

**ENVIRONMENT, PLANNING and AGRICULTURE COMMITTEE**

**OF THE**

**SUFFOLK COUNTY LEGISLATURE**

**MINUTES**

A regular meeting of the Environment, Planning and Agriculture Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on June 13, 2011.

**MEMBERS PRESENT:**

Leg. Vivian Vilorio-Fisher, Chairperson

Leg. Lou D'Amaro, Vice Chair

Leg. Thomas Muratore

Leg. Edward P. Romaine (not present)

Leg. Sarah Anker

**ALSO IN ATTENDANCE:**

Legislator Jay H. Schneiderman, Second Legislative District

Tim Laube, Clerk of the Legislature

Renee Ortiz, Chief Deputy Clerk

Alicia Howard, Legislative Aide

George Nolan, Counsel to the Legislature

Sarah Simpson, Assistant Counsel

Gail Vizzini, Director Budget Review Office

Robert Lipp, Deputy Director, BRO

Laura Halloran, BRO

Eric A. Kopp, County Executive's Office

Pamela Greene, Director, Real Property Acquisition & Management

Michael Mule, Department of Planning

Sarah Lansdale, Director, Department of Planning

Lauretta Fischer, Principal Environmental Analyst, Department of Planning

Janet Longo, Real Property Acquisition & Management

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

Brian Culhane, Commissioner, Department of Environment & Energy

Kara Hahn, Communications Director, Presiding Officer

Kenneth P. Savin, Esq.

Kenneth Schmitt

Joe Gergela, LI Farm Bureau

Polly Weigand, LI Native Plant Initiative

Herb Strobel, LI Native Plant Initiative

Caroline Sawyer, LINGI

Dava Stravinski, LINGI

Lauren Hubbard, LINPI

Tiffany-Ann Taylor, SCPD intern

Kathy Malloy, SC AME

And all other interested parties

**VERBATIM MINUTES TAKEN BY:**

Diana Flesher, Court Stenographer

## THE MEETING WAS CALLED TO ORDER AT 1:05 PM

### CHAIRPERSON VILORIA-FISHER:

Welcome to today's meeting of the Environment Committee. Please join us in the Pledge of Allegiance led by Legislator Muratore.

### SALUTATION

### PUBLIC PORTION

Okay, we have two cards, two speakers. The first is Joe Gergela. Hi, good to see you. You know to press the button on the bottom of the microphone, right?

### MR. GERGELA:

Yes.

### CHAIRPERSON VILORIA-FISHER:

And keep your finger on it.

### MR. GERGELA:

Okay. Good afternoon, Madam Chairwoman and members. Joe Gergela, Executive Director of Long Island Farm Bureau. I filled out the card, there's like three or four different things on there. And I'll be very brief.

I first wanted to just tell you that as far as the invasive species stuff, it's been working out pretty well. I'm still getting a few phone calls from members that are concerned about particular species important to their operation, but we refer them to the technical committee, to bring it up and try to get it evaluated. And as long as Charlie Scheer goes to the meetings, we're in good shape.

### CHAIRPERSON VILORIA-FISHER:

And he always does.

### MR. GERGELA:

Thank goodness for Charlie. But so far, so good.

The second thing is I just wanted to mention about the Ag Districts, which is going to be coming up before you as a Committee. This is very, very important to Long Island farmers. It's not only different tax benefits, special district benefits, but also the right to farm protection that we have is contained within the Ag Districts Law. So it's very important to those farm operations that they get the -- they're able to be included.

The third thing I'll mention, and I see that Polly's going to give a presentation this afternoon, the work that the Soil and Water District and what Polly personally has been working on with this project is very important to Long Island and certainly supported by all of us.

What was the last thing I put on there, Madam Chairwoman, there was four things.

### CHAIRPERSON VILORIA-FISHER:

I was just looking. I think you mentioned them both. You had 1425 and 1544.

### MR. GERGELA:

There was one more. The disclosure resolution that's being introduced today.

### CHAIRPERSON VILORIA-FISHER:

Oh, the financial disclosure; that's right.

**MR. GERGELA:**

Right. That's very -- also very important and probably one of the most critical things that we have before you right now. The farmers are volunteers that participate on the Farmland Select Committee. And it's been that way for -- since the inception of the program.

Farmers like to keep their personal business private. Certainly they have enough brains that if something personal comes before them, they know enough to recuse themselves. But the requirement for them to do financial disclosures to serve as volunteers on a County committee is a bit much. They don't object to a policy statement to the effect of, you know, conflict of interest statement; but they really strongly object, and as a group have said that they will all resign if it came to that. So we're asking for some latitude with that requirement in Chapter Eight.

I'd be happy to answer any questions, but thank you for the opportunity to say hello.

**CHAIRPERSON VILORIA-FISHER:**

Thank you, Joe. And I certainly see the logic in what you're saying regarding 1544.

**MR. GERGELA:**

Thank you.

**CHAIRPERSON VILORIA-FISHER:**

And the extended financial disclosure on that.

**MR. GERGELA:**

Thank you.

**CHAIRPERSON VILORIA-FISHER:**

Okay. Thanks a lot, Joe. And, by the way, you know that the invasive legislation still has the public hearing. So if there are people who feel that they still want to state their position on the list, it's still in public hearing.

**MR. GERGELA:**

Okay.

**CHAIRPERSON VILORIA-FISHER:**

Let them know.

**MR. GERGELA:**

Okay. And most of the things that have come up have been looked at again by the Committee. And overall that process has been working quite well. I just want to let you know that, you know, we are paying attention. And certainly there are individuals that have a personal, you know, species of plants that they want available, for whatever reason, as part of their business. But overall the process has been working quite well.

**CHAIRPERSON VILORIA-FISHER:**

I agree with you, Joe. That Committee is great. They've been meeting for years, you know, ever since I introduced the first legislation. And they really work well together as a Committee. It's very balanced. Thanks a lot, Joe. Thanks for coming.

Ken Schmitt. Hello, Mr. Schmitt, how are you? Good to see you. Don't forget to push the button on the bottom of that.

**MR. SCHMITT:**

My name is Ken Schmitt. I serve at the pleasure of the County Legislature as Chairman of the

Suffolk County Farmland and Agricultural Protection Board.

One of the duties of the Protection Board is to oversee the New York State Ag and Markets Ag District Law within the County. During the month of January, is what we call open enrollment period. Landowners may apply for inclusion within an existing Ag District. And the application that was submitted in January came before the Board. We had a meeting on April 21st and thoroughly reviewed all the applications. A list that you have before you today is the list that we've approved on our behalf. I would recommend that this Committee approve them and forward them to the County Legislature so the Legislature can hold a public hearing on the applications. Thank you.

**CHAIRPERSON VILORIA-FISHER:**

Thank you very much, Ken. Good to see you.

There are no other cards. We do have two presentations. Oh, there's another card coming? Kenneth Savin.

**MR. SAVIN:**

Okay, I have the button. Kenneth P. Savin, S-a-v-i-n, 54 Main Street. I am the Asharoken Village Attorney. I came to address what last year I spoke about; however, I was here in the event -- there was at least -- there's two parcels in the Village of Asharoken that were not recommended for approval in the district. And I was here in the event someone was speaking in favor of that. The fact that no one has and the fact that it's not recommended it be included in the District, I have no further comments.

**CHAIRPERSON VILORIA-FISHER:**

Okay. Thank you.

**MR. SAVIN:**

Thank you. Thank you.

**CHAIRPERSON VILORIA-FISHER:**

Thank you for coming down, Mr. Savin. Okay.

**SLIDESHOW PRESENTATION**

And so we go to our first presentation. Polly Weigand is going to be talking to us. She's a member of the Soil and Water Conservation District. And she's going to be presenting the Long Island Native Plant Initiative, which was formerly know as the Long Island Native Grass Initiative. And, look we have some native grasses to look at. Okay, go ahead, Polly.

**MS. WEIGAND:**

Good afternoon. I'm Polly Weigand. I work as a Soil District Technician for the Suffolk County Soil and Water Conservation District in Riverhead. And I'm also the founder and coordinator of the Long Island Native Plant Initiative. I wanted to thank you all for letting us introduce this program to you, especially for those that aren't familiar with it. I do have some of our partnering organizations and volunteers here that I would like to have the opportunity to introduce.

**MR. STROBEL:**

Good afternoon. Herb Strobel, Treasurer of the Long Island Native Plant Initiative as well as Executive Director of Hallockville Museum Farm up in Sound Avenue in Riverhead.

**MS. SAWYER:**

Caroline Sawyer. I'm a faculty member at SUNY College at Old Westbury and I've been a volunteer with LINGI about a year.

**MS. STRAVINSKY:**

I'm Dava Stravinsky. I'm a resident of Bellport. I'm the secretary of the Long Island Native Plant Initiative. And I've also volunteered for little over a year.

**DR. HUBBARD:**

Dr. Lauren Hubbard. I'm the Advisory Board with LINPI. I'm a plant biologist and I've been also volunteering.

**MS. WEIGAND:**

Thank you. Yeah, we have some great representatives today. Long Island Native Plant Initiative, I started in 2005 after hearing a lot of my colleagues express an interest in being able to do restorations and utilizing native plants in their landscape that are genetically native to Long Island and thus the most adaptive. So our mission is to conserve biodiversity by creating sources of ecotypic native plant material for use in regional plant propagation, landscaping and habitat restoration.

We value biodiversity intrinsically. We do recognize that it is -- species and diversity have the innate right to exist in the world; but also humans innately also recognize things as they relate to themselves and they do provide -- biodiversity does provide us with many ecosystem services and benefits specifically on Long Island: Flood and erosion control, improvements in water quality, food, fiber and medicinal products. Agriculture, Suffolk County does have a dominant agricultural presence. And a lot of the vegetable and fruit crops require pollination in order for them to produce fruits. So the native pollinators provided through diversity are integral in providing that crop yield. And also there's vast recreational and cultural opportunities that exist with maintaining high levels of biodiversity. And we focus on that biodiversity because all parts integrated together form a functional whole and provide that necessary biodiversity on the landscape.

We focus specifically on ecotypic native plants or genetically native plants because they're the foundation of terrestrial biodiversity. They form the structure in our habitat, the shelter and the food resources of other species that are dependent on the plant materials. And for those that aren't familiar with the term ecotype, ecotype means genetically native. So an ecotype is a species or a population from a particular region or ecosystem. So a Long Island ecotype would be a plant selection from -- native to Long Island that was intentionally used back into that -- ecotype of that region. And they are -- ecotypes are formed by influencing forces. Generally the environment, the soil, the climate, fire. We are a fire regiment on Long Island and also we're affected by coastal influences, salt water and storm events, combined with the biological influences of competition and symbiosis. So those influences cause genetic adaptations of the species to be maintained in the landscape. They have the most adaptations to persist there.

Our advocate example for the use of ecotypes is the red maple, *acer rubrum*, southern provenance. Provenance is the location from where the plant materials source. Georgia, South Carolina, North Carolina have been shown to have reduced growth rates, reduced frost tardiness and reduced draught tolerance, causing them to also have early bud break and bud set. So they're programmed genetically to break bud in February in Georgia. If they do that here in New York, then they do not persist in our landscape. They also have variances in insect and disease resistance causing reduced vigor, fitness in establishment. So if you're investing your time in resources and using plant materials that are not locally genetic, they may not be as adaptive and tolerant to -- if you're using them for maintaining sediment erosion control and they don't maintain in the landscape, you're not only out financially from the loss of that plant material but now you have an environmental problem caused by erosion. So it's important to maintain ecotypes in the landscape.

There is increasing demand for native plants by the nursery industry, by homeowners, by the environmental movement, recognition of reductions in pesticide use for native plant; all of those things go into fostering a demand for native plants. What we've seen in the landscape is that there's limited demand -- there's limited availability of the initial source plant material to provide the nursery industry with that material to propagate. So the intention of the Long Island Native Plant Initiative is to provide the initial source of plant materials to the nursery industry to further their

plant propagation activities.

Our other objectives are to collect and archive seeds also known as seed banking of our native plants to create a source of certified ecotypic plant seed, specifically for propagation and large scale restorations, to ensure the commercial availability of ecotypic plant material, to foster a demand for the native plants, to support the nursery industry's propagation and sales of ecotypic plant materials; and also to serve as a model and the foundation of regional ecotypic production efforts. And that's important, too, because if you're producing native plant materials and someone's using your ecotype, in their area, say in Pennsylvania, then it's outside the bounds of the ecotypic plant production. So helping other people start their own program preserves, the genetic integrity of your plant populations and your plant resources.

We're an entirely volunteer cooperative. And we function under the pooling of resources, whether it's expertise, labor or equipment. And these are an array of the different organizations that have helped move us forward. We have Suffolk County -- Suffolk County Proper has been integral in supporting the -- LINPI. We received Quarter Percent sales grant funding from Suffolk County in 2007. And that has been integral in moving this program forward by providing the financial resources to allow us to go and clean our seed down in Cape May and further the program. And without that money, we wouldn't be where we are here. And these volunteers have provided the labor and their equipment for us to move this program forward.

Our successes and achievements have all occurred with an intentional focus on capturing as much as a genetic variation in the plant population while minimizing the ecological impacts and protecting the genetic heritage of Long Island's wildlands.

We administer seed collections. Our volunteers go out in the fall and collect seed from truly native plants that we've identified as being genetically native. The (inaudible) suits, everyone in white, that's for tick protection. It's fun. Grasslands and ticks go together. This is an array of some of the species that we collect, some asters and some woody plants. And after we have the seed, we dry it down to maintain its viability. And we don't clean -- it doesn't -- we don't collect it clean and pure. We have to clean it ourselves. So in the upper left-hand corner is a golden rod that we collected and we have to get that seed off the stem into a clean product that you see on the right-hand side of the screen. In the the bottom is the resulting seed that we cleaned in 2008.

And we utilize the Cape May plant material center, which is the USDA-Natural Resource Conservation Service Center in Cape May. And we utilize their seed cleaning equipment, which costs about \$100,000 for the seed cleaning equipment. So we value being able to go down for four days and utilize their equipment to clean our seed down.

Once it's cleaned down we maintain a viability --

**CHAIRPERSON VILORIA-FISHER:**

Can I interrupt you just for one second?

**MS. WEIGAND:**

Sure.

**CHAIRPERSON VILORIA-FISHER:**

Because you mentioned USDA-NRCS. Can you just stop for a second and tell us how closely they work with Soil and Water District here in Suffolk?

**MS. WEIGAND:**

Sure.

**CHAIRPERSON VILORIA-FISHER:**

Because people are accustomed to seeing, you know, NRCS as -- there we go.

**MS. WEIGAND:**

Right. Their logo USDA-NRCS is Natural Resource Conservation Service for the district -- Soil and Water Conservation District in Riverhead. We are located -- co-located with both the USDA-Natural Resource Conservation Service and also the Farm Service Agency. And we three organizations work cooperatively together to administrate Farm Bill Cost Share Program. And part of my --

**CHAIRPERSON VILORIA-FISHER:**

So they help us with bringing in money with the grants.

**MS. WEIGAND:**

Grant funding.

**CHAIRPERSON VILORIA-FISHER:**

That we bring in usually for our farmers. We bring in a lot of money to help our farmers with our conservation and protection.

**MS. WEIGAND:**

And they have -- the County has benefited in the past through the Wildlife Habitat Incentive Program, to do graphing restorations on public lands. And that's a measure that has been -- now prohibited within the past round of the farm bill, but they're trying to get that changed back so that public agencies can again receive that funding.

**CHAIRPERSON VILORIA-FISHER:**

Sorry for the interruption.

**MS. WEIGAND:**

That's all right. Once we clean our seed down, we need to maintain and store that seed to maintain the longest possible viability of the seed. So our partnering organization and the New York City Department of Parks Green Belt Native Plant Center in Staten Island maintains our seed in their seed bank at mid-term storage which maintains the viability of the seeds upwards of 20 years.

To date we've collected over 35 species of plants. And we've collected them from over 200 sites. Some of those sites are repetitive but we have over 200 collections within the seed bank. And we use that seed for future propagation and seed production.

We've created a Long Island Grassland and Native Seed Resource map, both for the general public and government agencies to utilize in their grassland restoration efforts. And also for us to document and track our seed collections.

We also do -- focus on commercial seed production through a native plant nursery for a large scale restoration using vegetative plant material plugs; it's cost-prohibitive and so you need to seed both to produce that plant material and also to facilitate large scale restoration. So we have been actively taking the wildland seed, which is in ounces, and growing it in the {Sundar} plot in Jamesport which increases our seed quantities to pounds. And then we have an MOU with Ernst Conservation Seeds in Pennsylvania who's increased that seed 200 pounds making it commercially available on the market. And this year actually we're very successful in getting little blue stem and big blue stem, two of our four targeted species is now commercially available as certified seed through Ernst Conservation Seed and you can now purchase that. And Indian grass and switch grass will be available next year, which satisfies our original founding goal of our program so we're very excited to have that be available.

We also do active plant propagation, both to run the {Sundar} plot and also to help us with fundraising. We have an annual plant sale to support the nursery industry's native plant production. So we provide them with plant materials. Also to facilitate restorations and

landscaping and public education. So we had our plant sale the last two weekends on the 3rd and the 4th and the 10th and 11th. It was very successful. We had a lot of people come out. And people are always very excited to see the plants.

Some of the applications I wanted to highlight of our plants in the landscape, the most recent one I got an e-mail on Friday or actually on Saturday, the Peconic Estuary Program had a Bay-friendly Landscaping Granting Program, where they sent out an announcement that they are looking for individuals who wanted to do more natural landscaping. And one of the recipients of that grant is in Hampton Bays on the Bay. They received funding to expand their buffer between their lawn and the shoreline. And this plant material you can see in the foreground where the disturbed soil is, is all of our plant materials that were purchased on Friday -- last Friday from the plant sale. So we're excited to be part of that. Enhancing Yard Essentials was the landscaper that bid and won that project.

We provided plant materials to Marder's for a grassland restoration in East Hampton. We've provided plant materials to Cornell Cooperative Extension to serve as an alternative to Ms. {Cantisenentis'} demonstration trial. Ms. {Cantisenentis} has demonstrated invasive species and --

#### **CHAIRPERSON VILORIA-FISHER:**

Just to mention that with the invasive species, we're going to see that legislation coming up where we have the list of invasive species plants that are on the Do-Not-Sell list. Cornell Cooperative and LINPI have helped us to find alternatives to those invasive species. So this really is a nice synergy.

#### **MS. WEIGAND:**

Yeah, it works well. Andy Senesac, he's a weed specialist at Cornell, is utilizing our plant materials to see how they would compare just visually to Ms. {Cantisenentis} for replacement species.

The Cold Spring Harbor Fish Hatchery utilize our plant materials to increase pollinator habitat. And this was in part through Newsday's future core program. They received funding for that and utilized our plant materials. You can see the young lady in the foreground is holding a flat of our plant materials from last year.

Nick Mancuso, who is a Boy Scout of America, now Eagle Scout -- utilized our plant material on Suffolk County property down in Sayville to do the Greene's Creek landscaping and restoration in Sayville.

New York State Department of Transportation has also utilized our plant material and roadside plantings. They used this in Rocky Point on 25A. And they also used our plant materials on Charles Lindbergh Boulevard in Hempstead. They used specifically our Hempstead accession, our seed collected off the Hempstead Plains to restore and establish grasslands adjacent to Hempstead Plains so they're maintaining the genetic composition of that landscape.

Also EEA, local consulting firm in Stony Brook, approached us about providing scrub oak to National Grid. National Grid had a permit to expand their terminal in Riverhead. And they needed to establish scrub oak, which is a critical habitat for the buck moth. And we provided the scrub oaks. We went out and collected the acorns and grew the scrub oaks for them for that program.

And then lastly Hofstra University has utilized our plant materials to do a scientific experiment and research; notably the restoration success of the Hempstead Plains Prairie Ecosystem in a suburban vacant lot. So they're utilizing our plant materials to see how well they thrive in an urban landscape situation as far as tolerances.

As far as educational component, thanks to, again, the funding of the Quarter Percent Sales Tax, we hosted the Long Island Native Plant Symposium, the opportunities and advantages of working with native plants in March. We had over 265 attendees. We sold out the program at least two to three weeks before the program went. And we didn't do any supplemental advertising after that point.

And we had representatives from Pennsylvania, New Jersey, Connecticut, Rhode Island and New York representing the nursery industry local, state and federal government agencies, non-profit organizations, academia, botanical gardens, natural heritage programs, consultants, landscape architects and landscapers, homeowners and gardeners. So we had a great diverse array of people in attendance at that conference.

Our next step is to diversify our species and continue to do seed collections, specifically for cool season grasses as replacements for non-native turf grasses, increasing our perennial flowering plant collections, moving onto doing more shrubbery and also focusing on coastal plants, especially with a degree of coastal erosion that we experienced. We need the native plants to be maintaining our shorelines.

We're specifically outreaching to the nursery industry to provide them with training on native plant production and appropriate use of native plants in their landscaping businesses and propagation. We're in the process of formalizing into a non-profit organization. We've reached the point where it's appropriate for us to do that so that we can also hire interns and staff in order to administrate and further the program. And to do that, of course, we need to fundraise and continue grant writing so that we can also participate in the federally mandated program The Seeds of Success, which is a federal program that is seed banking from across the United States. We can participate in that. We can make sure that our genetic heritage is preserved in the National Seed Bank in Fort Collins, Colorado.

And, of course, we always need additional volunteers. We are all volunteers. So if anyone has any extra time and you're interested, we'd love to have you guys come out and check it out. We give free tours. And we're always available so thank you.

**CHAIRPERSON VILORIA-FISHER:**

Well, thank you so much for your leadership in this, Polly. It's so important. Questions. Legislator Anker.

**LEG. ANKER:**

Hi, Polly.

**MS. WEIGAND:**

Hi.

**LEG. ANKER:**

Hi Polly and your volunteer staff. Thank you so much for -- can you hear me? Can you hear me now?

**MS. WEIGAND:**

Yes.

**LEG. ANKER:**

Thank you so much for all your volunteer efforts to you and your staff. I got to tell you 15 years ago when I moved to Mt. Sinai, I was searching for native plants. I had just taken a couple classes from Karen Bloomer. And we were going to different golf courses. It was a project -- they were trying to get native plants that were going to hopefully be more hardy so we wouldn't have to use herbicides that are used on golf courses. And, you know, I learned so much from that class. So I do appreciate your efforts.

Again, I've been away from that part with the gardening, but I'm really happy to hear that, you know, your efforts really seem to be very successful. And I personally would like to talk to you more about, you know, doing some more programs. And I have just a couple of questions. The first one is, when you harvest the species, do you go to sites that are going to be -- that are going to have construction so are you able to remove some of those native plants from those sites?

**MS. WEIGAND:**

We don't do any actual plant removal. We focus only on the seeds. We have collected seed off of sites and make it an intention if we can get there to collect seed from sites that are slated for construction, seeing how that's our last chance. But because we're all volunteers, it's very hard for us to A) know where that site is and B) to have the volunteers to get to those sites.

**LEG. ANKER:**

All right. In the paper they had the article on the solar array.

**MS. WEIGAND:**

Right.

**LEG. ANKER:**

And it was, you know hundreds and hundreds of acres of natural vegetation. And I know there were environmental advocates, you know, hoping to preserve some of those plants.

**MS. WEIGAND:**

Right.

**LEG. ANKER:**

And bring them to relocate. What's your thoughts on that?

**MS. WEIGAND:**

I specifically made recommendations to BP Solar and BNL on appropriate re-vegetation for that. BNL has been collecting seed from that site for us, so we're -- we recognize the importance of that.

**LEG. ANKER:**

I was on BNL CAC, the advisory board. And, you know, that was a component they were hoping to work with, to try to preserve some of those species.

The other question also related to BNL, another issue was phragmite. What's your thoughts on phragmite? Because, you know, in my district there's a lot of water and a lot of phragmite. And I know they now have gone after some of the science behind it and tried to reduce it and tried to eliminate it. What have you heard with that? Because that has to be removed before you can plant some of these species that you have. What's your thoughts?

**MS. WEIGAND:**

Well, phragmites is pretty tenuous. There is a native strain of phragmites. You want to make sure that you're not unintentionally removing the native. So there is specific identification protocol that you can use for that. Generally it is the invasive strain that you see on the landscape. It's very tenuous to remove. You can dig it or you can use herbicides, but it will out compete most of the plants that coexist with it. It dominates them. There are a few that will. But you need to make sure with any restoration that you do that you're controlling all of the invasive species before you do restoration or you're really going to be losing money because the invasives are going to dominate again. So it's a tenacious plant. And if we can figure out a quick way to remove it, we would be doing pretty good.

**LEG. ANKER:**

That was my question. Again, if you're going to invest in the time, energy and money to plant native species, you do have to remove those invasives.

**MS. WEIGAND:**

Right.

**LEG. ANKER:**

You know, the jasmine, the honeysuckle --

**MS. WEIGAND:**

Honeysuckle.

**LEG. ANKER:**

There's -- you know, even the maple -- the Canadian maple --

**MS. WEIGAND:**

A Norway maple.

**LEG. ANKER:**

Yeah, Norway. Yeah, yeah. There's a lot out there. And then just one last question. And, again, I'll meet with you and you can steer me in the right direction with maybe other groups that are going after some of these invasives. As far as purchasing, I couldn't -- 15 years ago I was not able to find locations where I could purchase native plants. Are there more commercial or residential places you can go -- where residents can go to buy native plants?

**MS. WEIGAND:**

Yeah. In your folder that you're provided, there's a native plant resource that I compiled with NRCS and the Greenbelt Native Center that identifies local nurseries that are carrying native plants. And we're looking always to enhance that because we're trying to support their industry and make sure that we know that they have the native plant material available and so --

**LEG. ANKER:**

One last question. I was hiking in the Pine Barrens this weekend. And I noticed, though, there are a lot of dead trees and I think there's issues with beetles. There's a certain boring beetle. There's certain insects that have gone after -- I assume that -- other than native plants, is there anything we can do about that? Can you give me information on that?

**MS. WEIGAND:**

I'm not familiar with native species as much in the insect world as I am with non-native. There is the sirex woodwasp that targets pine trees that's found Upstate and moving our way. So that is something to be of concern, especially since we are a pine dominated landscape. But as far as the natives go, they're doing what they're adapted to do. And having the insects, especially on your native plants and your landscape, and also out in the general ecosystem, that's what they're -- that's what they do. And so it's something that we just need to be tolerant of and recognize that sometimes it's not aesthetically beautiful to us, but we're providing through our landscaping sources of food for other organisms that persist in our landscape.

**LEG. ANKER:**

And, again, the other -- I think is the gypsy moth. Again -- now are these moths going after native plants or is it other --

**MS. WEIGAND:**

Right. So the gypsy moth is a nonnative species that decimates our oak populations. So that -- you can smush those.

**LEG. ANKER:**

I'm sorry, what was that?

**MS. WEIGAND:**

You can smush those.

**LEG. ANKER:**

Oh, I can smush. Okay. Thank you.

**CHAIRPERSON VILORIA-FISHER:**

Thank you very much. Thank you, the volunteers, for the great work that you're doing. I did go to the sale and I loved the symposium. That was really a very wonderful day. And you're right, it was -- a diverse group of people attended that. It was really, really very -- and the author who spoke was fabulous. So I encourage all of my colleagues to go to the symposium next year. It's really, really very -- you'll love it, you'll love it, Sarah. It was really good. Thank you for all of the work that you do.

**MS. WEIGAND:**

Thank you.

**CHAIRPERSON VILORIA-FISHER:**

We have another presentation, our own Budget Review Office is coming up. This was requested by the Committee because of questions we had regarding our historic structures, if you recall -- okay. I'm not sure, Sarah, if you were on the Committee yet when this came up so I want to make sure you understand where it came from.

Legislator Romaine had asked questions about the budget allocations in our Parks Department for the maintenance of our historic structures and sites. And I had -- and I had indicated that part of our Hotel/Motel Tax money is directed to our historic sites and their maintenance. Unfortunately, when that occurred, the County Executive's budget cut the Operating Budget for historic buildings and replaced that with our Hotel/Motel Tax. So instead of being a supplementary funding stream, it became a substitute funding stream. So we really didn't move as much ahead as I had hoped when I supported and worked on the increase of the Hotel/Motel Tax.

**LEG. ANKER:**

Okay.

**CHAIRPERSON VILORIA-FISHER:**

So that's just the background. And so we asked Budget Review to present this. I'm sorry that Legislator Romaine is not here for this presentation. He is at a LIPA Oversight Committee meeting, but he will get all the information and this will all be on the record. Okay? So, Mr. Martin, can you come join us up here? And you all know Richard Martin who is our Director of Historic Services in the Parks Department. Okay, whenever you're ready, Gail.

**MS. VIZZINI:**

Thank you. Each of you have copies of the presentation. I will be just highlighting a few of the slides as we go along. The County has 215 historic structures. About 100 of them are considered significant. The responsibility for the care and maintenance, restoration of these falls under the Parks Department in the Division of Historic Services. We rely on two source documents for determining the status of the historic sites. The first in 2005 the Parks Department released a report entitled The Historic Trust Landmarks and sites. This has been updated since 2005 and it includes the date of acquisition, it lists the structures, the individual landmarks that are in them, their condition and whether or not they're on the National Registry. Whether or not they're on the Registry does not necessarily impact funding.

The other source document is referred to as the Historic Structure Survey, which includes a summary of the structures and their conditions and the projected cost for renovation. The survey includes two priority listings based solely on the structure's physical condition and the other that factors the historical significance and the condition. Budget Review has long recommended that the Legislature adopt a policy that correlates funding to these two documents. To date 60 of our estimated 215 structures have been surveyed. No other surveys are funded nor scheduled in the Capital Program.

Based on the previous studies to -- the dollar amounts estimated to secure and stabilize and

mothball and maintain ranges between 4.7 million and 7.1 million. As far as total restoration the estimated costs based on these surveys was between 44.8 million to 57.2 million. That does not include any additional costs for Public Works to do any planning or other survey analysis.

As far as where are the monies, there are funds in the Operating Budget and there are funds in the Capital Program. The Operating Budget for the Parks Department includes the basic line items for the materials and the repairs for buildings. Together there's \$246,801 for this purpose, out of which 72,00 has already been either encumbered or expended.

Resolution 805-2009, as you know, reauthorized and extended the Hotel/Motel tax. The Parks Department gets 20% of this revenue, the revenue of estimated -- somewhere in the neighborhood of \$7 million for 2011, which is dedicated for the care and maintenance and interpretation for the general public of historic structures. This is budgeted separately in what we call the Hotel/Motel fund or fund 192. 20% of that is \$1.4 million. This chart shows you on page 8 of your handout that about 72% of this revenue has been dedicated to the personnel responsible for the maintenance of the historic structures and their associated benefits. In addition to the Hotel/Motel funds dedicated to historic structures, the Parks Department also receives 26% or about 1.9 million of Hotel/Motel revenue for General Fund relief.

Going to the Capital Program, the major Capital Project for historic restoration and preservation is Capital Project 7510. There are no monies currently in the 2011 adopted Capital Budget, nor is there any money in 2012. However, there is an uncommitted balance of over \$1.8 million based on previous authorizations. The Parks Department also has an additional 3.87 million available in several capital projects, but these Capital Projects are for specific historic sites. We listed for you on page 10 those specific Capital Projects and the tally of the monies including the monies in the General 7510 Historic Restoration and Preservation Fund.

On page 11 we reference Legislator Romaine's legislation whereby if the resolution is adopted would dedicate the rentals from the -- those people planning and wanting to live in our historic properties goes specifically to the historic structures. And it would, of course, depend on how the budget is presented whether this would be an addition to what is already there or would supplant what is already there from a different revenue stream.

In summary there are 215 historic structures. Between 4.7 and 7.1 million is needed to secure, stabilize and/or mothball the 60 structures. If we were to restore all our structures, that figure is probably between 45 to \$57.2 million. Available to the Parks Department now is 9.38 million. This is based on the table on page 13, which shows the monies in the operating budget and the previous appropriations not only in 7510, the major historic Capital Project, but in several others.

**CHAIRPERSON VILORIA-FISHER:**

Okay. I'm just doing a little math because we have that 1.4 million from the Hotel/Motel tax. That was the one --

**MS. VIZZINI:**

That goes to historic structures.

**CHAIRPERSON VILORIA-FISHER:**

-- million 422,000. But if we subtract this 630,000 that's going to personnel, then for the actual structures, you know, it leaves us kind of short. It leaves us with 791 there.

**MS. VIZZINI:**

Yeah, this is the point that we made in our operating review.

**CHAIRPERSON VILORIA-FISHER:**

Right.

**MS. VIZZINI:**

And we did discuss doing the -- yeah.

**CHAIRPERSON VILORIA-FISHER:**

I'm just pointing it out that --

**MS. VIZZINI:**

Right. Well, in addition to salaries, there's also the 139,000 in employee benefits.

**CHAIRPERSON VILORIA-FISHER:**

Okay.

**MS. VIZZINI:**

They're printed on page 8.

**CHAIRPERSON VILORIA-FISHER:**

So you're -- it's -- less than half of that, then, would be actually going to the structures. Because we're using it for personnel use. Right? Do my colleagues see what we're talking about? When we -- on page 8, that money from the Hotel/Motel tax was supposed to go to the maintenance of our historic structures. And that was rated -- more than half of that was rated to go to employee benefits, the 630 and 139. And in order to just maintain and stabilize, we need about \$7 million. But that's the high end of just maintaining and stabilizing. I mean not doing any real structural work, we need between 4.7 and 7 million. And our total here says 9 -- about 9.4 million, but not really because we have those personnel costs that we have to take out of this. So we're not really -- we're barely meeting what we need to do just to stabilize. So I'm going to leave this to my colleagues to see if they have any questions on this. Jay, did you get copies?

**LEG. SCHNEIDERMAN:**

I have now.

**CHAIRPERSON VILORIA-FISHER:**

Richard, can you tell shed some light on this? And how are you able to keep up with these budgetary constraints?

**MR. MARTIN:**

The main concern right now, like we've been saying is the maintenance and stabilization of these buildings. These economic times when we have the downturn, we really still need to maintain the roofs especially so we do not lose the buildings. And currently we do not have enough funding to do that. We can wait once we do that. Black Duck Lodge out in Hubbard County Park in Flanders is a good example. We put a whole new roof on and restored the exterior. And in the future when we get additional funds we can approach the interior. But that's our -- the number one concern that we do not lose any additional County historic sites.

**CHAIRPERSON VILORIA-FISHER:**

Richard, if we look at these numbers straight on, on page 13 it says that we have a total of \$9,383,971. If we subtract from that about 800,000, then we come up with about 7,500, let's say -- I mean 7.5 million, let's say. And it's saying that that's your upper end of what you need for maintenance and stabilization. But you're telling me that you don't have enough to maintain and stabilize. Can you explain why?

**MR. MARTIN:**

Those numbers that you're seeing on this chart are the ideal numbers that everything was directed towards this program. That's not actually the case. Like we said, the 20% that's going to Historic Services, is to fund the operations of the Division of Historic Services which includes 12 employees and also our day-to-day expenses.

**CHAIRPERSON VILORIA-FISHER:**

Okay. I subtracted about 800,000 for personnel. So that's where I wound up with seven-and-a-half.

**MR. MARTIN:**

There's still cost to heat these structures. The electric bills, the water bills, all those operational costs also come out of that account.

**CHAIRPERSON VILORIA-FISHER:**

So all of the operating costs that used to be part of the Operating Budget now are on the fund 92 line.

**MR. MARTIN:**

Yes.

**CHAIRPERSON VILORIA-FISHER:**

Okay. And so how short do we run?

**MR. MARTIN:**

Well, we do have funds approximately \$110,000 for building maintenance and repair. And that's, you know, for the buildings directly. And then the other funds in that account, like I said, go to the day-to-day running of those sites.

**CHAIRPERSON VILORIA-FISHER:**

Okay. So just the regular M and O -- maintenance and operation of the sites: Heating --

**MR. MARTIN:**

Yes.

**CHAIRPERSON VILORIA-FISHER:**

And I guess other services that you need, cleaning and --

**MR. MARTIN:**

Yes.

**CHAIRPERSON VILORIA-FISHER:**

-- lawn and everything like that. Okay.

**MR. MARTIN:**

Right.

**CHAIRPERSON VILORIA-FISHER:**

Legislator Anker?

**LEG. ANKER:**

I have a question regarding funding and you know, getting additional funding for historic structures. Has the County pursued public/private partnerships like the Vanderbilt Museum is working on right now?

**MR. MARTIN:**

Oh, yes, definitely. Most of our sites do have those partnerships. In fact, the only way we can possibly open to the public is if we have a partnership at that site. If not, we're not able to open to the public.

**LEG. ANKER:**

Okay. Is there a special department or committee or person that actually pursues this type of funding?

**MR. MARTIN:**

Well, usually the way it's worked in the past is the local community groups approach us. Many of the sites were purchased actually because there was a community interest. But we do have some buildings or sites we put up for adoption, that we do try to get some community interest but we don't really have anyone that goes out and campaigns for that.

**LEG. ANKER:**

Right. When I was on the Vanderbilt Board we -- you know, people would come to us. But I think we have to take a more aggressive approach in, you know, writing letters to corporations and trying to get a higher level of funding. Do you think that is something that we might be able to do in the future?

**MR. MARTIN:**

That's what we actually rely on the local groups to do. And they're very successful at getting state grants and local businesses to support the sites. And they -- that's the partnership that we work on. And our staffing is so limited that we just -- we usually can just supervise the site and the work that they do. And then Parks also applies for grants that the Department is eligible for.

**LEG. ANKER:**

Vivian, do you know if other parts of the County, other County departments, like the Grant Department, do they work directly with the Parks Department to do that?

**CHAIRPERSON VILORIA-FISHER:**

I'm going to defer to Gail in a minute. But we also have a Parks Foundation. How effective has that been? Have they brought in many funds? Because that's what you're talking about, having a development arm of that.

**LEG. ANKER:**

Exactly, yes.

**CHAIRPERSON VILORIA-FISHER:**

Okay. Richard?

**MR. MARTIN:**

Yes. The Parks Foundation is established. And they can approach corporations and private donors to raise funds. And it's just in its initial stages, like you say. But that would be their goal. And they definitely are looking to support our historic sites.

**CHAIRPERSON VILORIA-FISHER:**

And we do have grants -- I know that people apply for grants in the Parks Department as well.

**MR. MARTIN:**

Yes. We've applied directly and our organizations do also. So that's both -- different grant funds that are available to the County and different funds to the private groups that they apply for.

**LEG. ANKER:**

One other question, again, relating to how to figure out how we can get more funds for our County Parks. Economic Development Department, do you work with them and the Tourism Department, I'm assuming, to, you know, pull in more business, I guess, into our parks or more people?

**MR. MARTIN:**

They do promote the County at large, our historic sites. We have a working relationship with that organization.

**CHAIRPERSON VILORIA-FISHER:**

Actually to answer that question a little further, when I had received a call from Nancy (Melis) from Oheka Castle, and she's working on her manors of the -- Gold Coast Manors, I think, is the name, I immediately referred her to Richard. And Richard has been working with Nancy to form a link to create a kind of trail of -- where the rich ones lived, and, you know, the mansions, and trying to develop that idea. And, Rich, the Sagtikos Manor worked with Nancy. Right, wasn't it the Sagtikos?

**MR. MARTIN:**

Yes. And that's a private initiative that our historic sites were recommending that they get involved with Sagtikos Manor; been very successful. But these are their websites. But also our own groups have their own websites that bring attention to the sites.

**LEG. ANKER:**

Thank you.

**CHAIRPERSON VILORIA-FISHER:**

But you're on the right track with that because we want synergy. As soon as she called me and told me she was interested in helping out with that, I referred her to, you know, to Richard, because I know that we have manor houses and estates. And that's just another website where our properties appear. So did you want to say something, Gail?

**MS. VIZZINI:**

Yes. I didn't want to leave you with the impression that there was \$9.3 million completely available for historic services.

**CHAIRPERSON VILORIA-FISHER:**

Oh, we know that.

**MS. VIZZINI:**

To clarify this summary chart, the million nine -- the million nine is the Hotel/Motel revenue that goes for General Fund purposes. So knowing the way our budget is constructed is probably -- it is not directed towards the historic structures since the million four is for historic services.

The other thing about these uncommitted capital funds, the 1.8 in the 7510, the major historic project and the 3.8 in the other specific Capital Projects, those were bonded for specific purposes, specific locations. So they can only be used for those purposes.

**CHAIRPERSON VILORIA-FISHER:**

Yes. Thank you for condensing that for us, Gail. And then the 3.8 also, right? For this specific Capital Project?

**MS. VIZZINI:**

That involves several Capital Projects.

**CHAIRPERSON VILORIA-FISHER:**

So Richard is trying to hold our historic structures together with gum and Silly Putty and a lot of duct tape. I'm trying to get you more money, Richard.

So any other questions? Thank you. And you know we really have to consider putting more money in the Operating Budget for our historic services. We really do. We can't -- we just can't divert the money from the Hotel/Motel tax into personnel for General Fund use. It's really not right.

**LEG. ANKER:**

You know, in relation to our funding for our parks and historic structures, again, maintenance is a

huge priority -- it's a safety priority. I know when I was at the Vanderbilt, that was pretty much what we had to focus on to get through the next month to month situation with the funding. But, you know, as far as the fiscal situation, you know, we do need to hold off on new projects until we are in a stable fiscal situation, which we're not at this point. But, again, whatever we can do to help create a safe environment, so our residents can continue to enjoy. And we have such an amazing list of historic structures. I mean, again, I was with the Vanderbilt. But the Gold Coast Mansions, the marina and there's just so many beautiful buildings out there that if we get Legislators' help, promote them and help get our residents out there to promote them and support them, we will. We will. So thank you for your work.

**MR. MARTIN:**

Thank you.

**CHAIRPERSON VILORIA-FISHER:**

Thanks for the presentation, Gail, wherever she is. Richard, did you have something else you wanted to say?

**MR. MARTIN:**

No.

**CHAIRPERSON VILORIA-FISHER:**

Okay. Thank you. Thank you very much.

All right. To the agenda.

## **TABLED RESOLUTIONS**

**CHAIRPERSON VILORIA-FISHER:**

Tabled resolutions, **IR 1207**, Legislator Schneiderman, since you're here and I know you have a long trip, tell me what you would like me to take out of order?

**LEG. SCHNEIDERMAN:**

1207, that's the first one.

**CHAIRPERSON VILORIA-FISHER:**

That's the first one on the agenda.

**LEG. SCHNEIDERMAN:**

That's the reason I'm here.

**CHAIRPERSON VILORIA-FISHER:**

That's the reason you're here? Okay, very good. Okay. So **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)**. Jay, just so that when you start to speak, I'll have my question out there for you. Yeah, this is the one where we're still waiting for a partnership from the Town.

**LEG. SCHNEIDERMAN:**

I'm sorry, 1308 is the 400 acres.

**CHAIRPERSON VILORIA-FISHER:**

That's what I thought. I was confused just now when you said this was the one you were talking about. But have we heard from the Town yet on this, Jay? The partnering, yeah.

**LEG. SCHNEIDERMAN:**  
The one on -- which one?

**CHAIRPERSON VILORIA-FISHER:**  
This is the one that's Town of Southampton.

**LEG. SCHNEIDERMAN:**  
This is the Reeves Bay piece?

**CHAIRPERSON VILORIA-FISHER:**  
Yes.

**MS. FISCHER:**  
No. This is Cat Cove.

**CHAIRPERSON VILORIA-FISHER:**  
Oh, Cat Cove. Okay, sorry.

**LEG. SCHNEIDERMAN:**  
Oh, this is Cat Cove?

**MS. FISCHER:**  
1207 is Cat Cove.

**LEG. SCHNEIDERMAN:**  
I thought Cat Cove was long done.

**CHAIRPERSON VILORIA-FISHER:**  
No, you changed it to Hamlet Park and we're waiting for a plan from the Town and an agreement.

**LEG. SCHNEIDERMAN:**  
Oh, okay. We can table this. I believe this suit has been dropped which was preventing the Town from doing that piece. The idea was for the Town to manage that piece, that would be Hamlet Park. But we're going to have to table this unfortunately one more cycle until --

**CHAIRPERSON VILORIA-FISHER:**  
Okay.

**LEG. SCHNEIDERMAN:**  
-- I've got something formal from the Town. But now they're in the position where they can --

**CHAIRPERSON VILORIA-FISHER:**  
Okay, I'll just make the tabling motion on your behalf. I'll make a motion to table at the request of of the sponsor, seconded by Legislator D'Amaro. **[Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended for Local Law No. 24-2007, Peconic Land Trust, Inc Property, Town of Southampton (Schneiderman)]** All in favor? Opposed? **IR 1207 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

Now at the request of the sponsor, I would like to take 1308 out of order, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1308 is before us. [Approving planning steps for the acquisition of environmentally sensitive properties known as East Quogue Partners, LLC (Schneiderman)]** And Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Okay. Again, this is a large piece of property. It's 400 acres, good bit of Pine Barrens Core within it. It's scheduled for an 85 lot subdivision. I've met with the Town as well as some of the County Planning staff. And the Town has indicated a willingness to partner 50 percent level on partnering on this property. It scored quite high. I don't remember the score exactly, but it was way above the threshold. It's a critical groundwater protection area.

I think the concern may be, because of the sheer size of it, that it may be expensive. The Town apparently has already appraised it. I can't share that number, but I believe that the County will be able to handle moving forward with this whether or not the property owner will accept any potential offers. But this is a planning steps resolution. It doesn't commit the County to acquire it. And it does meet the County's core, you know, program criteria. So I think it would be a good one to see preserved 400 acres of deep groundwater recharge area; seems like -- certainly worthy of trying to pursue preservation.

And I know that there is zoning here that protects it to some degree; but at the same time 85 residents or units would have that impact on groundwater certainly. And if the Town is willing to share the cost, I believe we should move forward with this. So I just would ask for your support, getting it to the floor of the Legislature.

**CHAIRPERSON VILORIA-FISHER:**

And the hesitancy here was based on the representation that we had seen, that in accordance with the plan that exists with the Town as far as the conservation areas, that 70 percent of this property would be saved just by the agreement between the developer and the Town. Is that your understanding also, Jay?

**LEG. SCHNEIDERMAN:**

Well, you know typically on the East End, this may be true in other towns, too, that some of the groundwater areas have been upzoned to five-acre zoning. And they do -- I was thinking it was three-acre zoning. They typically have clustering requirements for subdivisions that tend to -- you figure out your yield based on that acreage and then you kind of try to push it off to one area. I wouldn't want to penalize the town for putting in strong zoning in any way. I'm glad that they did.

The developers have, you know, shown a willing -- I know we have willing sellers here. I don't know, you know, since the time they purchased it what's happened to the value of this property, whether it's gone up or down. But they have definitely expressed an interest in selling to the County. So I don't know how eager they are to pursue that development. But if they did build those 85 houses, there would be a portion of this property that is protected, that's true. But I think you could probably make that argument over any piece of open space. And I'd hate to say to the Towns don't put it in protective zoning because we won't look at preserving it.

**CHAIRPERSON VILORIA-FISHER:**

And, Ms. Lansdale, when we initially saw this, when this Committee initially took a look at 1308, we had made note that this was presented as a Master List so that the Department could look at parts of this whole to see -- during the planning steps to see how we could approach it. And are you comfortable with that? And if we were to approve the planning steps, could you just look at one piece at a time?

**DIRECTOR LANSDALE:**

I'm going to ask Lauretta on my staff to answer that.

**CHAIRPERSON VILORIA-FISHER:**

Okay.

**MS. FISCHER:**

I think because all of these parcels are owned by one entity that -- and that they're moving forward on the subdivision, taking into consideration all of the land acreage as their yield, I think it would be

hard for them to subdivide out individual portions of this and jeopardize their subdivision preliminary review. Because if they do take, let's say, the portion -- you know, Pine Barrens core area, that reduces their yield and they would have to reduce the number of lots that they would be able to build on ultimately. So, I don't know how successful we would be in splitting them up individually, areas individually, at this point especially because it is owned by one individual and they're utilizing the whole property. We can explore that, but that's our opinion.

**CHAIRPERSON VILORIA-FISHER:**

Okay. So although notwithstanding the title of Master List, you would still have to do the review as a whole because of the yield issues.

**MS. FISCHER:**

Yes. And it's all owned by one entity. And they're utilizing that as their, you know, for their subdivision. And if we're basing the appraisal on the subdivision, in any way, shape or form, that would have to be taken into consideration. But our Real Estate Division can give you more information on that.

**CHAIRPERSON VILORIA-FISHER:**

Okay. I think we have a motion, Legislator D'Amaro? I thought you were going to --

**LEG. D'AMARO:**

Well, you know, I've asked a lot of questions on this particular resolution. And Legislator Schneiderman is now indicating that the Town is willing to go and partner with the County, which is a major consideration. And I do expect it to be a more costly acquisition just given the size of the property, but we really don't know what the numbers are going to be unless we approve the planning steps and go forward and get the appraisal done.

And the fact that we have a second bite at the apple when we know more clearly what the cost would be and whether or not the owner's willing to go forward all or nothing or piecemeal, whatever it may be, you know, I think it may warrant at this time at least starting the planning steps. And I say that because there is some environmental sensitivity, especially to that parcel that's north of Sunrise. And that's being consistent with what we've been doing, you know, year after year with respect to the Land Acquisition Program. So, yeah, I'd be willing at this point to make a motion to at least get it to the floor and have some further discussion about it. And I'll offer a motion to approve.

**LEG. ANKER:**

Second.

**CHAIRPERSON VILORIA-FISHER:**

Second by Legislator Anker. All in favor? Opposed? Motion stands approved. **(VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

All right. **IR 1229, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Zoumas property) Town of Riverhead (SCTM No. 0600-075.00-03.00-004.000). (Romaine)** Is the questionnaire finalized on this?

**DIRECTOR LANSDALE:**

Yes, it is.

**MS. FISCHER:**

Yes, it is.

**CHAIRPERSON VILORIA-FISHER:**

Okay.

**DIRECTOR LANSDALE:**

Stereo.

**CHAIRPERSON VILORIA-FISHER:**

And so then it's ready to move forward with planning steps.

**MS. FISCHER:**

Yes. We're handing out the map right now. This property was actually previously approved for acquisition on planning steps in 2008. Unfortunately the partner at the time was not able to follow through on their plans to build ballfields there and we did not move forward on the acquisition. Subsequently Legislator Romaine has now put in this new planning steps resolution for Hamlet Park use. And as you can see given the 52 points, the Town is proposing to create a hamlet park that will offer areas for picnicing, limited playground, walking nature trails, handicapped access with a small parking area. The County would buy the property and the Town has indicated in their letter to Legislator Romaine that they would improve and maintain the property.

This was a former farm and field. And now it's gone into an old field habitat at this point in time. It's pretty open. It's just east of the Wading River downtown area on 25A, just south of 25A. And it's also adjacent to the Boy Scout Camp, very large property to the south and east. And although it's not in the Pine Barrens core, it is very close to it.

**CHAIRPERSON VILORIA-FISHER:**

Okay. Is there a motion?

**LEG. ANKER:**

I have a question.

**CHAIRPERSON VILORIA-FISHER:**

Yes, Legislator Anker.

**LEG. ANKER:**

When we look at a site and you go through your scoring of the site and, you know, this one received a 52, I'm not really familiar with the process, but this particular piece is a former farm, do you consider the fact that there may be pesticide issues, especially if it's going to be playing fields for children? What is the process to make sure that is it a safe parcel of land for a park?

**MS. FISCHER:**

Sure. What we do is do Environmental Site Assessment. Once we have a contract signed, the next step is to do a Phase I, which produces an Environmental Site Assessment Report. That report is then reviewed by the Planning Department and determined whether a Phase II assessment has to be done and what's -- and if so, Phase II has to be completed. Once the Phase II is completed, and let's say they identify soil contamination, those soils would -- there would be a process by which those soils would have to be removed. And that would have to be taken into consideration and completed before we close on the property.

**LEG. ANKER:**

So is there anything in this particular parcel that needs to be addressed?

**MS. FISCHER:**

Obviously that would be, you know, part of the Environmental Site Assessment at the time. And we would definitely make a note of the fact that it was a former farm; however, it's laid fallow for a while. And it's a large piece. More concern actually are areas with greenhouses and more concentrated areas of use, but we definitely would recommend it to be looked at very carefully including possible soil sampling.

**LEG. ANKER:**

Thank you.

**MS. FISCHER:**

Welcome.

**CHAIRPERSON VILORIA-FISHER:**

Is there a -- Legislator Muratore, motion to approve?

**LEG. MURATORE:**

Yes.

**CHAIRPERSON VILORIA-FISHER:**

Is there a second?

**LEG. ANKER:**

Yes.

**CHAIRPERSON VILORIA-FISHER:**

Second by Legislator Anker. All in favor? Opposed? **IR 1229 stands approved. (VOTE: 4-0-0-1. LEG. ROMAINE 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).** This is that small piece three-and-a-half acres, right?

**MS. FISCHER:**

Yes. This is one where there's an auto body shop --

**CHAIRPERSON VILORIA-FISHER:**

Auto body shop, yeah.

**MS. FISCHER:**

-- almost within 50 feet of the stream itself.

**CHAIRPERSON VILORIA-FISHER:**

You said it all. I'll make a motion to table.

**LEG. D'AMARO:**

Second.

**CHAIRPERSON VILORIA-FISHER:**

Seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1295 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**1340, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program as amended by Local Law No. 24-2007, School Board of Education property, Town of Brookhaven. (Muratore)** And I just received a letter from Deputy Supervisor Kathleen Walsh from the Town of Brookhaven. And it's not a resolution, but it is a letter from the Deputy Supervisor. Legislator Muratore, did you want to speak about this?

**LEG. MURATORE:**

Motion to approve.

**CHAIRPERSON VILORIA-FISHER:**

Motion to approve by Legislator Muratore. I'll second that for the purposes of discussion so that I can hear what the status is.

**LEG. MURATORE:**

It's a letter of --

**CHAIRPERSON VILORIA-FISHER:**

And has the Department received this?

**MS. FISCHER:**

No, we haven't received it.

**LEG. MURATORE:**

It's a letter from the Deputy Supervisor supporting the purchase of the property and explaining they're going to partner with us if it becomes a resolution, it's passed.

**CHAIRPERSON VILORIA-FISHER:**

Okay.

**LEG. D'AMARO:**

Through the Chair to Legislator Muratore, Tom, the property is presently owned by the school district?

**LEG. MURATORE:**

Middle Country.

**LEG. D'AMARO:**

Right. And if the County were to acquire the property, what's the use that it would be put to? What do you envision for the property?

**LEG. MURATORE:**

A parks, you know, ballfields.

**LEG. D'AMARO:**

It's adjoining an existing park right now?

**LEG. MURATORE:**

Yeah, it's actually to the -- veterans field is to the north of it. And the property that we purchased in 2009 the Grace Presbyterian Church property is to the west. So it's in between the both of them.

**LEG. D'AMARO:**

Right. I know there's been some concern about, you know, whether or not we should go down the road of purchasing parcels that are already in public hands; in this case the school district. Is the school district a willing seller here?

**LEG. MURATORE:**

Yes.

**LEG. D'AMARO:**

They are.

**CHAIRPERSON VILORIA-FISHER:**

I was just at the adjoining ballfield. That's where we were for the start of the Little League season.

**LEG. MURATORE:**

Correct.

**CHAIRPERSON VILORIA-FISHER:**

And it's a very highly-used area. Legislator Anker -- were you done? Legislator Anker, Legislator D'Amaro still has the floor.

**MS. FISCHER:**

Legislator Fisher?

**CHAIRPERSON VILORIA-FISHER:**

Yes.

**MS. FISCHER:**

If you'd like we can give a review of it, if you'd like. We didn't do that previously.

**CHAIRPERSON VILORIA-FISHER:**

Oh, I thought you had. I apologize.

**MS. FISCHER:**

If you'd like we can go through it.

**LEG. D'AMARO:**

That was my next question, do we have a rating on this?

**MS. FISCHER:**

We have a rating. And that was updated as well so I'd like to give you that information.

**CHAIRPERSON VILORIA-FISHER:**

Did you redistribute that?

**MS. FISCHER:**

No, unfortunately I didn't get to redoing it. But I can explain what it is.

**CHAIRPERSON VILORIA-FISHER:**

Okay. All right.

**MS. FISCHER:**

If that's all right.

**CHAIRPERSON VILORIA-FISHER:**

Sure.

**MS. FISCHER:**

The property's located on the northwest corner of Hawkins and Boyle Road in the hamlet of Selden. It's proposing to acquire 15.8 acres of the 21.3 acre site owned by the school district. The portion of the property being considered is mostly wooded and located on the north and west sides of the property.

The adjacent -- it is adjacent to Town ballfields to the north and proposed acquisition of ballfields known as the Grace Presbyterian Church property to the west. The Town does own that area to the north. And they are -- you know, we're being asked to consider this property for also active recreational uses including mostly ballfields with parking areas.

They're asking the County to acquire this and the Town would be the ones who would improve and maintain the property. The site -- there was a site plan that was developed by the Town and was presented to us. We did review that. And on your rating sheet we gave it 35 points, but it would be up to 40 points for an additional five points on recreational characteristics, "B" site attributes,

number one. It can accommodate -- adequately accommodate the proposed recreational uses.

**LEG. D'AMARO:**

Can I just jump in there for one moment?

**CHAIRPERSON VILORIA-FISHER:**

You still have the floor.

**LEG. D'AMARO:**

Thank you. You know, I'm looking at the aerial map here. And it reminds me of something very similar we have in my district in Babylon, where the Town purchased adjoining property to an elementary school and developed it along -- I don't think there's any County involvement there, but the Town runs it, maintains it and you have youth leagues that utilize the facilities. And it's really a huge plus for the community. And looking at the aerial map here and the way this parcel is situated adjoining the school, you have some parking, and we already have County-owned ballfields, at least on one side if not both, and the Town on the other side, it really -- it really seems like this would be a tremendous boost, go a long way towards recreational use. So I think I would be inclined to support, especially given the higher rating now. And the Town is willing to maintain and develop and manage the property.

**MS. FISCHER:**

Yes.

**LEG. D'AMARO:**

Yeah.

**MS. FISCHER:**

We do have another suggestion.

**CHAIRPERSON VILORIA-FISHER:**

Lauretta, before you go to that, as I said, I was there for the opening of the ball -- you know, the Little League season. And the Town is doing a beautiful job there. And it services -- it doesn't just service the kids in the Middle Country School District, it also services the kids in Port Jeff Station and Three Village. So it services three school districts. So I agree with you, it looks like a good acquisition. I'm glad the Town's on board. But, Lauretta, I am sorry I interrupted you.

**MS. FISCHER:**

No problem. We do think that possibly there may be another solution where the Town could enter into a long-term management agreement with the school for the use as ballfields. And we do agree that it is a good location for such a use. But we feel, again, that if we move into the realm of buying other public school properties, this situation will show itself in many, many instances throughout the County. And we're concerned about the funding with regard to opening that door at this point. But we do agree that possibly a long-term management agreement might be more appropriate. And we have done that in Babylon, I believe, with -- and I don't remember the school, but I think it was next to -- oh, Van Bourgondien School District, I believe, in West Babylon. And we did -- actually there was a long-term agreement with the school district. But it's something --

**CHAIRPERSON VILORIA-FISHER:**

We did do a Greenways in Babylon, too. I remember Dave Bishop introduced it. With a school district, near a cemetery.

**MS. FISCHER:**

Yes, it was with a cemetery.

**CHAIRPERSON VILORIA-FISHER:**

But we bought that from a school district. I mean we've done it both ways, right?

**MS. FISCHER:**

Well, I'm not sure. But I would suggest that since the Town is really the key element here with regard to active recreation, they would be the ones who would manage it and develop the property. We wouldn't have as much a role in an active recreational site as the Town would have; and in this case the Town of Brookhaven. And we would suggest that be evaluated.

**LEG. D'AMARO:**

Very quickly and then I'll defer.

**CHAIRPERSON VILORIA-FISHER:**

You still have the floor.

**LEG. D'AMARO:**

Talking about a management agreement, however, would -- is there any incentive for the school district to do that? Is that usually done for compensation to the school district? How does that work?

**MS. FISCHER:**

I don't know how -- you know, I would assume, yes. But I don't know how you could -- how they would put it together to, you know, what they'd be willing to do and not willing to do. I think a concern is that we would be buying properties that a particular school district would obviously have the most use of. And to spend all County monies in a situation like this might be an issue. That's all.

**LEG. D'AMARO:**

Well, it's definitely an issue because it's already, as I said, in public hands. But the flip side of that is that the school district is a separate entity that could decide to sell or use this property any way it chooses, you know, within the parameters of the law. And I'm not sure that they'd be willing to go ahead with that type of agreement. I don't know, just through the Chair, quickly to the sponsor, Tom, do you know if that's been discussed with the school district and the Town?

**LEG. MURATORE:**

I don't believe so.

**LEG. D'AMARO:**

No, okay.

**MS. FISCHER:**

There's one other thing we'd just like to mention. There was a plan that was done for this area called the Envisioning of Brighter Future for Middle Country Sustainability Community Plan. That was adopted by the Town Board in November of '08. And this site was not identified or recommended for active recreational use by this study. There are a number of other active recreational facilities within a couple of miles of here, both east and west. So I think that this didn't kind of rise to the top at the time anyway of the study. So we also wanted to bring that to your attention.

**CHAIRPERSON VILORIA-FISHER:**

Legislator Anker, you've been waiting a while.

**LEG. ANKER:**

I think they touched on some of my concerns with this particular bill, is that, you know, you basically -- taxpayers pay for public property. And they went around the first time with the school district. And you know the school districts are phenomenally expensive with our taxes. Now we're going to go back and ask them to pay -- our taxpayers pay them another round of money to fund a public piece of land? And I don't think I could accept that as a way of purchasing property for a

park. Now -- and I'm looking at this, and, again, I think that might be a good idea to go back to the school district because basically they're going to be working directly with the Town to create and maintain the parks? Is that's what's going to happen with this?

**LEG. MURATORE:**

Yes.

**LEG. ANKER:**

So, the only benefit, you know, in the County purchasing the property would be getting funds for the school district; is that correct?

**LEG. MURATORE:**

(Nodding head yes)

**LEG. ANKER:**

How much would this parcel cost the County?

**MS. FISCHER:**

We can't say at this point.

**LEG. ANKER:**

No, not a rough idea? That's part of your planning steps, okay.

**CHAIRPERSON VILORIA-FISHER:**

What happens is with planning steps now we order the appraisals to be done. And then we'll find out what it comes in as.

**LEG. ANKER:**

I personally would like to see if the school district would work with the Town to create the parks because, like I said, that piece of property is already owned by the taxpayers; for them to do it again, it just doesn't -- I don't think it would be a good fiscal move for, you know, the County to make.

**LEG. D'AMARO:**

Can I ask one more question?

**CHAIRPERSON VILORIA-FISHER:**

Yes, Legislator D'Amaro.

**LEG. D'AMARO:**

I just want to ask the Planning Department, if we were to authorize planning steps so we can get more of a handle on whether or not -- what the terms would be, what the price -- the appraised value would be, would the Planning Department also pursue or suggest looking at the Town and the school district perhaps doing a long-term management agreement, is that something that would be in our mix? Or do you think that passing this bill would foreclose that?

**MS. FISCHER:**

I'm not sure. I know that whatever agreement between the Town and the school district really would not have us -- the County involved.

**LEG. D'AMARO:**

I guess the incentive there would be that it's only planning steps and, you know, we certainly haven't authorized the acquisition if we vote for this bill.

**CHAIRPERSON VILORIA-FISHER:**

But, Legislator D'Amaro, it's authorizing planning steps for the acquisition --

**MS. FISCHER:**

It does move you forward, though. I mean you will go into contract.

**CHAIRPERSON VILORIA-FISHER:**

I'm sorry, Lauretta. I'm just rereading the title which is --

**LEG. D'AMARO:**

What did you say?

**CHAIRPERSON VILORIA-FISHER:**

Authorizing planning steps for the acquisition of land, is what we're directing them to do.

**LEG. D'AMARO:**

Right. But it's not to purchase.

**CHAIRPERSON VILORIA-FISHER:**

It's not to purchase --

**LEG. D'AMARO:**

Right.

**CHAIRPERSON VILORIA-FISHER:**

But the planning steps are for the acquisition.

**LEG. D'AMARO:**

Right, not for anything else.

**CHAIRPERSON VILORIA-FISHER:**

That's the directive in this resolution. If I'm not mistaken, George, does it -- I mean because the question that Lou's asking, do they have the ability under this resolution to go ahead and look and see if we can develop a management agreement? And my reading of the resolution is that we're authorizing them to plan on the acquisition and not to act as an intermediary to a management agreement.

**LEG. D'AMARO:**

Right. And the other point I want to make is the property -- putting aside the ownership that it's in public hands or in the school district hands right now, it does stand on its own right in that the rating was, at, I believe 40 you had said. And I have to tell you, I can't really recall ever turning down a parcel that's rated that high, you know, based on our criteria.

So, again, putting the issue aside of whether or not we should be acquiring this from a school district, what weighs in my mind is, one, you have a high rating or a higher rating. And, two, you know, the school district, if they're looking to sell this property and we don't get it for the ball fields and that purpose for the community, it would be a real loss for that area. So, I would be willing to at least go ahead with the planning steps to see what the cost would be and perhaps the Town and the school district knowing that we haven't authorized the acquisition, that would come in a second resolution, maybe through the sponsor, there might still be some motivation to at least have the discussion of whether or not there's another way to go with the long term management agreement.

**MS. FISCHER:**

If I could just add in there, when we get approval for planning steps, we actually move through to contract. It's based on the fact that it has to come back here for final approval. But we really move this pretty much along, you know, as a planning steps. There isn't the opportunity to possibly look at other things unless the sponsor, you know, wants to look at different avenues.

**LEG. D'AMARO:**

Well, I will tell you just speaking for myself that if and when I had an opportunity to vote on the acquisition, I would look for an answer to the question of whether that was pursued and what the outcome was. That would be a criteria for me at that point. I don't necessarily have to hold that out as a criteria now because usually with the planning steps, we look more towards the rating whether or not it would benefit the County based on our rating system, whether it would benefit the County to get ownership of this property. And a rating of 40 says yes.

**MS. FISCHER:**

I think the rating doesn't even take into consideration the fact that it's owned municipally and that -- I think that if we knew that that was true, I think we would probably give it demerits for that because, you know, you are spending money, you know, publically. And the property already exists as publically-owned property. So, in essence, we probably should give it demerited points for that. But we don't. But we bring that to your attention.

**LEG. D'AMARO:**

Yeah, I appreciate that. But, again, with a rating of 40, based on our criteria -- and one of the criteria is not -- one of the criteria on the rating form is not whether or not the property is owned publicly or privately. The rating form, the purpose in my mind is, you know, what is the benefit to the County and how do we reduce that to a number so we have a consistent scale to make these decisions.

So, again, putting aside the public ownership with a rating of 40, obviously the rating form is telling us that there is a substantial benefit to the County to own this property. All right? Now there's always mitigating or other criteria that we look beyond the four corners of the form. I know we've done that in the past. But given the rating of 40, I'd be willing to at least go into planning steps and then make a decision as if and when we want to consider the acquisition itself.

**CHAIRPERSON VILORIA-FISHER:**

Based on what Legislator Anker said, which I thought during these tough economic times, that it's something to truly consider that we're asking taxpayers who have paid heavily for a piece of property, to pay for it again, I'd like to table this for just one cycle because I'd like to ask the sponsor -- and just for one cycle -- to ask the Town to ask the school district to see if that can happen with the school district, if there's any room for an MOU or some kind of management agreement between the Town and the school district. It's not like there's development pressure on this. The school's not going to sell it to a developer. And maybe we can just look at it for one more cycle. Did you want to say something?

**LEG. ANKER:**

I also agree. I think if this score was redone and that was part of the criteria, I think it would have had a much lower rating. And, you know, if it wasn't a public parcel, a publically-owned parcel, absolutely. But, you know, we're asking to -- we're asking our residents, our taxpayers to pay twice, double the amount for this piece of property, which I'm sure is absolutely beautiful, would make a wonderful park, it'd make a wonderful partner with the Town and the school. But, you know, making this decision whether we spend money or not, maybe that's something we can consider or we can include in the rating, if we have the ability to change it. That's something that needs to be considered. And to me that's why I feel that this is not an acceptable piece of property to purchase at this time.

**CHAIRPERSON VILORIA-FISHER:**

Tom, do you want to say something?

**LEG. MURATORE:**

This agreement that you want the school to enter into, I mean I don't see an incentive there for the school to do it. They'll just sell the property and they'll get their money from the private sector. And then we'll be without that piece of property to put together, a real nice area for the children in a

lot of areas; not only in, you know, in their particular -- like you said Three Village, to come down and, you know, keep them off the streets and get them involved in sports and let them enjoy the Suffolk County life.

**CHAIRPERSON VILORIA-FISHER:**

It is a wonderful piece. And I'm just hoping that during these tough times where we tell the taxpayer *we don't want to have our hand out to you all the time*, if there could be a way of not having to pay twice for the same piece of property -- you know, for the taxpayer to pay twice. That was just a very good point that was made by Legislator Anker. And I just want to give it the opportunity to have one more cycle to see if we can explore that. Because once we say the planning steps, the planning steps are planning steps for acquisition; not for an inter-municipal agreement. Sarah?

**LEG. ANKER:**

One more thing again, with the school district. You know, we're here representing the County. The Town has -- the Town and the school districts, they have an obligation to the residents in their communities. And I'm really hoping that they'll see fit to possibly, if they're not going to donate the 15 points in acres, maybe give part of that acreage, two ballfields, or maybe the Town will contribute to purchase that property since they're, you know, going to -- they want to commit to work with that or maybe the state or maybe federal; but as far as the County, I don't feel that it's the County's direction to purchase public properties.

**LEG. MURATORE:**

The Town is contributing to developing the property. So now you want them to buy the property and develop it, too?

**LEG. ANKER:**

I would hope the school district would donate the property. If the community and -- the community that supports the school district, they pay hundreds of millions of dollars a year to support their district and their teachers and their children, I would hope that there'd be some flexibility with that. But, again, that's maybe something we can facilitate as a County Legislator.

**LEG. MURATORE:**

I don't see the district donating that property. I mean in the economic times the school districts are having, too, they have an asset like we have assets, they want to sell them off, we want to sell them off. So what better thing to do for the children in the community than buy them some parkland, particularly in my district.

**LEG. ANKER:**

Thank you.

**LEG. MURATORE:**

You can vote now, no problem.

**LEG. D'AMARO:**

You know, I just want to add to that, it's an excellent point. And my purpose of supporting the planning steps is to -- it would allow the time to explore all of these different scenarios. But if the Chair and my colleague is more comfortable with the tabling and giving the sponsor a cycle to maybe explore that and report back to us, that's fine, too. You know, at the end of the day we all want to develop this because I think it's a nice purchase. The question is the timing and, you know, in my mind the planning steps moving that forward wouldn't necessarily kill any of that. In fact, it may provide a little more incentive because the district and the seller would know that it requires a second vote. But, you know, either way I would just suggest to Legislator Muratore that, you know, you take look at that and we'll see maybe at the next committee meeting where we land.

**LEG. ANKER:**

I have a question. You said that this originally got a 35 rating. But you said other parcels within the community had a higher rating. Were there other parcels?

**MS. FISCHER:**

No. In the report that was -- the community plan that was done for the area, they indicated that -- identified other active parkland within a couple of miles of this site, both east and west, I believe. They did make recommendations for parkland, but this was not identified in that report as a key location for further recreation for that area. That was in the plan. So that was, you know, an interesting, you know, consideration as well.

**LEG. MURATORE:**

Madam Chair? With reference to the statement that was just made, I mean there may be areas east and west of that. But if you buy this, you create an area where you don't have to send the parents all over the community; one age groups goes here, one goes there. I mean you saw what goes on up there. Yeah, it's a real super complex where the parents just bring the kids up and they can stay with them, they don't have to go to another field and come back, drive unnecessarily. So it is better for the community.

**LEG. ANKER:**

Again, I think this would be great campaign for the parents to have, you know, to direct it to the school district. I think they should, you know, rally up and go in front of the school board and say, you know, *look, we need this property, we've invested in this school district for, you know, decades and decades.* And, you know, I think the school would -- I would hope the school would be open-minded in working with the Town to create the park. I mean basically the Town would -- the school would be getting beautiful ballfields and parkland. Is that -- would that be able to happen with negotiations?

**LEG. MURATORE:**

No, it's not for the school. It's for the community. The school's not going to be utilizing the fields at all. It's going to be fenced off. It's going to be part of the complex.

**LEG. ANKER:**

But maybe that should be part of your negotiations. Maybe the Town can allow the school district to have track meets or whatever. That might be an option.

**CHAIRPERSON VILORIA-FISHER:**

We're going too far afield.

**LEG. MURATORE:**

Yeah, we are.

**CHAIRPERSON VILORIA-FISHER:**

Tom, as I said, I'm going to make a motion to table. I'd like to just for one more cycle --

**LEG. MURATORE:**

I'll motion to table for one cycle.

**CHAIRPERSON VILORIA-FISHER:**

Okay. Thank you, Tom.

**LEG. MURATORE:**

Thank you for your support.

**CHAIRPERSON VILORIA-FISHER:**

There's a motion and a second to table. All in favor? Opposed? **IR 1340 stands tabled. (VOTE:**

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

**IR 1342 [Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Global Home Properties) Town of Brookhaven (SCTM Nos. 0200-159.00-02.00-008.002 and 0200-159.00-02.00-008.003). (Viloria-Fisher)]** I understand that all of the results of the -- I guess -- it wouldn't have been a Phase I, but just to see if the area's contaminated, if they have been negative, it's not a contaminated property, but we still have a -- I need more information regarding tax liens on that. Have you gotten any more on that, Laretta?

**MS. FISCHER:**

Yes, I spoke with Gail Lolis in our Department of Law last week. And we went over some paper work that we -- that both the Law Department and I had with regard to this property. And accordingly there is a Mechanic's Lien on the property, but it's a minor one. There are no environmental liens on the property by New York State DEC or any other legal actions at this time. So as far as that's concerned, that is not an issue.

The only other two things, there still exists a \$49,000 tax lien on the property. And there is a foreclosure that was issued in 2008 that is, we believe, is still on the property. We are still evaluating that and we hopefully will be able to get back to you shortly on that. But we don't have a final judgement on whether that foreclosure continues on the property or has not.

**CHAIRPERSON VILORIA-FISHER:**

My office has reached out to the representatives to see -- to ask them and we haven't heard back.

**MS. FISCHER:**

Okay.

**CHAIRPERSON VILORIA-FISHER:**

So I will make a motion to table this for another cycle for more information.

**LEG. D'AMARO:**

Second.

**CHAIRPERSON VILORIA-FISHER:**

Seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1342 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE 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)**

Do we have a rating on that or --

**LEG. D'AMARO:**

I think the sponsor requested a tabling.

**CHAIRPERSON VILORIA-FISHER:**

The sponsor requested that we table this. But were you about to hand something out, Laretta?

**DIRECTOR LANSDALE:**

No, we weren't.

**CHAIRPERSON VILORIA-FISHER:**

No. Okay. Thank you. So there's a motion to table by Legislator D'Amaro, seconded by myself. All in favor? Opposed? **IR 1375 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE 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).** And, again, I believe there's a request from the sponsor that we table this so I will make that motion, seconded by Legislator D'Amaro. All in favor? Opposed? **1403 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE 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).** And this is the one that has not yet been reviewed by the Farmland Committee and they will be meeting in a couple of weeks, right? So I will make a motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1424 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**IR 1425, Adopting Local Law No. -2011, A Local Law amending Chapter 278A of the Suffolk County Code addressing invasive non-native plant species (Viloria-Fisher).** That needs to be tabled for public hearing. So I will make that motion, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1425 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**IR 1437, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the McLaughlin property - Beaverdam Creek - Town of Brookhaven (SCTM Nos. 0200-931.00-03.00-003.000, 0200-931.00-04.00-018.000, 0200-931.00-04.00-025.000, and 0200-931.00-05.00-039.000) (Co. Exec.).** I will make a motion to table.

**LEG. D'AMARO:**  
Second.

**CHAIRPERSON VILORIA-FISHER:**  
Seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1437 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**IR 1438, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Fasce property - Beaverdam Creek - Town of Brookhaven (SCTM No. 0200-901.00-03.00-020.001). (Co. Exec.).** Same motion, same second, same vote. **1438 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**IR 1440, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection program (effective December 1, 2007) - open space component - for the Brookhaven Vacant Land, LLC property - Beaverdam Creek - Town of Brookhaven (SCTM Nos. 0200-961.00-03.00-012.000, 0200-961.00-03.00-014.000, 0200-961.00-03.00-015.001, 0200-961.00-03.00-015.002 and 0200-961.00-03.00-016.000) (Co. Exec.).** Same motion, same second, same vote. **1440 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

#### **INTRODUCTORY RESOLUTIONS**

**Introductory resolution 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).** Is this Old Drinking Water Protection? Is that one of those 12-5 E?

**MS. FISCHER:**

No.

**CHAIRPERSON VILORIA-FISHER:**

Okay.

**DIRECTOR LANSDALE:**

Would you like a presentation? Great. This property is located on the east side of Menantic Road and on the north side of Smith Street in the Town of Shelter Island. This property was previously proposed for planning steps as IR 1138-2009. It was stricken on September 3rd, 2009. It's 11.57 acres in size and was known as the former Menantic Gun Club that closed about 17 years ago. There are no structures on the property. One concern regarding County acquisition would be possible lead contamination from its former use as a gun club. The former Town Landfill is located to the north on this property and it's now the Town's Recycling Center.

**LEG. D'AMARO:**

I'll make a motion to table.

**CHAIRPERSON VILORIA-FISHER:**

Second. All in favor? Opposed? **IR 1481 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**IR 1482, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Flandhampton Holdings LLC property - Reeves Bay - Town of Southampton - (SCTM No. 0900-147.00-02.00-028.001) (Schneiderman).** This is a small piece.

**DIRECTOR LANSDALE:**

I'll just give a briefing on this.

**CHAIRPERSON VILORIA-FISHER:**

Sure.

**DIRECTOR LANSDALE:**

This property includes one lot that is point six acres in size and is located adjacent to Reeves Bay in the hamlet of Flanders, Town of Southampton. To date the County's acquired two lots totally 9.4 acres of the total proposed acquisition under resolution number 676-2008, which identified 12 lots totally approximately 39 acres. Acquiring this lot would bring the total to ten acres out of approximately 40 acres that were initially proposed. The rating for this is 44 points. These properties are located within the Watershed of Reeves Bay, which is part of the larger Flanders Bay Watershed, which is a nitrogen-stressed water body at the mouth of the Peconic Bay Estuary system.

**CHAIRPERSON VILORIA-FISHER:**

Is there any bulk-heading there or anything on that property?

**MS. FISCHER:**

There is a pier that goes out from the property. It's a floating dock type of setup. That's all. It's not bulk-headed along the shore per se, but there's a floating dock that goes out parallel to the shoreline.

**CHAIRPERSON VILORIA-FISHER:**

This isn't the piece that used to have a restaurant there, is it?

**MS. FISCHER:**

No.

**CHAIRPERSON VILORIA-FISHER:**

No, okay.

**MS. FISCHER:**

There was a residence on it originally. The residence is gone.

**CHAIRPERSON VILORIA-FISHER:**

And on Pierson Road, is that a paper street there?

**MS. FISCHER:**

No, that's a road. Actually it basically stops right at that location.

**CHAIRPERSON VILORIA-FISHER:**

Okay. So, there's public access.

**MS. FISCHER:**

Yes.

**CHAIRPERSON VILORIA-FISHER:**

There would be public access to the Bay from there.

**MS. FISCHER:**

Yeah.

**CHAIRPERSON VILORIA-FISHER:**

Would it be a launching capability or would that just be passive?

**MS. FISCHER:**

This is being -- for protection of, you know, tidal wetland and the fringe area. So maybe some small, like, kayak launching ramp, but that would have to be evaluated by Parks. It's for passive recreational use so it's very limited.

**CHAIRPERSON VILORIA-FISHER:**

Okay.

**MS. FISCHER:**

It will be very limited. And this is a residential area, kind of set back. The access isn't that wonderful.

**CHAIRPERSON VILORIA-FISHER:**

It's a high rating. I'm going to make a motion to approve.

**LEG. D'AMARO:**

Second.

**CHAIRPERSON VILORIA-FISHER:**

Second by Legislator D'Amaro. All in favor? Opposed? Okay. **IR 1482 stands approved.**  
**(VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**IR 1490, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Carpenter Farm Property) Town of Huntington (SCTM No. 0400-080.00-02.00-022.000). (Stern)** And I received notice that the town has been -- has approved a resolution to partner with us on this.

**MS. FISCHER:**

I think they're at the point -- I don't know if the Town actually has approved the resolution, but they've moved through the public hearing process and they're in the process of getting Town resolution approval.

**CHAIRPERSON VILORIA-FISHER:**

Okay. I had understood from Debbie, she was on the phone with them, I thought that there had been an approval of the resolution.

**MS. FISCHER:**

That's what I had gotten from her.

**CHAIRPERSON VILORIA-FISHER:**

Okay. You want to talk about this?

**DIRECTOR LANSDALE:**

Sure. The property is located on the north and west of Old Field Road and is in the Old Field -- north of Old Field Middle School, which is in the HarborFields Central School District in the hamlet of Huntington and Greenlawn in the Town of Huntington.

The property is 12.5 acres in size. The rating for open space is 21 points. There's a freshwater wetland pond with a 100 feet to the east of this site. And the Town has noted that certain low-lying areas of the property are wet due to the high ground water table in the area.

In addition it's also located within a deep aquifer recharge area. Let's see. So the property has been -- formerly been a farm for nearly 200 years. It's been primarily used as pasture for sheep, horses and other animals. All buildings and structures on the property have been removed on the property.

**CHAIRPERSON VILORIA-FISHER:**

Including that small one on the south east?

**DIRECTOR LANSDALE:**

Yes.

**MS. FISCHER:**

Yes, everything.

**DIRECTOR LANSDALE:**

So the Town is proposing to use the property primarily for passive recreational uses including walking trails, environmental education and study with interpretative signage and a small low impact parking area. The grassy lawn area would be allowed to transition into a meadow habitat with mowing reduced to one to two times per year. The portion of the site that would be acquired by the County would be for the egresses.

**CHAIRPERSON VILORIA-FISHER:**

And the access would be Connolly Road on the north side of it?

**MS. FISCHER:**

I believe it would be Oldfield Road on the south side.

**CHAIRPERSON VILORIA-FISHER:**

Okay. Is there a motion?

**LEG. ANKER:**

Can I ask, why is the rating fairly low? I'm just curious.

**MS. FISCHER:**

This property had been formerly utilized -- it was a -- as a pastureland. There's no native or environmentally significant species on the property, no wetlands, that kind of thing.

**CHAIRPERSON VILORIA-FISHER:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah. Thank you. I'm going to support the resolution and make a motion to approve. We don't often see in the western portion of Suffolk County a parcel, let alone a parcel this size become available. And I agree that the rating is on the cusp of the threshold, slightly below the threshold that we normally look for; but, again, in the western area of the County we usually look a little bit beyond that rating and the four corners of the rating document. This would be a great addition in western Suffolk County; go a long way towards preservation efforts and I'm prepared to move forward with it.

**LEG. MURATORE:**

Second.

**CHAIRPERSON VILORIA-FISHER:**

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

**IR 1515, Authorizing the inclusion of new parcels into existing certified agricultural districts in the County of Suffolk. (Co. Exec.)** George, I have to table this for a public hearing, don't I?

**MR. NOLAN:**

Yes.

**CHAIRPERSON VILORIA-FISHER:**

Okay. All right. So I will make a motion to table 1515 pending public hearing.

**LEG. D'AMARO:**

Second.

**CHAIRPERSON VILORIA-FISHER:**

Seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1515 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

I'm going to skip 1521 for the time being. I'll tell you why in a minute.

**IR 1537, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 -Landing Road Property Town of Brookhaven (SCTM Nos. 0200-027.00-03.00-001.001, 0200-027.00-03.00-001.002, 0200-027.00-03.00-001.003, 0200-027.00-03.00-001.004 and 0200-027.00-03.00-001.005) (Anker).**

**LEG. ANKER:**

That's over in Miller Place. And I'll make motion to table it.

**CHAIRPERSON VILORIA-FISHER:**

Okay. Motion to table. Did you want to -- go ahead. We'll look at them.

**DIRECTOR LANSDALE:**

Do you want a presentation on this?

**LEG. ANKER:**

Yeah; you know, brief.

**DIRECTOR LANSDALE:**

Sure. The property is located on the east side of Landing Road north of North Country Road and south of Cordwood Landing County Park in the hamlet of Miller Place, Town of Brookhaven. The property is 5.43 acres in size and consists of five subdivided vacant parcels. The rating for natural environment open space yielded 13 points. The property is entirely wooded and predominantly deciduous.

**CHAIRPERSON VILORIA-FISHER:**

Anybody have any question on the presentation?

**LEG. ANKER:**

Yeah, looking at the rating it says -- it didn't get a -- got zero's for natural habitat. Now, this parcel's connected to a County park and it's also right, you know, close to Mt. Sinai Harbor. What is the observation with that?

**MS. FISCHER:**

It is adjacent to Cordwood Landing. And we identified as such as it would be just an addition to that park. Again, if there's any information that you may have that we're not identifying, if you bring it to our attention, we will evaluate that for sure. We're not -- the natural heritage information didn't have any information of this area. But we can, you know, certainly evaluate anything you may that would be, you know, would be considered.

Again, because of its location next to a County park of this size, we would, you know, support that. And we have had other properties in and near other County -- big large County holdings that we supported even though it did a get lower rating, so.

**LEG. ANKER:**

Yeah, let me table it for now. And, you know, then I can give you some additional information to that. Thank you.

**LEG. D'AMARO:**

Is the County --

**CHAIRPERSON VILORIA-FISHER:**

I'll just second the motion, Legislator D'Amaro.

**LEG. D'AMARO:**

Okay. On the motion, is the County parkland the large parcel that adjoins the Long Island Sound?

**MS. FISCHER:**

Yes, in green; it's outlined in green. There are two parcels..

**LEG. D'AMARO:**

So this would just be an extension of that?

**MS. FISCHER:**

Yes. Yes, it would be.

**LEG. D'AMARO:**

Well, I'd be prepared to move this today. I mean I know the rating is a little below the threshold but as long as it's adjoining a County park we're already maintaining or --

**MS. FISCHER:**

Yes.

**LEG. D'AMARO:**

-- supervising that County park anyway.

**MS. FISCHER:**

Correct.

**LEG. D'AMARO:**

So it's just an addition.

**MS. FISCHER:**

Yeah.

**CHAIRPERSON VILORIA-FISHER:**

So you're going to override the sponsor?

**LEG. D'AMARO:**

Well, I was just, you know, I'm willing to go ahead with it only because I don't see what, you know, given -- just looking at the map the fact that it's right next to Long Island Sound and adjoins a County park, you know, even if you found five more points you're still below the threshold, you know.

**LEG. ANKER:**

I withdraw my table. I make a motion to approve.

**LEG. D'AMARO:**

I'll second.

**LEG. ANKER:**

Thank you.

**CHAIRPERSON VILORIA-FISHER:**

There is a motion and a second to approve. All in favor? Opposed? **(VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**IR 1538, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 - New Hope Revival Church Property - Town of Brookhaven (SCTM No. 0200-876.00-03.00-001.000) (Browning).** Is there information coming on that?

**DIRECTOR LANSDALE:**

Yes, there is. Can I give a brief presentation?

**CHAIRPERSON VILORIA-FISHER:**

Yes.

**DIRECTOR LANSDALE:**

The property is located east of Old Horseblock Road, north of Montauk Highway and south of Sunrise Highway, State Highway 27 in the hamlet of Brookhaven in the Town of Brookhaven. The property is 12.6 acres in size and is entirely wooded.

Rating for natural environments, open space was 10 points. It's located within the Carmans River Wild Scenic and Recreational Rivers Corridor and is near the Wertheim National Wildlife Refuge,

which is located in the Pine Barrens Core area. It's received points for its size and location along a major road, Sunrise Highway.

The property is also located within the Carmans River Management Plan Area, more specifically within the zero to two year groundwater contributing area.

**LEG. D'AMARO:**

From Planning's perspective, I know there's a low rating here again, but is this something that would enhance the County's efforts with respect to the River?

**MS. LANSDALE:**

Yes, it would.

**LEG. D'AMARO:**

And just tell me, you know, describe how you feel it would benefit our efforts.

**MS. FISCHER:**

Due to the fact that it's in the most critical area of the groundwater contributing area zero to two milligrams per liter, that's the most critical area identified in the Watershed. We would support its acquisition. Again, its location is critical as well. It's -- to the east of here there's a stream corridor that is a tributary to the Carmans River that most of the properties around it have actually been acquired by the Town in purple. Again, you have the Pine Barrens Core to the south including Wertheim. And this is just kind of outside that boundary line. So you're --

**LEG. D'AMARO:**

So it's just missing the -- it's not within the rating form, but if you look just beyond it, there's really substantial support for acquisition here.

**MS. FISCHER:**

Yes.

**LEG. D'AMARO:**

Yeah. Okay. Thank you, Madam Chair.

**CHAIRPERSON VILORIA-FISHER:**

Lauretta, as you were answering Legislator D'Amaro's questions, I was looking at the first part of the rating system. And I just wonder why "D" wasn't checked then, lands determined by the County Department of Planning to be necessary for maintaining the quality of surface or groundwater in Suffolk County. It sounded like your answer was saying that.

**MS. FISCHER:**

Actually we could do that. We usually just -- when the planning steps resolution moves forward, we usually just stay with what is proposed in the resolution; what category it's put in. But we would also support that as well as another category.

**CHAIRPERSON VILORIA-FISHER:**

How many points would that add?

**MS. FISCHER:**

It doesn't add any points. It just gives you a category upon which you can then move forward through the rating.

**CHAIRPERSON VILORIA-FISHER:**

I see. Where it says groundwater resources on the next page --

**MS. FISCHER:**

Yeah. And as we said it's right near the core. It's not in the SGPA.

**CHAIRPERSON VILORIA-FISHER:**

Right.

**MS. FISCHER:**

It's not in one or three but it's pretty close.

**CHAIRPERSON VILORIA-FISHER:**

I see. Okay. And I'll ask Mr. Culhane this question when he comes up later because I have a question about the planning document we have for our -- you know, Drinking Water Protection Plan and the pilot is in the Wertheim Wildlife Refuge. And I wonder how much of it we would be able to continue on this piece because it's so similar. Do you know if there would be any relationship there? Or I can ask Brian when he comes up if he would know.

**MS. FISCHER:**

I don't know per se so Brian would be the best.

**CHAIRPERSON VILORIA-FISHER:**

Okay. You know, that whole stewardship plan with the Wertheim. And we've done a lot of work there with the mosquito control and --

**MS. FISCHER:**

Absolutely, yes.

**CHAIRPERSON VILORIA-FISHER:**

Okay.

**MS. FISCHER:**

In the other portion of it, along the tidal area south of Montauk, but, again, Brian may have more specific information.

**CHAIRPERSON VILORIA-FISHER:**

Okay. And I don't like to blind side anybody so I'd be happy, Brian, to talk about it with you at the next meeting if you want. But I know the Wertheim had a very, very important pilot program with management --

**MS. FISCHER:**

I believe the Wetland Program was on the tidal portion which is not on this fork of the river, but on the eastern side Carmans River.

**CHAIRPERSON VILORIA-FISHER:**

Oh, I see. I see what you're saying. Okay.

**MS. FISCHER:**

Yeah, this is another fork, branch of it but not the main branch of the River.

**CHAIRPERSON VILORIA-FISHER:**

All right. Thank you. Lou, did I hear a motion to approve?

**LEG. D'AMARO:**

Motion to approve.

**CHAIRPERSON VILORIA-FISHER:**

Okay, seconded by Legislator Anker. All in favor? Opposed? **1538 is approved. (VOTE:**

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

**IR 1539, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Old Neck Creek Property - Town of Brookhaven) (SCTM Nos. 0200-855.00-02.00-001.000, 0200-856.00-01.00-001.000 and 0200-856.00-04.00-002.000) (Browning).** And you were passing out a presentation. And we promise to try to pay close attention.

**MS. FISCHER:**

As we're handing it out, this property is located on the east side of James Hawkin Road and south of Montauk Highway in the hamlet of Moriches. It's a 22.6 acre lot in size consisting of three lots that are entirely wooded.

The property was previously approved for planning steps under resolution 384-2004 under the New Drinking Water 1999 version. We did make an offer. The offer was rejected in '05 on one of the properties. And the other property we had no response from the owner. It did get 27 points and we supported this acquisition. We had also indicated to the sponsor that we felt that it wasn't necessary to put in a new resolution for this property because we keep them open ended if the program is still in existence. So the program is still moving forward. It was amended. But it's still part of the New Drinking Water Protection Program. So it's up to you at this point whether you want to move this forward.

**CHAIRPERSON VILORIA-FISHER:**

Was the previous resolution for all three parcels?

**MS. FISCHER:**

Yes.

**CHAIRPERSON VILORIA-FISHER:**

Okay. And it's less than five years since your last appraisal?

**MS. FISCHER:**

Yes. It's five -- '05 was the year so it's almost six years.

**CHAIRPERSON VILORIA-FISHER:**

Oh, it's almost six years. Oh, I thought you said '07. I'm sorry.

**MS. FISCHER:**

It's actually over six years, yeah. Seven. Six years.

**CHAIRPERSON VILORIA-FISHER:**

I'm saying I thought you said 2007 was the last resolution. Was 2005?

**MS. FISCHER:**

The resolution was in 2004.

**CHAIRPERSON VILORIA-FISHER:**

Oh, okay.

**MS. FISCHER:**

And in 2005 we made an offer. It was rejected on one of the properties. The other two we never got a response indicating interest by the owner to move forward on the appraisal.

**CHAIRPERSON VILORIA-FISHER:**

So actually if we're going to pass this, there'd be no harm, no foul.

**MS. FISCHER:**

Correct. It's redundant and it's okay.

**CHAIRPERSON VILORIA-FISHER:**

It's okay with me. I'll make a motion to approve, second by Legislator D'Amaro. All in favor? Opposed? Stands approved. **(VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**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).** Oh, 38 acres. And there's a presentation?

**MS. LANSDALE:**

We are requesting that this IR be tabled because we haven't received a letter of interest from the applicant and it has not yet been reviewed by the Suffolk County Farmland Committee.

**CHAIRPERSON VILORIA-FISHER:**

Okay, I will make that motion, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1540 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE 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)** 24 acres. And it's development rights. Same -- okay, so I'll make a motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1541 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**IR 1544, Adopting Local Law No. -2011, A Local Law eliminating financial disclosure requirements for Farmland Committee members. (Romaine)** Motion to table for public hearing, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1544 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE 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.).** Has to be tabled for public hearing. I'll make that motion, seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1547 stands tabled. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**IR 1548, Reappointing member of the Council on Environmental Quality to represent Historic Preservation interests (Mary Ann Spencer). (Viloria-Fisher)** I'll make a motion to approve, second by Legislator D'Amaro. All in favor? Opposed? **IR 1548 stands approved. (VOTE: 4-0-0-1. LEG. ROMAINE 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)** I'll make a motion to table for public hearing, seconded by Legislator D'Amaro. All in favor? Opposed? **(VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

And we have one more that I have to go back to. If you can come up, Commissioner. And that was -- George, do you remember the one --

**MR. NOLAN:**

1521.

**CHAIRPERSON VILORIA-FISHER:**

**(Amending Resolution No. 1378-2007, amending the Adopted 2007 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2007 Capital Budget And Program, and appropriating funds in connection with an Aquatic Invasive/Nuisance Species Eradication in Canaan Lake, N. Patchogue and Upper And Lower Lakes, Yaphank (CP 8710) (Browning).** Thank you. That's the one on the Water Quality Review Committee? And I understand, Commissioner, that you asked for an amendment in that resolution. And Counsel has informed me that it has been in deed amended. And I was wondering if you've seen the amended copy and if it meets your request.

**COMMISSIONER CULHANE:**

Do we have a copy of the amendment? I saw what was submitted by my Department this morning. Yes. Yes, this would -- and what this does is we had money that was available under the Aquatic and Invasive species report that we had done. That report is finished. We had \$50,000 left over at the end. And we're asking that we be allowed to redirect that money to do sediment testing in the lakes, which would give us an idea going forward what we're going to be faced with when we look at this invasive species removal. Depending on what we find in the sediments, that's going to impact the disposal cost if there's dredging involved. So we're asking that you approve this and we can get started on the sediment testing.

**CHAIRPERSON VILORIA-FISHER:**

Okay, happy to do it. I'll make a motion to approve, second by Legislator D'Amaro. All in favor? Opposed? **IR 1521 stands approved. (VOTE: 4-0-0-1. LEG. ROMAINE NOT PRESENT)**

**COMMISSIONER CULHANE:**

Thank you.

**CHAIRPERSON VILORIA-FISHER:**

Okay, thank you. We're done. If there is no further business we stand adjourned.

**THE MEETING CONCLUDED AT 3:17 PM**

**{ } DENOTES SPELLED PHONETICALLY**