

**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 August 8, 2011.

**MEMBERS PRESENT:**

Leg. Vivian Vilorio-Fisher, Chairwoman  
Leg. Lou D'Amaro, Vice Chair  
Leg. Thomas Muratore  
Leg. Edward P. Romaine  
Leg. Sarah Anker (not present)

**ALSO IN ATTENDANCE:**

William J. Lindsay, Presiding Officer  
George Nolan, Counsel to the Legislature  
Sarah Simpson, Assistant Counsel  
Eric A. Kopp, County Executive's Office  
Robert Lipp, Deputy Director/Budget Review Office  
Laura Halloran, Budget Review Office  
Renee Ortiz, Chief Deputy Clerk  
Sarah Lansdale, Director/Department of Planning  
Pamela Greene, Director/Real Property Acquisition & Management  
Michael Mule, Department of Planning, CEO  
Lauretta Fischer, Principal Environmental Analyst/Department of Planning  
John H. Corral, Planning Department  
Katie Magee, Planning Department  
Janet Longo, Real Property Acquisition & Management  
Jessica Kalmbacher, Planning Department  
Brian Culhane, Commissioner/Department of Environment & Energy

**ALSO IN ATTENDANCE: (Continued from first page)**

Tom Ryan, Aide to Leg. Vilorio-Fisher  
Justin Littell, Aide to Leg. D'Amaro  
Paul Perillie, Aide to Majority Leader  
Marge Acevedo, Aide to Presiding Officer  
Sara Gordon, Peconic Land Trust  
Jim Dougherty, Supervisor/Shelter Island  
Vito Minei, Executive Director of Cornell Cooperative Extension  
Emerson Hasbrouck, Cornell Cooperative Extension, Director/Marine Program  
Terry Alessi-Miceli, LI Regional Planning Council  
Dot Kerrigan, AME, 3rd VP  
Brendan Chamberlain, County Executive Assistant  
Ed Hennessy, Aide to County Executive  
Rick Brand, Newsday  
Tracey Bellone, Deputy Commissioner/Parks Department  
William Hillman, Chief Engineer/DPW  
William Colavito, Highway Director/DPW  
Kara Hahn, Communications Director/PO's Office  
Kevin LaValle, Aide to Leg. Murtore  
Glynis Berry, Studio AB Architects  
And all other interested parties

**VERBATIM MINUTES TAKEN BY:**

Diana Flesher, Court Stenographer

**THE MEETING WAS CALLED TO ORDER 12:00 PM**

**CHAIRWOMAN VILORIA-FISHER:**

Good afternoon everybody. Welcome to today's meeting of Environment, Planning and Agriculture. If you could please join us in the Pledge of Allegiance.

**SALUTATION**

If you could remain standing for an additional moment and keep in our thoughts the downing of the helicopter where we lost so many of our servicemen. And the very sad news of the death of Robert Reecks. I had the pleasure of working with Robert Reecks; a very great friend to people who are in vulnerable positions throughout the County. And a good man, intelligent, wonderful sense of humor and a dedicated public servant. Please keep these people in your prayers.

**MOMENT OF SILENCE OBSERVED**

I'd like all Committee members to note that we have correspondence from Joe Gergela, the Executive Director of the Long Island Farm Bureau regarding IR 1713. And we have two members of the public who wish to speak. Our first is Jim Dougherty.

**MR. DOUGHERTY:**

Thank you very much, Madam Chairman. Jim Dougherty, Supervisor of Shelter Island. I'm delighted to be here today. I'm speaking on behalf of IR 1673. As many of you know, Sylvester Manor, it's a plan to acquire farmland development rights, Sylvester Manor with Suffolk County partnering with the Town of Shelter Island. And I want to thank you all very much for partnering. Sylvester Manor was settled in 1652. It was a bread basket to provision some sugar plantations down in the Island of Barbados. 359 years later, it is still in Nathaniel's/Sylvester's family's ownership. They still own it. They tend it very carefully. They're very proud of it. And they have very wonderful competent and ambitious plans to restore it to its agricultural heritage with a community sponsored agriculture and other things. And this proposed farmland development rights acquisition, which I urge you to look favorably upon, will help them in carrying out this mission.

And I might finish by saying this Sylvester Manor, it's 243 acres located in the center of Shelter Island. It has been and is our mecca, our Jerusalem, our Bethlehem. It is truly what every Islander from every walk of life on Shelter Island looks to very proudly for inspiration and for a sense of our history and heritage. So I want to thank you all very much for your generous support of this acquisition and urge you to follow through on it. Thank you very, very much.

**CHAIRWOMAN VILORIA-FISHER:**

Thank you, Mr. Supervisor. And I apologize for not introducing you appropriately.

**MR. DOUGHERTY:**

Happens all the time.

**CHAIRWOMAN VILORIA-FISHER:**

Our next speaker is Sarah Gordon.

**MS. GORDON:**

Good morning. Sara Gordon from the Peconic Land Trust. I'm also here to speak in support of 1673 Sylvester Manor Educational Farm sale of -- acquisition, sale of development rights. The family has made an extraordinary commitment after 14 generations of ownership to transfer these lands into a not-for-profit, the Sylvester Manor Educational Farm. The family has an extraordinary commitment to preservation. They have already made a gift of a conservation easement to Peconic Land Trust on

22 waterfront acres that could have hosted six or seven houses. And the next step is this sale to the County. This is phase one of a two phase sale of development rights over a total of 83-and-a-half acres. That will bring it to well over a third of the property into preservation.

This was one of the world's first global fruit corporations. It's extremely significant historically; not just to the Town of Shelter Island and the County of Suffolk, but nationally and globally as well. The family never moved out of the manor house, which remains intact at the core. It is the most intact plantation remnant north of the Mason-Dixon line. They threw all of the papers into a lockup. Consequently 10,000 original documents are now in special collection in the Phail's Library at NYU. It is a unique documentation of Atlantic world history. And the current Executive Director Kara {Laras} who succeeds the fifteenth generation owner, Bennet Konesni, who founded the farm. Kara is promoting, and the board of directors of the farm -- every aspect of the property development and conservation going forward will be through the lens of the past, the present and the future. It's an extraordinary opportunity to model new sustainable practices in agriculture and limited development. And we're terribly excited about it.

On behalf of the board of directors and the founder of the farm, I want to thank the County for bringing it to this point. And especially the Planning Department and Real Estate that went to great lengths to factor in the extraordinary grant from the Federal Farm and Ranchland Protections Program. It's contributing to this first acquisition. So I want to thank the staff as well.

I'm going to read a brief statement from Bennett Konesni who is the nephew of the owner who founded the farm.

"I'm excited and proud to be a part of conserving this remarkable field forever. Looking back over 360 years, it has been important to our family that we maintain Sylvester Manor and its stories for future generations. One of the best ways to do that is through programs like the PDR. And I thank all of the individuals and institutions that have helped make this possible as we've taken these first steps toward preserving and cultivating Sylvester Manor for the next 360 years. I look forward to working with all of you for years to come."

I'm also going to speaking to IR 1710 and 1713 on behalf of Peconic Land Trust. The Trust wholeheartedly supports introductory resolution 1710-11 that authorizes planning steps for the acquisition of the North Fork Preserve property for active recreational use in the Town of Riverhead as identified by the following tax map numbers: 621, 1, 1.2, 4.2, 4.3, 332, 331, 4.4 and 607 341 part of. This land is unrestricted and fully appropriate for active recreational use.

However, the Peconic Land Trust opposes introductory resolution 1713 that authorizes planning steps for the acquisition of the North Fork Preserve property in the Town of Riverhead identified as tax map number 621, 1, 1.4. Suffolk County has previously purchased the development rights on this property and it is subject to the restrictions of Chapter Eight that preclude its use for active recreation. We believe that this property should continue to be available to farmers for agricultural use.

Furthermore, we believe that the purchase of this property for active recreation, if allowed, sets a terrible precedent and raises substantial alienation issues regarding the rights already acquired by the County.

I'll be happy to answer any questions you may have.

**CHAIRWOMAN VILORIA-FISHER:**

Legislator Romaine has a question.

**LEG. ROMAINE:**

Yes. Could you tell me the last time that property that was mentioned in IR 1713 was farmed?

**MS. GORDON:**

I believe it's currently a Christmas tree farm.

**LEG. ROMAINE:**

No. It's not. It's vacant and it hasn't been farmed in 20 years. You're thinking of property that is adjacent to that. This is -- these 50 acres have not been farmed since the County has acquired the development rights to it.

Have you discussed at all with the Parks Department their plans to utilize this property? What's happening here, which I'm sure the Committee is aware, there's 311 acres in the North Fork Preserve. We're splitting them into two separate locations. There's seven parcels about to become either now or sometime in the future as money permits, the next regional park for Suffolk County, in which there will be a whole host of activities, campsites; even cabins that would be possibly constructed.

**CHAIRWOMAN VILORIA-FISHER:**

Legislator Romaine, I'm sorry to interrupt you because --

**LEG. ROMAINE:**

Here's the question.

**CHAIRWOMAN VILORIA-FISHER:**

I want to go over it when we get to that on the agenda.

**LEG. ROMAINE:**

Oh, okay.

**CHAIRWOMAN VILORIA-FISHER:**

Okay.

**LEG. ROMAINE:**

The question is, are you aware of the Parks Department's plans for this property, which is part of the North Fork Preserve?

**MS. GORDON:**

We're not apprised in any detail; however, I think the question or the presidential question of the alienation of the restrictions through the prior sale of development rights through the Farmland Protection Program is of great concern regardless of the particulars of this project. Chapter Eight doesn't allow the active rec use on this property and we're not sure how that would be dealt with and what that might signify for other properties protected for agriculture.

**LEG. ROMAINE:**

When we get to that portion, Madam Chairman, if it would be appropriate, I see our Deputy Parks Commissioner, maybe she could come forward and explain --

**CHAIRWOMAN VILORIA-FISHER:**

Yes, we plan on discussing that. I discussed it earlier with Mr. Gibbons.

**LEG. ROMAINE:**

Thank you. Thank you. I won't hold the Committee up any longer. But it would be good to listen to what their plans are. And, as you know, the corporation that owns the North Fork Preserve is

looking to liquidate all of its assets right away. That's the reason we're considering this. Thank you.

**MS. GORDON:**

Thank you. I'll simply add that our hope would be that that portion would be acquired for an active agricultural use. And I'm also -- unfortunately Joe Gergela couldn't be here today, but he did ask us to speak on behalf of the Farm Bureau that they also are in objection to this.

**CHAIRWOMAN VILORIA-FISHER:**

I distributed his letter.

**MS. GORDON:**

Oh, great. Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

Legislator D'Amaro has a question.

**LEG. D'AMARO:**

I just wanted to ask you, you said that the rights already acquired would be diminished in effect. Should we then -- we acquired the development rights under Chapter Eight. And there's certain restrictions imposed with respect to that Chapter Eight. If we acquire the property, you're not in favor of the manner that the property could now be used; is that what you're saying?

**MS. GORDON:**

Those 50 acres are subject to the restrictions of Chapter Eight, which does not allow active rec use.

**LEG. D'AMARO:**

Right. Okay. So you're not necessarily opposed to the acquisition; you're more opposed to the use that could follow should we acquire the property.

**MS. GORDON:**

We're concerned about active agricultural land or even fallow agricultural land with the potential to be farmed in the future

**LEG. D'AMARO:**

Let me ask it this way: If the County were to acquire the property, subject to the same restrictions that are on it now, would you still oppose the acquisition?

**MS. GORDON:**

We would not.

**LEG. D'AMARO:**

Okay. Great. Thank you.

**MS. GORDON:**

Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. We don't have any other cards. I am going to ask Glynis Berry to come forward. Ms. Berry of Studio AB Architects is presenting some information for us on Decentralized Community Wastewater Treatment options. And this is a subject that we have been discussing a great deal lately on wastewater. So I thank you for coming, Ms. Berry.

**MS. BERRY:**

Thank you. I'm also chair of the AIA Planning Committee and Peconic Green Growth. And we had a

conference so that was the beginning of this exploration. And sustainability, as you all know, is very important because we want to meet the needs of the present without compromising the future.

### **SLIDE SHOW PRESENTATION**

We're in a very sensitive environment with important aquifers and three major estuaries, two of national importance. What really sort of hit us over the head was that we've been designing wastewater treatment systems for drinking water quality. And, in fact, the environment needs a much more stringent requirement. For instance, drinking water maximum standard is 10 milligrams per liter, where environmentally it's point three to point five. There's a huge difference. So in our kind of environment, we have to start considering the environmental goals.

This is a map in the County's plan that shows areas that have 50 years of groundwater influence on surface water bodies. So any contaminants going into the groundwater drifts into the surface water bodies. And the result is usually because of nitrogen and also pathogens. We get our alga blooms that are destroying our fishing beds and the quality of the water.

Southampton Town has donated their GIS services to exploring these issues and testing methodologies for looking at this. This is a map of Southampton that identifies bodies of water that are either already impaired or have the TMDL's. So they're areas under stress. And, in fact, all of the Peconic Estuary is under stress because most of the eel grass is gone. And that's the first indicator.

**CHAIRWOMAN VILORIA-FISHER:**

You're talking about nitrogen TMDL's?

**MS. BERRY:**

Yes, for nitrogen.

**CHAIRWOMAN VILORIA-FISHER:**

Okay.

**MS. BERRY:**

We mapped the flooding and storm surge over the existing homes. And the darker ones are pre-1973. The ones pre-1973 --

**CHAIRWOMAN VILORIA-FISHER:**

Excuse me. I'm just waving to Emerson Hasbrouck. Emerson, can you come forward? I just wanted you to know that you'll be speaking right after Ms. Berry. Okay.

**MS. BERRY:**

Okay. The ones built pre-1973 were most likely built with cesspools so that the solids as well as the effluent can contaminate the soils. This is also looking at the old infrastructure and the depth to groundwater. And if you're too close to the groundwater, you don't have enough protection to purify for pathogens which makes it even more critical. Also expected sea rise in these areas is one to two feet. Again, in the County's very good study on water resources, most of our lots are less than a half acre. And even in their standards for drinking water, one acre is the minimum for nitrogen. 61 and-a-half percent of all the lots in Suffolk County are less than half acre. And often they're in the most critical areas. They're in the hamlets, the historic areas; they're right on the coast.

But we also want small lots because it's about Smart Growth. It's about supporting historic hamlets and streets. This is what zoning with an eighth to a quarter acre looks like. This is what zoning according to one acre and existing codes looks like. So it's not what we're used to seeing. The densities are very low on the East End. Probably in the mid-300 range. Now, if you notice on the top

map on the west, we've got, you know, very high densities. And that supports the central sewer district, which you see below.

**CHAIRWOMAN VILORIA-FISHER:**

I'm sorry. I would wait to the end with my question but I need to ask. Mid 300-range, can you --

**MS. BERRY:**

Well, the population per acre -- sorry. The population per acre on the East End is basically in the mid 300's, even less. And as a result most of the East End is not sewerred. There is an expected population increase. And it's the sensitive towns that are expecting the highest increase.

We're used to centralized wastewater which basically collects all the sewage from all the homes. A decentralized approach combines clusters where you've got the small lots and on-site enhanced systems where you've got the larger size lots. This is all part of one evaluation. 33% of new construction nationally has decentralized wastewater. And half of almost all the suburban areas have this type of system. So it's an important part of looking at wastewater.

**CHAIRWOMAN VILORIA-FISHER:**

Can you go through this slowly?

**MS. BERRY:**

Sure. Individual on-site systems or clustered decentralized systems are a valid part of a wastewater treatment system. And it's used intensely. Half of the systems in suburban areas use decentralized wastewater. 33% of new construction nationally uses it. And half of them are actually old. So they're more likely to malfunction. So there's a need to look at these systems carefully. And when they don't work, they're actually an important threat to groundwater quality.

We looked at Southampton to see what kind of statistics we have. And 54% of the homes are older than 1973. So they need to be checked. 8.6 of the homes are less than five feet to groundwater. 56.6% of the acreage has very limited soils, mostly because it lets the water drain so quickly that it doesn't have time to be purified before it hits the groundwater. 32.4% of the homes are in flood or surge zones. And 84.4 of the homes are within the 50-year influent zones. And of that 47% of those are in the zero to two-year influent zone. So that's a high number. But it also means that if you look at enhanced decentralized wastewater treatment, you're going to have a big impact on the quality of the water.

And this is a map that shows you the clustering. And the ones that are red, orange and yellow are the small lots that would be perfect for clustering. And then the ones that are the purples and blues would be good for beyond site systems.

Also, we should look at opportunities for reuse. Golf courses are a good source where we can -- if we clustered the treatment, we can take the wastewater. And you can actually purify it to drinking water standards and use it for irrigation purposes.

So a typical system separates the liquid and sludge and then treats and disposes of it. And basically an individual septic system does the same thing only it puts it all into the soil. But there are alternatives. Like gravela systems that treat -- they aerate the water and they allow better sort of microbial activity as it's entering the soil. They also have total pre-packaged systems that go into the ground. These do require energy in most of them.

A small diameter collection is something that's used a lot in the clustered systems, where the individual homes continue to hold the solids and they get pumped as they normally would. But you take the liquid effluent and you treat that collectively. So it's actually much cheaper and it has less of an impact. This is an image of very well designed central sewer treatment plant (indicating). You

can see that it takes a lot of resources.

This is what a clustered system looks like (indicating). The tanks are on-site. And it's just a small diameter pipe that goes to a shared treatment area that's usually in the ground. And these are some of the increases in purification that these systems can obtain (indicating). So nitrates can go down to five milligrams per liter. And a typical septic system now is putting nitrogen into the soil at a rate of about 40 to 60 milligrams per liter. So that's big difference.

This is a case study in Hillsdale (indicating) that the State DEC actually likes a lot. And they did get a grant to help. But a combination of debt service and maintenance, the cost is about 500 per household. But that's also including the cost of the system. This is what a system can look like (indicating). So you can put it in parking lots. You know, it goes into the ground. It's less unsightly.

**CHAIRWOMAN VILORIA-FISHER:**

This is decentralized.

**MS. BERRY:**

Yes, this is decentralized. Or you can even go to a living machine, where you can use it in a greenhouse or gardens. And you can recycle the water back into the building for reuse. Wastewater reuse is one of the cheapest ways of getting water. This is a diagram that shows the cost of obtaining water (indicating). You can see that wastewater reuse is one of the lowest cost supplies.

So I'm asking you to consider decentralized wastewater, both cluster and on-site as one kind of approach as well as central sewers. I mean they all are part of how you need to look at it. And if you have the densities, that's fine. But if you don't have the densities and you put in a central sewer, the economic cost is going to be unsustainable. So you need to consider the burden on the community as well.

You also need to look at the goals for wastewater contaminants. Do we want to improve our requirements over the aquifers and in areas adjacent to surface water bodies? Consider environmental standards, not just drinking water standards. And when you do studies, compare the impact and the cost of decentralized options and include decentralized cluster systems in solution options.

Currently the Department of Health does have some studies looking at on-site single systems. And right now they're looking to narrow the options to two. So, one, we're asking don't narrow the options, because there are many available and some may be appropriate in some locations. Some don't require power; some do. Start a probationary program for enhanced decentralized wastewater treatment so that you get these things in the ground and allow the Health Department to review them. So if they've got third-party sort of verification, are ready, they can be put in the ground and supervised by the Department and then eventually go on a permanent list or require additional enhancement if it's not meeting our requirements.

Target lands for purchase or reserve, ones that provide treatment areas for clustered treatments and others that conserve lands that have less than five feet to groundwater. These also are good areas because they have denser biomass and they act as good filters to contaminants so they're beginning to enter the surface water bodies. And consider varied lot size guidelines and treatment options instead of just the one that we have based on environmental conditions and goals.

What we're doing is we're trying to -- right now the Department of Health is going to participate in the EPA Needs survey. But they're only looking at old systems and bringing them up to current standards. What we would like to do is identify a methodology that can be used by the County and the Towns that considers environmental goals. And we're hoping that we can work with everybody

to get this consideration. And thanks to Council member Romaine and the Town of Southampton that are helping in this effort. And the methodology is to help everybody develop a quick but responsible planning method to obtain EPA approval, which may help dollars come in the future if there's ever any money. But if we don't identify this, we can expect anything. And it's also a good base for communities to start working together to share goals.

This is just a schedule of what we're doing. But by the end of the year, we're hoping to have this. And it will also inform further more detailed planning studies so that we can get projects in the ground faster. It sets criteria for prioritization of projects for incentive programs and maximizing impact. And it coordinates the efforts between the municipalities for watershed initiatives. Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

Thank you very much, Ms. Berry. Are you going to provide us with a copy of this Power Point information?

**MS. BERRY:**

I can leave it right on the computer and then you'll have it.

**CHAIRWOMAN VILORIA-FISHER:**

Okay, it'll be on the T-drive, okay. That's number one. Number two, I really appreciate this. This is interesting information. It's very timely information because we're looking very closely at protection of our waters and our sewerage issues with septic systems that are under performing. And as you mentioned, our Health Department is evaluating and doing a study. We also have in our audience our Commissioner of the Department of Environment and Energy, who is the Chair of the -- how we're reusing our 477 monies. And I'm sure he found this also very interesting as I did. So I thank you very much for coming and for giving us this information.

**MS. BERRY:**

Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

I believe Legislator Romaine has a question.

**LEG. ROMAINE:**

Just a point. I'm working with Ms. Berry. She had a tremendous seminar, the American Institute of Architects. The Peconic Chapter had a tremendous seminar in wastewater management to follow up to the one that I had with the Bay Keeper and Islip Councilwoman Trish Bergin. She had a tremendous seminar in April, I believe, it was. And it was really great.

I've been working with Ms. Berry on a number of things and I believe she's working on a report for my office that will be ready in the next few weeks, which I will share with the members of this Committee regarding alternative sewage systems for single-family homes. Not every home can hook up to a sewage treatment plant. And there may be much better alternatives in terms of nitrogen because all of our southern bays, the Great South Bay, Moriches Bay, Shinnecock Bay are all considered impacted waters. And one of the chief reasons, of course, is the nitrogen load that is affecting those waterways.

So as soon as we have that report, and we are working together on that, I will share that with the Committee and my colleagues in the Legislature.

**CHAIRWOMAN VILORIA-FISHER:**

Thank you. Thank you for that. Thanks for coming down.

**MS. BERRY:**

Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

We do have one person who is making another presentation. I believe it's rather brief. He's not on the agenda. Emerson Hasbrouck from the Cornell Cooperative Marine Programs is going to be making a presentation. And, Emerson, I'm sure you also found this presentation interesting; at least you knew what she was talking about, right?

**MR. HASBROUCK:**

Yes, very interesting.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. And we also have -- Vito, what's your title? Executive Director, President, King? I don't know.

**MR. MINEI:**

Valet.

**CHAIRWOMAN VILORIA-FISHER:**

Valet, I see. And Mr. Hasbrouck is accompanied by Vito Minei who is the Executive Director of the Cornell Cooperative Extension. Go ahead.

**MR. MINEI:**

Did you start early hoping to avoid me today? Is that what happened?

**CHAIRWOMAN VILORIA-FISHER:**

I'm going to be on the water in Port Jefferson this afternoon --

**MR. MINEI:**

Oh, okay. Sorry.

**CHAIRWOMAN VILORIA-FISHER:**

-- with a Long Island Sound event this afternoon.

**MR. MINEI:**

Okay, good. I'm sorry.

**CHAIRWOMAN VILORIA-FISHER:**

And, Legislator Romaine, are you going to be there, too?

**LEG. ROMAINE:**

(Inaudible)

**MR. MINEI:**

I guess I'm hypersensitive since I've left County government.

Good afternoon, Legislator Vioria-Fisher, Legislator D'Amaro, Legislator Romaine, Muratore and learned Counsel and essential staff.

**CHAIRWOMAN VILORIA-FISHER:**

Okay, get to it.

**MR. MINEI:**

Okay, I'm sorry. It's my favorite spiel.

I'm Vito Minei. I'm Executive Director of Cornell Cooperative Extension of Suffolk County. I'm joined today by my colleague Emerson Hasbrouck, who's Director of our Marine Program. I think most of you know by now that Cornell Cooperative Extension's a non-profit organization. And through our affiliation with Cornell University, we bring scientific research based information to the people of Suffolk to try to attain our mission of strengthening families and communities, preserving the environment, which we'll talk about today and also promoting economic development.

We have major programs. Our Agricultural Program supports all elements of agricultural industry in Suffolk County, the nursery people, the vineyards, landscapers, horticulture people, our Family Health and Wellness Program, which just made a presentation to the Health Committee about a week ago; addressed some of the most critical, social and health issues facing Americans today. Our 4H Program, we're very proud of. It reaches about 40,000 youth every year, trying to teach them to learn by doing through the 4H Programs. And today we're going to learn a little bit more about our Marine Program. Emerson Hasbrouck is the Director of that program. Are we ready to go yet? So I'll turn it over to Emerson. Thank you.

**MR. HASBROUCK:**

Is this one on? That's what I thought. Okay. Thank you very much for accommodating us today. Greatly appreciate it. I'll try to go quick. I'm going to give an overview of the Cornell Cooperative Extension of Suffolk County Marine Program. Again, my name is Emerson Hasbrouck and I'm Director of the Marine Program. Again, I'll give you a little overview. And then I've brought a very short video about one of our projects.

So, we were established in 1985. We're the newest member of the program. It's through Cornell Cooperative Extension of Suffolk County. We started in '85 with just two educators and one secretary. And we're up at the Long Island Horticultural Center. And we focus mostly on marine fisheries, marine businesses and agriculture. And we've expanded considerably since that time.

In 1991 we opened the Suffolk County Marine Environmental Learning Center out at Southold right on Cedar Beach, Southold, County facility. In 2002 we opened the Sport Fishing Education Center in Babylon. In 2004 we moved from the Long Island Horticultural Center to the new building in downtown, Riverhead, Griffing Avenue. In 2008 we moved our Western Marine Program Offices to Coindre Hall in Huntington, also a County facility. And we also utilized the Fuchs Estate there, a Town of Huntington facility. In 2008 we opened the Marine Education Program at the East Hampton Marine Museum. So you can see we're at five locations spread throughout Suffolk County including facilities in western Suffolk.

The Marine Program presently has 35 full-time staff. Seventy percent of our salaries are generated by outside grants in contracts and services, which annually average over \$2 million a year. So we're able to leverage and match our County dollars four to one. Education research --

**CHAIRWOMAN VILORIA-FISHER:**

I repeat. They're able to leverage the County dollars by four to one?

**MR. HASBROUCK:**

Correct.

**CHAIRWOMAN VILORIA-FISHER:**

I wanted to underscore that.

**MR. HASBROUCK:**

Okay, thank you, thank you. Education research and restoration are key components to maintaining a healthy environment and are the Marine Programs' type priorities. The Marine Program, as I said, operates out of five locations throughout Suffolk County, eastern and western Suffolk. And the Marine Program is a nationwide leader in shellfish and eel grass restoration as well as fishing gear conservation technology.

Our Marine Education Outreach Programs reach over 30,000 kids throughout Suffolk County. Research and monitoring programs provide vital information to effectively manage the populations in marine life. Our restoration projects help to protect our bays with the foundation of life and protect our shoreline from flooding and erosion. Our Water Quality Programs help identify and eliminate the impacts of stormwater runoff. And the Marine Program helps Suffolk County as well as local governments implement the mandated phase II EPA Stormwater Program.

2011 is the 20th anniversary of the creation of the Cornell Cooperative Extension County Shellfish Hatchery Incubator and Shellfish Restoration Program that we run out of both our Southold facility and Huntington facility. It's created 45 businesses for growing oysters with a dockside value of \$8 million. The hatchery annually produces tens of millions of hard clams, oysters and bay scallops and redistributes them throughout Suffolk County waters. The Bay Scallop Restoration Program has created the largest bay scallop spawn sanctuary in history resulting in a 13-fold increase in the standing crop of bay scallops in Orient and Southold. And our SPAT program, which is the Suffolk Project and Agricultural Training, offers people interested in agricultural to properly train to grow shellfish and helps the clams, oysters and scallops back into our local creeks and harbors. And the SPAT Program is, in a way, a community garden program for shellfish.

**CHAIRWOMAN VILORIA-FISHER:**

You took the words out of my mouth. It is one of our community gardens program.

**MR. HASBROUCK:**

Right. It is, yes, thank you. Yeah, we teach people how to spawn and raise shellfish. And if they don't have any -- if they don't have waterfront water, which most people don't, they just come to our facility in Southold and they grow their shellfish right out back, right in the creeks behind the facility in Southold. Those people who participate in the program who have waterfront property can raise their shellfish right off of their own property and their docks. It's a very exciting program.

In the past we've come before this Committee over the years and we've given presentations on our Phase II Stormwater Program, our Bay Scallop Restoration Program, our Eel Grass Restoration Program. And today I'd like to highlight a little bit our Fisheries Program. Our fisheries team works with the commercial fishing industry here on Island. We also work to a lesser extent with the recreational fishing industry. But fisheries was one of the earliest industries, if you will, in Suffolk County. There continues to be a large viable commercial fishery in the County.

So I have a short video I'd like to show that kind of highlights the programs that we're doing relative to fisheries and working with the fishing industry. And this is Cornell's answer to The Deadliest Catch. Most of you have probably seen The Deadliest Catch on TV. So we have Cornell Cooperative Extension of Suffolk County's Almost Deadliest Catch.

**VIDEO SLIDE SHOW PRESENTATION**

**MR. HASBROUCK:**

Just as our Agriculture Program conducts on-farm research demonstration projects, we carry out similar activities with the commercial fishing industry onboard. We get on their vessels and involve them right in the research demonstration projects. They help us to develop these projects and

implement them. Very exciting and difficult as you would imagine, trying to conduct these experiments at sea. But it's well worth it. As we said in the video, if you involve the industry in the process, they're going to be more accepting of the results and are more likely to implement better strategies for fisheries to help reduce bycatch and so forth. I'd just like to add all of our fisheries in New York are sustainable. All of our harvests are conducted under Fishery Management Plans that requires sustainability of the fisheries. Any questions?

**CHAIRWOMAN VILORIA-FISHER:**

I don't think so. Thank you very much for the presentation. And I liked the little sense of humor in the video.

**MR. HASBROUCK:**

Thank you very much for accommodating us and allowing us this opportunity.

**MR. MINEI:**

If I can just close with a couple of remarks, at Cornell Extension obviously we're very proud of our reputation, our long standing in all the communities of Suffolk County, and the cost-effective manner in which we provide these programs and public value of these programs to Suffolk County. Emerson talked about the grants that his program attracts. Almost all the programs at Cooperative Extension attract grants and also Cornell provides state funding for our fringe benefits. And, therefore, we provide a very cost effective approach to these education programs. You'll be seeing more of me this fall as we discuss the budget. We understand the situation and we understand that our budget is coming under scrutiny as well so we'll be talking to you during the budget time. Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

I interrupted Emerson earlier when he spoke of this SPAT Program being kind of a community garden. That is a really important way of, again, leveraging your influence. I have many people in my district who have been part of the SPAT Program and are raising the shellfish there right in their backyards. And it's really a great program.

**MR. HASBROUCK:**

Yes, thank you very much. And it also helps to raise people's awareness of water quality and what the impacts of their daily activities can be relative to water quality and support efforts to improve water quality. Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

All right. Thank you very much. We will be going to the agenda. I'm told Mr. Hillman from DPW is going to be presenting some information for us. But we're going to wait until the Presiding Officer gets here before he does.

**TABLED RESOLUTION**

In the meantime I would like to take one resolution out of order because Ms. Alessi-Miceli is here and we don't want to hold her up any further. I make a motion to take 1596 out of order, seconded by Legislator D'Amaro. All in favor? Opposed? 1596 is before us. Ms. Alessi-Miceli?

**MS. ALESSI-MICELI:**

Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

And Terry, I'm just going to read the title of the resolution before we begin. **(1596) Appointing**

**Terri Alessi-Miceli as a member of the Long Island Regional Planning Council. (Co. Exec.)**

Thank you for coming and thank you for making yourself available to take on this position. Okay, now just tell us a little bit about yourself and how you envision your role on the Council.

**MS. ALESSI-MICELI:**

I'm President of HIA -- excuse me for my voice, I have a very, very bad sore throat. But we are one of the regional forces on Long Island and certainly passionate about economic development. We live -- and many of you know we probably support the Hauppauge Industrial Park, which has roughly about 55,000 employees and to date about 1300 companies so we represent small to middle size businesses, anywhere from one employee probably to about 200, 250 employees.

I'm excited about the opportunity with the Long Island Regional Planning Council because I think it's an opportunity for us to do two things: One is certainly for us to better educate ourselves to bring back information to our members and our companies about what is going on on Long Island, what are some of the things that are happening from an economic development standpoint.

And also vice versa really to represent Long Island business and understanding that. Certainly job creation is important. Certainly affordable housing is important and the ability to be able to really do some things to attract business to Long Island to streamline and to really look at some processes in that area.

**CHAIRWOMAN VILORIA-FISHER:**

Are there any questions for Miss Meceli? Okay.

**LEG. ROMAINE:**

Make a motion to approve.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. Seconded by Legislator Muratore. I do want to say that I didn't realize 55,000 jobs? That's formidable, wow.

**MS. ALESSI-MICELI:**

Yeah.

**CHAIRWOMAN VILORIA-FISHER:**

It's a big number.

**MS. ALESSI-MICELI:**

Currently we're working on a Master Plan in the Hauppauge Industrial Park because of that; to look at it as a regional cluster and bring other people in. So it's large and significant. Thank you for your time.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. All right. There's a motion and a second. Legislator D'Amaro, did you have a question?

**LEG. D'AMARO:**

No thank you.

**CHAIRWOMAN VILORIA-FISHER:**

All right. There's a motion and a second. All in favor? Opposed? Motion carries. **(VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)** Congratulations.

**MS. ALESSI-MICELI:**

Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

Thank you for your willingness to serve.

There are no CEQ resolutions before us. We will go to the tabled resolutions.

**TABLED RESOLUTIONS**

**IR 1207, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Peconic Land Trust, Inc. Property Town of Southampton) (Schneiderman).** I'll make a motion to table.

**LEG. D'AMARO:**

Second.

**CHAIRWOMAN VILORIA-FISHER:**

Second by Legislator D'Amaro. All in favor? Opposed? **1207 stands tabled. (VOTE: 4-0-0-1.**

**LEG. ANKER NOT PRESENT)**

**IR 1295, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 Saw Mill Creek addition Town of Riverhead (SCTM No. 0600-131.00-01.00-002.001). (Romaine)**

**LEG. ROMAINE:**

Motion to table.

**CHAIRWOMAN VILORIA-FISHER:**

Motion to table by the sponsor. I'll second. Seconded by Legislator Muratore. All in favor?

Opposed? **IR 1295 stands tabled. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1375, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (De Lea Sod Farms Property) Town of Huntington (SCTM No. 0400-168.00-03.00-041.003). (Stern)** I'll make a motion to table.

**LEG. D'AMARO:**

Second.

**CHAIRWOMAN VILORIA-FISHER:**

Seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1375 stands tabled. (VOTE:**

**4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1403, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Aero World Corp. Property) Town of Islip (SCTM No. 0500-355.00-01.00-005.001). (Lindsay).** Okay, Counsel is informing me that that has been withdrawn. Should I table it just in case he doesn't file that?

**MR. NOLAN:**

Yeah, that's fine.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. I'll make a motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? **IR**

**1403 is tabled unless it's withdrawn. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1424, Authorizing planning steps for the acquisition of Development Rights under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Reeve-Bayview Farm Property) Town of Riverhead (SCTM Nos. 0600-067.00-02.00-029.005 and 0600-067.00-02.00-033.000). (Romaine)**

**LEG. ROMAINE:**

Motion to approve.

**CHAIRWOMAN VILORIA-FISHER:**

There's a motion to approve by Legislator Romaine, seconded by Legislator Muratore. And we will be receiving -- okay, Ms. Lansdale, did you want to go over this? Or Lauretta?

**DIRECTOR LANSDALE:**

I just wanted to report that this was approved by the Suffolk County Farmland Committee last month.

**CHAIRWOMAN VILORIA-FISHER:**

Yes. You may recall that this had been tabled because it had not yet been reviewed by the Farmland Committee. The maximum score is 25. And it has 10 out of 25, but it has been approved by the Farmland Committee.

**DIRECTOR LANSDALE:**

That's correct, yes.

**CHAIRWOMAN VILORIA-FISHER:**

And so there's a motion and a second to approve. On the motion, Legislator D'Amaro.

**LEG. D'AMARO:**

Okay. Do you have a recommendation on this?

**MR. CORRAL:**

Our recommendation for this is to approve. It was recommended by the Suffolk County Farmland Committee. It received a rating of 10 out of 25. Ten is typically the minimum threshold, but it is in an area with a large farmland block. It has a large frontage on the roadway. And there other factor is that the Planning Department felt comfortable recommending it to the Legislature.

**CHAIRWOMAN VILORIA-FISHER:**

May I ask --

**LEG. D'AMARO:**

Yeah, I just wanted to ask, this is a -- what's the cost of the acquisition, do you know? I don't have that information.

**MS. FISCHER:**

(Shaking head no)

**CHAIRWOMAN VILORIA-FISHER:**

This is a planning steps.

**LEG. D'AMARO:**

Oh, it's a planning steps only? Okay, never mind. Okay. I'm fine.

**CHAIRWOMAN VILORIA-FISHER:**

May I just ask a question about the rating sheet? The very last -- under "Adjustments" number five, where it says "other negative factors" --

**MR. CORRAL:**

Right. This was a Planning Department decision. And this was the first parcel that came in under the annual review process. And it was actually considered outside of the annual review period because it was a Legislator's referral to us. And then the additional documentation that it showed, it was within -- it agreed with the planning document. So the Planning Department's feel was to give this type of situation a minus two so that it would be carefully considered by both the Farmland Committee and the Suffolk County Legislature. It was meant just for those properties kind of on the borderline.

**CHAIRWOMAN VILORIA-FISHER:**

To get a closer look.

**MR. CORRAL:**

Right, right. Because as the annual review period is set up, we'll be able to compare parcels to each other. So that was the thought process for --

**CHAIRWOMAN VILORIA-FISHER:**

So it was more or less a process question --

**MR. CORRAL:**

Right.

**CHAIRWOMAN VILORIA-FISHER:**

-- rather than something intrinsically wrong with the parcel.

**MR. CORRAL:**

Correct.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. There's a motion and a second to approve. All in favor? Opposed? Motion carries. **(VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1481, 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. 0700-018.00-03.00-004.000). (Romaine)** I'll make a motion to table.

**LEG. D'AMARO:**

I'll second.

**CHAIRWOMAN VILORIA-FISHER:**

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

**LEG. ROMAINE:**

Opposed.

**LEG. MURATORE:**

Opposed.

**CHAIRWOMAN VILORIA-FISHER:**

Did you want to say something?

**LEG. ROMAINE:**

Yeah. Obviously this is in Shelter Island. This, I was led to believe by the Town and by people in the Town that this was an important acquisition that they considered vital. This has been up before. I'd like to hear from Planning on that.

**MS. FISCHER:**

This property is a 11.57 acre lot on Menantic Road and north of Smith Street. Presently it's a vacant lot. It was a former gun club that closed about 17 years ago. There are no structures on the property. One concern that we have was possible lead contamination from its former use as a gun club. This information was relayed to me through the Town Supervisor Jim Dougherty. He had reviewed the property. And at this point the Town indicated to us that it wasn't a high priority acquisition at this time. They are partnering with us on Sylvester Manor and other large parcels that they wanted to concentrate on at this point in time.

**CHAIRWOMAN VILORIA-FISHER:**

Legislator Romaine.

**LEG. ROMAINE:**

Could the Planning Department send me an e-mail indicating that you've heard from the Town of Shelter Island that it's not a high priority?

**MS. FISCHER:**

Sure. I can speak with Jim and get --

**LEG. ROMAINE:**

Yeah, just re-confirm that. And then if you would send me an e-mail to that effect. And when you discuss this with -- I wish the Supervisor had stayed -- when you discuss this with the Supervisor, indicate if he wishes this resolution withdrawn. I mean I'll accept a tabling for one cycle. I would think we can table it for a couple of cycles. But let's bring this to a head one way or the other. Either we're going to move forward with this or not because there's a number of people that have indicated to me their desire to see this acquired in the presence of the Supervisor. And he did not seem to it.

So I'd like to get it clarified for that purpose. If this is something that's not high on the Town priority list, that's fine. But I need to know that for the record so that I can go back and say the Town does not consider this a high acquisition when I go back and meet with my constituents who brought this to my attention.

And as far as lead on the property, if this was a property that was worth acquiring, planning steps would bring that out and indicate that there was a -- I would assume, when we went forward, that would be something that would be taken a look at before any acquisition resolution would come forward. I would assume that anyway.

**MS. FISCHER:**

Yes, we would recommend that as a --

**LEG. ROMAINE:**

Right, that's correct. So, that's less of a concern to me than the fact that the Town may not support this as a priority. But I need that in some written context from the Planning Department.

**MS. FISCHER:**

We will.

**LEG. ROMAINE:**

And with that, Madam Chairperson, perhaps we can table this for one cycle.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. I was just about to call the vote. And so I can call it again. There's a motion and second to table. All in favor? Opposed? All right so **IR 1581 is tabled. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1540, Authorizing planning steps for the acquisition of development rights under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - Szuster Farm Property - Town of Brookhaven (SCTM Nos. 0200-500.00-01.00-001.003 p/o). (Browning)** And that went before the review committee or not?

**DIRECTOR LANSDALE:**

The application is still incomplete by the applicant.

**CHAIRWOMAN VILORIA-FISHER:**

Okay.

**DIRECTOR LANSDALE:**

So the next Farmland Committee for Suffolk County is September 27th.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. So I'll let Legislator Browning know that. And the application has to be completed by the farmer or by the --

**MR. CORRAL:**

Yes. We need additional information from the applicant.

**CHAIRWOMAN VILORIA-FISHER:**

Okay, can you name the applicant? Is it the farmer?

**MR. CORRAL:**

Right. Yes.

**CHAIRWOMAN VILORIA-FISHER:**

Okay.

**MR. CORRAL:**

Yeah, the land owner.

**CHAIRWOMAN VILORIA-FISHER:**

Okay, I just wanted to make sure that Legislator Browning knows the correct information. Or will we let her know that? Do you want me to inform or do you do that automatically?

**DIRECTOR LANSDALE:**

We do that automatically. We can follow up directly.

**CHAIRWOMAN VILORIA-FISHER:**

So we'll let the sponsor know. Thank you. I'll make a motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1540 stands tabled. (VOTE: 4-0-0-1. LEG. ANKER NOT**

**PRESENT)**

**IR 1541, Authorizing planning steps for the acquisition of development rights under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - Longmeadow Farm Property - Town of Brookhaven (SCTM No. 0200-974.20-02.00-021.100). (Browning)** And did that one go before --

**DIRECTOR LANSDALE:**

No, it did not. We have not received a Letter of Interest from the applicant, the farmer.

**CHAIRWOMAN VILORIA-FISHER:**

All right. So that'll be same motion, same, second, same vote.

Thank you. **(1541 TABLED. VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1544, Adopting Local Law No. -2011, A Local Law eliminating financial disclosure requirements for Farmland Committee members. (Romaine)** And I believe that that's still in public hearing. Legislator Romaine, do you want to make a motion to table for public hearing?

**LEG. ROMAINE:**

Is it still in -- I'll ask the Clerk because I do believe that that public hearing may have been closed.

**MR. NOLAN:**

It was reopened.

**LEG. ROMAINE:**

Oh, okay. Because the change was not submitted in time. Yes, I'll move to table pending a public hearing then.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. I'll second that. All in favor? Opposed? **IR 1544 stands tabled. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1547, Adopting Local Law No. -2011, A Charter Law utilizing Assessment Stabilization Reserve Fund surpluses for enhancing sewer capacity and County-wide taxpayer protection. (Co. Exec.)** Wasn't that withdrawn?

**MR. NOLAN:**

The next one was withdrawn. This should just be tabled.

**LEG. D'AMARO:**

Motion to table.

**CHAIRWOMAN VILORIA-FISHER:**

Motion to table by Legislator D'Amaro, seconded by Legislator Muratore. All in favor? Opposed? **IR 1547 stands tabled. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1549 (Adopting Local Law No. -2011, A Charter Law to expand permissible uses of Assessment Stabilization Reserve Monies to fund sewers and nitrogen removal septic systems) (Horsley)** has been withdrawn.

**IR 1569, Authorizing planning steps for the acquisition of Farmland Development Rights under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - Riverhead Central School District property Town of Riverhead (SCTM No. 0600-046.00-03.00-005.000) (Romaine).**

**LEG. ROMAINE:**

Motion.

**CHAIRWOMAN VILORIA-FISHER:**

Motion to approve by Legislator Romaine, second by Legislator Muratore. And what was the disposition of the Farmland Committee on this? This is development rights?

**DIRECTOR LANSDALE:**

It has not yet been reviewed by the Farmland Committee; it's my understanding.

**CHAIRWOMAN VILORIA-FISHER:**

Was it on the agenda for the last meeting?

**DIRECTOR LANSDALE:**

John, can you further explain?

**MR. CORRAL:**

Yes. This resolution was tabled at the last committee meeting. The information we have is that it was reviewed by the Farmland Committee in the past. It's our understanding there was a question about whether the applicant put that application forward. But it was approved by the Farmland Committee, I believe, in 2009. This then did not move forward. And with the new Chapter Eight regulations, it would need to be based on the amendments to Chapter Eight reviewed by the Farmland Committee. So it's --

**CHAIRWOMAN VILORIA-FISHER:**

I think you have to backtrack a little bit. The Farmland Committee had reviewed it under the old Chapter Eight criteria.

**MR. CORRAL:**

Yeah.

**CHAIRWOMAN VILORIA-FISHER:**

And so does it need to be resubmitted to be reviewed under the new Chapter Eight criteria?

**MR. CORRAL:**

Right. Yeah, the Planning Department feels that it needs to be resubmitted and reviewed by the Farmland Committee either as a new application or as a pending application pursuant to the annual review process spelled out in Chapter Eight.

**CHAIRWOMAN VILORIA-FISHER:**

But then why wasn't it resubmitted for the last Farmland Committee meeting? I'm just a little bit confused about the timing here.

**MR. CORRAL:**

This one, we haven't received a Letter of Interest from the applicant.

**CHAIRWOMAN VILORIA-FISHER:**

But haven't they submitted a Letter of Interest in the initial review process?

**MR. CORRAL:**

Yes, they did.

**CHAIRWOMAN VILORIA-FISHER:**

So wouldn't that suffice in order for you to resubmit it? Since we have a Letter of Interest on record, it would seem to me that we should be able to resubmit it.

**MR. CORRAL:**

Right. We can definitely, you know, consider that and reach out to the applicant and confirm that, you know, they would like this application to move forward. And it can be, you know, reviewed at the next Farmland Committee meeting.

**CHAIRWOMAN VILORIA-FISHER:**

Legislator Romaine, I'm not trying to speak on your behalf, but it seems to me that we have the necessary documentation.

**LEG. ROMAINE:**

I received a letter from the Superintendent of Schools that I included as backup for this resolution, and from the School Board that I included as backup for this resolution.

I find it shocking that this was not considered at the agenda. I obviously am going to take a careful look at Section Eight because it needs review and it's going to get changed. Because this is absolute nonsense. Nonsense. It should have been considered at the last meeting of the Farmland Committee. And there is no excuse in my book for this type of delay. Absolutely none.

And if I'm upset, it's because these rules seem to work against farmland preservation; not for it. This is something that was reviewed in the past, that the school district did not go forward with, that they considered for another purpose. And they finally came to the conclusion that it's better to keep this land in farming and to sell the development rights. It is actively farmed now. They lease the land out. And it is nonsense.

This was submitted through the regular process. We adjourned it at the last meeting so the Farmland Committee could consider it. And then to be told today that it wasn't, I want to know who's responsible for preparing that agenda. Because that will not be tolerated again. I want to make that absolutely clear.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. So it did not appear before the Farmland Committee. We will need to table it. And the next time the Farmland Committee meets is September 27th. And so that will miss our next meeting. We will consider it, then, in October again. And because there's not pressure, development pressure, we do have the time to do it. And I can certainly understand, Legislator Romaine, your frustration because the Letter of Intent shouldn't have to be resubmitted if it had been originally. But I don't think that there's a problem with the changes to Article Eight. I think it's just a problem of not having submitted it.

So I will make a motion to table, seconded by Legislator D'Amaro. All in favor? Opposed?

**LEG. ROMAINE:**

On principle alone I'm going to oppose the tabling.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. Understood.

**LEG. ROMAINE:**

Principle alone.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. So 1569 stands tabled. (VOTE: 3-1-0-1. LEG. ROMAINE OPPOSED. LEG. ANKER NOT PRESENT).

We have already considered and approved 1596. So we will move to the Introductory Resolutions.

**INTRODUCTORY RESOLUTIONS**

**IR 1658, Authorizing planning steps for the acquisition of development rights under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - Starkie Farm property - Town of Southold (SCTM No. 1000-096.00-03.00-009.000) (Romaine).**

**LEG. ROMAINE:**

Motion.

**CHAIRWOMAN VILORIA-FISHER:**

Okay, there's a motion by Legislator Romaine, seconded by Legislator Muratore. And we're awaiting the disposition of the Planning Department.

**DIRECTOR LANSDALE:**

Information regarding this property was received. There are two items with this IR: One, is that the application is incomplete. It needs to demonstrate its consistency with the local comprehensive plan. The second is that it needs to be reviewed by the Farmland Committee.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. So it will be before the Farmland Committee on September 27th?

**DIRECTOR LANSDALE:**

That is correct, yes.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. All right. So I will make a motion to table.

**LEG. ROMAINE:**

On the motion.

**CHAIRWOMAN VILORIA-FISHER:**

Let me just wait for a second.

**LEG. D'AMARO:**

I would second the motion.

**CHAIRWOMAN VILORIA-FISHER:**

Seconded by Legislator D'Amaro.

**LEG. D'AMARO:**

Did we get the backup on this bill yet? Usually we get the rating form at this point, don't we?

**CHAIRWOMAN VILORIA-FISHER:**

No, it has to go -- this is a farmland development.

**LEG. D'AMARO:**

Oh, okay.

**CHAIRWOMAN VILORIA-FISHER:**

So it has to go to the Farmland Committee. They do the backup information.

**LEG. D'AMARO:**

So this was not on that agenda either?

**CHAIRWOMAN VILORIA-FISHER:**

No.

**LEG. D'AMARO:**

It's a new bill.

**DIRECTOR LANSDALE:**

That's correct.

**CHAIRWOMAN VILORIA-FISHER:**

And you second it?

**LEG. D'AMARO:**

Yes.

**CHAIRWOMAN VILORIA-FISHER:**

Yes. Okay, on the motion, Legislator Romaine.

**LEG. ROMAINE:**

Yes. There was something put on the record that the application was incomplete. I would appreciate it if the Planning Department would notify Lisa Keys at my office via e-mail exactly what elements are missing from the application. Thank you.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. We have a motion and a second to table. All in favor? Opposed? **IR 1658 stands tabled. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1663, Authorizing the acquisition of farmland development rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) for the Eastport Property Development LLC property - Delalio Sod Farm - Town of Riverhead - (SCTM No. 0600-044.00-02.00-010.005) (Co. Exec.).**

**DIRECTOR LANSDALE:**

This parcel was reviewed by the Farmland Committee.

**CHAIRWOMAN VILORIA-FISHER:**

Go ahead.

**DIRECTOR LANSDALE:**

This parcel was reviewed and recommended by the Suffolk County Farmland Committee. Would you like additional information about this parcel?

**CHAIRWOMAN VILORIA-FISHER:**

No. I thought that Legislator D'Amaro had a question. Did you have a question?

**LEG. D'AMARO:**

No. I see it's been reviewed by the Farmland Committee. We have the rating. It's 15 out of 25.

It's approximately 55 acres? Is that correct?

**DIRECTOR LANSDALE:**

That's correct.

**LEG. D'AMARO:**

And it's currently being used as part of the sod farm or is this the entire sod farm?

**MR. CORRAL:**

Part of the sod farm.

**LEG. D'AMARO:**

What's the owner's intention with respect to the property should we go ahead and acquire the development rights?

**MR. CORRAL:**

Typically how it has been, you know, we are told what they're actively doing on the property.

**LEG. D'AMARO:**

Right.

**MR. CORRAL:**

It's our understanding that they continue -- will continue to do, you know, do sod farming.

**LEG. D'AMARO:**

Was there a representation made in connection with the application that the owner will continue to use it as an active sod farm? Is that normally sought out by the Department?

**MR. CORRAL:**

I believe it's my understanding -- this was two years ago that, I believe, the question asked "what is the current use of the property?" And it was sod farm.

**LEG. D'AMARO:**

Is it today being used as a sod farm to your knowledge?

**MR. CORRAL:**

Yes.

**LEG. D'AMARO:**

Okay. So why are we only buying a portion as opposed to the whole thing? You know, what's the theory of preserving this parcel?

**LEG. ROMAINE:**

We bought the other part earlier.

**LEG. D'AMARO:**

Oh, we did?

**LEG. ROMAINE:**

Yes. But I do have a question.

**LEG. D'AMARO:**

Just before -- before you do that, so that's why on the rating form it says PDR properties on one side. Is that the balance of the farm?

**MR. CORRAL:**

That's the -- RH PDR is for Riverhead purchase of development rights. This parcel was approved. It's a 55.5 acre parcel separate from other parcels.

**LEG. D'AMARO:**

Okay.

**MR. CORRAL:**

And I believe in Farmland Committee meeting when this was approved, the second parcel was also approved. But this was brought forward by the applicant asking to be acquired by the County.

**LEG. D'AMARO:**

What's the cost per acre for the development rights?

**DIRECTOR GREENE:**

I can provide that information, Legislator D'Amaro.

**LEG. D'AMARO:**

All right, well, we have the overall. It's 3.2?

**DIRECTOR GREENE:**

This is a final acquisition so it already has gone through your planning steps process. We are in contact. We are now asking the Committee for their final approval so we can move forward to closing.

**LEG. D'AMARO:**

All right. And what's the funding source for this?

**DIRECTOR GREENE:**

Quarter Percent Bonded Program.

**LEG. D'AMARO:**

Okay. All right, thank you.

**CHAIRWOMAN VILORIA-FISHER:**

You know, I'm looking at Vito Minei out there in the audience who sat on some of the committees with us and would always say "we have a problem with nitrogen and why are we preserving sod farms that add so much?" Vito, am I mischaracterizing anything you said in the past?

**MR. MINEI:**

You're on a roll, Legislator.

**CHAIRWOMAN VILORIA-FISHER:**

And at some point I want my colleagues, because I won't be sitting here that much longer, to really try to find a way for us to protect our drinking water when we're spending millions and millions and millions of taxpayer dollars to protect the farms, that by the nature of the farming that they do are introducing heavy levels of nitrogen into our water system. So, you know, clearly this was done appropriately and, you know, under the rules that we have already set. But I really want to look at us try to tighten that going forward in our Farmland acquisitions. There has to be something in our agreements regarding the voluntary or stipulated decrease in use of fertilizers and pesticides. That's just my -- Vito?

**MR. MINEI:**

Thumbs up. There's a second part to that.

**CHAIRWOMAN VILORIA-FISHER:**

There's a second part to that, but I'll leave you back there. Legislator Romaine.

**LEG. ROMAINE:**

I just want to make one correction. The handout indicates Eastport property. This is nowhere near Eastport. This is clearly in the hamlet of Riverhead.

**DIRECTOR GREENE:**

Legislator Romaine, that's the name of the contract vendee. They can call themselves whatever they wish.

**LEG. ROMAINE:**

They can. But when I saw Eastport, I'm saying, okay, I represent Eastport, I represent Riverhead. This is Riverhead. But, okay, as long as --

**DIRECTOR GREENE:**

Eastport Property Development LLC.

**LEG. ROMAINE:**

That's the name of the corporation. Okay, thank you very much.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. So we have a motion and a second to approve the acquisition. All in favor? Opposed? **1663 is approved. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**1673, Authorizing the acquisition of farmland development rights under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - for the Sylvester Manor Educational Farm, Inc. Property - Sylvester Manor Phase I - Town of Shelter Island - (SCTM No. 0700-008.00-01.00-005.002 p/o). (Co. Exec.)** And there was a film that was done on Manors of Long Island. I think Sylvester Manor was one of the manor houses in that film, yeah. Commissioner Culhane, you're nodding yes it was; right? This was the one featured in that film?

**MR. CULHANE:**

It was one of them.

**CHAIRWOMAN VILORIA-FISHER:**

Yes. Okay, do we have a motion? Or did you want to say something?

**LEG. ROMAINE:**

Motion.

**CHAIRWOMAN VILORIA-FISHER:**

Did it go through the review? Yes, obviously; we have it here.

**DIRECTOR LANSDALE:**

Yes, it was recommended by the Farmland Committee.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. And we have a motion by Legislator Romaine, seconded by Legislator Muratore. All in favor? Opposed? This is a very important piece. It really is historic and it's part of our agricultural and

historic heritage on Long Island. So I will support that. There's a motion and a second to approve. All in favor? Opposed? **1673 stands approved. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**LEG. ROMAINE:**

Please list me as a co-sponsor.

**CHAIRWOMAN VILORIA-FISHER:**

Me, too.

**1682.** Thank you very much. Mr. Mule, would you like to come up in case there are any questions regarding the CEQ determinations? Thank you. **1682, Making a SEQRA determination in connection with the proposed Sewer District No. 21 SUNY Stony Brook Wastewater Treatment Plant Upgrade (CP 8121), Town of Brookhaven. (Pres. Off.)** I'll make a motion to approve.

**LEG. D'AMARO:**

Second.

**CHAIRWOMAN VILORIA-FISHER:**

And place on the consent calendar. Seconded by Legislator D'Amaro. All in favor? Opposed? **1682 stands approved. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT AND PLACED ON THE CONSENT CALENDAR)**

**1683, Making a SEQRA determination in connection with the proposed Suffolk County Sewer Capacity Study for Bellport, Sayville, Ronkonkoma Hub, Middle Island Corridor, Mastic/Shirley, Yaphank and Southampton (CP 8189). (Pres. Off.)** Same motion, same second, same vote. **(VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT AND PLACED ON THE CONSENT CALENDAR)**

**IR 1684, Making a SEQRA determination in connection with the proposed Suffolk County Sewer Capacity Study for Port Jefferson, Riverhead/Calverton, Patchogue and Sag Harbor (CP 8185). (Pres. Off.)** Same motion, same second, same vote. **(VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT AND PLACED ON THE CONSENT CALENDAR)**

**IR 1685, Making a SEQRA determination in connection with the proposed improvements to Lindenhurst Village Square County Park, Town of Babylon. (Pres. Off)** Motion by Legislator D'Amaro, seconded by myself. That's for approval and placed on the consent calendar. All in favor? Opposed? **IR 1685 is approved and placed on the consent calendar. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT AND PLACED ON THE CONSENT CALENDAR)** Michael, thank you for being so patient.

We do have one more item on our agenda and that's a presentation by Chief Engineer Bill Hillman.

**LEG. D'AMARO:**

You do have more resolutions.

**CHAIRWOMAN VILORIA-FISHER:**

Do I? I'm sorry, I went to the end of my agenda. Thank you. I apologize. Bill, I was just so excited to hear your presentation. And I had told my Planning Department we were done with them. Sorry, Sarah.

**IR 1710, Authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - active**

**recreation component for the North Fork Preserve property, Town of Riverhead. (Co. Exec.)** Oh, how could I forget 1710? Legislator Romaine, I believe -- yes, but -- oh, I thought this was the one --

**LEG. ROMAINE:**

No, this isn't the one. This is --

**CHAIRWOMAN VILORIA-FISHER:**

This is a County Executive resolution. Okay.

**LEG. ROMAINE:**

Right.

**CHAIRWOMAN VILORIA-FISHER:**

Planning Department?

**DIRECTOR LANSDALE:**

This acquisition includes 180.34 acres of the southern portion of the North Fork Preserve in the hamlet of Northville, the Town of Riverhead. It consists of seven lots including the large southern portion parcel of 172.9 acres. And a small portion of the larger northern parcel of 2.6 acres. This portion of -- there's also four additional lots that are less than an acre in size that are located along Sound Avenue. Laretta?

**MS. FISCHER:**

These properties were previously proposed for planning steps under resolution number 538-2009 for acquisition under the New Drinking Water Protection Program for open space passive recreation. The large northern parcel was also approved for planning steps for open space passive recreation by resolution 77-2005 under the Multifaceted Land Preservation Program. The large southern parcel was also approved for planning steps for farmland preservation via resolution 859-2005 under the Multifaceted Preservation Program and also for open space under the Master List Three and resolution 47 in 2006 under Multifaceted again for Parkland purposes.

So we are before you today to look at primarily the southern parcels as well as 2.6 acres of the northern parcel for active recreation. And we now have provided you with a new rating for active recreation. We gave it 49 points. The Parks Department is presently preparing a concept plan for the site. The proposed active recreational uses include camping facilities, which includes cabins, RV group tent and primitive camping opportunities, equestrian stables indoor arena and corrals, playground areas, active recreational areas with ball fields, tennis courts, skate BMX park and a spray park. They're also proposing picnic areas, hiking, horseback riding, and non-motorized bike trails.

The existing building that exists on the property will be considered as a general store/recreational center with arcade laundry facilities and a caretaker apartment. Restrooms and showers are also proposed to be provided on the site as well as maintenance facility and a refuge dumping station. The Town of Riverhead will be partnering with the County on this active recreational portion of the site providing 5% of the cost of acquisition. Yes?

**CHAIRWOMAN VILORIA-FISHER:**

No, go back to talking.

**MS. FISCHER:**

Oh, okay. The development and maintenance of the site, however, will be provided by Suffolk County Parks. The Parks Department is here today and may wish to also make any further comments.

**CHAIRWOMAN VILORIA-FISHER:**

The Deputy Commissioner is shaking her head no. But let me ask you this: We're going -- is there going to be a contract vendee to run the campgrounds or the County is running the campgrounds like all the other campgrounds?

**MS. FISCHER:**

I would defer to Tracey Bellone.

**CHAIRWOMAN VILORIA-FISHER:**

Here she comes. She's here. Tracey, this is an ambitious project, yes?

**MS. BELLONE:**

It is. We're very excited. It would be the last opportunity for Suffolk County to purchase such a large piece of property that could be the last active County park in our holdings; though obviously funding would be an issue and this would be a far-off project, but we would hope to maintain it and develop it ourselves.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. I believe Legislator D'Amaro also has a question.

**LEG. D'AMARO:**

Just, you went through the history of -- some of the history, Legislative history and I'm just -- I want to clarify in my own mind, this resolution involves seven parcels?

**MS. FISCHER:**

Yes.

**LEG. D'AMARO:**

Right, seven parcels. Are they attached, contiguous? It's very difficult to see on the map. I'm sorry, go ahead.

**MS. FISCHER:**

Most of the parcels are outlined in red on your map. There are two that are not attached. And there has been interest by the Suffolk County Water Authority to actually acquire those two on the side. So we have put them in this resolution just in case there may be further interest by the Parks Department to move forward. That was in the original resolution for planning steps. And we just added them in to be inclusive rather than excluding anything.

**LEG. D'AMARO:**

Who owns the parcels now?

**MS. FISCHER:**

It's owned by the same consortium, the North Fork Preserve.

**LEG. D'AMARO:**

The North Fork Preserve owns -- I see more than seven on there. Tracey, I don't know if you can point them out, if you know.

**MS. FISCHER:**

I could show you if you'd like.

**LEG. D'AMARO:**

Yes.

**MS. FISCHER:**

And show you on the map as well that we handed out.

**P.O. LINDSAY:**

We have the map.

**LEG. D'AMARO:**

Yeah, the map is tough to decipher.

**CHAIRWOMAN VILORIA-FISHER:**

There are solid lines and dotted lines.

**(MS. FISCHER AND MS. BELLONE INDICATING ON MAP)**

**MS. BELLONE:**

Legislator, if I can just say something? In this proposed -- well, planning steps, there are some parcels that yet -- we have not yet -- you know, look forward to buying. Actually the southern portion there's actually a house on it. Adjacent to it there's a barn. Parks Department does want to acquire that. And we have asked Real Estate to go back and ask for appraisals on those. We would like the house as a caretaker for the property. Such a large property, we would like to have the house. And the adjacent barn on the southern parcel, we would like for our maintenance facility. So those weren't included. Those haven't received initial appraisals. We have asked for them to go forward with that.

**LEG. D'AMARO:**

Just explain to me, then, the present ownership doesn't preserve the property? Or does preserve the property? But the County, we want to take this for more active use? Is that what's happening?

**MS. BELLONE:**

I think you're speaking about IR 1713, which --

**LEG. D'AMARO:**

Who's the owner of these parcels?

**MS. BELLONE:**

North Fork Preserve. That's the corporation name. I don't think it's -- it's not a preserve.

**LEG. ROMAINE:**

No.

**LEG. D'AMARO:**

Oh, it's not anything --

**MS. BELLONE:**

Right now it's really a hunting lodge.

**LEG. D'AMARO:**

It's a hunting lodge, right, okay, that -- all right. So forget the name of the owner. Okay, it has nothing to do with really preserving the property. And so we see this as an opportunity for active use; active parkland use.

**MS. BELLONE:**

Correct.

**LEG. D'AMARO:**

I see.

**MS. BELLONE:**

The southern parcel would be for active; the northern portion would be for passive.

**LEG. D'AMARO:**

And how many more -- how much more of the surrounding property do you need to acquire should this go through? Or can we manage with what we have here, if this is successful?

**MS. BELLONE:**

Well, 1713 talks about an adjacent lot, which I guess I'll speak to next.

**LEG. D'AMARO:**

Okay.

**MS. BELLONE:**

Initially we did also want the house. I'm not sure how many acres that is. And the barn.

**LEG. D'AMARO:**

Right.

**MS. BELLONE:**

Which would help us so that we wouldn't have to put an apartment in the lodge itself, which we could just make either for our concessionaire, for a restaurant operation, laundry, game room.

**CHAIRWOMAN VILORIA-FISHER:**

Okay, so you are thinking of having a concessionaire for some of the activities that were described?

**MS. BELLONE:**

Well, we talked about possibly having a concessionaire to run a restaurant; you know, we have that a lot at our campgrounds.

**CHAIRWOMAN VILORIA-FISHER:**

Right.

**MS. BELLONE:**

So that would be just -- but we would actually -- we do at Cedar Point and other parks. We would actually operate the camping side of it.

**CHAIRWOMAN VILORIA-FISHER:**

Like a general store is a concessionaire.

**MS. BELLONE:**

Correct.

**LEG. D'AMARO:**

So this property is under development pressure right now? Or is this something that fits more into our future planning park needs?

**MS. FISCHER:**

Well, we had -- when we had initially looked at this about five years ago, we had felt that this would be a key acquisition for the County as a parkland acquisition for parkland purposes under Multifaceted. And since that money has been frozen at this point in time, we wanted to continue to move this acquisition forward, especially the southern parcel to utilize it for active recreational uses. And the Parks Department has, you know, prepared a concept plan that would, you know, envelop that use. And we feel that because of the past uses of the property, this would be ideal for kind of a mixed parkland use rather than just passive use.

Obviously the northern portion is interspersed with many wetlands. It's an issue in the area with regard to drainage and other things. So we felt that the southern parcel was more appropriate for a parkland -- large parkland facility. And so, therefore, it would -- you know, it would have fit into the parkland category. But since we're utilizing the New Drinking Water Protection Program, we're identifying it as active recreation. It does meet some of the criteria for an active recreational site. And that's what we're proposing before you today.

**LEG. D'AMARO:**

So, in the past we've considered these parcels in connection with larger acquisition?

**MS. FISCHER:**

This is kind of in and of itself. We didn't consider anything -- this was fairly large, 311 acres altogether as it stood. And we don't have anything at the present time in the immediate vicinity of this property that we own, but we felt it could stand alone as a large acquisition in and of itself.

**LEG. D'AMARO:**

But have we passed planning steps before for this parcel?

**DIRECTOR GREENE:**

If I may, just to address Legislator D'Amaro's question, Legislator D'Amaro, this acquisition is very far along in the process. The North Fork Preserve acquisition is a sterling acquisition. And it is currently very active in the Real Property Division. In moving it forward to -- culminating with the closing of the property -- and as Ms. Fischer said, you already have approved planning steps for the purchase, and we are quite far along in contract with the purchase, we're actually really hoping for a closing before the end of the year; but in moving forward, to culminate that and to finalize the end use upon transferring the jurisdiction to the Parks Department --

**CHAIRWOMAN VILORIA-FISHER:**

Now you're talking about 1713.

**DIRECTOR GREENE:**

No, ma'am, no. No, no. The North Fork Preserve acquisition has a northern portion and a southern portion.

**CHAIRWOMAN VILORIA-FISHER:**

Right.

**DIRECTOR GREENE:**

We are in contract to purchase the North Fork Preserve. In finalizing the end use by the Parks Department, it became difficult, if you will, to determine how to draw a line through dirt to say this side of the dirt will be active; this side of the dirt will be passive. In other words, we really want this park to be able to achieve its full potential. And if that is to be able to utilize it for fishing, for camping, for bringing outside uses that could utilize the properties that are already there, we didn't want to inhibit it by having the restriction of it not being able to be used for active.

So in essence because the funding source allowed us to only use it with a partnership, which is what we're doing with the Town of Riverhead, on the southern half, so we can now utilize it for its full potential once it's acquired by the Parks Department, because that has now changed, from part passive to now active, it's my understanding that the Planning Department felt it only right to bring back to you for planning steps to go back to correct that process from the beginning. But we are very far along in this acquisition.

**LEG. D'AMARO:**

All right. So the prior acquisition and the process that's very far along involve exactly these same parcels. These are in contract or --

**DIRECTOR GREENE:**

They are new parcels added to this planning steps resolution.

**LEG. D'AMARO:**

Added to this. Okay. So we're kind of revising and adding to what we've done in the past --

**CHAIRWOMAN VILORIA-FISHER:**

It's a do-over.

**LEG. D'AMARO:**

A lot of that project has already been approved and you're in contract to purchase. But you feel that --

**DIRECTOR GREENE:**

Exactly.

**LEG. D'AMARO:**

-- adding these parcels under the proper funding source will allow you to use these parcels in a particular way which will enhance the parcels we're already in contract to buy or something like that?

**DIRECTOR GREENE:**

Should they also -- should there also be interest --

**LEG. D'AMARO:**

Right. Now why didn't we consider these parcels originally then?

**DIRECTOR GREENE:**

They may have been. And they may have been part of an original offer that I believe -- correct? Yes. Weren't they originally -- they were not originally -- okay. So, again, this is, you're right, a redo that's now encompassing more property.

**LEG. D'AMARO:**

So we purchased the original parcels or we're in contract to purchase the original. We approved that. But now looking at what we have and what we can do with it, we want to go further. But that was never contemplated under the original resolution? Or was it separated for a purpose?

**MS. BELLONE:**

I think it was just a miscommunication between Parks and Real Estate. I think Parks always had the intention of acquiring everything. And I think it was just a miscommunication that we didn't go forward with all of the parcels to acquire.

**LEG. D'AMARO:**

I see, I see, okay.

**CHAIRWOMAN VILORIA-FISHER:**

Just to clarify that, if I may, Legislator D'Amaro -- okay because -- well, I need Real Estate back.

**MS. BELLONE:**

Can I just clarify one thing for you?

**CHAIRWOMAN VILORIA-FISHER:**

Sure.

**MS. BELLONE:**

Those three ponds are manmade. I just wanted to make that point.

**CHAIRWOMAN VILORIA-FISHER:**

Okay.

**MS. BELLONE:**

And they'll be used for waterfront recreational activities by Parks.

**CHAIRWOMAN VILORIA-FISHER:**

I just want to go back to process. Part of what is before us is already -- has already traveled quite a way down the road to acquisition.

**DIRECTOR GREENE:**

Correct.

**CHAIRWOMAN VILORIA-FISHER:**

Some of the parcels that are included in this resolution. So as we approve these planning steps, it triggers a process. But that process has already begun. Will we be required to do reappraisals of these properties? I'm just concerned about adding so much additional monies to this. This is 180 acres.

**DIRECTOR GREENE:**

Not for the large acquisition, no. And, again, this is a planning steps resolution. But my understanding is the Planning Department had wanted to make sure that it was accurately portrayed. That the southern half, which previously was going to be half passive, half active -- sounds like a pizza -- is now going to be all active. And in order to correct that from the beginning, I believe that was the intention. And please correct me if I'm misstating that.

**MS. FISCHER:**

It originally was considered -- the southern large parcel was originally considered for -- under Multifaceted for parkland purposes.

**LEG. D'AMARO:**

The parcel with the building on it, you're talking about?

**MS. FISCHER:**

Correct.

**LEG. D'AMARO:**

Okay.

**MS. FISCHER:**

So we are not able to use -- utilize the Multifaceted so --

**CHAIRWOMAN VILORIA-FISHER:**

You have to change the funding source.

**MS. FISCHER:**

Yes. And we -- the category that it would be eligible under for -- under the New Drinking Water is active recreation. And so, therefore, because we did not rate it as an active recreational site initially, we wanted to bring that forward to you to complete it properly and to move forward then with all the planning steps and reviews in place.

**MS. BELLONE:**

Excuse me. Can I just approach to show you something on the map?

**CHAIRWOMAN VILORIA-FISHER:**

Hold on a minute. My question has to do with appraisals. Would there have to be -- do there have to be all new appraisals?

**MS. BELLONE:**

No.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. That was my question.

**(MS. BELLONE INDICATING ON MAP - OFF THE RECORD DISCUSSION)**

**CHAIRWOMAN VILORIA-FISHER:**

Okay.

**LEG. D'AMARO:**

Can I just ask one more question before we move on? We're referring to 1713. Whoever can answer it. I see it's a resolution sponsored by Legislator Romaine. We had someone address this resolution during the public portion. Is this also part of this area, 1713?

**MS. FISCHER:**

It is adjacent to it. To the west it shows us the Suffolk County PDR on that map. We're going to be giving out another map identifying it when 1713 comes out.

**LEG. D'AMARO:**

Is this -- because it's adjacent, I just want to ask before I vote on this bill, is the next one also part of the park plan? Or is this -- and is it being acquired under the same program where it's going to be part of this active use? Or is it just separate? Should we consider this separate?

**MS. FISCHER:**

Tracey.

**MS. BELLONE:**

The active rec component is the funding source. It's going to be used as an equestrian facility as you can see on the conceptual plan. It would still -- you know, we're going to consider it North Fork Farm County Park. It would still have to comply and all activities would be subject to Chapter Eight. But it will be an equestrian use, which is an agricultural use.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. Legislator D'Amaro, although we're not on 1713, Counsel had advised that we really have to table 1713 because of the section of the Charter, which states alienation of development rights, goes into a whole different category and we have to take a closer look at that. So as the letter from Joe Gergela stated and the speaker who spoke before us earlier, you know, we have issues in the law that we have to deal with before we can pass this.

**LEG. D'AMARO:**

And, Tracey, just if there's a little uncertainty around 1713, is that -- you know, dispositive of your plan? Do you need that parcel to go forward with this legislation? I mean obviously you want it and it would enhance the project but --

**MS. BELLONE:**

That's exactly it. If we don't have that component, we lose active rec space on the North Fork piece. So we lose campsites, we lose RV sites. We want to maximize the active use portion on North Fork. I mean, you know, the site is ideal for an equestrian use. I mean the northern portion has many trails so we did want an equestrian use on the property.

**LEG. D'AMARO:**

Right.

**MS. BELLONE:**

I am Chair of the Equestrian Advisory Board, which was established after we couldn't get an operator for Southaven. And the thing that those equestrian advisors said was that, you know, they needed a state of the art equestrian facility with a large indoor ring and large outdoor ring. This is an ideal location. That is why we thought to use it on the 1713 acquisition and to actually maximize the RV sites, and the ten sites and the cabin sites on the other piece.

**LEG. D'AMARO:**

Okay. I appreciate that answer. I know we're considering 1710 right now, but I'd appreciate it if you would just hang around for the next bill, which I think you will.

**CHAIRWOMAN VILORIA-FISHER:**

Everybody's staying. Everybody's staying. Legislator Romaine.

**LEG. ROMAINE:**

Yes. Obviously North Fork Preserve has been in front of the Legislature several times. It makes eminent sense. We're looking at 311 acres. And what -- came to the conclusion is that we're going to use the southern part as the next regional park of Suffolk County. There's going to be camping available, campsites, trailers. There'll even be cabins constructed here. So this is going to be a positive for all of Suffolk County. You ask anyone who have campers, and they'll tell you, there's not enough time or space for them to enjoy Suffolk County. This is going to widen that. I think it's a great use. This is a beautiful piece of property; absolutely gorgeous.

Since 1713 was raised, and I will accept a tabling until we can ferret out all the legal issues, this property's about 50 acres in which we purchased the development rights. But the North Fork Preserve, as we know, as a legal entity is getting rid of all of their property. They're going to cease to exist. For the 20 years that they've owned this and which we've purchased development rights, they have not farmed this property. It's lay fallow.

So I spoke with the Parks Department. And they indicated this will be a great use for an equestrian center. I have to tell you that would create some economic opportunities in my district particularly for the horse industry. And this is something that is worthy of consideration. I understand Mr.

Gergela's objections. I understand the Peconic Land Trust because they're afraid it will set a precedent. But this land isn't being actively farmed. It hasn't been actively farmed since we bought the development rights. And we are building a regional park next to it. I mean that doesn't happen -- this is probably the last regional park that this County will build. And it's probably going to be 20 years in the future before we get the money and recover from we are today. But at some point, we'll have the opportunity to take a look at this.

So although we're going to table 1713, we need to have a dialogue about this. We need to talk very carefully about what we want to do. Because I don't believe in the conservative plan. There is an equestrian center. This is the area that it would -- if we already own these development rights of these 50 acres, the cost of purchasing the fee simple title isn't going to be that much greater. And we're going to be adding to our regional park.

And I just want to make that -- I put this out there, not because I want to, you know, aggravate the Farm Bureau or the Peconic Land Trust, who I work with on so many other things, but because I want us to seriously consider this parcel in that light. And the interesting thing is an equestrian center is in essence agriculture use; it's part of the agricultural use.

**CHAIRWOMAN VILORIA-FISHER:**

Legislator Romaine, Mr. Hillman has to leave. And I'm waiting for him to give a presentation so we're going to try to keep it going. Okay?

**LEG. ROMAINE:**

Okay. Sure.

**P.O. LINDSAY:**

I have a question. Is there any anticipation about moving the shooting range here?

**LEG. ROMAINE:**

That I don't know. Presiding Officer, as you know, I've met privately with Legislator Browning about another location.

**P.O. LINDSAY:**

It just seems to me to be -- combined it's 300 acres. It's a hunting lodge. To get the range out of the developed area, this would seem like an ideal place to me.

**LEG. ROMAINE:**

There is a -- and after this meeting I'll have a conversation with you. I met with Legislator Browning and showed her another shooting range that is actively for sale; that there is nothing around. And I'll talk to you about that location after this meeting.

**P.O. LINDSAY:**

Tracey, do you know, is there any discussion about this property?

**MS. BELLONE:**

Legislator Browning hasn't discussed it with me. Obviously it would fall in the active portion, the southern portion, which would essentially limit what we could really do in making this a regional county park. Because, you know, the southern portion, there is ponds on the eastern portion. So we couldn't put the camping and all that stuff on that location. So we would move the -- if we put a shooting range operation here, we wouldn't be able to have -- the range is about 60 acres currently at Trap and Skeet. So to put it on this location would essentially kill our idea of a park.

**P.O. LINDSAY:**

Even with 180 acres?

**MS. BELLONE:**

On the southern portion. Well, the -- like I said, the eastern portion is relatively -- it has ponds. There are some wetlands over there. We do have that proposed for primitive camping, Boy Scouts. So it hasn't been looked at by us and Legislator Browning hasn't approached us.

**MS. FISCHER:**

I think another issue that there could be conflicts of interest -- conflicts of use between the equestrian, the camping and the Trap and Skeet. It's pretty --

**P.O. LINDSAY:**

There's a conflict of use now between the neighbors that live next to the shooting range and the shooting range.

**MS. FISCHER:**

Right. But I think that there's other sites that are being considered.

**CHAIRWOMAN VILORIA-FISHER:**

Okay, well we have -- do we have a motion on 1710 yet?

**MS. ORTIZ:**

No.

**CHAIRWOMAN VILORIA-FISHER:**

No? I'll make a motion to approve.

**LEG. D'AMARO:**

I'll second.

**CHAIRWOMAN VILORIA-FISHER:**

Seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1710 stands approved. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**LEG. ROMAINE:**

Please list me a co-sponsor.

**CHAIRWOMAN VILORIA-FISHER:**

**IR 1712, Reappointing Joseph Gergela, III as a member of the Suffolk County Soil and Water Conservation District. (Romaine)**

**LEG. ROMAINE:**

Motion.

**CHAIRWOMAN VILORIA-FISHER:**

Motion by Legislator Romaine, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1712 is approved. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**IR 1713, (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 (SCTM No. 0600-021.00-01.00-001.004). (Romaine)** There's a tabling motion by the sponsor, seconded by myself. All in favor? Opposed? **IR 1713 stands tabled. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

**1716, Adopting Local Law No. -2011, A Local Law to reduce the use of disposable bags by**

**retail stores. (Viloria-Fisher)** That has to be tabled for public hearing. I make a motion, seconded by Legislator D'Amaro.

**LEG. ROMAINE:**

On the motion to table.

**CHAIRWOMAN VILORIA-FISHER:**

Yes.

**LEG. ROMAINE:**

I would just ask of Counsel because I spoke to Counsel about this because as you know I have an interest in working on this issue, does this conform with state law?

**CHAIRWOMAN VILORIA-FISHER:**

We need state-enabling legislation in order to move this forward.

**LEG. ROMAINE:**

Oh. Did we not ask for -- wouldn't we seek a home ruling in that situation? How could we vote on this without that?

**CHAIRWOMAN VILORIA-FISHER:**

I've reached out to an Assemblyman and a Senator to sponsor that. They're not in session right now.

**LEG. ROMAINE:**

Right, I understand.

**CHAIRWOMAN VILORIA-FISHER:**

This has to be tabled for public hearing anyway.

**LEG. ROMAINE:**

Okay.

**CHAIRWOMAN VILORIA-FISHER:**

I want to get to Mr. Hillman before he has to leave. Okay, there's a motion and a second to table. All in favor? Opposed? **IR 1716 stands tabled. (VOTE: 4-0-0-1. LEG. ANKER NOT PRESENT)**

Mr. Hillman? Bill, thank you for your patience.

**MR. HILLMAN:**

Not a problem. Thank you. Bear with me. We threw this presentation together very quickly this morning. So if you'd like to interrupt and ask questions, by all means do so.

The catch basin technology has been in existence for almost a decade now. The main issues with this technology are low flow and clogging. If you can picture a Brita Filter, that's what this technology essentially is. And if any of you have ever used a Brita Filter, when you fill up your pitcher, it takes several minutes for that upper water to flow through the filter material into the lower filter, so it's filtered so that you can drink it. That's what we -- that's what the low flow issue is all about.

A typical County road requires about one cubic foot of water per second. That's what the flow rate for a typical storm on a typical County road is. The inserts, in general, have about a point one eight to point two seven cubic feet per second flow rate, which you can see is substantially less.

As far as clogging goes, we've researched this issue very thoroughly. DPW did a bench test of multiple media materials and insert technologies. And our study indicated that the initial performance was satisfactory. However, performance rapidly degraded after a short time period. And sometimes after one or two moderate rain events -- and I'm just going to take this opportunity to read two sentences out of the report. "The inserts were expected to meet the treatment flow rate of point five cubic feet per second and bypass a five point five cubic feet per second as indicated in table seven. Neither unit demonstrated that it could reliably accommodate the treatment flow criteria within five minutes of the initial use when synthetic storm water was applied."

So essentially what we did was we created an in-house storm water and we ran it through. And within five minutes the unit was essentially clogged up. There are third-party testing. New York State DEC and the EPA both have testing programs. They've also identified flow rates and clogging as issues. The 2004 storm water Manual recommended that these types of inserts only be used at what's called hot spot locations. Those would be fueling facilities, airports, maintenance garages, things like that. The updated manual interestingly enough seems to be backing off that recommendation. They don't make any recommendation for their use any longer. They only identify the same issues that we've been touting for numerous years now, is that flow rate and clogging is an issue.

We also did a pilot program. We installed 214 inserts at ten County facilities. The cost of that project was \$850,000. That included the initial installation and also quarterly cleanings by a contract vendor for two years. So we observed them in the field for two years. The pilot program results essentially were that the units were ineffective after one or two storm events and maintenance would be required on a monthly basis. And I have a few photos to just demonstrate that. I hope everyone can see that because that would be a normal -- that's what "clogged up" means.

So we had numerous flooding incidents. We actually had some vandalism at some of these garages where we had them installed because the flooding was so bad. Some of our crews went out with, you know, picks and jammed them in there to get the units out so that the water would flow. So the pilot program definitely identified all the issues, the flow rate and the cloggings.

So in summary the insert product literature acknowledges low flow rates. Due to flow rates and clogging issues, EPA has recommended them in hot spots, but seems to be backing off on that. DPW has performed not only bench testing, but a pilot program that has indicated both flow rate and clogging issues. And very simply put, without continual maintenance on these products, we believe that they are ineffective.

Again, I'll stress the point that when they are clean, they work. The point is that you need to keep them clean. And for us to do that, we do not have the resources to do that.

That's all the negatives. Now let me get to some of the positives. There are other options for treating storm water. There are what's called end-of-pipe technologies. These are putting inserts at 20, 30, 40 catch basins. What we're proposing as DPW and what we're following through on is one large catch basin at the end of the pipe that filters the -- "filter's" the wrong word -- treats the water. And that's the technology we believe in and we are implementing. And I'd be more than happy to take any questions.

**P.O. LINDSAY:**

So, Bill, we've taken out 200 storm drain filters?

**MR. HILLMAN:**

That is correct.

**P.O. LINDSAY:**

But we haven't replaced them with anything?

**MR. HILLMAN:**

No, we have not.

**P.O. LINDSAY:**

So, we're not doing anything for storm water runoff now?

**MR. HILLMAN:**

No. Again, that was a pilot program to identify if that particular product worked. And the Department's results are that they don't. To say that we're not doing anything for storm water is not accurate; because we have a project going out this year that will address 13 locations. Several along County Road 50, several on County Road Two. And one County Road 80 at Senix Creek in Legislator Romaine's district. Next year we have two more locations CR 65 and CR 85 in your district, Legislator Lindsay. And these are all end-of-pipe technologies that we're applying.

**P.O. LINDSAY:**

Is that the sponge system?

**MR. HILLMAN:**

No. It's what's called -- this is a patented technology but --

**CHAIRWOMAN VILORIA-FISHER:**

Vortex system?

**MR. HILLMAN:**

That's one type of manufacturer. But I'll use that word as in a general term like Q-Tip. But it's a vortex technology that -- when the water enters into a very large chamber, it swirls around in the first chamber. And all the sediment settles out. Eighty percent of the pollutants that are attached -- that are in storm water are attached to the sediment. So if you remove the sediment, you effectively remove eighty percent of the pollutants. That's a huge step right there.

The next chamber is a Weir system. And it -- the water flows down and up. Obviously oil stays on top so the next chamber collects all the oils. So if you've done those two things, you've gone a tremendous length to improve storm water. And those are the technologies that we're speaking of. You remove your sediments and you remove your carbons. There are other things that definitely do not get treated by this. Phosphorous, nitrogen, those are things that if they are an issue at a particular water source or discharge, there are other methods -- I'll be honest with you -- we have not implemented them as of yet. We're trying to get the largest amount out of our systems first, which we believe are these vortex catch basins.

Once we have them across the board on all of our discharges, we hope to go back and begin fine tuning those. And you can then build on that. So if we have these vortex systems at the end of the pipe on every discharge that we have in Suffolk County, Suffolk County discharges, not towns, but Suffolk County discharges, we then can go back and focus on the minute. But we want to get the large amount out first.

**CHAIRWOMAN VILORIA-FISHER:**

Bill, are you done? Bill, the problem I have with what's going on is that before we install the vortex system, because they haven't been installed, we've removed what was there already. So in the meantime -- I think the Presiding Officer is right. In the meantime we're not doing anything, right? I mean the problem it seems to me that we don't have enough staff to go and do the management of these, the cleaning. I think that's the problem, isn't it?

**MR. HILLMAN:**

I would argue that we have over 2000 catch basins on -- I think it's closer to 2500 catch basins on County roadways. And the staff that would be required to clean each of them on a monthly basis would be huge. It's much more effective to go to one location that might address 20 to 40 catch basins and open up one manhole cover and clean that one location.

**CHAIRWOMAN VILORIA-FISHER:**

Bill, I agree with you, okay, but my problem is this: A few years ago when we initially decided to put these in, I remember getting a call from you, Bill, saying "we put the money into this, why haven't they gone in?" And I called DPW. And I was told "well, because we're doing testing to see that they work." I don't know if you recall this conversation, Bill, but I made that call on your behalf as Chair of this Committee and asked why hasn't this moved forward? And I was told "because we're doing these bench tests, because we're seeing how they work."

There must have been some indication then how much manual -- how much the operating costs would be, how much staff we would need. But we expended the money, we inserted all of them. Now we have nothing to protect our waters from the storm water.

I'm just wondering why we would remove them and not at least have some mitigating tool out there to help protect our waters before we add the vortex system, the end-of-pipes. You understand what I'm saying? We've left our waters kind of naked to whatever's going to intrude upon them. I just don't understand the philosophy of removing what's there before we're ready to put in the new system.

**MR. HILLMAN:**

The insert technology cannot function, nor is it cost effective, I believe, for the Suffolk County taxpayer for us to go out to a vendor and require them to go clean all these 214 catch basins where they were installed once a month, again, would be costly -- in my view cost prohibitive. That's why essentially they were removed.

I will also note that many of these locations were -- many of these ten county facilities do not have -- I should say most. Most of these ten county facilities do not have direct discharges to surface waters. We installed them under this program to try and protect the groundwaters. And, again, this is above and beyond me, but I would argue that the majority of the pollutants, if you have a catch -- a leaching basin -- let me backtrack even further. A leaching basin is identified by the DEC and the EPA as a Best Management Practice. So if you have storm water that is running into surface waters, one of the accepted technologies is, put a leaching basin in. And that holds the water and it leaches through the ground. And the ground treats the water. So that's an accepted technology, let's call it.

Most of the 214 locations, we installed these as -- again, as a pilot program, did not have a connection to surface waters. I think one system did in Yaphank out by us. So my point is that surface waters are not in jeopardy by us removing these. The pilot program was to identify if operationally they worked. And I think we've proven they haven't.

I would also like to point out that there are roughly 200 direct discharges to surface waters existing. We have already treated with vortex systems, roughly about twenty. So we're at 10%. By close of business next year, we'll have another fifteen. So another 8%. So we'll be close to 20%. Is that where we want to be? Definitely not. Is this technology much harder to install? Definitely is. You're opening up the ground, you have to identify utilities, make sure all the flow -- the grades work. So it is harder and much more complex to install.

However, this product, in my view, is not the solution, is not cost effective and really shouldn't be applied in this situation. We were agreeable to test them in what the EPA had identified as hot

spots. We were extremely reluctant to put them on our county roadways. Because the floodings that would occur on our roads would be unsafe. Having them in a parking lot or a gas facility was an acceptable risk, if I could put it that way.

**CHAIRWOMAN VILORIA-FISHER:**

Okay. I have gone to the storm water symposium that we've held here that was put together by the Regional Planning Council. And I think Fabco gave out a lot of materials on different inserts. So, is this problem something that happens with all of the inserts? Too high maintenance? Because I'm looking at the storm pod cartridges, there's storm soak and there was one, I'm trying to remember the name of it for these hot spots, so you're saying that none of these would be really cost effective because of the maintenance required?

**MR. HILLMAN:**

That is correct. And as I alluded to, the EPA, they have massive testing facilities. They have, you know -- picture the biggest warehouse you can picture in your mind. And the EPA has, you know, all these different technologies in this warehouse. And they flow water through them and they throw sand, and, you know, they mix storm water and they put it through the systems and they test them. All these insert technologies, there's numerous out there. They have the ability to go to the EPA and say "we would like you -- " there's a certification program. And they can go there and they can say "we would like to be certified as a stormwater Best Management Practice." None of them do it because they cannot meet the rigorous criteria that they're held to.

So there are pamphlets, there are brochures. They all sound great. But, again, let me bring you back to very simplistic terms. Think of a Brita Filter, fill it up with water, take a handful of sand, throw it in the Brita Filter and see what happens. Very simple. That's what we're talking about. This is a Brita Filter out in the outside world environment where we throw sand and salt on the road in the middle of the winter to try and keep them from freezing. And that's the environment we expect these inserts to operate in. It's unrealistic.

**CHAIRWOMAN VILORIA-FISHER:**

Legislator D'Amaro has a question.

**LEG. D'AMARO:**

Very quickly. I'm just curious how much are we giving up, if anything, by changing the methodology or the systems or the technology? When the inserts are operating in full capacity in that first five minutes, how much more efficient or successful are they than the end-pipe system that you're speaking to?

**MR. HILLMAN:**

I would think they're not -- they're comparable. We're not giving up much. The inserts -- let me put it this way. The end-of-pipe technology addresses sediment and carbons. The insert technology does the same. They make no claims nor do they promote that they will do anything against nitrogen or phosphorous or any of the other small pollutants that you could -- so the answer is they operate the same. However, the end-of-pipe technology lasts for a year, possibly even longer with no maintenance. Whereas this technology would need extensive maintenance after --

**LEG. D'AMARO:**

And we know that without having to test the end-of-pipe technology?

**MR. HILLMAN:**

As I indicated, we have 20 of them up in operation right now.

**LEG. D'AMARO:**

Okay.

**MR. HILLMAN:**

For years now, we've been -- we've had them operational.

**LEG. D'AMARO:**

All right. Okay. So we're really not giving up much as far as going to the newer -- the better technology. It's just a matter of getting, you know, getting it in and how quickly. Is there a capital project for this? How are we funding all of this?

**MR. HILLMAN:**

We had been doing most of it through Water Quality, the Quarter Percent Fund, which unfortunately has hit some hard times. And that's slowed us down quite a bit. Several of these projects that I noted had been previously funded and we're getting to them now. Moving forward past 2012, we don't have a whole lot in the hopper. I think what we're going to do -- we're going to be doing -- my Director of Highways is here, too. He's the guy in charge of implementing this. But his staff is still designing these things. We have consultants still designing these things. It's a matter of when the funding comes back through Quarter Percent, hopefully we're ready to go.

**LEG. D'AMARO:**

How many do we need?

**MR. HILLMAN:**

Well, we'll probably -- just say in round numbers, we'll have about 40 in the ground by the end of next year. And we have 200 locations. So another 160, which is a long way to go.

**P.O. LINDSAY:**

The new technology handles, you said, like 40 storm basins. It's end-line stuff. So there's 200 of those locations? How many storm drains do we have throughout the County?

**MR. HILLMAN:**

There's about 2500 catch basins.

**P.O. LINDSAY:**

Okay.

**MR. HILLMAN:**

And those need to -- I shouldn't say "those." Some do not lead to surface waters at all. Some of them never gets discharges to surface waters. There's about 200 discharges to surface waters. And that's what we're focusing on. And of those 200, we've treated -- we will have treated about 40. And connected to those --

**P.O. LINDSAY:**

"Will have" meaning next year?

**MR. HILLMAN:**

Yes.

**P.O. LINDSAY:**

What's in the pipe --

**MR. HILLMAN:**

Yes.

**P.O. LINDSAY:**

-- is installed.

**MR. HILLMAN:**

Correct.

**P.O. LINDSAY:**

Okay. So we've taken all these out. Have other jurisdictions -- I know Nassau went for this system big. Are they experiencing the same problems we are?

**MR. HILLMAN:**

I have not spoken to them about it. I do know that the Town of Babylon is very happy with their products.

**P.O. LINDSAY:**

I know in Babylon, we went on a tour one day and saw the sponges. And they were concentrating on the end-line filtration.

**MR. HILLMAN:**

Correct. So I do know now -- I have not spoken to Nassau. We are careful; the Department is very careful not to degrade any one particular product. So, you know, as far as -- we've done our due diligence. We've done extensive research on this. The EPA is backing off on it. New York State DEC does not issue this as a Best Management Practice. Everything that we research indicates that this is not the technology to be putting our money into.

**P.O. LINDSAY:**

I don't think we're arguing that. I think what disturbs us is that we pull them out. And it sounds like it will be years before they're replaced with another system. Meanwhile our bays are suffering, you know. Could we at least prioritize where we took these out that flow into our waterways, that they be done first when we -- I mean we're starting to design now, that we can get them taken care of first?

**MR. HILLMAN:**

It's an excellent point; an excellent question. I'll say this: The only -- of the ten facilities, I believe the only one that had a direct discharge was actually in Yaphank that went into the headwaters of the Carmans River. The way we're prioritizing our program is, each water body that we discharge to is either on the list or maybe not on a list, hopefully not on a list, as impaired or -- I'm not sure of the terminology to be used, but I'll just use "impaired." So if it's on an impaired list, that becomes our priority. If we have the choice of doing a particular location here that's not impaired or another location here that is an impaired water body, obviously we choose that one. So that's how we prioritize it.

And let me just note some successes. The Forge River, which is an impaired water body, we have addressed that as a direct discharge. That is installed and operational. Bellport or Patchogue Bay is 36?

**MR. COLAVITO:**

It's actually both.

**MR. HILLMAN:**

Yeah, but the one we're doing now is the only one. Patchogue. Patchogue Bay impaired water body. And we're installing them right now. I don't have a lot -- in my head I don't have a knowledge on the other locations. But that's how we set up our program. If it's impaired, we go after that first. But I agree with your concerns about -- I wish there was a magic bullet that we

could say let's do now, let's get it in and it'll hold us over until we can, you know, address it with this end-of-pipe technology. Unfortunately, I don't want to sound like a pessimist, but we can't believe the salesmen brochures that we get. You know, we have to do our due diligence and test them. And we've done that. And we stand firm that these are not the technology we want to be using.

**CHAIRWOMAN VILORIA-FISHER:**

And, actually, Mr. Chair, I just spoke with Emerson Hasbrouck, who as you know heads up the Cornell storm water Program. And he said, "you're absolutely right." We got the peanut gallery. And Vito Minei, Director -- Executive Director rather. And the second thing is you know that bag bill that I have, that there would be a nickel surcharge, that four cents of that nickel surcharge would go directly to the programs that you're talking about. Because plastic bags clog up everything.

**MR. HILLMAN:**

Yes.

**CHAIRWOMAN VILORIA-FISHER:**

And we want a way to -- because I sit on the 477 Committee. And I know how tight the money is. And that four cents a bag would go directly to that program. It would be directed revenue.

**MR. HILLMAN:**

That's great. That'll help. I'd also just like to point out that if we're rebuilding a roadway, it has a discharge, we don't only rely on Quarter Percent money. The Department uses capital funds; straight up capital funds. If we're doing a \$3 million roadway project, and it's going to cost us another \$200,000 to implement these end-of-pipe technologies on two discharges, well, we include that in our standard capital budget and proceed with that. We don't say, *well, we don't have Quarter Percent money*. So the Department's actively pursuing this any way it can.

**CHAIRWOMAN VILORIA-FISHER:**

And I see that at CEQ when your projects come before us. Okay. Any other questions?

**MR. HILLMAN:**

Thank you very much.

**CHAIRWOMAN VILORIA-FISHER:**

Any other questions for Bill? Thank you for coming down. I know it was short notice. I appreciate it.

Motion to adjourn by Legislator D'Amaro, seconded by myself. We stand adjourned.

**THE MEETING CONCLUDED AT 2:21 PM  
{ } DENOTES SPELLED PHONETICALLY**