happens is when you don't use pesticides or fertilizer or chemicals you need a lot more people. It's much more labor intensive. So, in fact, a lot of the people that are, in fact, as, you know, Ben Zwirn was referring to before, that are now working in the Parks Departments and doing things because we have this phase out and we don't want to use fertilizer, you have to do a lot more by hand, weeding by hand and precautionary things by hand. So we do have staff but then the people that we don't have on staff that are really necessary are some of the people than can go out and spend all the hours, and I know don't if it is in here, but how many hundreds of hours a year for scouting, when you're about to have problems, you know, pest problems or other types of problems that would normally require a chemical use. Having a turf scientist, you know, a Phd turf scientist on staff. We don't have someone like that on staff. Do we want to hire someone? That would cost us probably \$150,000 a year at the County.

CHAIRMAN SCHNEIDERMAN:

It might. But if they have one on staff and we are using that person, I don't know, 20 hours a year -- see, I don't know how many hours we are tapping into. So what percentage of that person's salary are we paying? So I know Tamsen works at CCE, she's, you know, quite expert, but I suppose her salary is being paid largely through this program?

COMMISSIONER MEEK-GALLAGHER:

I think totally.

MR. MOYER:

Totally.

CHAIRMAN SCHNEIDERMAN:

Totally. And how much of her time is spent on this program?

MR. MOYER:

Her time is spent totally on this program. She has also additionally she picked up and is kind of managing the nitrogen reduction grant, the small one that was got just because she is the turf person. So we kind of said with the approval of CAC and the Department of Environment and Energy she is also running that small segment for the next, you know, six months or whatever that grant is running for to do those educational programs. She is getting a lot of support so she is also working on that nitrogen reduction at this point in time. So we have taken her a little bit away from the phase out program but she is spending a lot of time on the nitrogen reduction one.

MS. JUCHATZ:

I do have some figures for you on amount of time. In 2008 I believe it was this program conducted 38 site evaluations, 60 spot diagnoses, 583 hours of scouting. They are also conducted ten sessions on, educational sessions, where they trained staff on ticks and chiggers, which has become a big issue, and they trained 273 participants. They have also done recertification training, a 30 hour training where they trained 54 participants. That's something that's necessary for DEC credits.

CHAIRMAN SCHNEIDERMAN:

You wouldn't happen to have a total hours -- you gave me the 583 hours in scouting. Do you have the total hours or just --

COMMISSIONER MEEK-GALLAGHER:

I think we could try to put that together and then also give you an analysis if we had to create those same position titles at the County, hire them at what those County salary grades would be, you know --

CHAIRMAN SCHNEIDERMAN:

I don't -- you're busy, I don't want to give you more work, but it's -- you know, we're being tasked with evaluating the effectiveness of this program and --

COMMISSIONER MEEK-GALLAGHER:

Right. I think, you know, my general impression when I finally, you know, learned about this, because I kind of had the same initial reaction. Then when I really delved into it and learned what they did, I thought, oh my God, if we -- you know, knowing what I know now about having to create titles, try to hire people, you know, everything else that goes -- that it would just be, you know, you'd be going a year or two years without having the program running if you decide to do that, and then it would probably cost us at least double.

CHAIRMAN SCHNEIDERMAN:

Unless we already had the people on staff who could do some of this.

COMMISSIONER MEEK-GALLAGHER:

But they don't have -- they don't have any of this work in their position description, so they wouldn't.

CHAIRMAN SCHNEIDERMAN:

All right. Because originally this program was to train --

COMMISSIONER MEEK-GALLAGHER:

It would be very unlikely.

CHAIRMAN SCHNEIDERMAN:

-- our people to do this. We were supposed to take this over and that never happened and now it's become an ongoing program.

MS. JUCHATZ:

Yeah. There's one thing to train, I mean, they did just come out with a pest management procedure

manual, so this is something that would be located in each building, let's say. I think that's the plan. And it does pest by pest, does give advise on what to do if you see ants or if you see beetles, or when to get nervous. It doesn't give any recommendations on using pesticides, but it sort of walks you through what preventative measures, things like that. So that kind of gets to what the AEM is. But what we keep finding is that new problems come up or people, the regular people who are in the building don't really -- you can train them, but they don't -- they are not really specialists and they don't really know. They're not a Phd on, you know, turf or bug control.

COMMISSIONER MEEK-GALLAGHER:

And the one last thing that I think is beneficial, again, using Cornell Cooperative Extension, is they have these networks. They work with the University, they have other resources they can reach out to easily because they, you know, they have that in place. If we had those people in-house in the County I don't know that they would -- it would necessarily have the same relationships or the same network or be dealing with these outside people all the time. Therefore, when these new problems arose or when new alternatives came out, they wouldn't know about them right away and so that's very beneficial to us.

CHAIRMAN SCHNEIDERMAN:

Okay. Any other questions? I think probably at this point I'm being the pest.

MR. CASTELLI:

Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:

Yes.

MR. CASTELLI:

I would like to make just one brief, brief statement regarding these projects. I know a lot of them concern educational aspects and it's often significantly less expensive to educate people to reduce pollution than to try to remediate later on. I think that's an important point, that the remediation would take significantly more funding in the long run.

CHAIRMAN SCHNEIDERMAN:

Why don't I let -- thank you. You can be seated. Commissioner, if you want to stay forward you can. I'm sure there will be other questions for you.

All right. I'm going to move to the agenda. First, so the committee is aware, you should have the updated agenda which has the equestrian resolution on it. I think it is 1076. We are going to take a bunch of things out of order here. Why don't we start with -- we have two people here who are for appointments to the Suffolk County Planning Commission.

I would like to make a motion to take first 1147 out of order. **1147, To appoint member of County Planning Commissioner (Joseph B. Potter). (Co. Exec.).** This is for Joe Potter who is in the audience.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions?
1147 is before us.

Mr. Potter, if you'll step forward. I should say even before Mr. Potter has an opportunity to comment that I have known Joe quite some time now. We served together on the Town Board of the Town of East Hampton. Thank you for your interest in serving on the County level.

MR. POTTER:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Joe, if you want to introduce yourself and just say why you are interested in serving on the Planning Commission?

MR. POTTER:

Sure, I'd be happy to do that. My name is Joe Potter. I'm a resident of Amagansett in the Town of East Hampton. I served for four years on the East Hampton Town Planning Board and then was a Town Councilman for eight years under three different supervisors, including Mr. Schneiderman. I have been very active in land acquisition programs, CPF Program and also affordable housing. I'm very interested in some of the work that the County Planning Commission is doing and the possibility of a County comprehensive plan and work on affordable housing and I understand some other initiatives and there has not been a member from East Hampton for some time, so I would be excited to try to fill that gap.

CHAIRMAN SCHNEIDERMAN:

Questions? Let me make one comment. You in your background, and having served with you, I know of those two particular interests, environmental preservation, which you have been extremely active on, as well as housing. Sometimes those issues can collide a little bit at the Planning Commission. If the Town Board, let's say, is looking to move forward with an affordable housing development and might have to change the zoning to allow for a higher density, that's the kind of thing that could come in front of the Planning Commission and a negative vote would send it back to the town for a super majority override, which, as you know, sometimes is impossible to get, particularly with neighborhood opposition that often accompanies that higher density associated with affordable housing. So how might you resolve those two issues, knowing your love for environmental protection as well as your desire to create opportunities for working people in the community.

MR. POTTER:

It's a fair question, and I think the merits of the particular development would be the key question. But I do think there are times when government has to take an overriding interest in terms of housing, particularly on Long Island and particularly in our town where housing is, despite the recent drop in prices, is still extremely expensive. So all other things being equal, I would fall on the affordable housing side of that question.

CHAIRMAN SCHNEIDERMAN:

Any other questions? Okay. I'm going to make the motion to approve.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

All in favor? Opposed? Abstentions? Congratulations. **(Vote: 5-0-0-0).**

MR. POTTER:

Thank you very much, everyone. Thank you.

CHAIRMAN SCHNEIDERMAN:

Joe, it's not necessary for you to come to the full Legislature. Typically they'll abide by the recommendations of the committee. If for some reason they don't, then it's possible that at the following meeting I'd bring you back, but I don't foresee any problems.

MR. POTTER:

Okay. Thank you, everyone. I appreciate it.

CHAIRMAN SCHNEIDERMAN:

I'd like to make a motion to take 1148 out of order. **1148, To appoint member of County Planning Commission (Michael F. Kelly). (Co. Exec.)**

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

There was a motion and a second. All in favor? Opposed? Abstentions? Mr. Kelly. Thank you for your interest in serving.

MR. KELLY:

Thank you. Good afternoon.

CHAIRMAN SCHNEIDERMAN:

If you could introduce yourself and tell us of your interest in serving on this commission.

MR. KELLY:

Sure. My name is Michael Kelly. My background is an attorney. Most recently I have been working with Pulte Homes, quite active in developing and redeveloping on Long Island. We have had a major focus on workforce housing. My main reason to come on to the commission would be really because I have four kids and I want to make sure that Long Island and Suffolk County in particular is staying strong and beautiful and affordable.

CHAIRMAN SCHNEIDERMAN:

Before I ask a question or the committee asks a question, I just want to make sure from Counsel that we had established some protocols or guidelines for Planning Commission appointments a couple of years ago. I want to make sure that we are following those guidelines. In the past it used to be the town representatives or the town boards or supervisors would put forward names. Then we established a system by where -- by which various members would come from certain interests. They'd still geographically would come from throughout the County, but they would have to fall into certain types of interest groups or stakeholders. I just want to make sure that Counsel is checking this.

MR. NOLAN:

Well, what we have is it is a 15 member board and it's still geographic. There should be one member from each town and then the representatives of villages and then some at large representation. The law you're referring to kind of created an overlay which said that out of the 12 members who are not chosen at large, the following criteria should apply to the rest. That at least one member should come from an environmental organization, at least one member should have an expertise in municipal planning, one should have real estate background, one from a labor organization, one should have a background in transportation, one member should have a background and expertise in workforce housing. And at least one member shall be appointed by recommendation from the Association of Town Supervisors.

So for this particular individual, you know, he may not fit one of those areas I just spoke about, but he doesn't necessarily have to. So you -- I'm assuming this is a County Executive appointment, something probably they should be tracking to make sure that when they're selecting people that they are hitting these areas of expertise with their membership.

By the way, I should mention it says at least one member should have an individual with a law degree, so that's one thing Mr. Kelly has. So he actually does hit one of the areas.

CHAIRMAN SCHNEIDERMAN:

And maybe Commissioner Isles, I see him nodding there, he may have some additional information. Is this something you're following, Tom?

DIRECTOR ISLES:

Yes, it is something that is followed and as stated by Mr. Nolan, there are these requirements. They are currently covered in the Commission. If you want me to go through each one I can, but if you don't want me to I won't --

CHAIRMAN SCHNEIDERMAN:

No, that's okay.

DIRECTOR ISLES:

-- in terms of the current member of the Commission representing the items you've talked about. I think the only one that's lacking right now is representing labor. We had a member who up until February served in that capacity, Mr. Donald Fiore from Islip, and he resigned from the Commission last month so that is vacant at this time. But all the others are filled based upon that.

CHAIRMAN SCHNEIDERMAN:

Thank you, Commissioner.

DIRECTOR ISLES:

This would be the Town of Brookhaven position, by the way, geographically.

CHAIRMAN SCHNEIDERMAN:

Any questions for Mr. Kelly? Does somebody want to make a motion? I'll make --

LEG. BEEDENBENDER:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Beedenbender.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0).**

So again, Mr. Kelly, congratulations and you as well don't need to come to the full Legislature. I don't suspect there will be a problem. If there is, then we'll contact you.

MR. KELLY:

Great. Thank you.

CHAIRMAN SCHNEIDERMAN:

All right. I'll make a motion to take 1202 out of order. **1202, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (North Fork Preserve property - Town of Riverhead). (Romaine)**

I had about five seconds. Who seconded, Legislator Losquadro? Okay.

All in favor? Opposed? Abstentions? All right, 1202 is now in front of us. Can we get a motion and a second at least for discussion purposes? A motion by Legislator Cooper, second by Legislator Losquadro. Okay. Commissioner.

DIRECTOR ISLES:

Okay. The subject property is, and we do have a map, an aerial photograph that we can circulate on this. It is known as the North Fork Preserve, as spoken of earlier today. The property is located in the Town of Riverhead. It totals, in terms of the resolution that has been presented to you, 311 acres. It consists of several parcels. There are two large parcels, one on the north side of the property, one on the south side of the property, a number of smaller lots that are located along Sound Avenue.

CHAIRMAN SCHNEIDERMAN:

Tom, this wasn't on one of the master lists, the agriculture master list?

DIRECTOR ISLES:

There are some resolutions that involved this property in the past. As you're looking at your map, on the northern piece, the large piece outlined in red, that was included in a prior resolution for open space purposes. The southern piece, which here again is another piece of probably close to 150 acres, was incorporated into a resolution that included both open space and farmland development rights. In fact, these are for programs that have since either expired or are not currently funded, so the current resolution, I believe, is for New Drinking Water, which would be a currently funded program.

So there have been prior resolutions, and I guess two issues with that, number one, the not currently being funding, and number two, I think there's a question as to the use of the property. Here again, what was anticipated years ago is open space in the north and farmland and open space on the south. I'm not sure if that's still the intention or not, which may also explain the reason for the new resolution.

CHAIRMAN SCHNEIDERMAN:

Okay. Legislator Romaine. Do you want to say a few words?

LEG. ROMAINE:

While I realize it's a long committee meeting, obviously we are dealing with almost 400 acres of space. There was a need for a new resolution. The past resolutions are no longer valid. Funding sources have dried up, and this is an acquisition, not a purchase of development rights.

It is surrounded by other acquisitions that both the County and the Town of Riverhead has done. This is a unique piece of property. It is a parcel that has been a high priority for preservation for local environmental groups and the town and County government.

It boasts one of the largest swamp forests in the North Folk. It is rich with wetlands, woodlands, bird and animal habitat. It is a unique track and it's -- due to its biology, ecology and size, and a frequent stopping point for migrating birds.

It's an important drainage system for the area. And it's probably one of the, and this is something that I believe that both the County Executive and I agree on, he had originally pushed for this and those were one of the resolutions that have expired because of the funding source, but it is one of the premier properties in Suffolk County that should be preserved. If not preserved, it will be developed and we would lose a tremendous asset that we should try to preserve.

CHAIRMAN SCHNEIDERMAN:

Are there structures on this property?

LEG. ROMAINE:

There is one structure on this property that I'm aware of, the lodge. There is a lodge there on the property.

CHAIRMAN SCHNEIDERMAN:

Like a hunting lodge, that kind of thing?

LEG. ROMAINE:

Yes, a hunting lodge.

CHAIRMAN SCHNEIDERMAN:

And looking at the aerial, it looks like part of the property might be currently in agricultural use?

LEG. ROMAINE:

Some of it is used as a Christmas tree farm, but I will let the Planning Director answer that question.

DIRECTOR ISLES:

If I could, thank you. We have done a site inspection of this property. We did it several months ago and we appreciate the cooperation of the owners in enabling that to happen.

One thing in terms of the answer to your question in terms of structures, the property does consist of, I think it was mentioned, a 6,000 square foot building that was part of the original I think telecommunications operation, which is now used as a lodge. There are also hunting structures, which are relatively minimal, scattered throughout the property. There are also some improvements, and he mentioned the tennis courts that are on the property.

There is an agricultural use on the property. The Christmas tree farm is the main part of that. There are agricultural fields that do not appear to be in active agricultural production right now but were at one time and perhaps are, you know, could be brought back to that condition.

CHAIRMAN SCHNEIDERMAN:

Can I ask on that point if this were purchased with the funds being suggested, could we lease back agricultural lands to, let's say an organic farmer? Is that possible under that program?

DIRECTOR ISLES:

I guess two points. One is at the present time we have not rated this. You don't have a rating included with you. We would like to have a conversation with the sponsor on the subcomponents of the Drinking Water Program in terms of the resolution talks about funding it under the Drinking Water Program, which is fine, but it doesn't specify open space, farmland, or active parkland. We think that this may be a hybrid where if this were to go forward that maybe the tennis court stays a tennis court, maybe it doesn't. Maybe the farmland stays as farmland. But we think that that would be better off if it had more specificity to it. That's number one.

It terms of the question you brought up, Mr. Chairman, in terms of a sale back, a full fee purchase and a sale back, the current County --

CHAIRMAN SCHNEIDERMAN:

A lease back perhaps, a lease back.

DIRECTOR ISLES:

A lease back. The current County Purpose of Development Rights Program, Chapter 8, does not anticipate that. It doesn't provide for that. It provides for a sale of development rights. Whether there is a mechanism to do it through some other program I'm not aware of at this point. From a policy standpoint we think that's something that probably should be considered at some time.

CHAIRMAN SCHNEIDERMAN:

But it could be -- the original deal, if the deal were structured from the start where some of it were full fee and some of it were PDR, those could both fall under the quarter penny program.

DIRECTOR ISLES:

The full fee certainly could and the PDR certainly could. The full fee would be for some sort of parkland purposes. Whether that would enable an agricultural use would be a question. I think

there is another so I think we have two -- I'm sorry.

CHAIRMAN SCHNEIDERMAN:

Is the resolution non-specific enough, yes, that it could --

DIRECTOR ISLES:

Well, we think it would be beneficial if it actually specified the programs, the subcomponent programs.

CHAIRMAN SCHNEIDERMAN:

So we don't run into problems, if this resolution were to pass, that it doesn't become moot at some point because we have to change funding sources.

DIRECTOR ISLES:

If we could suggest that maybe a concept plan is developed in terms of what part should be appraised for farmland development rights, what part should be appraised for open space and parkland purposes. I'm not sure how Real Estate would go about appraising the property with the general nature of the resolution as it is right now.

CHAIRMAN SCHNEIDERMAN:

Other questions? Legislator Romaine.

LEG. ROMAINE:

Since the Legislative Counsel had assisted in drafting this, could you comment on that aspect of that?

MR. NOLAN:

Well, I think the Planning Commissioner is probably correct. We have the right program, but I think we are going to have to figure out what component part of the program we are going to use, whether it be -- my understanding was you wanted a full fee purchase, but in terms of the --

LEG. ROMAINE:

My understanding in discussing with the owners, who are here today, that they are interested in a full fee purpose. They are not interested in the sale of development rights. That's the impression I received. I don't want to put them on the spot right now, but in my discussions with them they are not interested at this moment in time in selling development rights. They wanted to sell the property as such and that was my understanding of the nature of our discussion.

So right now the resolution is, as it stands, and I think then the County can decide when we acquire this property the uses that we can put it to, and I think that the County will have enough flexibility to decide if they own this property what they choose to do with it. If we own property and we choose to lease out property for an organic farm, for example, and part of this land is cleared, fields have been fallow but could be restarted, that's something that we could do whether we own the development rights -- well, actually it is something we could do if we owned the development rights.

CHAIRMAN SCHNEIDERMAN:

Not necessarily. I mean, there can be issues with alienation of parkland -- we have to figure that out. It may be true. We may be able to take a portion of it and make it not available to the public, which is basically what you're talking about. It really depends on how it's purchased and that's why I'm asking. We don't also have a rating form.

DIRECTOR ISLES:

Right. As I mentioned, we didn't rate it because of the general nature of it. It was a late starter, too. I became aware of this on Thursday. So I think we would be -- we would certainly request an opportunity to get more information from the sponsor and prepare ratings for you. As you know, we have three ratings in the County; the farmland, the open space and the active recreation. If there

are tennis courts, if there is a building, perhaps those would be more conducive to general parkland or active recreational purposes. We would just like to know that and then we can prepare ratings for you.

CHAIRMAN SCHNEIDERMAN:

Do you have any sense of whether it will meet the threshold yet or not?

DIRECTOR ISLES:

Well, there is no question the property is very significant in terms of the environmental as aspects of the open space, the extensive ponding network that is on this property. The farmland certainly has value from the fact that it's part of a farm belt in this part of Riverhead. Certainly we think it is worth going to the second step on this one, but it's also not a small piece and it's a significant, even the appraisals would be expensive, I'm sure. And then certainly tackling an acquisition of this nature would be sizable. Obviously we don't have to do this now, but we would want to discuss if there were partners to this acquisition possibly if the County were to go forward.

CHAIRMAN SCHNEIDERMAN:

Such as maybe a State partner on something like this?

DIRECTOR ISLES:

Perhaps. This is, you know, not to be taken lightly, but it's important and we'd be happy to prepare rating forms for you.

CHAIRMAN SCHNEIDERMAN:

Okay. I think Legislator D'Amaro wanted to --

LEG. D'AMARO:

That was my point, also, just what's the environmental significance. You seem to indicate it is significant for I guess groundwater protection?

DIRECTOR ISLES:

The property has extensive wetlands on it, some of which have been altered. One of the --

LEG. D'AMARO:

But the property is not developed right now.

DIRECTOR ISLES:

Correct.

LEG. D'AMARO:

What's the risk of it being developed?

DIRECTOR ISLES:

The property is privately owned and your point is well taken from the sense that, you know, conservation of the wetlands is certainly a goal. Whether the County comes in and buys it is one choice that you would make and the County Executive would make, but there are other choices, too, such as cluster subdivisions or transfer of development rights. So I'm certainly not saying by virtue of the fact that there are wetlands on the property that those would be -- the only way to protect those is through County acquisition. There may be other methods.

LEG. D'AMARO:

They are already protected. If they are classified as wetlands they cannot be developed. So, you know, what -- I guess that would be reflected ultimately in an appraisal as well.

DIRECTOR ISLES:

Well, they are protected on a minimal sense through State and local wetlands laws. That will protect

the actual pond itself and the adjacent buffer area. What we are looking at here is something that has -- and you can see it on the aerial a little bit. It is just pocked with surface water bodies, ponds and small lakes and so forth. This is a groundwater divide, actually, at this location. It is a very close distance to groundwater from the surface.

It is a site that is environmentally sensitive and so there are different levels of protection and certainly the regulatory role of relying on local codes and State law will go a certain way towards protecting that. Whether this County chooses to go further and to look at this as a County park acquisition, open space acquisition, is something that we think is at least worth considering. It's probably one of the last parcels of this size in the County left privately owned. So we think it should be done with care and an overall plan and here again would like the opportunity to meet with the sponsor or talk to the sponsor about getting his ideas for how that might come together, and then giving you an evaluation at that point.

LEG. D'AMARO:

Thank you.

LEG. ROMAINE:

Question quick for the Commissioner if I may.

CHAIRMAN SCHNEIDERMAN:

Legislator Romaine.

LEG. ROMAINE:

Commissioner, do you know if under the Town of Riverhead that this land has been marked as a receiving zone?

DIRECTOR ISLES:

I understand that it has been, yeah.

LEG. ROMAINE:

So is it highly likely, considering that it's been marked as a receiving zone, that it would be suitable for development and that it would be developed? Since there are other areas where people would like -- own land, would like to build but can't, so they can transfer their development rights to this parcel. Is that correct?

DIRECTOR ISLES:

That's correct.

LEG. ROMAINE:

Would you say that in your experience that it probably would be environmentally unsound to see this parcel developed?

DIRECTOR ISLES:

I think there would be concerns with it. It think it would depend on the plan that was presented to the town of where they are going to concentrate the development and so forth. I would certainly have cause for concern in the general sense.

LEG. ROMAINE:

Thank you. So the fact that it has been marked as a receiving zone does put it under threat of development very simply because this is one place in Riverhead Town where now you can transfer your development rights and build.

CHAIRMAN ISLES:

Yes. And if I could just add to that point, I think we'd have a little bit of a concern with the Town of Riverhead in working with them, if they're classifying this as a receiving site, are they then sending

out a signal that this is a site where they'd like to see development. And, you know, we try to be conforming to local plans, and here again, part of the review it might be a discussion with the town of what do they see with this from the local comprehensive plan.

LEG. ROMAINE:

They should because this is, interesting enough at the same time, it's listed in the town, and I think you'll know, as one of the highest priorities for acquisition as it is in the County. Suffolk County, Mr. Levy, designated it on one of his master lists, a program that no longer has any funding sources and therefore a new planning steps resolution is needed at this time.

DIRECTOR ISLES:

So in way that seems a little inconsistent that the town has it on an open space list and then has it on a receiving site, so we would like to talk to them about that.

LEG. ROMAINE:

Nevertheless, this is something that --

CHAIRMAN SCHNEIDERMAN:

There might be portions of the property that they are looking at, along the road or something, for additional in fill development. I don't know.

DIRECTOR ISLES:

That certainly could be.

CHAIRMAN SCHNEIDERMAN:

All right. Legislator Cooper?

LEG. COOPER:

No.

CHAIRMAN SCHNEIDERMAN:

So let's figure out what we want to do here.

LEG. COOPER:

I'd like to make a motion.

CHAIRMAN SCHNEIDERMAN:

We don't have a rating form yet.

LEG. COOPER:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table.

LEG. D'AMARO:

I'll second the motion, only it seems like it would be a significant acquisition and maybe we do need to study it, but I want to give Planning an opportunity to get all the information presentable to us as well. So I'll second the motion.

CHAIRMAN SCHNEIDERMAN:

There is a motion and a second to table. On the motion -- are there any other motions?

LEG. LOSQUADRO:

Well, we already have a motion to approve.

CHAIRMAN SCHNEIDERMAN:

Did we? No, I don't believe so. Was there a motion and a second to approve?

LEG. COOPER:

That was for purposes of discussion so I withdraw my motion to approve.

LEG. LOSQUADRO:

Tabling takes precedent anyway.

LEG. ROMAINE:

Just on the motion to table. Are we going to have a rating sheet at our next meeting?

DIRECTOR ISLES:

Yes, we will try to. I would like to contact you, Mr. Romaine.

LEG. ROMAINE:

The next meeting is what, about a month from now? Five weeks from now. We will have a rating sheet at that time?

DIRECTOR ISLES:

We should be able to do that and I'd like to --

LEG. ROMAINE:

Okay. And as far as the language is concerned, that you have a -- you have expressed a concern about the resolution, that you'd like to see other language in there. Could you either e-mail me or send me by fax the language that you have an interest and copy Legislative Counsel on that as well and I'll meet with the owners of the property before I make those changes and see if it is amenable to them because there is no point in putting a resolution forward if the owners are not amenable.

DIRECTOR ISLES:

I appreciate that. Before coming up with suggested language of the resolution, I would like the opportunity to speak to either you or a member of your staff about clarifying the intent on the use of the property, and we would be happy to prepare some language to reflect that.

LEG. ROMAINE:

Okay. I'm available. Give me a call.

DIRECTOR ISLES:

Thanks.

CHAIRMAN SCHNEIDERMAN:

Ed, I wouldn't mind knowing, too, in terms of the management of this property. Is this something the town wants to manage? Is this something the County is going to manage? Do you know?

MR. ROMAINE:

You know, I don't have an idea now, right now, but I know we're a County of one and a half million people and I know we do large, regional parks. We don't do neighborhood parks, although some would have us built these little parks, but we do large, regional parks. This is a great deal of land. It has a -- used to be communications center. It has a 6,000 square foot building, it has two tennis courts. This may be something that we may want to take a serious look at as parkland for the County, because our population, even though we're in bad economic times now, our population is going to continue to grow.

This is going to be -- I believe this would be an asset to the County. Quite frankly, I think in a parkland you can have multiple uses. For example, my understanding is Old Bethpage is essentially

parkland, yet the County is capable of running an experimental historic plantings, historic homes there, so you can do a lot of things with parkland.

CHAIRMAN SCHNEIDERMAN:

Ed, is there gun club or a hunting club that currently operates?

LEG. ROMAINE:

I believe there is a gun club that currently operates there. But what I'm saying is --

CHAIRMAN SCHNEIDERMAN:

Would that cease or would this be -- do you see having this leased back out as a gun club or?

LEG. ROMAINE:

No, I -- you know, personally, we may not have the resources now, but the night doesn't last forever and dawn does come. This is a wonderful opportunity to create another regional park where people can recreate and it's something that we should seriously think about the future of Suffolk County. Of course that would require a full fee purchase and I do believe the last time I talked, although that could be subject to revision, that the owners want to see a full fee purchase by the County. They don't want development right purchase. But that, again, is subject to revision. But I would like to see this as a future regional park for Suffolk County.

CHAIRMAN SCHNEIDERMAN:

So it could actually be an income producing property.

LEG. ROMAINE:

It could be an income producing property, but more importantly, there is a lot of people that live in western Suffolk that don't have large, open spaces to recreate, where this would be another opportunity for them in Suffolk County. I think this would be a tremendous regional park, and I think that we have opportunities. And you know what? We may not realize them now, we may not realize them in the term of anyone sitting around this Legislature, but maybe ten or 15 or 20 years from now this becomes a full fledge regional park similar to Sears Bellows, but on a much larger scale with other -- with multiple opportunities for recreation.

CHAIRMAN SCHNEIDERMAN:

That building, Ed, Legislator Romaine, the 6,000 square foot building, is it in good shape?

LEG. ROMAINE:

It's in fairly good shape.

CHAIRMAN SCHNEIDERMAN:

Do we have a sense of what it might take to maintain that building?

LEG. ROMAINE:

I have no idea, but I'm putting that forward --

CHAIRMAN SCHNEIDERMAN:

Well, it's going to get tabled anyway. Maybe these are things that you can bring forth at the next meeting.

LEG. ROMAINE:

What I would like to do is invite my colleagues -- I'm not a member of this committee. I'm here because this is an important resolution for my district and I think for the County. I would like to invite my colleagues on this committee to speak to me about their thoughts and what they'd like to see. Obviously the goal of any resolution is to get out of committee so that it could appear in front of the 18 members of the Legislature, and if I could have your thoughts on that -- and what I will do is I will reach out to each one of you over the next four or five weeks before the next committee

meeting to seek your advice and thoughts on this. Thank you, Mr. Chairman, for the opportunity to address the committee.

CHAIRMAN SCHNEIDERMAN:

Thanks. It certainly seems like a worthy preservation effort here. All right. There is a motion and a second to table. All in favor? Opposed? Abstentions? All right, so 1202 is tabled until our next session. **(Vote: 5-0-0-0)**.

I'd like to make a motion to take 1194 out of order. **1194, Authorizing Planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 Thomas property - Town of Huntington (SCTM No. 0400-228.00-02.00-015.002 p/o)**.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator D'Amaro. Legislator Cooper can't stay for the duration of the meeting and wanted to be here for this.

LEG. BEEDENBENDER:

Motion.

CHAIRMAN SCHNEIDERMAN:

There was a motion to take it out of order.

LEG. BEEDENBENDER:

Motion to take 1194 out of order.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

And a second by Legislator D'Amaro. All in favor? Opposed? Abstentions? 1194 is now before us. And Laurretta is I think going to pass out an aerial. Commissioner, if you want to jump in here any moment and describe this to us.

DIRECTOR ISLES:

The aerial photograph is being circulated to you right now along with the rating sheet for this property. This is property that is located basically across the street from West Hills County Park in the Hamlet of Melville in the Town of Huntington. The parcel is outlined in red. There is a white dotted line that is excluded from the acquisition site. The parcel totals about eight acres of that 11 acre parcel.

West Hills is a special groundwater protection area. There is extensive County holdings there for deep flow recharge water protection purposes. We provided two aerial photographs in the package before you. One gives the overview showing West Hills County Park. The other gives a more detailed view of the subject parcel, as well as adjoining parcels.

Right now, as you can see in the close-up aerial photograph, there is a driveway that extends through this site that provides access to a horse farm operation. They also have access to the west. One question would be what would be the status of that access. We presume that it would be closed off for the private farm use. To the north is a camp operation. I'm not sure if that is the same owner or not. Pardon me, it's a separate owner.

We have rated the property under the New Drinking Water as amended Program under active

parklands, active recreational type use. As is the practice of the department, we do request the sponsors of these types of resolutions, here again, active parkland type uses, to complete a questionnaire of the Planning Department to identify more characteristics of the use, management questions and so forth.

Based upon that we have completed a rating form that is included in your package. The parcel did rate, based on the information we have before us, 49 points on a variety of categories in terms of access, in terms of proximity to hiking trails, proximity to other County holdings and so forth. If you have any questions on any of the aspects of the rating form evaluation we'll do our best to address those questions.

I think in an overview, you know, the parcel certainly stacks up in terms of the criteria typically applied as measured by the rating form. It is across the street from West Hills County Park. There is a possibility of some relationship with the County park in terms of this site could potentially be used for access for that park and so forth.

One of the things we did have some concern about is, you know, although it's across the street from the County park and it potentially has some relationship to that, it is separated by the road, which is Mount Misery Road. It is, here again, directly adjacent to these active -- the recreational use, or pardon me, the day camp to the north and the horse farm to the west. We would want to make sure that it does have a public purpose. That, here again, if it is proposed for horseback riding and hiking and so forth, that the site itself be prepared for that in terms of a small parking area to accommodate people to access the site. Working with the town, as we heard testimony before by Margo Myles representing the Town of Huntington, that there be a clear public purpose in terms of how this site is used by itself as well as how this site is used in conjunction with West Hills County Park to the east. That is our report of the information we have at this time, and if you have any questions we'll do our best to address those questions.

CHAIRMAN SCHNEIDERMAN:

Where is the access? I only see like what looked like open roads going to this property.

DIRECTOR ISLES:

There is access to the east. There is a road there; it's a somewhat narrow road but that's Mount Misery Road right there, and there is access to that location.

CHAIRMAN SCHNEIDERMAN:

The land to the south of this, it says it's a water district. Is that part of Suffolk County Water Authority holdings or is that a town?

DIRECTOR ISLES:

It's a water company holding and I believe it's South Huntington Water District is what I understand. There it is.

MS. FISCHER:

It's to the east.

DIRECTOR ISLES:

To the east, right, east and south a little bit.

CHAIRMAN SCHNEIDERMAN:

It's not part of the Water Authority.

DIRECTOR ISLES:

No, apparently the records --

MS. FISCHER:

It's a private water district.

DIRECTOR ISLES:

South Huntington Water District is the owner.

CHAIRMAN SCHNEIDERMAN:

Questions? This would be for an active park. It was -- the rating is as such. What is our threshold in the rating for the active parkland?

DIRECTOR ISLES:

Twenty-five.

CHAIRMAN SCHNEIDERMAN:

Twenty-five. This scored a 49?

DIRECTOR ISLES:

Yes.

CHAIRMAN SCHNEIDERMAN:

It didn't even need the four extra points for population density.

LEG. D'AMARO:

Mr. Chairman, if I might. I think the town rep, Miss Myles, was here and indicated that it would be used as active parkland and the town is going to be partnering with the County in the acquisition. And I know they are very interested in maintaining or at least managing the property as well, which will all be worked out I guess as we proceed through the planning steps.

CHAIRMAN SCHNEIDERMAN:

Would they be building the ball fields, etcetera?

LEG. D'AMARO:

I don't have those details. I don't know the answer to that question, but I know that this request was generated from the town and they are very interested in implementing the use and managing the use. So how you divvy up the costs and how that plays out I'm not sure, and, you know, I don't want to misrepresent that I have those answers today, but I think the town is going to be very engaged.

CHAIRMAN SCHNEIDERMAN:

Well, I don't think we have the money to be building the ball fields, so. Buying land is one thing, but.

LEG. D'AMARO:

I could answer that question in about ten different ways, about whether we have the money or not and what our priorities should be, but putting that whole debate aside, the property also just stands on its own as far as the rating and significance of it, especially that it is located on the western border of Suffolk County. You don't find many parcels like this in that area.

CHAIRMAN SCHNEIDERMAN:

Jon?

LEG. COOPER:

No, that's okay.

CHAIRMAN SCHNEIDERMAN:

Okay. Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. I'm trying to keep this brief, mainly because my voice isn't going to hold out. But, you know, in the past when we have been looking at these sort of acquisitions or partnerships we have been asked many times for specifics on who is going to contribute what, what costs will be borne by what entity. Now, I certainly have been willing in the past to move forward with things a bit open ended, but still with some specific guarantees that the County will not be left on the hook for exorbitant costs. I know this is something obviously that will be very beneficial to the community, but, you know, such as the Tesla property that we approved the planning steps for in my district recently. I said very clearly that I would not be willing to entertain that acquisition should the County be the one who would be ultimately responsible for the restoration and maintenance of that building. Is this something that you would be interested in moving forward with, if ultimately the County was the one who was on the hook, so to speak?

LEG. D'AMARO:

You are asking me?

CHAIRMAN SCHNEIDERMAN:

Is that a question for the sponsor?

LEG. LOSQUADRO:

Yeah. I mean, through the Chair, yes.

CHAIRMAN SCHNEIDERMAN:

Legislator D'Amaro.

LEG. D'AMARO:

It depends on the use envisioned and what the cost would be. I mean, that is an open ended question right now. But I believe the acquisition, just the fact that the town is coming to the table and willing to pick up half the acquisition cost, in my mind, rating with a rating of 49, warrants passing the bill and then figuring out how we are going to use the property and who is going to pay for that. I think that happens during the planning step process anyway. So, you know, I don't -- you know, in my mind with planning steps we are usually looking at whether or not the town is making a commitment, they are making a substantial financial commitment by putting up 50% of the acquisition cost if that comes to fruition, and we do have another, as you know, acquisition vote so the details can be worked out in the interim.

LEG. LOSQUADRO:

I've made that same argument many times. Like I said, in the past we have been asked for -- many sponsors of resolutions have been asked for very specific information, though, as to how projects are going to be paid for. As I said, I myself have been willing to let things go a little open ended in the interest of getting the property preserved. But given our current economic situation I just want to make sure that this isn't just going to become something that will solely be the onus of Suffolk County, that's all.

LEG. D'AMARO:

I don't think that's what the town is anticipating, and I had noticed this language in the resolution as well, although I don't want to throw it out there as a commitment, but the resolution from the town itself does talk about the town managing the property as well. So I think those details need to be worked out. Certainly I need to be satisfied as well that Suffolk County is not going to be left, you know, bearing the entire cost of that and how -- depending on how the property is used, but at this point, yes, I am prepared to go forward with it.

CHAIRMAN SCHNEIDERMAN:

Commissioner Isles?

DIRECTOR ISLES:

Just two points I would like to add to the dialogue right now. The basis of our view on the rating form did include a review of the resolution of the Town of Huntington, which was just referred to, which talked about the town expressing to Suffolk County their interest in a partnership on this property, both with matching capital for the acquisition as well as for improvement and management of the parkland. And not saying anything more than that is, as Legislator D'Amaro said, in speaking for the town. But for us in terms of it's a clear statement by the town as expressed to you of what their intention is at this point in the planning steps process.

The second point in terms of the use of the property, based on the information that has been provided to us, we understand it's to be used for hiking trails and horseback riding. We are not aware of any other use at this time. But the rating was based upon what we had. And we haven't heard ball fields yet.

MS. FISCHER:

It is considered active recreation in the fact that in that segment of the New Drinking Water Protection Program it lists specifically horseback riding as a category and that's what we rated it as.

LEG. D'AMARO:

And also those were the uses that were expressed to me as well when I was approached to look at the property and perhaps sponsor the resolution, yeah, from the town.

CHAIRMAN SCHNEIDERMAN:

Any more discussion? Okay. I believe we've done a motion and a second? I know we did to take it out of order. Did we do one to approve?

LEG. D'AMARO:

I'll offer a motion to approve.

LEG. COOPER:

I'll second it.

CHAIRMAN SCHNEIDERMAN:

There is a motion by Legislator D'Amaro to approve, second by Legislator Cooper. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**.

Is there anything else that needs to go out of order? Why don't we then go back and take them in the order that they are listed in. Let's go to the top of the agenda then. We'll go to tabled resolutions.

Tabled Resolutions

IR 1823-08, To promote environmental protection throughout Suffolk County by requiring the remediation of Brownfields properties. (Romaine).

LEG. LOSQUADRO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

There is a motion to approve by Legislator Losquadro.

LEG. D'AMARO:

I'll offer a motion to table, Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator D'Amaro. Second by Legislator Beedenbender. The tabling motion take precedence. All in favor? Opposed? Abstentions? IR 1823 is tabled. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1892-08, Adopting Local Law No. 2008, A Charter Law to authorize the use of development rights for smart growth, community development and job creation. (Lindsay)

LEG. D'AMARO:

Mr. Chairman, at the sponsor's request I'll offer a motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator D'Amaro. Second by myself. All in favor? Opposed? Abstentions? 1892 is tabled. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1929-08, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Toppings Farm property) - Town of Brookhaven. (Romaine).

LEG. BEEDENBENDER:

Motion to table.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Beedenbender, second by Legislator D'Amaro. Any discussion? All in favor? Opposed?

LEG. LOSQUADRO:

Opposed.

CHAIRMAN SCHNEIDERMAN:

Abstentions? **(Vote: 3-1-0-1 Opposed: Legislator Losquadro; Not Present: Legislator Cooper).**

1989 -- so that last one was tabled. **1989-08, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Cohen property - Town of Riverhead). (Romaine).** Legislator Romaine is no longer present.

LEG. D'AMARO:

I'll offer a motion to table.

LEG. BEEDENBENDER:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator D'Amaro to table. Second by Legislator Beedenbender.

LEG. LOSQUADRO:

Mr. Chairman.

CHAIRMAN LOSQUADRO:

On the motion.

LEG. LOSQUADRO:

Can you just refresh my memory? Is this the one that is that narrow strip of land?

DIRECTOR ISLES:

It is.

LEG. LOSQUADRO:

Okay. Thank you.

CHAIRMAN SCHNEIDERMAN:

Motion and a second to table. All in favor? Opposed? Abstentions? 1989 is tabled. **(Vote: 4-0-0-1 Not Present: Legislator Cooper)**.

IR 2028-08, Adopting Local Law No. 2008, A Local Law to adopt a full cost disclosure policy for land acquisition resolutions. (Alden)

LEG. D'AMARO:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator D'Amaro.

LEG. BEEDENBENDER:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Beedenbender. All in favor? Opposed? Abstentions? Tabled. **(Vote: 4-0-0-1 Not Present: Legislator Cooper)**.

IR 1001, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Drybrook Holdings LLC property - Town of Brookhaven (SCTM No. 0200-587.00-03.00-046.001). (Romaine)

This is the one, Commissioner, that adjoins the commercial, large commercial property? Is that it?

DIRECTOR ISLES:

Right. It's L1 zoning, industrial zoning. It's an area with a lot of vacant land and a portion of it had been put on a master list. There has been no success I'll call it, in pursuing and acquiring that property. So in essence what we have then is this parcel that's 11.9 acres pretty much sitting by itself, and so we feel that there's a concern with not having a critical mass of protection there to justify it.

CHAIRMAN SCHNEIDERMAN:

So you are waiting to see what happens with the larger property next door.

DIRECTOR ISLES:

Right.

CHAIRMAN SCHNEIDERMAN:

All right. Is there a motion to table?

LEG. D'AMARO:

Motion.

CHAIRMAN SCHNEIDERMAN:

There is a motion to table by Legislator D'Amaro, second by Legislator Beedenbender. On the motion.

LEG. LOSQUADRO:

That's fine, I'm just wondering if we are waiting, though, won't these appraisals that we did expire? At some point if we do want to -- decide to acquire this property we are going to have to have to go back through the process?

DIRECTOR ISLES:

That is a possibility depending on the timing. But fundamentally, at least in terms of County Planning, we feel that buying 12 acres out of this area of several hundred acres would be not hitting a critical mass. It would be insufficient to warrant --

LEG. LOSQUADRO:

No offense, I didn't want you to editorialize, it was just a simple question.

DIRECTOR ISLES:

Okay.

LEG. LOSQUADRO:

I don't think that -- depending on the length of time, a simple time adjustment may not be adequate. We may have to revisit this depending on the length of time.

DIRECTOR ISLES:

That's correct.

LEG. LOSQUADRO:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Okay. I'll call the vote. All in favor? Opposed? Abstentions? This is to table. 1001 is tabled. **(Vote: 4-0-0-1 Not Present: Legislator Cooper)**.

IR 1021, Authorizing the granting of a permanent easement to the Suffolk County Water Authority for production, distribution and transmission of drinking water on drinking water protection lands of the County of Suffolk (SCTM No. 0200-300.00-01.00-005.001 p/o). (Romaine)

LEG. D'AMARO:

Motion to table.

LEG. BEEDENBENDER:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator D'Amaro, second by Legislator Beedenbender.

LEG. LOSQUADRO:

Explanation.

CHAIRMAN SCHNEIDERMAN:

Yeah, explain. I'm not recalling.

DIRECTOR ISLES:

This needs CEO.

CHAIRMAN SCHNEIDERMAN:

Okay. All right. All in favor? Opposed? Abstentions? Tabled. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1076, "Establishing an Equestrian Task Force" from the Parks and Recreation Committee. (Eddington).

From the Parks and Recreation Committee. Why is that on tabled? Oh, it was tabled in Parks. It was tabled in another committee. Maybe we can have an explanation on this one.

MR. NOLAN:

Which one?

CHAIRMAN SCHNEIDERMAN:

On establishing an Equestrian Task Force. It was assigned to Parks, they tabled it in Parks. Now it's been reassigned, I guess, to us. Is that correct?

MR. NOLAN:

Yeah, we had a tough time properly slotting this resolution, but we realized after the last Parks meeting that it did not belong in Parks. We talked about sending this to Economic Development or to Planning, but reading the resolution it appears that it's more of a planning approach is what the task force would be tasked to do. So that's why we sent it to this committee for your consideration.

LEG. BEEDENBENDER:

It was tabled last time.

CHAIRMAN SCHNEIDERMAN:

Okay. And what is the composition of the task force. Do you have that in front of you?

MR. NOLAN:

Does everybody have a copy of the resolution, because I have copies. The make of the committee would be a representative from the County Legislature to be selected by the Presiding Officer; the Director of Planning, the Commissioner, by the way, or his designee; the Commissioner of Environment and Energy or her designee; the Commissioner Parks or designee; representative from the Suffolk County Supervisors Association representing the five west end towns; a representative from the East End Supervisors Association; two representatives from the equestrian community to be selected by the Suffolk County Legislature with one of those representatives recommended by the Nassau-Suffolk Horsemen's Association; a representative of the Suffolk County Village Officials Association; a representative from the Long Island Farm Bureau to be selected by the County Legislature; and a representative of the Suffolk County Society for the Prevention of Cruelty to Animals.

CHAIRMAN SCHNEIDERMAN:

Legislator D'Amaro.

LEG. D'AMARO:

I don't know that anyone can answer this who is present, but -- and maybe I should reach out to the sponsor, but I'm just trying to get my arms around exactly what it is we are trying to accomplish with having a task force. I mean, I'm looking at the whereas clauses in the bill that talk a little bit about there is a sizable amount of stables located in Suffolk County that have equestrian business within Suffolk County. And then it goes on to recite that it's really local government that controls the running of these sites.

I'm just curious what the genesis of legislation is, what problems are going to be addressed. And I think there was even someone at the podium during the public portion who had the same questions. You know, I can't understand why we need the task force. I mean, there may be a very legitimate

reason for it, but does anybody have any more information?

LEG. BEEDENBENDER:

Mr. Chairman. I had a conversation with the sponsor about this I think about a week or two ago. One of the big issues that he was, at least he expressed to me, was that as horse farms they don't really qualify for the most part under the farmland acquisition bills or really they don't have a specified slot in our acquisition programs. I think the sponsor's intent, because there apparently are a sizeable amount in Legislator Eddington's district, is to find a way that perhaps we could slot these into the program or alter the program somehow that these would qualify for buying the development rights for a horse farm, because it doesn't really fit under the current definition of a farm. That's the extent to which he shared with me his desire to kind of try to resolve that issue, but whether this does that, I'm unable to say.

LEG. D'AMARO:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Anyone else? It's one more task force.

LEG. D'AMARO:

Yeah. I just would like to know what the objective -- I mean, ultimately a task force would issue a report I would assume, and -- but going in you usually have a goal, what you are trying to accomplish. And, Legislator Beedenbender, I appreciate your comments. The horse stables that we're talking about don't qualify under the farmland programs, is that part --

LEG. BEEDENBENDER:

That's how it was explained to me, yes, what you said.

LEG. D'AMARO:

So ultimately leading to acquisition?

LEG. BEEDENBENDER:

Yes.

LEG. D'AMARO:

That prevents acquisition?

LEG. BEEDENBENDER:

Yes.

LEG. D'AMARO:

Of the -- but would the County be in a position to acquire that type of property under present programs?

DIRECTOR ISLES:

As mentioned by Legislator Beedenbender, I think that is part of the problem that Mr. Eddington is seeking to address with this. Mr. Eddington has requested the Planning Department and the Suffolk County Farmland Committee to review a couple of horse farms. What has become apparent is on the very small farms where somebody might have horses in their backyard on a large lot in the Medford area, for example, there are requirements for what constitutes a farm. Typically the requirement is that a farm must be at least seven acres under New York State Agriculture and Markets Law and generate at least \$10,000 a year in agricultural income. If it's less than seven acres it should generate at least \$50,000 a year in income. So that's the State definition of a farm and that's referenced in County Law as well.

So in the cases that Mr. Eddington's brought to us, at least a couple of them, anyway, they have

been way below that threshold and I think as Legislator Beedenbender has mentioned, my understanding as well, is that there is an interest in searching, is there some other way that these farms could be protected. One aspect would be perhaps a modification of the County program or County acquisition policy. The second, I think he also intends to involve local governments with zoning authority because I believe he has also expressed and I have attended meetings of the Nassau-Suffolk Horsemen's Association. That's another side of their issue in terms of being able to be compatible with other non-horse uses in these neighborhoods.

So I think he is looking at the whole ball of wax in terms of how to preserve this industry, which is kind of a small, micro-type industry, oftentimes of hobbyists, in some manner. Whether it be through a County program or whether it be through permissive local zoning regulations or other regulations, that might make it easier to happen. My understanding of it, not speaking for the sponsor.

LEG. D'AMARO:

Right. Thank you.

CHAIRMAN SCHNEIDERMAN:

Any other discussion? I don't think we've made a motion on this. I'll make a motion to approve 1076.

LEG. BEEDENBENDER:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Beedenbender. Any other discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 4-0-0-1 Not Present: Legislator Cooper)**.

IR 1120, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - Hamlet Greens, Hamlet Parks or Pocket Parks component - Grace Presbyterian Church property, Town of Brookhaven (SCTM No. 0200-392.00-03.00-017.000). (Beedenbender).

LEG. BEEDENBENDER:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion by the sponsor to table.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions? So 1120 is tabled. **(Vote: 4-0-0-1 Not Present: Legislator Cooper)**. Moving into Introductory prime.

Introductory Resolutions

IR 1138, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Lang property - Town of Shelter Island) (SCTM No. 0700-018.00-030.00-004.000). (Romaine)

You can begin, Commissioner, while the aerial is circulating.

DIRECTOR ISLES:

Sure. The subject property is located in the Town of Shelter Island. It is about 11 acres of land. It

was formerly occupied as the Manantic Gun Club, so it was a hunting facility, which we understand closed about a dozen or so years ago. The parcel is outlined in red on the aerial photograph that is being circulated to you. Of note on the aerial photograph is County purchase of development rights land to the east. There is a farm there. There is no other County land or other County interest in this vicinity.

The parcel has been rated based on the Open Space Program in terms of the Drinking Water Protection Program, so rated for conservation purposes only, based on the resolution that was submitted. As you can see, the rating derives a point score of 13. The Planning Department has reviewed this and has also begun some research on this property in terms of two issues. One is the former gun club use and any questions of issues with that, such as lead contamination or something to that effect. And then secondly, looking at it in terms of issues in terms of groundwater significance, given, here again, Shelter Island as being a fragile aquifer situation.

LEG. D'AMARO:

Tom, what was that second point? I'm sorry. I didn't catch that.

DIRECTOR ISLES:

Right. The second point being the significance of this parcel from the groundwater protection standpoint. Based on the information we have collected thus far, we've, here again, the rating form derives 13 points for this property. We would express concern for this acquisition based on that rating point in terms of not achieving a high value, but then I think looking more broadly, because we use the rating form as a guide, but looking more broadly we are concerned about, here again, that there is no other County presence here other than the development rights, which is a different program. There is a town recycling center to the north, Town of Shelter Island, that is a former landfill site.

So with the information we've received thus far, noting that the property also does not contain any significant wetlands or habitat or anything to that effect that would, here again, cause it to have some special consideration or uniqueness to it, we would feel at this point concern for this acquisition and, here again, would try to address any questions you may have at this time.

Let me just add one other point, too. We were trying to -- when we were researching this over the past few days we did check with the town, and the Town of Shelter Island has been very active in a number of acquisitions with the County. In speaking with the town they have indicated at this time they would not be interested in a partnership with the County. That to us was significant as well.

CHAIRMAN SCHNEIDERMAN:

One thing that jumps out at me is the property to the west of the recycling center. Why -- if we are going to target one, that seems like that's the one right on the water there, on the creek.

DIRECTOR ISLES:

That's true.

CHAIRMAN SCHNEIDERMAN:

It looks like an undeveloped parcel that's larger.

DIRECTOR ISLES:

That does have a house on it, but it has a lot of vacant land as well.

CHAIRMAN SCHNEIDERMAN:

Oh, is there a house on it?

DIRECTOR ISLES:

Yeah, there is one there.

CHAIRMAN SCHNEIDERMAN:

I see where you are saying. There is a lot of vacant land on the waterfront there.

DIRECTOR ISLES:

But it is waterfront land, obviously sensitive land.

CHAIRMAN SCHNEIDERMAN:

Right, to prevent further development perhaps there.

LEG. BEEDENBENDER:

Motion to table.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Beedenbender, second by Legislator D'Amaro. All in favor? Opposed? Abstentions? Tabled. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1140, Reappointing member of the Suffolk County Water Authority (Bernard Brady).

LEG. LOSQUADRO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

There is a motion to approve by Legislator Losquadro.

LEG. BEEDENBENDER:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Beedenbender.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Second to the motion to table?

LEG. D'AMARO:

Yes.

CHAIRMAN SCHNEIDERMAN:

I'll -- for discussion purposes I'll second the motion to approve. I don't know the individual. Is he here? He doesn't need to be.

LEG. LOSQUADRO:

It's a reappointment. Individuals don't need to be here for reappointments.

CHAIRMAN SCHNEIDERMAN:

Okay. Is there no discussion on this? Then the tabling motion will take precedence. There is a motion and a second to table. All in favor? Opposed?

LEG. LOSQUADRO:

Hold on one second. On the motion. Before we call the vote, is there any specific concerns? As far

as I know, this individual has served quite admirably in this capacity and wishes to continue to do so. If you have a specific concern I would be happy to relay it to him. I'm sure you've had the opportunity, I filed this resolution a while ago, to speak to this individual. He has served in this capacity for some time. So, again, if you have any questions I'll be happy to relay them or you can contact this individual personally.

CHAIRMAN SCHNEIDERMAN:

All right. So there is a motion and a second to table. All in favor? Opposed?

LEG. LOSQUADRO:

Opposed.

CHAIRMAN SCHNEIDERMAN:

I'll abstain. That will make the tabling motion fail.

LEG. LOSQUADRO:

Brian? There's a motion and a second to approve.

CHAIRMAN SCHNEIDERMAN:

All right, there is a motion and a second to approve. All in favor? Opposed?

LEG. D'AMARO:

Opposed.

LEG. BEEDENBENDER:

Opposed.

CHAIRMAN SCHNEIDERMAN:

Abstentions? I'll abstain, so that will be -- it will fail either way. **(Vote: 1-2-2-1 Opposed: Legislators D'Amaro and Beedenbender; Abstention: Legislator Schneiderman; Not Present: Legislator Cooper).**

We already did the next two so now we are going to 1162. I think we can do same motion, same second, on a lot of these. This would be to approve and to place on the consent calendar would be the motion.

IR 1162, Making a SEQRA determination in connection with the proposed purchase of replacement equipment at established tower sites (CP 3017) - GPS System. (Pres. Off.)

LEG. D'AMARO:

Motion to approve and place on the consent calendar.

LEG. BEEDENBENDER:

Second.

CHAIRMAN SCHNEIDERMAN:

All in favor? Opposed? Abstentions? Approved. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1163, Making a SEQRA determination in connection with the proposed (CP 8239) Phase III - Storm Drain Pollution remediation Program installation of stormwater treatment systems on various County roads. (Pres. Off.)

Same motion, same second. Any questions? Same vote. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1164, Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Clark's Beach - Village of Greenport property, Town of Southold. (Pres. Off)

Same motion, Legislator D'Amaro? Same motion, same second, same vote. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1165, Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Wickham Creek - Dawson and Holland property, Town of Southold. (Pres. Off.)

Same motion, same second, same vote. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1166, Making a SEQRA determination in connection with the proposed stormwater remediation to CR 80, Montauk Highway at Oceanview Road, (CP 8240), Town of Southampton. (Pres. Off.)

Same motion, same second, same vote. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1169, Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(b)] for the Shanchuk property - Town of Brookhaven (SCTM No. 0900-199.00-01.00-002.000 and 0900-199.00-01.00-006.000). (Co. Exec.)

Commissioner.

DIRECTOR ISLES:

This is property that's located, as indicated, in the Town of Brookhaven. It is in the Pine Barrens Core, more specifically known as the Flanders Preserve. The subject property is just shy of one acre. It is an acquisition that would be for the purpose primarily of drinking water protection as well as secondarily habitat protection. This is also in the vicinity of the Maple Swamp Preserve. As you can see in the aerial photograph, the subject parcels are indicated in red. The State properties are indicated in blue, which is to the west, and County properties surround this property heading to the east as well as north and south.

What the map indicates, then, is that this is an old filed map where there has been a pattern of acquisition going back quite a few years, and we are at the point now of almost completing the complete preservation of this area. There are a few parcels left to acquire. There is an overall resolution from the Legislature authorizing acquisitions in the Pine Barren Core and this is consistent with that policy. The acquisition is \$31,600. If you have any questions we'll do our best to address those questions.

LEG. LOSQUADRO:

I just want to --

CHAIRMAN SCHNEIDERMAN:

Tom --

LEG. LOSQUADRO:

Sorry.

CHAIRMAN SCHNEIDERMAN:

Go ahead.

LEG. LOSQUADRO:

I just want to point out one thing. I think it is being discussed with Counsel right now. It appears

we have a scrivener's error that needs to be corrected on the agenda. It is listed as Town of Brookhaven and in fact it's in the Town of Southampton.

CHAIRMAN SCHNEIDERMAN:

Hence the Flanders Preserve.

LEG. LOSQUADRO:

Right.

DIRECTOR ISLES:

You are right.

CHAIRMAN SCHNEIDERMAN:

I was curious about that.

LEG. LOSQUADRO:

Counsel, can that be corrected as such or will a more substantial change need to be made?

MR. NOLAN:

Well, we have until five o'clock to make amendments for this cycle if one is necessary, which I'll double check.

LEG. LOSQUADRO:

Very good. Thank you.

DIRECTOR ISLES:

I think the resolution is accurate, though.

MS. FISCHER:

The resolution is accurate.

CHAIRMAN SCHNEIDERMAN:

If the tax map number is 900 is that Brookhaven or is that --

MS. FISHER:

It's Southampton.

CHAIRMAN SCHNEIDERMAN:

That's Southampton, 900. Okay.

LEG. LOSQUADRO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

I mean, it's clearly listed by tax map number so we know which piece. All right. There is a motion by Legislator Losquadro to approve. I will second it. Just on the motion still, Commissioner, this is -- the land can't be developed currently, it's Pine Barrens Core, so that we're really purchasing the development credit and the fee.

DIRECTOR ISLES:

We're buying a full fee purchase. Development is not easy in the Pine Barrens Core, but it is possible through a hardship application to the Pine Barrens Commission.

CHAIRMAN SCHNEIDERMAN:

Okay. So we would own the fee and we would then extinguish the credit?

DIRECTOR ISLES:

Yes, credit would then be extinguished. It can't be reused anywhere else under the Pine Barrens Program.

CHAIRMAN SCHNEIDERMAN:

Okay. So there was a motion and a second to approve. All in favor? Opposed? Abstentions?
(Vote: 4-0-0-1 Not Present: Legislator Cooper).

IR 1170, Approving planning steps for the acquisition of Farmland Development Rights - January 2009. (Co. Exec.)

Where?

DIRECTOR ISLES:

This is acquisition in the Town of Riverhead in the Hamlet of Aquebogue. This is just a little bit east of County Road 105, just north of what's known as the Broad Cove Property. We have an aerial photograph coming around for you as well as the rating form that was reviewed and approved by the Suffolk County Farmland Committee.

This is a planning steps resolution at this point. It was reviewed by the Farmland Committee at their meeting in late January. The subject parcel totals almost 57 acres of land located along the north side of Hubbard Avenue and the south side of Main Road going through Aquebogue. It is a subdivided parcel, as you can see on the aerial photograph. It achieved a score of 15.5. The Farmland Committee rating form goes from zero to twenty five. The passing grade, so to speak, is ten points, so this is well above that. There is Suffolk County owned development rights land immediately to the east. That's indicated in the blue ink in terms of the labeling. The parcel is currently farmed for vegetables, including pumpkins and corn. If you have any questions we'll do our best to address the questions.

CHAIRMAN SCHNEIDERMAN:

Any questions?

LEG. LOSQUADRO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to --

LEG. D'AMARO:

Is it being farmed?

CHAIRMAN SCHNEIDERMAN:

Question from Legislator D'Amaro.

LEG. D'AMARO:

Is it being farmed right now?

DIRECTOR ISLES:

Yes, it is. Pumpkins and corn at the present time.

LEG. D'AMARO:

Pumpkins and corn.

DIRECTOR ISLES:

That could rotate with the crop rotation and so forth.

LEG. D'AMARO:

So this will continue as farm use. We just acquire the development rights, if we goes through with the acquisition.

DIRECTOR ISLES:

Right. We would hope that the farming would continue, yes. And the right to develop would be terminated, right. Am I hitting your question right or no?

LEG. D'AMARO:

Yes, you are. Thank you.

CHAIRMAN SCHNEIDERMAN:

There is a motion by Legislator Losquadro, second by myself. All in favor? Opposed? Abstentions? Approved. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1171, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the McGahey and Kilfeather property - Sagaponack Woods - Town of Southampton (SCTM No. 0900-055.00-01.00-001.003). (Co. Exec.)

DIRECTOR ISLES:

The matter before you is an authorization to acquire the property that's indicated in the resolution in Sagaponack in the Town of Southampton. In this case we've provided to you two aerial photographs, one showing the subject parcel in the immediate vicinity, and another showing the larger Long Pond Green Belt Sagaponack Woods area that I think gives a better picture in terms of the purpose of this acquisition.

What you're seeing in the larger aerial are parcels that were identified by the master list or various master lists in the past couple of years. There was also a resolution sponsored by Legislator Schneiderman that included a number of parcels in this area in the Southampton side. East Hampton is right by the airport, which you can see on the right hand side of the airport. There are additional public holdings there which we have not mapped on this Southampton map.

But here again, what we are looking at in terms of the larger aerial is this is the South Fork Special Groundwater Protection Area. It's an area that has significance for two reasons. One is terms of drinking water supply for this part of the South Fork and very important in that role. And secondly, you can see a network of surface water bodies, Long Pond being the most prominent in the center and above part of the map. The subject parcel is continuing that pattern of land preservation in this vicinity. It's 7.1 acres. It would be purchased under the Drinking Water Protection Program.

If you have any questions, we'll do our best to address those questions.

LEG. BEEDENBENDER:

This is a million dollars?

DIRECTOR ISLES:

It is one million dollars for the acquisition of 7.1 acres. It's in Sagaponack, which is probably the --

CHAIRMAN SCHNEIDERMAN:

Sagaponack is the most expensive zip code in the country.

DIRECTOR ISLES:

Per acre it is not bad.

LEG. D'AMARO:

So we don't own the property on either side of this.

DIRECTOR ISLES:

We do not. At the present time the master list includes the one parcel to the east and then there is County ownership outlined in the green. Then we go to town ownership beyond that. So it is a mosaic that's being pieced together and --

LEG. D'AMARO:

It is kind of like expanding the rear yards of all the homes that border along this.

DIRECTOR ISLES:

That's another way of, I guess, looking at it. You know, there is always that side of it.

CHAIRMAN SCHNEIDERMAN:

But not a good way, not a helpful way.

DIRECTOR ISLES:

We are looking at it from the standpoint of drinking water protection.

LEG. D'AMARO:

It's in a core preservation area. What do you call that, a zone one or something?

DIRECTOR ISLES:

Well, it's in a Special Groundwater Protection Area, which is a State designated protection category.

LEG. D'AMARO:

Because the groundwater there is polluted right now so we need to --

DIRECTOR ISLES:

Well, what the situation is, is that these are deep flow recharge areas. These are areas that rainwater percolating through the ground will not just remain in the upper glacial well, will go down to deeper wells. Contamination then is much more persistent and can have more serious effects. So where we have the option on Long Island to sometimes pollute upper glacial wells, aquifers, and have the option of digging into deeper aquifers for a clean water supply, these locations, special groundwater protection areas, recharge here is vertical recharge as opposed to more horizontal. Contaminants will then potentially threaten in a very direct way these lower aquifers.

So where these aquifers serve as a backup, so to speak, if not a primary source for drinking water, within special groundwater protection areas, with the vertical movement of groundwater flow predominantly there is a more direct correlation and effect and detriment possible with these locations.

CHAIRMAN SCHNEIDERMAN:

Was this property rated or just --

DIRECTOR ISLES:

It was part of the master list that was done as part of an overall environmental planning effort, so we consider them to be rated under that document as being high rated basically.

LEG. D'AMARO:

Mr. Chairman, if I may. Could this parcel or does this parcel meet the current zoning requirements for a development?

DIRECTOR ISLES:

The property could be developed. And as I recall, this was studied in the appraisal of the property, that it was suited for a likelihood of two development lots.

LEG. D'AMARO:

One on each street front, you know, because of the two street fronts?

DIRECTOR ISLES:

Yes.

LEG. D'AMARO:

So two -- potentially it could be developed into two single residential sites.

DIRECTOR ISLES:

Right. That's my recollection from the appraisal at the Environmental Trust Review Board.

LEG. D'AMARO:

And those two residential sites would threaten the groundwater.

DIRECTOR ISLES:

They would. You're talking then about a discharge of about, based on Health Department rates, of 600 gallons per day of untreated wastewater disposal. You know, all of this can be shades of grey, maybe one house is not going to make the difference to the overall aquifer, but that's why --

LEG. D'AMARO:

I understand. Right, but there is a cumulative effect, sure.

DIRECTOR ISLES:

Right, the cumulate effect, and that's we went to the overall map, to show both town and County preservation efforts in this special groundwater protection area that certainly without the preservation that you see on the larger map, there would clearly be a significant impact and threat to continued clean drinking water supply in this location.

CHAIRMAN SCHNEIDERMAN:

I am going to make a motion to approve.

LEG. D'AMARO:

I'll second.

CHAIRMAN SCHNEIDERMAN:

Thank you. Second by Legislator D'Amaro. All in favor? Opposed? Abstentions? **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1172, Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(b)] for the Joachim property - Pine Barrens Core - Town of Riverhead (SCTM No. 0600-137.00-03.00-015.001). (Co. Exec.)

DIRECTOR ISLES:

This is property located in the Peconic River Corridor. Also in the Pine Barrens Core. You do have an aerial photograph in front of you on this one as well. It is a single lot that is proposed for acquisition at a purchase price of \$68,000.

Just to talk about the aerial photograph a little bit in more detail. River Road is indicated on the map. That is the boundary of the Pine Barrens Core. The Peconic River extends through this property and out to eventually, here again, flowing through Peconic River, through Downtown Riverhead and out into Flanders Bay. There is significant preservation of the Peconic River Corridors as indicated in this map with the coloration of State property, County property and I think some town properties as well. The subject acquisition would involve direct wetlands that are included on part of the property as well as the potential, then, to provide access off of River Road into this site.

So in looking at this acquisition it's doing a number of things. It's continuing County acquisitions as you can see, the green to the south and west of the subject parcel, so we have direct County properties to the -- adjacent to this site. It reduces another inflow of 300 gallons per day per house if there were a house developed on this property. It maintains public access or facilitates future public access. So there are a number of aspects of this in terms of Pine Barrens Core location, drinking water protection, surface water protection of the Peconic River Corridor, reduction of future nitrogen loading into the Flanders Bay, which was identified in the Peconic Estuary Plan as a nitrogen impacted water body.

So rather than run off a number of reasons for this acquisition, if you have any questions, here again, it's gone through the process with the appraisals and so forth, we'll do our best to address those questions.

CHAIRMAN SCHNEIDERMAN:

Any questions?

LEG. D'AMARO:

Just the rating.

DIRECTOR ISLES:

This was done as part of a broad resolution pre-master list. In 2004 the Legislature passed a resolution putting all of the Pine Barrens Core on a single authorizing resolution. So it's in accordance with that resolution it's brought to you today. This is under the old drinking water, by the way, the 12-5(E)(1)(b) program, so we are using up old money that's been accumulating interest.

CHAIRMAN SCHNEIDERMAN:

I'll make a motion.

LEG. LOSQUADRO:

Second.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Losquadro. All in favor? Opposed? Abstentions? Approved. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1173, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Valiant Rock, LLC property - Saw Mill Creek addition - Town of Riverhead (SCTM No. 0600-109.00-02.00-008.000). (Co. Exec.)

I think you already have the aerial on this one.

DIRECTOR ISLES:

We circulated an aerial. This is Saw Mill Creek addition. Saw Mill Creek extends almost horizontally on the map before you. The subject parcel, of course, is outlined in red. Other County properties are outlined in green. Hatching on the map indicates master list designation. The blue lines indicate New York State DEC freshwater wetlands boundaries.

Just to give you a sense of the location, as you go to the right hand side of the aerial photograph, you are seeing a golf course there. That's a Suffolk County owned golf course, which is Indian Island County Golf Course. To the north of that is the Hubbard property, which is currently in

contract for a County acquisition. As you go to the, let's see, we'll call it purple color, which is Town of Riverhead, that's the former River Club property. This is just a little bit -- it's in the vicinity of the Cullen property that we just had on the agenda earlier.

So the point being is that this is a location that is in the Town of Riverhead along Saw Mill Creek which drains into -- also drains into Flanders Bay, part of the Peconic Estuary, heavily impacted by development and agricultural activities in the past. Recent County policy has been to seek preservation of these lands and conservation of the water body. The subject acquisition, as indicated in red and depicted is 2.78 acres of land. It has frontage on Main Road, extending through Riverhead and backs up to Saw Mill Creek, as I said, directly adjacent to other County properties.

The acquisition price is \$778,400. That's it. If you have any questions we'll try to address those questions.

LEG. D'AMARO:

Motion to approve.

LEG. LOSQUADRO:

Second.

CHAIRMAN SCHNEIDERMAN:

All in favor? Opposed? Abstentions? Approved. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1174, Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E)(1)(b)] for the Kunz and Stuart property - Pine Barrens Core - Town of Southampton (SCTM No. 0900-306.00-03.00-028.000, 0900-306.00-03.00-038.00 and 0900-306.00-04.00-018.000). (Co. Exec.)

DIRECTOR ISLES:

So we've had a couple of Pine Barrens Core acquisitions today. This is another batch of them, three parcels. This is the Dwarf Pine Plains, which you may have heard about. This is located just west of Suffolk County owned Gabreski Airport, which is on the right hand side of the map. You can see a part of that. This is vast area of Suffolk County holdings, here again, indicated in the green in the map before you. The subject parcels have been prepared by Real Estate and the acquisition price is \$36,700 for the three parcels.

LEG. LOSQUADRO:

Motion to approve.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

There is a motion by Legislator Losquadro, second by Legislator D'Amaro. All in favor? Opposed? Abstentions? **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1175, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Brodmerkel property - Wading River Wetlands - Town of Riverhead (SCTM No. 0600-029.00-02.00-013.000). (Co. Exec.)

DIRECTOR ISLES:

This is another property on that's on Master List I. It's outlined in red on both. We have two maps before you today. The first aerial gives you a broad view of the Wading River wetlands area. The Long Island Sound is to the north, the beach frontage you can see. The LIPA power plant is to the

west on the left hand side of the map.

What you can see in the broad aerial is that this area has extensive conservation holdings, either by the Nature Conservancy, which is the lead owner in this case, or the Town of Riverhead or the County of Suffolk. On the close up map, which is the second map, we zero in on the subject parcel. It is obviously extensive wetlands. You can see some mosquito ditches cut into this area predominantly not developed on this side of the road. The subject acquisition is proposed at a cost of \$13,000 for the one parcel and the acreage is about .879 acres.

If you have any questions --

CHAIRMAN SCHNEIDERMAN:

Any questions?

LEG. LOSQUADRO:

Motion to approve, Mr. Chair.

CHAIRMAN SCHNEIDERMAN:

There is a motion to approve by Legislator Losquadro, second by myself. On the motion? Any discussion? All in favor? Opposed? Abstentions? **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

We're moving along rapidly here.

LEG. D'AMARO:

Tom, could I just ask you, that last acquisition we approved, was that just basically buying dunes?

LEG. LOSQUADRO:

No, I'm actually very familiar. I grew up probably about a mile away from there. It is actually a very, very sensitive area. You can see the whole back side of that wetlands the Nature Conservancy owns. It is one of the largest remaining undisturbed wetlands on the north shore, and it is a huge filter system for what's going out into the Long Island Sound. On the -- you can see on the other side of the road, on the north side of Creek Road there, you do have a number of private residences and a couple of beach clubs. In fact, we belonged to one of those beach clubs, my family did, as we were growing up, and people routinely would park their cars on the other side of the road. There has been some in fill over the years even though there shouldn't have been, and the management of that land, to have it in public hands, is very, very important because inevitably people wind up doing things on that property that they're not supposed to and it winds up destroying the filtering capacity of that wetland.

LEG. D'AMARO:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, Legislator Losquadro.

IR 1176, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Salvatore Norberto property - Tuthills Creek/Pine Lake - Town of Brookhaven (SCTM No. 0204-003.00-01.00-026.005). (Co. Exec.)

DIRECTOR ISLES:

Once again we are providing to you two aerial photographs. The first one is a broad view of Tuthills Creek. This is in Patchogue in the Town of Brookhaven involving land falling within the Village of Patchogue. We wanted to give you a sense of Tuthills Creek. Here again, it drains down into the

Great South Bay, and the currently ownership and also parcels that are identified in various master lists of Suffolk County. The second map targets more specifically the subject parcel, here again outlined in red. A reference is Sunrise Highway which extends on the north end of the map, a little corner piece of that.

The subject acquisition, here again, was a master list parcel. As you can see in this immediate area, there's a wooded area that forms part of the headwaters, here again, of Tuthills Creek draining into Pine Lake and, here again, eventually working down to the Great South Bay. There are currently holdings by the Village outlined in purple and rather extensive at this point as well as two existing County holdings and two that are currently in process following this one.

The proposed acquisition price is \$31,000. It is a very low-lying area, and also, here again, we've talked about western Suffolk County. This is not super western, but somewhat western central is certainly is an area that's been impacted by development and runoff issues and so forth. It's basically one of the last opportunities to preserve what's left of this stream system. If you have any questions, we'll try to address those.

CHAIRMAN SCHNEIDERMAN:
Questions?

LEG. D'AMARO:
Motion.

CHAIRMAN SCHNEIDERMAN:
Motion by Legislator D'Amaro.

LEG. BEEDENBENDER:
Second.

CHAIRMAN SCHNEIDERMAN:
Second by Legislator Beedenbender. All in favor? Opposed? Abstentions? Approved. **(Vote: 4-0-0-1 Not Present: Legislator Cooper)**.

IR 1177, Authorizing the acquisition of land under the New Suffolk County Drinking Water Program (effective December 1, 2007) - open space component - for the Pokorny property - Southaven County Park addition - Town of Brookhaven (SCTM No. 0200-744.00-03.00-006.000). (Co. Exec.)

DIRECTOR ISLES:
An aerial photograph has been circulated. This is a proposed acquisition of a single lot, relatively small but part of a larger old filed map system adjacent to Suffolk County owned Southaven County Park. The subject acquisition is \$5,500. Obviously it's being recommended as a consolidation of the County's remaining holdings of which there are very few. We're almost done with this acquisition program that would expand and protect the Southaven County Park, which of course is a significant part of the Carmens River corridor and the watershed protection in that area. If there are any questions, we will try to address them.

LEG. D'AMARO:
Motion.

CHAIRMAN SCHNEIDERMAN:
There is a motion. Is there a second?

LEG. BEEDENBENDER:
Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator D'Amaro, second by Legislator Beedenbender. Any discussion? All in favor? Opposed? Abstentions? All right, approved. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

IR 1178, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Dowling College property -- Mastic/Shirley Conservation area - Town of Brookhaven (SCTM No. 0200-982.10-04.00-009.000). (Co. Exec.)

Commissioner.

DIRECTOR ISLES:

Okay. The property in question, this is owned by Dowling College based on the records we have. The property is indicated in red in the aerial photograph. This was a parcel that was included, here again, pre-master list in what's known as the Mastic-Shirley Phase I Acquisition Program. The subject property is heavily impacted by wetlands. As you can see, there is a blue line that indicates New York State designated wetlands. The subject parcel is almost entirely included within that. You will also note that there are Suffolk County holdings already to the -- on two sides, to the north and south of the subject parcel.

Therefore, we feel it would be a meritorious acquisition in terms of consolidating County holdings and reducing the potential for future development in this location which, here again, is extensive wetlands and also a high hazard flood location as well. The acquisition price is \$6500 dollars. If you have any questions, we'll try to address those questions.

CHAIRMAN SCHNEIDERMAN:

What was the price? I'm sorry.

DIRECTOR ISLES:

Six thousand, five hundred.

CHAIRMAN SCHNEIDERMAN:

There's a tenth of an acre underwater basically, right.

LEG. D'AMARO:

Right, and we own both sides of the property.

CHAIRMAN SCHNEIDERMAN:

It's undevelopable.

LEG. D'AMARO:

Completely.

CHAIRMAN SCHNEIDERMAN:

Was there a motion? There was a motion, right? Was there a motion and a second? No? Okay. Somebody want to make a motion? I'll make a motion. How about a second?

LEG. D'AMARO:

Dan will second it.

CHAIRMAN SCHNEIDERMAN:

No, he is not going to second.

LEG. D'AMARO:

He's not going to second it.

CHAIRMAN SCHNEIDERMAN:

No.

LEG. D'AMARO:

Director Isles, I mean, aren't we mitigating the potential for development by owning both sides and being consumed by wetlands. I mean, this is in the Master-Shirley Conservation Area Phase I.

DIRECTOR ISLES:

Right.

LEG. D'AMARO:

Which means basically when these properties become available we have already made a predetermination that we should go ahead and acquire them?

DIRECTOR ISLES:

They essentially have a planning steps authorization. That's as far as they've gone. But it was done as a blanket authorization.

LEG. D'AMARO:

It was a blanket. So it wasn't looked on a case by case basis.

DIRECTOR ISLES:

Yeah, every parcel was examined --

LEG. D'AMARO:

Yeah.

DIRECTOR ISLES:

So in that case it certainly was in terms of the planning steps and putting it together. And, but the way, this was based on what was called the Narrow Bay Study the County Planning Department did in the early 90's I believe it was. They looked at this whole area in terms of it's wetlands value as well as the flood hazard threat.

In terms of the development potential, it's probably very minimal. But what's the reason for County acquisition, we would point to two main reasons. One is that as a 40 foot lot, is what the current dimension of the lot is, there is never a guarantee that something couldn't be developed there. We don't know. We think it's unlikely and that's probably reflected in the land value, but there might be some nominal use of the property. And secondly, just in terms of overall consolidation and management.

So where we have a lot of these in fill lots, and we've certainly seen a number of them today, where there is an opportunity to consolidate and provide for more uniform control and management, we believe that that is in the County's best interest. When Parks Rangers go out and have to question or find out whether the property is, you know, there is clearing or something like that, we try to avoid having something that is totally checkerboard pattern, so we're looking for those extensive spots.

Obviously the County has committed significantly to this location, Mastic/Shirley Conservation Area. The reason we call it the Narrow Bay Study, it is on Narrow Bay, which is the closest point between the barrier beach and the mainland. It is an area that is vulnerable. It's an area, too, where in the overall Mastic community is a high -- very densely developed community. When looking at wastewater flow and so forth we have heard a lot about the Forge River. We also looked at it in terms of wastewater flow and nitrogen loading into Narrow Bay, the Great South Bay system as well. That may not answer your question.

LEG. D'AMARO:

No, it does. I'm just trying to think in practical terms of, you know, spending taxpayer money on the debt service and, you know, where we draw lines basically.

DIRECTOR ISLES:

I understand.

LEG. D'AMARO:

That's what goes through my mind.

CHAIRMAN SCHNEIDERMAN:

Is that a second?

LEG. D'AMARO:

If the Director is recommending it for consolidation purposes since we own surrounding County property I could support the resolution for \$6100.

CHAIRMAN SCHNEIDERMAN:

Is that a second?

LEG. D'AMARO:

That's a second.

CHAIRMAN SCHNEIDERMAN:

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

LEG. LOSQUADRO:

Abstain.

CHAIRMAN SCHNEIDERMAN:

Legislator Losquadro is abstaining. 1178 is approved. **(Vote: 3-0-1-1 Abstention: Legislator Losquadro; Not Present: Legislator Cooper).**

We've done 1194.

IR 1199, Amending the Adopted 2009 Operating Budget and transfer funds from Fund 477 Water Quality Protection, amending the 2009 Capital Budget and Program, and appropriating funds in connection with USGS monitoring of waterways for mosquito control products (CP 8710.126). (Co. Exec.)

LEG. LOSQUADRO:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Losquadro.

LEG. BEEDENBENDER:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Beedenbender. On the motion? Myself. Commissioner, you know, we've had this discussion about 477. Have you factored -- is this one of those pipeline projects?

COMMISSIONER MEEK-GALLAGHER:

This was a pipeline. This was already recommended by the Water Quality Review Committee at its September, 2008 meeting. It actually was originally a recommendation coming out of the Vector Control Pesticide Management Committee. They had put forward three potential projects to be

funded out of water quality funds at that September meeting. This one was approved. There was a second one that was recommended that we have not brought forward to you yet.

CHAIRMAN SCHNEIDERMAN:

Of the roughly 500,000 that was available, does this reduce it now to 400,000?

COMMISSIONER MEEK-GALLAGHER:

No, this was already accounted for in that previously, you know, committed by the Water Quality Review Committee funds.

CHAIRMAN SCHNEIDERMAN:

Okay. All right. So we have a motion and a second. Any other discussion? All in favor?

LEG. D'AMARO:

I just had a question on this.

CHAIRMAN SCHNEIDERMAN:

I'm sorry. Legislator D'Amaro.

LEG. D'AMARO:

I apologize. I know there has been discussion about this already. I don't want take up a lot of time, but the resolution speaks to a two year pesticide monitoring project. Where is that?

COMMISSIONER MEEK-GALLAGHER:

That would be worked out in waterways that we see will be targeted for Vector Control treatments this season and next season, so the 2009 season and 2010 season.

LEG. D'AMARO:

So this works hand in hand with the Vector Control Program?

COMMISSIONER MEEK-GALLAGHER:

Right.

LEG. D'AMARO:

Is this something that we've done on an ongoing basis?

COMMISSIONER MEEK-GALLAGHER:

Not exactly this program, so this would be --

LEG. D'AMARO:

This is a new program.

COMMISSIONER MEEK-GALLAGHER:

This would be expanding upon work that's been done in the past, specifically targeting it for looking at post spray for these particular, the fate and the breakdown. Martin, I don't know if you want to address what the USGS is already doing.

CHAIRMAN SCHNEIDERMAN:

Is this going to be one of these things that ends up as an ongoing program? We're approving it once and ten years from now it's still going to be 50,000 or 100,000?

COMMISSIONER MEEK-GALLAGHER:

We would approve it for two years worth of funding and then see what comes out of it. It would actually have to go through several, I think, committees at that point. The Vector Control Pesticide Management Committee would want to see if it was useful because they originally proposed this project to the Water Quality Review Committee, which would also want to see and we'd want to

know where we are at funding levels.

CHAIRMAN SCHNEIDERMAN:

Mr. Trent, did you --

LEG. D'AMARO:

Could I just ask before you pass that mike, we have a Vector Control Program that we approve annually, correct, and that targets -- and the method, the methodology used for pest control or what have you.

COMMISSIONER MEEK-GALLAGHER:

Yes.

LEG. D'AMARO:

So we have been doing that without this study. And we have target areas already. What exactly are we getting from this two year \$100,000 study?

COMMISSIONER MEEK-GALLAGHER:

We would be getting 18 samples per year, two quality assurance, quality control samples, and really it's two reasons. One is when you adopted the long-term plan there was a commitment to continuing to research the impacts that the pesticides and insecticides that we decided to use had on our environment and specifically, you know, especially on waterways. I think you might have received a letter of support from the Group for the East End. I have letters here that were supposedly sent to the committee members talking about that. And second was --

LEG. D'AMARO:

But don't we already know if we have the plan in place that what we're trying to do and accomplish through the plan is environmentally friendly? I mean --

COMMISSIONER MEEK-GALLAGHER:

We don't -- we know to a certain extent. I mean, yes, we know that it's environmentally safe. What the concerns are still out there, and this would try to address it, is there is always a need to look at, you know, continuing monitoring, ongoing research, into the impacts of those pesticides and insecticides and the levels that we're using, the way that we are using them, the concentrations that we are using them at. We kind of made a commitment that we would continue to look at that --

LEG. D'AMARO:

But, Commissioner, weren't those studies done to support the Vector Control Program?

COMMISSIONER MEEK-GALLAGHER:

They looked -- the literature view was done and monitoring was done in the 2002 -- 2002 to 2004.

LEG. D'AMARO:

Who is going to do the -- who would do this program, this monitoring.

COMMISSIONER MEEK-GALLAGHER:

The US Geological Survey.

LEG. D'AMARO:

Okay. And they don't have any other data available to us that we used when we came up with our Vector Control Program?

COMMISSIONER MEEK-GALLAGHER:

Well, again, that would be in prior years, so the concern is --

LEG. D'AMARO:

But we didn't pay for it in the past.

COMMISSIONER MEEK-GALLAGHER:

We paid for it in 2002 to 2004, so there is an existing cooperative agreement that could be used to do another two year study.

LEG. D'AMARO:

And if we didn't do this study we would still go ahead with the Vector Control Program, and aren't we capable of monitoring that program ourselves to determine whether or not we are doing it correctly or we are having the right impact or meeting goals?

COMMISSIONER MEEK-GALLAGHER:

It's not part of the Vector Control Program. The Vector Control Program specifically just looks at where do we have potential nuisance, or rather I should say quality of life threats, where do we have public health threats, where is there virus presence, where is there -- what's the word I am looking for. I can't remember the word right now. An infestation, and then figuring out what we should treat it with.

LEG. D'AMARO:

So the results of this monitoring project could alter the way we go forward with our other program.

COMMISSIONER MEEK-GALLAGHER:

Yes, because it would specifically focus on the impacts on non-target organisms. It would look at not just water quality, but the benthic poor sediments as well, which has been a huge concern.

LEG. D'AMARO:

And we don't have any data on that.

COMMISSIONER MEEK-GALLAGHER:

Not on an ongoing basis. And I don't know, do we do benthic poor sediments? We didn't do that as part of the long-term plan. We did human health risk assessments, ecotox assessments. We did some studies, the cage fish study, air dispersion.

LEG. D'AMARO:

Yeah, I'm looking at the bill. It says it will help us to make more informed decisions about reducing application of mosquito control insecticides.

COMMISSIONER MEEK-GALLAGHER:

Right, because we made a commitment in the long-term plan to try to reduce pesticides, especially larvicides, by 75%.

LEG. D'AMARO:

Forgive me for belaboring the point, but I thought all of that, which we addressed in the past, was based on all of the studies and data that was already done.

COMMISSIONER MEEK-GALLAGHER:

Do you want to address that?

MS. JUCHATZ:

I'll try. I understand, you know, I think where the question is coming from because --

LEG. D'AMARO:

You know, my point is we are already on a course of conduct and action --

MS. JUCHATZ:

Right.

LEG. D'AMARO:

-- based on all the research that's very costly to do and done, you know, I'm not questioning the quality of anybody's work here, but, you know, now here we are after we have the program in place now saying let's do more studies.

MS. JUCHATZ:

Right, because there was created also this Vector Control Pest Management Committee, which Pesticide Management Committee, which was part of the long-term plan. It was a recommendation to not just stop at the long-term plan, but continue to look at research that was out there, that there may be, just because at this point in time this looked like the best way to do things, there could always be continual information that comes out. There are always better ways to do things and that was what the intent was not -- again, not just to stop, but to keep looking forward and look for better ways to continue to modify better ways to control mosquitoes.

So a Vector Control Pesticide Management Committee was formed by Executive order and one of the recommendations, one of the charges to that committee was to look for -- look at literature reviews, literature to be sure that there's not new control methodologies out there, to recommend research projects for -- to further our information. Again, to look at ways to do things better.

So this proposal, though it does look very similar to the work that was done, is going to be looking at the surface water column itself, as well as the poor water because one of the biggest concerns that was brought forward during our whole deliberation was the non-target species. So to really answer that question, we want to look at benthic organisms and we need that information on the poor water. And we also are looking at --

LEG. D'AMARO:

My point -- I appreciate that. I do. I think what you're telling me is that there are certain organisms or species of organisms that you want to see how they are being affected by our program which are not -- the study of which is not included in what we already have ongoing. Is that right?

MS. JUCHATZ:

Yes.

LEG. D'AMARO;

But this -- what was the committee created by Executive Order?

MS. JUCHATZ:

It's the Vector Control Pesticide Management Committee.

LEG. D'AMARO:

But that committee was tasked with looking at literature and, you know, studies, but now we are doing our own. I mean, there is no studies out there that tell you if you use A, B and C here is the effect on A, B and C type organisms? I mean, why are we funding our own study?

MS. JUCHATZ:

Well, because Suffolk County does things a little differently than other places so we want to see what the impacts, what the data here is in Suffolk County. We can -- we are looking at the literature that's out there, but we don't know what our concentrations are based on, you know, other studies. Because how we spray pesticides is different from what's in the literature. We also want to feed this data into potentially other research that might be done. So we want to compare our levels that are out there because when we did that in the past within the literature is different from what our previous sampling showed. So it's not directly comparable. We want to see what is going on in Suffolk County.

COMMISSIONER MEEK-GALLAGHER:

And one of the differences in terms of water quality monitoring for -- mainly for groundwater purposes or looking at brown tide or things that Health Services does, is this is looking at really the nano-level, and it's a level of detail that we cannot conduct. That's why we would need the US Geological Survey to actually to conduct these studies.

LEG. D'AMARO:

All right. Thank you.

CHAIRMAN SCHNEIDERMAN:

This is freeing up the money for the General Fund. The Operating Budget will now have the money for other purposes?

COMMISSIONER MEEK-GALLAGHER:

No. This would actually be enhancing the -- this would enhance the program. This would be -- this, I'm not sure how this was paid for, Martin, back in 2002, 2004, but it would be -- this would be using 477 Funds for something. It's not already in the Capital Fund. This is a new study.

LEG. BEEDENBENDER:

Jay, I just have a question. What is benthic poor sediment?

COMMISSIONER MEEK-GALLAGHER:

Do you want to give the best definition, Martin?

LEG. BEEDENBENDER:

If it can be done in less than 30 seconds. If it can't, then I apologize for asking.

MR. TRENT:

It's basically the bay bottom and bottom of surface water features like streams, ponds, that kind of thing.

LEG. BEEDENBENDER:

Okay. That's fantastic. You should be a Legislator.

LEG. D'AMARO:

It just seems to me to investigate the fate and transport of applied insecticides by sampling surface waters is, you know, it just seems very costly to do something like that with all the data that must be out there and available with respect to the insecticides that we are using. How could we not know?

COMMISSIONER MEEK-GALLAGHER:

Most of the insecticides -- I mean, one of the caveats with looking at that data is always the fact that a lot of that, and this goes to a question that the Chairman asked before, is it's funded actually by -- and the EPA and the DEC when they are permitting or allowing the use of these pesticides is they look at research that the companies themselves have conducted or funded. So this is a chance for us to do our own independent analysis of the impacts as opposed to relying on that information, which while we are all stuck relying on it, it certainly raises questions in the minds of certain people as to its legitimacy.

LEG. LOSQUADRO:

Through the Chair, if I may.

CHAIRMAN SCHNEIDERMAN:

Legislator Losquadro.

LEG. LOSQUADRO:

It also allows us to analyze real world data based on our own variables, tidal flow, you know, movement of water. Are there -- is there ditching that has been done in these areas. Are they areas that have been restored? We can compare and contrast those and see, you know, if we have actual differences and get real world data for our own specific circumstances in our surface waters. I think that's very important.

COMMISSIONER MEEK-GALLAGHER:

Yes, and we will be -- I mean, we have haven't received these comments yet but we have been told by the DEC that we will be receiving additional comments on our long-term plan. They never adopted their own finding statements and there are two things they are particularly concerned with.

One is the impacts of the pesticides that we do spray on surface waters in particular. They have concerns about that. They also have concerns about some of the integrated marsh management techniques that may be -- that we may utilize, both of which they have told me they feel more comfortable with knowing that we could say we have this Vector Control Pesticide Management Committee that will be looking at these things and we have a Wetlands Stewardship Committee that will also be looking, you know, into the other issue. So, it might help us with a regulatory agency that we are heavily dependant on for many permitting requirements.

CHAIRMAN SCHNEIDERMAN:

Did we make a motion yet?

MS. ORTIZ:

Yes.

CHAIRMAN SCHNEIDERMAN:

There was a motion a motion and a second? All right. All in favor? Opposed? Abstentions.

LEG. D'AMARO:

I'll abstain.

CHAIRMAN SCHNEIDERMAN:

So three yays and one abstention. **(Vote: 3-0-1-1 Abstention: Legislator D'Amaro; Not Present: Legislator Cooper)**

IR 1200, Amending the Adopting 2009 Operating Budget and transfer funds from Fund 477 Water Quality Protection, amending the 2009 Capital Budget and Program, and appropriating funds in connection with analysis of stormwater drainage to Long Island Sound between Mt. Sinai and the Village of Shoreham (CP 8240.117). (Co. Exec.)

LEG. LOSQUADRO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to approve. I'll second.

LEG. D'AMARO:

Which one is this? 1200? Hold on.

LEG. LOSQUADRO:

I'll be happy to explain. This is actually a 50/50 partnership with Town of Brookhaven. We're putting up \$35,000, the Town of Brookhaven will be putting up \$35,000. They have already passed their resolution. They anticipated that this would be on our agenda last month but it was not. So we would like to get this money available. Brookhaven will be committing resources to this, which you can see in one of the whereas clauses if you are looking at the resolution at this time.

So I think this is something that we should move forward with very quickly and the Town of Brookhaven will also be developing preliminary plans and cost estimates for critical stormwater abatement projects within this corridor. So I think it's a very cost effective method for us to work with another municipality here.

LEG. D'AMARO:

So who would do this study, the town? Would it be the town?

COMMISSIONER MEEK-GALLAGHER:

The town will be the lead agency. This was also another one of the in the pipeline projects. This was already recommended by the Water Quality Review Committee and is accounted for in --

LEG. D'AMARO:

So if you have stormwater drainage we have to analyze. We know where it is, we just have to know what it's about?

COMMISSIONER MEEK-GALLAGHER:

Well, it's more looking at what are the plans, what are the best plans to remediate it. So it's kind of looking at let's plan for the remediation and then I would anticipate they would come back to us maybe with a request for construction funds and other cost share project.

CHAIRMAN SCHNEIDERMAN:

Any other questions? Okay. There was a motion and a second. All in favor? Opposed? Abstentions?

LEG. LOSQUADRO:

Madam clerk, please list me as a cosponsor.

CHAIRMAN SCHNEIDERMAN:

So 1200 is approved. **(Vote: 4-0-0-1 Not Present: Legislator Cooper).**

That concludes our agenda.

Can I just, before we adjourn, just one quick question for the Commissioner. You chaired or co-chaired the Committee on Solid Waste Management. I am just kind of curious as to the status of the report. I know we haven't extended the deadline and we are beyond that point, but do you expect to be done with your review of the final draft?

COMMISSIONER MEEK-GALLAGHER:

Yes. I thought, maybe there was some miscommunication. I had reviewed it and I had actually no changes, but the one suggestion I had was to just to make sure that, to circulate a copy to the other members of the Commission so they'd have a final copy in hand so when you release it and reporters come calling they will be aware of it and can be supportive.

CHAIRMAN SCHNEIDERMAN:

Do you have the capacity within your department to then print it?

COMMISSIONER MEEK-GALLAGHER:

I would --

CHAIRMAN SCHNEIDERMAN:

Maybe put it in a binder of some kind?

COMMISSIONER MEEK-GALLAGHER:

No. No funding to do that, but I could -- we could probably work out a way to copy it on to CD.

CHAIRMAN SCHNEIDERMAN:

That could work. That's fine.

COMMISSIONER MEEK-GALLAGHER:

We can post it on-line.

CHAIRMAN SCHNEIDERMAN:

Okay. That would be good to put it on-line and to produce, at least for each of the members a CD, and for anyone who requested one. Could you follow-up with me on that?

COMMISSIONER MEEK-GALLAGHER:

Sure.

CHAIRMAN SCHNEIDERMAN:

Okay. Thank you. We are adjourned.

(THE MEETING WAS ADJOURNED AT 4:16 P.M.)

{ } Denotes spelled phonetically