

ENVIRONMENT, PLANNING & AGRICULTURE COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Minutes

A meeting of the Environment, Planning & 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 January 30, 2012.

MEMBERS PRESENT:

Leg. Kara Hahn, Chairwoman
Leg. Lou D'Amaro, Vice Chair
Leg. Sarah S. Anker
Leg. DuWayne Gregory
Leg. Edward P. Romaine
Presiding Officer William J. Lindsay, ex-officio member

ALSO IN ATTENDANCE:

Leg. Wayne R. Horsley, Fourteenth District
Leg. Kate M. Browning, Third District
George Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel
Renee Ortiz, Chief Deputy Clerk
Ben Zwirn, County Executive's Office
Robert Lipp, Deputy Director/Budget Review Office
Laura Halloran, Budget Review Office
Sarah Lansdale, Director/Department of Planning
Lauretta Fischer, Principal Environmental Analyst/Department of Planning
Pamela Greene, Director/Real Property Acquisition & Management
Janet Longo, Supervisor/Real Property Acquisition & Management
Karen Slater, Accounting Supervisor
Katie Magee, Planning Department
Jessica Kalmbacher, Planning Department
Tom Ryan, Aide to Legislator Hahn

ALSO IN ATTENDANCE (continued from previous page)

Marge Acevedo, Aide to Presiding Officer Lindsay
Justin Littell, Aide to Leg. D'Amaro
Paul Perillie, Aide to Leg. Gregory
Gloria Russo, Chairwoman/CEQ
Michael Kaufman, CEQ
Javed Ashraf, DPW
John Palasek
Donna Kukura
Stephen Searl, Peconic Land Trust
John Rooney, NFEC
Joe Modica, TSA
Bob McNicholl, TSA
Dick Amper, Executive Director/Long Island Pine Barrens
Ali Nazir, Aide to Leg. Kennedy
Tom Felix, Federal Aviation Administration

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 2:19 PM

CHAIRWOMAN HAHN:

Will all members of the Environment, Planning and Agriculture Committee please come to the horseshoe.

Please join us in the Pledge of Allegiance. Please rise and join us in the Pledge led by Legislator Anker.

SALUTATION

Thank you very much. Welcome to the Environment, Planning and Agriculture Committee. My name is Kara Hahn and I am this Committee's Chair for 2012. And I would like to thank Presiding Officer Lindsay for choosing me as Chair for this critical Committee.

I represent the Fifth Legislative District and there's just been a real legacy of leadership on the Environment from this -- from my district, Steve Englebright, Nora -- the late Nora Bredes and my immediate successor Vivian Vilorio-Fisher; all have led by recognizing that the protection of our environment is intricately tied to our region's health, quality of life, home values, economic success and so much more. And I'm excited to be here and to work with my colleagues on this Committee and the rest of this Legislature to continue Suffolk's legacy of environmental protection. Okay. So we'll have more on that in a little bit.

PUBLIC PORTION

We have some cards here so we'll get started with those. The first card is Kevin Rooney. You know the drill. Everyone who is getting prepared to speak, and you do have to hold the button down for the entire time while you speak at the podium, three minutes.

MR. ROONEY:

Madam Chair, members of the Environment and Planning Committee, my name is Kevin Rooney. I'm the Chief Executive Officer of the Oil Heat Institute of Long Island, a trade association representing the heating oil and petroleum fuels industry in the bi-county region. I rise today to speak in favor of CEQ resolution 01, introductory resolution 1016-2012 and urge your support of same.

This resolution would authorize the execution of a lease between the County and the Town of Smithtown for the construction of a permanent Suffolk County motor carrier inspection station in the area between Commack Road and Crooked Hill Road adjacent to the Long Island Expressway.

As an industry which routinely transports a wide variety of petroleum products, both flammables such as gasoline and combustibles such as heating oil and diesel fuel, we operate under a comprehensive regulatory framework promulgated by the US Department of Transportation, Motor Carrier Safety Administration and administered by the State DOT and local law enforcement agencies.

We strongly support the strenuous enforcement of all applicable overweight tax compliance and vehicle safety laws as being in the best interest of both the transport industry and the general public. Those vehicles which are not in full compliance with the law need to be taken out of service and off the road in order to protect those of our citizens who routinely traverse our State and County highways. Only through the mechanism of routine systematic and comprehensive commercial vehicle inspections can the driving public be assured that their safety on our highways is a paramount importance to both industry and the various government regulatory agencies.

In the recent past DOT inspections in Suffolk County have been conducted on an ad hoc basis in the parking area of the Cinema 16 facility in Holtsville. In all honesty, this has been a less than ideal location, not only from the standpoint of diverting trucks off the Long Island Expressway and Nicolls Road, but also because of the substantial inconvenience which such a sizeable multi-jurisdictional operation causes to local businesses in that parking area, to a major fuel terminal on Long Island Avenue and to the surrounding Holtsville business and residential community.

For the establishment of a permanent motor carrier inspection facility, it is our opinion that the proposed location off Commack Road is far superior from both a logistical and tactical standpoint, and, I assume, would be far more preferable to the State DOT, County Weights and Measures, the Highway Patrol and other law enforcement agencies.

If the overall objective of this resolution is to enhance commercial motor vehicle compliance enforcement, which in turn enhances the safety of all drivers on our highways, then the establishment of a permanent inspection facility at this site is clearly in the public interest.

In light of the above, we request your support for the adoption of introductory resolution 1016 and strongly urge its expeditious enactment by the Legislature. Thank you.

CHAIRWOMAN HAHN:

Thank you.

MR. ROONEY:

Any questions, I would be pleased to answer them. Thank you so much, Madam Chair.

CHAIRWOMAN HAHN:

No. The next speaker is John Palasek.

MR. PALASEK:

Good afternoon. My name John Palasek. I represent the Southampton Civic Association. I'm here to speak in favor of adopting introductory resolution 1049 and 1050, which applies to the relocation of the Suffolk County Trap and Skeet Range to an alternative location.

The entire history of this range is too long a story to get into, but suffice to say that it has become an untenable situation. It no longer can exist where it is and it does need to be somewhere else. This -- these resolutions may not be perfect, there may be roadblocks ahead, but they deserve consideration and they deserve to be at least scrutinized to the point of deciding once and for all whether or not they actually are viable.

As far as relocation of the range in general, there are a number of reasons why the range being relocated would solve a multitude of problems that exist now, not the least of which is to be able to operate the facility without being in violation of a local law, which they are now or you are now, in violation of the Town of Brookhaven Noise Ordinance. It would allow Southaven Park, a 1500 acre park, to actually be used as a park, a place to go to, not a place to be avoided. It's a shame that this park is underused simply because of the existence of gun fire five days a week, especially on the weekends.

The quality of life to the surrounding neighborhoods is non-existent and it's something that we feel is unfair, especially when you consider that recent purchases regarding Northville -- North Fork Preserve, I should say, stipulated that a range could not be included for that very reason because of its proximity to a residential area. Houses in that area, for example, I'm told, are -- exist within half a mile. The nearest residence where we are begins 33 feet from the property line. As far as quality of life, we don't have any. We have a devalued neighborhood largely. 178 houses would devalue by an average of 6% by the Town of Brookhaven or negatively reassessed, which basically

makes an impact of over \$3 million in neighborhood equity, which, of course, translates into losses in school funding and in tax dollars going to the Town. The Carmans River is threatened by the existence of lead leaching into the soil, which is going to find its way to the river at some point and in some cases has.

As far as relocating the range, it's -- as far as it impacts the shooting community, it wouldn't. It would provide the shooting community with a place to go where there isn't any controversy, where there aren't any laws being broken, where there aren't any quality of life issues or environmental issues. In return we would get our quality of life back. We would get our home values back. The park would become a park again.

I don't see where relocation is a bad idea on any front and I don't see how anyone could oppose it. And I certainly don't see how anybody could oppose either of these introductory resolutions especially since they're designed simply to explore the possibility. At the end of business today, they'll be no declaration of whether or not it's going to happen or not, but it at least deserves the opportunity to be scrutinized and analyzed and decided once and for all whether or not it's a good idea. Thank you.

CHAIRWOMAN HAHN:

Thank you. Donna Kukura.

MS. KUKURA:

Thank you for the opportunity to address all of you. I'm here today to support resolution 1049 and 1050. My name is Donna Kukura. I live on West End Avenue in Shirley. I am here on behalf of the residents of our neighborhood because we do live approximately one block from the Southaven Park that the gentleman before me referred to.

My husband and I purchased a piece of property on West End Avenue several years ago and custom built our home there. We purchased over an acre of property which included a covenant of one third of the property remain natural with the belief that we were going to live in a peaceful community. However, I do work as a hospital employee overnight and I'm frequently awakened by the sound of gunshots during the day.

Additionally I have a home-based business which is frequently interfered with by the sounds of gunshots. Our children are not permitted to play in Southaven Park because of the gunshot. And as they come through, people who come to our home wonder why are there so many gunshots? This is what living in Mastic/Shirley community is about? We really object to the quality of life impact of this Trap and Skeet Range on our lives.

I would ask the Committee to strongly consider relocating that Trap and Skeet Range to improve the quality of residential life as well as the quality of our water in Mastic/Shirley. As you know, the lead does go into our groundwater and the Carmans River is impacted by the Trap and Skeet Range.

The site that has been tentatively selected is more than a mile from any residential home. It already has -- one of them already has an active shooting range in the area and -- but it's next to a County airport that already creates noise in the area. So it does provide direct access from Sunrise Highway and meets the criteria set by the relocation committee that reviews the possible sites.

I think that all of us should have the opportunity to enjoy our hobby and activities without infringing on the rights of others to a peaceful enjoyment of their own homes and yards. And I thank you for your time and consideration.

CHAIRWOMAN HAHN:

Thank you. Stephen Searl.

MR. SEARL:

Good afternoon. My name is Stephen Searl with Peconic Land Trust. I'd like to take this opportunity to just read a letter that I prepared specifically on the Beagle Club resolution IR 1011.

"This letter serves as Peconic Land Trust's expression of support for IR 1011 authorizing the acquisition of the Beagle Club property in the Town of Riverhead. We have been working with the owners of this property for years and we see this as an important open space acquisition.

While it may not have scored as high as some of the other open space projects that have come before this Committee in the past, there are several reasons why this property is a critical open space acquisition.

First, the 150-acre property is completely surrounded by preserved land that if preserved would complete a block of over 600 acres along the west side of Edwards Avenue. Moreover, it would serve as a buffer between the active agricultural land that borders this property on three sides and the large scale residential development located directly across the street.

Second, the property is in a Special Groundwater Protection Area that has been designated by both the State of New York and the Town of Riverhead as a priority due to its size, its potential for public access and passive outdoor recreation, its visibility and its potential impact on the aquifer, if developed.

Third, the Beagle Club property features four New York State recognized habitat including a pitch pine forest, successional shrubland, successional red cedar woodland and successional old field. These habitats offer a wide range of plant species making the property an ideal site for a diversity of birds and other wildlife.

I've attached to the letter an inventory conducted by MaryLaura LaMont, naturalist, and the Peconic Land Trust in 2009. Moreover, there has been a marked decline in successional old field and other grassland habitat throughout the northeast. The preservation of this property would protect this declining habitat and ensure that there's a diversity of open space features in Suffolk County.

The Peconic Land Trust realizes that there are tough decisions ahead for the Legislature when it comes to prioritizing projects in the face of dwindling preservation funding. We hope, though, that this recommendation helps to serve not only as a basis for approving this specific project, but in conveying the continued importance of the County's preservation program as a whole. Again, we urge this Committee to approve resolution 1011 and continue the legislative process needed to preserve this ecologically significant property. Thank you for your consideration. And I have copies of the letter here if you'd like.

CHAIRWOMAN HAHN:

Thank you. We have a question from Legislator D'Amaro.

LEG. D'AMARO:

Good afternoon. How are you today? I just wanted to -- you noted in your comments that the parcel is completely surrounded by preserved land. Is it completely locked? Is there any access to this parcel?

MR. SEARL:

There is.

LEG. D'AMARO:

Okay.

MR. SEARL:

Along Edwards Avenue. It's surrounded on three sides.

LEG. D'AMARO:

Okay. I just wanted to clarify that. Thank you.

MR. SEARL:

Yep.

CHAIRWOMAN HAHN:

Any other questions? Thank you very much. Tom Felix.

MR. FELIX:

Good afternoon. My name is Tom Felix. And I'm with the Federal Aviation Administration and I would like to thank Chairman -- Chairwoman Kahn (sic) and the Legislature for allowing me to say a few words. And the reason I'm addressing the board -- the planning group is to just say a few words about the proposed -- authorizing the planning step towards the acquisition of the Suffolk County -- under the Suffolk County Multifaceted Land Preservation Program for the property right next to the airport for the -- installing a shooting range.

And we -- we at the FAA have some concerns regarding the selection of that site. The approach to runway one nine is -- is -- right -- would go right over the shooting range. Airplanes at that time, they're on approach to the -- to the runway could be as low as 550 feet from the ground. We see the potential for some accident or some stray bullet or somebody having simply a bad shot posing some -- really a threat to the planes that are using the airport.

Now as far as accepting federal funding, the County, which is the sponsor for the airport, they -- they have set a list of grant assurances. And one of the assurances said that the County will do everything within its power to prevent any incompatible use. We feel that at such a close -- putting a shooting range right close to the approach to one of the major runway might, you know, constitute an incompatible use of that land.

CHAIRWOMAN HAHN:

Thank you. We have a question from Legislator Browning and also --

LEG. ROMAINE:

I also.

CHAIRWOMAN HAHN:

We have a few questions. And also, I don't know if you're available to stick around for when we actually discuss this resolution for a vote, in case we need your input at that point.

MR. FELIX:

Yes.

CHAIRWOMAN HAHN:

At that time. But, Legislator Browning.

LEG. BROWNING:

Yeah. Just -- thank you. I'm just curious, sir, you're aware that there is currently an operating -- an active shooting range there at this time?

MR. FELIX:

Well, we do, but I guess this is going to have a little more activity and the fact that it's now going to

be a skeet --

LEG. BROWNING:

Uh-hum.

MR. FELIX:

That, I think, makes it more difficult. We would even like to have that other one removed, but since it is there, there's really -- anything that we can do toward that.

LEG. BROWNING:

Oh, that's interesting. But, again, it's -- you made a comment about -- concern about possible accidents because it is an active shooting range. It's been in operation for over 40 years. And to my knowledge there has never been an incident. Are you -- do you know of any incidents that have occurred over the past 40?

MR. FELIX:

No, no. No, you're right. We are not aware but, you know, usually we don't like things to happen and then realize that we shouldn't have done it. But I do recognize that, you know, it's been operating over 40 years, yeah.

LEG. BROWNING:

Okay, thank you.

CHAIRWOMAN HAHN:

Legislator Romaine.

LEG. ROMAINE:

Well, actually, Legislator Browning asked some of the questions I would ask. I would ask again -- I believe this range has been in operation more than 50 years. When the County -- and my understanding is that range -- the Airport was operated by the United States Air Force. I remember going there as a boy scout in the '50's to visit it. The federal government never required that shooting range to close down.

When the County became an owner of that Airport and its surrounding lands, the FAA never requested that the County -- or recommended to the County that the County attempt to acquire that land. And it's been an active shooting range for 50 years. That's -- I appreciate your attendance here today to inform us of this issue, but that's an issue that is in the back of my mind, if it's been active for 50 years, the United States Air Force didn't have a problem with it. When the County acquired this, the FAA never recommended to the County at any time since we took possession, I believe it was the early '60's, of the Airport, never requested that we condemn this land or purchase this land or that this was a hazard to navigation. And if I'm not mistaken, that's a shooting range that uses live ammunition, so -- this is a skeet and trap which is a slightly different type of operation. That's why I'm just curious about how this is compatible with your past history on this. It seems -- that's why I'm trying to figure out, you're making a presentation today about something that might exist as a danger in light of what has occurred in the past, I'm just curious.

MR. FELIX:

Well, we -- we actually coordinated this when we heard about this proposal with some of our -- all of our line of businesses within the FAA, and I'm -- you know, I represent the Airport's division. But even our flight standards and air traffic division found -- found something objectionable with this proposal. And, again, you are right, there hasn't been any accident but there is concern that with the new way that the facility will be used, we might be introducing some potential for some shooting into arriving and departing air crafts.

LEG. ROMAINE:

I certainly understand your concern. And whether this resolution passes or not, and this is a planning steps, this is like the first step, but is the FAA going to step up to the plate and make a recommendation to the County to acquire this property and to close down this range? Is that what you're saying here today, sir? Are you speaking for the FAA on that matter?

MR. FELIX:

No, no. I'm here to kind of --

LEG. ROMAINE:

You're here to tell us not to do this, but you're not prepared to tell us to acquire this property if it poses such a danger. That's why I'm raising the question. You seem to be saying two things at the same time. Are you officially representing the FAA here today, sir?

MR. FELIX:

Yes, I am.

LEG. ROMAINE:

Okay. Does the FAA consider this shooting range such a danger that it is recommending that the County acquire this for the smooth functioning of the Airport; yes or no?

MR. FELIX:

At this point I cannot answer that question because I need more information, but there is the possibility that we might. Now --

LEG. ROMAINE:

When that possibility becomes a reality and this rises to such a danger, please return to this body and give us that advice which we will take under careful consideration. Obviously what the FAA says bears great merit. But you seem to be saying one thing about the existing shooting range and another thing about a proposed planning steps, which is totally contradictory. So please get on the same page, give us direct information so we can show the respect that is due the FAA. Thank you so much.

MR. FELIX:

Thank you.

CHAIRWOMAN HAHN:

Legislator D'Amaro.

LEG. D'AMARO:

Sir, thank you for coming down today and sharing your opinion with us. It's important to know that you have a concern, the FAA has a concern with the proposed use of this property that it may somehow endanger airplanes, pilots, passengers, that type of thing. And I appreciate that. Are you familiar with the present operation on that property?

MR. FELIX:

I know that there is an existing -- but I'm not very familiar with how it's operated.

LEG. D'AMARO:

Do you know whether or not the present operation -- or maybe someone on the Committee knows because I don't, is it an indoor shooting range or is it outdoor? It's an outdoor range. Okay. And, you know, forgive me for my ignorance on trap and skeet and all of that, I don't do that, I don't own a gun, I don't shoot guns but --

LEG. BROWNING:

I do.

LEG. D'AMARO:

What? Right. Well, you know, that's fine. I'm not saying you shouldn't do it. I'm just saying I don't happen to do it. But I do fly airplanes. And I'm just wondering, you know, whether or not it's the change of use that's concerning the FAA going from what I envision as a range to more of a trap and skeet use. Is that the concern here?

MR. FELIX:

Basically that's -- that's what it is. There's a little change in the nature on how the facility will be used. And that's what is being introduced right now.

LEG. D'AMARO:

So is the trap and skeet use something that's more in line with shooting in the air? Is that the concern?

MR. FELIX:

Somebody else might be in a better position -- but that's my understanding, yes. That all of a sudden now instead of just a target --

LEG. D'AMARO:

Well, let me ask you this: If -- I mean -- I believe this property is 75 acres. I mean we haven't -- this is just a planning steps resolution. And to explain that to you, we don't even know if we have a willing seller of the property at this point. But -- okay, well, Legislator Browning says that we do. Okay. Well, we don't know if it'll come to terms, that kind of thing. So it is possible that if the County were to go forward and acquire this property, that the use as a trap and skeet range could be done in a way to mitigate the impact to the Airport. I mean we would need to explore that.

MR. FELIX:

And we would assist in exploring that but --

LEG. D'AMARO:

Right. And I think by you coming here today, however, and raising the issue puts us on notice. And I think that's a good thing, that if we were to go forward with this type of acquisition, that we would have to keep that in mind as a safety consideration on whether or not this property would support that use and be compatible with planes flying in on final approach at 500 feet. I know when you get down to 500 feet, you can see the pilot in the plane. I mean it's pretty close.

MR. FELIX:

Yes.

LEG. D'AMARO:

So I do appreciate that you came down today and told us that, but you're just giving us a very general raising of a red flag, so to speak. You don't really have any more specifics as to what the real impact would be?

MR. FELIX:

No. Right now we don't. And, again I'm not -- I'm here to, like you said, alert of the possible danger that might be if the facility was to include that new facet.

LEG. D'AMARO:

Have you ever visited the range?

MR. FELIX:

Not personally, no.

LEG. D'AMARO:

No, okay. Because I'm just curious even now, you know, how the range is situated on that property and whether or not that's compatible with the planes coming in on final approach. I would hope that the owners of the property would be somewhat aware that there are planes coming in and maybe they, I don't know, shoot in the other direction, something like that. Let's hope. But as there hasn't been an incident, at least no one here seems to know of any incident that's occurred, that's a good thing. And I would think it's a factor to consider. But whether or not, I think, on a property this large, I think if we were going ahead with this, we could probably work with the FAA and can figure in a way to address any safety concerns. I would hope we could.

MR. FELIX:

No, you do have our support on that, yeah.

LEG. D'AMARO:

Okay, thank you.

CHAIRWOMAN HAHN:

Thank you, Legislator D'Amaro. Legislator Horsley, a guest of this Committee.

LEG. HORSLEY:

Yes, hi. Good afternoon. I've got to tell you that your testimony was ambivalent commentary that I've ever heard from the FAA -- (off the mic) -- oh, I'm sorry -- from the federal government. You're using words like "kind of" and "might be" and -- which I think is, you know, that's fine. But I think at some point if the FAA has and particularly your traffic air controllers, if they've got concerns about this issue, that this should be in writing and should be much pointed and a much stronger point made than your comments. Very nicely put, though. I like your tone.

MR. FELIX:

Yes.

LEG. HORSLEY:

It is refreshing, but it doesn't leave me with a feeling that you're really concerned.

MR. FELIX:

Well, we haven't done a full study. We got some background information. But from the outset, we have -- we have some of our division express some concern. And that's why I'm not --

LEG. HORSLEY:

"Some."

MR. FELIX:

Well, that's the concern.

LEG. HORSLEY:

I love your language. I mean it's couched.

MR. FELIX:

Concern. You know -- you know, it is, because -- like especially with given the fact with what Legislator Browning mentioned, you have a one -- one facility that has been operating, but we'd still want to, I guess, recommend that because --

LEG. HORSLEY:

"I guess."

MR. FELIX:

Yeah, recommend that the County proceed cautiously about --

LEG. HORSLEY:

Okay. You do want us to be cautious. And I do appreciate that, but at some point or other the FAA should -- should be more pointed in their comments. You got to be a little tougher than that because otherwise we're not going to respond because we're not going to really know if you really mean it. Okay.

MR. FELIX:

Okay.

CHAIRWOMAN HAHN:

Thank you very much. Thank you.

MR. FELIX:

Thank you.

LEG. HAHN:

Inspector Stuart Cameron.

INSPECTOR CAMERON:

Good afternoon. I'm Inspector Stuart Cameron. I'm the Commanding Officer of the Suffolk County Police Special Patrol Bureau and one of the commands that works for me is our aviation section. And I'm just here to supply you with some facts on IR 1050 about relocating the Trap and Skeet Range to the Gabreski Airport.

The shooting range that's in existence has never caused us a problem. We've been located out there for approximately ten years. And I have spoken to some of my staff that work in the Air Guard Base and they have expressed similar sentiments. They use that area for training and it has never been an issue.

The concern for us is the introduction of skeet shooting. Currently it's a target range, which generally it's shooting at the targets that are -- the rounds are traveling horizontal to the ground, level trajectory and there are no upward angle shots. Skeet shooting, as you may know, is shooting at targets that are lodged into the air at an upward trajectory.

Due to noise abatement procedures at the Airport, our non-emergency departure and return route is to the north from our hangar because there are houses on the east, west and south of the Airport and we've been requested to depart primarily to the north. Due to the proximity of the target range to our hangar, we're departing over that area at 3 to 400 feet. So if there were shots coming at an upward angle, there is a chance that it could impact our aircraft; and just basically the facts for you.

CHAIRWOMAN HAHN:

Thank you. Are there any questions? Legislator Browning.

LEG. BROWNING:

Actually I spoke with Michael Pitcher. He does our media. And he's an avid sportsman. And I had asked him *have you ever been to that range*. He said *yes, he has*. And he said they did shoot trap and skeet there. But he says it's been a couple of years; however, he has shot trap and skeet there. Are you aware whether there was ever trap and skeet at that facility?

INSPECTOR CAMERON:

No, I'm not. I've flown over that site but I've never actually visited on the ground. And I have spoken extensively to my staff and they have said they've never had an issue with that. But my understanding was it was a target range; and, again, we're shooting at targets that are directly in front of you and not targets that are elevated in the air.

LEG. BROWNING:

Okay. Is there -- you know, is there some way we can confirm that because, you know, I know that he spends a lot of time out there. I believe he belongs to Peconic Gun Club and he has used that facility and said he did shoot trap and skeet so I'd like to confirm that there is or there is not at this time.

INSPECTOR CAMERON:

I don't know the answer to that.

LEG. BROWNING:

Okay. Thanks.

CHAIRWOMAN HAHN:

Any other questions for the Inspector? Thank you very much. John Rooney.

MR. CEGLIO:

Can I just jump in for a minute? I might be able to answer one of the questions from Legislator Browning you were asking Inspector Cameron. Is it appropriate or no?

CHAIRWOMAN HAHN:

You need to put your name on the record and spell it for the stenographer.

MR. CEGLIO:

Sure. Anthony Ceglio. I'm the Airport Manager out at Gabreski Airport. I have visited the shooting range. I spoke last month to you and actually I'll probably speak in a little while when the Planning Director comes up. But the existing use, as Inspector Cameron mentioned, is a shooting range. It's horizontal shooting. As a matter of fact, most of the shooting over there is almost into a pit. It's kind of at a negative angle. There is a small area on the east side that they do shoot projectiles up into the air. They go probably 50, 60 feet into the air. But it is, again, shooting up into the air.

The person I spoke to there when we visited last week, said it's very limited use. They hardly ever use it. And when they do, from the people that I saw there, they're very aware of the aircraft that are around using the Airport and they stop. So there is some control. To increase that use, I think would be, as the FA mentioned, a potential hazard and that's what we're here to talk about.

CHAIRWOMAN HAHN:

Legislator D'Amaro.

LEG. D'AMARO:

So how far is that limited use area from the runway approach?

MR. CEGLIO:

I think in your package, I have the traffic patterns for each one of the runways, which, again, I'll talk about in a little while. But, Legislator D'Amaro, you mentioned you're a pilot so you know what the base lag and the final lag is. It's basically a rectangular pattern, but it's not done -- you can't make a ninety degree angle when you're flying an airplane. It depends on the weather and the pilot technique and that kind of thing.

LEG. D'AMARO:

Yeah, and you can extend the base lag, or you know, or down wind lag, right.

MR. CEGLIO:

Exactly. The base lag, when you turn it from base to final, you're about 500 feet. The area of the trap and skeet, or the shooting range, is right in that area where you're going to be turning from base to final so you're at the 500 feet and descending.

LEG. D'AMARO:

Right. Okay. Thank you.

CHAIRWOMAN HAHN:

Thank you very much. John Rooney. Thank you for your indulgence, John, in allowing us to get that question answered.

MR. ROONEY:

My name is John Rooney. I'm a member of the Board of the North Fork Environmental Council. And for 40 years we've been trying to fight to preserve the healthful environment out here out on the East End. I'm here to -- the NFEC also supports IR 1011, the Beagle property acquisition. And as was stated by the speaker from Peconic Land Trust, he mentioned the fact of the surrounding preserved area. An acquisition of land whether it be for farmland where you want it to be economically viable or for open space where you want both flora and fauna to thrive, the importance of large areas of preserved land is extremely important rather than, you know, postage stamps acquisitions here and there and everywhere. So that adds an importance to this beyond the nature of the land itself. And I gave to Congressman Romaine earlier a copy of a study that was done on that earlier on. Okay.

And also, the other point is that at this point, is the time to be acquiring as much as we can to use most efficiently public funds. Because while development pressure is somewhat down from the past, it will return inevitably and at that point acquisition will become ever more difficult and public funds will be ever more difficult to come across. So we support the acquisition of that property as of now. Thank you very much.

CHAIRWOMAN HAHN:

Thank you very much. That was the last card that we have. Is there anyone else in the audience who would wish to address this Committee at this time? And you'll need to fill out a card.

MR. AMPER:

We're happy to do that. Can I fill it out afterwards?

CHAIRWOMAN HAHN:

Of course.

MR. AMPER:

On the trap and skeet issue, there was --

CHAIRWOMAN HAHN:

State your name for the record, please, Mr. Amper.

MR. AMPER:

I'm sorry. It's Richard Amper. I'm Executive Director of the Long Island Pine Barrens Society in Riverhead. Someone suggested there was no reason not to relocate it there. I think you heard from the aviation officials that there might be. You understand that the current Yaphank facility, one that we believe should have been closed down and that the County is not obliged to operate

because it was discontinued for more than a year and its resumption of activity would constitute and does constitute development under the Pine Barrens Protection Act and, therefore, the County is perfectly entitled to shut down that facility. But the problem with -- the suggestion that there was no reason not to do it in Yaphank is elusory.

It also -- this property is also in the core preservation area of the Pine Barrens and another definition of development that is proscribed, that is not permitted in the Pine Barrens is the increase and intensity of use of the facility, moving the trap and skeet operation to a place where little trap and skeet has ever been done. It is a target range principally; would constitute an -- I think at the very least that the County -- I guess, the representative from the FAA was urging that we use caution, sort of, and maybe the Legislature, they should use, sort of, caution in evaluating this. Nobody seems to have gone out and seen it. We ought to go out and take a good hard look at it. But it is a question of shooting up as opposed to shooting yourself in the foot, which I'm prone to do.

So there are reasons to consider that both in terms of the environment and previous use. And, again, I would urge -- we agree wholeheartedly that the trap and skeet activity in Yaphank is contraindicated and the community opposed it both for noise reasons and environmental reasons. Now the noise reasons seem to have transcended the environmental reasons. I think that there are multiple reasons for reconsideration. And I think some of you ought to go out and look at it and see exactly what's involved here. And I think the FAA has a right to express its concern.

The other issue did involve the Beagle property. And I just mention that in passing because -- because of its size and because of its impact on the Special Groundwater Protection Area, especially in the aftermath of the County Health Department's report about declining water quality and our effort to try to protect areas where we can recharge that aquifer without introducing the kinds of VOC's and nitrogen that we have seen contaminating wells across Suffolk County, would indicate for -- that as an important part of the acquisition. And I noticed in the transcript of your meetings about -- there was some concern about Riverhead's not having partnered in this transaction, and I know you welcome those. But to be fair the County used to do all of the acquisition. It is a great thing that the Community Preservation Fund and other activities by the towns, Huntington in particular, where they have done their own bond acts to help partner with the County.

The Town of Riverhead produces the least revenue from the Community Preservation Fund because it's smaller and there are fewer transactions. And those transactions aren't as great a price. And in fact the reason that Riverhead cannot partner is simply because it has done exactly what it should have done and that is expended the money under the Community Preservation Fund that it had the capacity to provide for bonding and now it has none left. That doesn't mean this is not an important resource for the County to invest in. It used to be the sole buyer of property. Thanks very much.

CHAIRWOMAN HAHN:

Thank you. Is there anyone else in the audience who would like to address the Committee? Okay.

PRESENTATION

Okay. I invited Sarah Lansdale, Commissioner of the Planning Department and Pamela Greene and whoever else from your Department who would like to come up and give us -- bring us up to date on where we are with the land acquisition dollars.

Suffolk County's Land Acquisition Program is really at a critical crossroads right now. We have successfully completed the accelerated program to acquire land. And in essence we've done what the voters of Suffolk County asked us to do. We bonded against future income from the Quarter Cent portion of our sales tax revenue that is reserved for drinking water protection. And the voters

of Suffolk County wanted us to buy land upfront to preserve green spaces and agriculture before they are bought up and they disappear. By law the accelerated program has ended at the end of 2011 or maybe it was the end of November 2011. And now a significant chunk of our sales tax revenue that comes in for this program must be spent to pay the debt service on what we have already protected, which means we'll have relatively a small pot of funds each year going forward. And this is what we're going to hear from the Department about projections and such.

Now that we are transitioning from this accelerated program where we had a large pot of funds to purchase land to a pay-go program where we have very limited funds, I believe we need to take a step back and really evaluate where we're at, what we're doing, how we're doing it and what we still hope to accomplish. You know, we really just need to pause right now. It's the appropriate time. We're transitioning between two programs. And we need to figure out what's in the pipeline, rank them according to priority and then buy the most important and environmentally sensitive properties. There's a lot -- you know, up until now we've been reviewing potential land purchases in a vacuum kind of one at a time. I'm convinced that we need a more comprehensive approach as we move forward.

Now that very limited funding is available, it behooves us to reevaluate what's in the pipeline and ensure that each and every dollar we are spending is maximized for our priorities of drinking water protection, farmland preservation and safeguarding our surface waters. We simply can't buy everything. And so we can't afford to take a haphazard approach to what we're buying. It can't be accidental. It can't be first come, first serve. It has to be strategic. And we must look at everything in the pipeline.

And that's why I invited you here. I know you guys just did this last year, but there have been some changes to what we know about what's come in on sales tax and our projections. And I think this is the time to be thinking very carefully about what we're doing and how we're doing it. And I want to hear from you as to what you're going to tell us in this presentation and then this body has some real thinking to do on how we're going to move forward.

DIRECTOR LANSDALE:

Thank you so much for the opportunity to present. I'm Sarah Lansdale, the Director of Planning. And this is Pamela Greene, the Director of Real Estate for the County.

So since 1977, Suffolk County has spent close to \$894 million preserving 34,000 acres of land through ten major land acquisition programs. During the last five decades, Suffolk County has purchased more than 58,000 acres of land to preserve important environmental resources and farmland. That's roughly the equivalent of the Town of Huntington, just for size comparison.

Last year alone the County spent \$60 million to preserve 780 acres of land. 742 acres of that were through the Quarter Percent bonded accelerated program, roughly 52 million.

Pam's going to walk you through the eleven-step acquisition process.

DIRECTOR GREENE:

Thank you, Sarah. Thank you very much, Chairwoman Hahn and congratulations once again to everyone on your respective elections, re-elections, your new committee chair. And we appreciate this opportunity once again to bring to you the current state of the acquisition program. And as you had so eloquently stated, we had just made our last presentation in November, but it's fluid and it is always time for an update. So we're pleased to do that.

If we can share with you as some on the Committee might not be familiar with, what the current process is once planning steps are passed. So later in your agenda today, you'll be considering IR's 1046, 1047, 1049, 1050. And this is a fresh time to take a look at exactly what the language in

those planning step resolutions would authorize should they be passed. So first the parcels are recommended by either the County Executive through the Master List, the Legislature or the Planning Department.

Next the Planning Department reviews the criteria, prepares a rating. You will see those today. Farmland Committee reviews ratings for Farmland parcels. The planning steps are approved by the Legislature, then moved to the County Executive. And at that point the acquisition Supervisor, Janet Longo, sends an interest letter to the owner to see if there is interest in selling the land.

If the interest is positive from the landowner, then appraisals are ordered. They are reviewed by our internal Appraisal Review Unit. They go to our first step of the committee of internal review. There are five members on that. After that, they are presented to ETRB for the value approval. And some of you have certainly either been members of that or have been present at those meetings as well.

At that point after passage of ETRB and the value being approved by ETRB, an offer letter is sent. If the offer is accepted, a contract request is sent to the Law Department that engages the seller to also prepare some comments to send back the contract. That process takes a bit of time. When the contract is returned, the real estate agent assigned to this acquisition orders title insurance, begins a survey, orders environmental site assessment and all of those are done by outside contractors. The ESA report is then reviewed by Planning and presented to CEQ for approval. You're seeing those in your agenda as well today. Also if necessary, the acquisitions often times go to Parks Trustees for their approval if it's required.

After those steps an authorizing resolution is drafted to be laid on the table by the Legislature to then be put before this Committee. So it isn't until almost at the end of the process does this Legislature then take another look at what it's directed through the planning step authorization process. If that resolution -- the authorizing resolution is passed by this Legislature, then Real Estate secures the funding, secures the checks. The budgets go through contract. Then they are signed by the County Executive or his designee. And at that time the closing is scheduled.

Afterwards the property is -- has its jurisdiction transferred to the Parks Department, who is now responsible for it. And the final step, which would make it a twelve-step program, finally goes to the home municipality where the property is removed from taxes so it is declared tax exempt.

So just to refresh, as we're all aware, Local Law 24 of 2007 authorized the continuation and acceleration of the Quarter Percent bonding capacity. So of that quarter percent, of that point two five percent of one penny, this is the breakdown of that point two five percent. So it is really 31.1 percent of point two five percent that is going towards land acquisition. And with that dedicated fund, this County has done great, great things. Just so you can see, once again, 25% goes to sewer tax protection stabilization; 32.15% is dedicated for a countywide tax protection fund; and 11.75% is what's overseen by the Water Quality Unit in the Division of Planning.

Moving on, we now have reached the point where we are transitioning from what we were directed to do in the 2007 referendum. The referendum was approved to extend and accelerate the Suffolk County Quarter Percent Drinking Water Program. That sunset last November. So all of those funds, which at the time of the resolution authorized the bonding of up to \$322 million, they now -- that now has sunset. And as we've seen, the sales tax projections resulted in the \$322 million top amount being recalibrated to 209 million. So due to decline in sales tax revenue, the total amount was 209 million. From that all has been bonded and all has been either spent or committed to accepted offers.

And the next slide shows, it might be a little hard to read, but this is what you purchased. You have purchased 2,420 acres that have been preserved as of January 26, 2012. Of that 59% was spent to

acquire open space, 34% was spent to preserve farmland. And due to the recent North Fork Preserve transaction that will now give Suffolk County its last great park, 175 acres of the southern portion, 7% of those funds were spent to acquire active recreation.

I have the usual summary sheets -- if I can ask Renee, thank you so much -- that I believe we last brought to you at the end of November. Now, we're going to update you with the last report we have that was prepared at the end of December. Karen Slater, our accounting supervisor is here. She has not compiled January yet because we are still in it. So we're still going to be going off of the end of December's report, but just to show that they are constantly moving with offers coming in, rejections are also coming in and new offers are being sent out.

So if we can move to our new Pay-As-You-Go fund. And, Legislator D'Amaro, you were quite correct last November to note that our request at that time was for a bonding resolution for \$26.7 million. That's the first number you see circled in red. That was passed. Offers have been sent out. Some are under consideration for negotiation. And to show the "negotiation" amount of 13,767,507, if you look in between -- the figure in between the two circles, that number's already been reduced by rejections that have come in to offers that were sent last month. So that's where Mr. Lipp has often shared with you, there is approximately a 50% acceptance rate, a 50% rejection rate. We would submit to you that means the values that the County is offering for its land are very fair. If there is a 90% acceptance rate, one would argue that the offers are far too high. And if there is a, you know, very, very high rejection rate, that would mean the offers are too low. Just at about half means, I think, the offers are dead on with half accepting and half rejecting.

So we can tell you that next month at the next meeting when we're here, we'll be able to tell you that that \$13 million in the *in negotiation* line is already reduced as of right now down to \$4 million. And that's why you'll see this number being fluid. So we do have offers outstanding that will need to be funded with our next request for bonding, which will come to you sometime this summer. And that will be the rest of the 40 -- we had said at the time \$45 million less the 26.7 that we had asked. Take a deep breath because now we have updated sales tax --

LEG. D'AMARO:

Could I just ask you to clarify something?

DIRECTOR GREENE:

Of course.

LEG. D'AMARO:

So the Pay-Go Quarter Cent we're talking about, which is separate from the future bonding program which is all accounted for at this point --

DIRECTOR GREENE:

Yeah.

LEG. D'AMARO:

Right. We're talking about the cash that comes in from the Quarter Point, but which has not been bonded.

DIRECTOR GREENE:

Yes.

LEG. D'AMARO:

Right. You said that you're going to ask for a bonding request for that? I'm a little confused on that.

DIRECTOR GREENE:

If you recall when we were here in November and you had asked why aren't we asking for more money, it was at that time we had 45 million that had already been accumulating since 2008.

LEG. D'AMARO:

Right.

DIRECTOR GREENE:

We only came before you to ask for 26.7 because that's what supported the existing --

LEG. D'AMARO:

But that's a cash accumulation, isn't it?

DIRECTOR GREENE:

Correct.

LEG. D'AMARO:

Right. But we're not bonding that.

DIRECTOR GREENE:

We are --

LEG. D'AMARO:

You were saying request for bonding and I was getting confused. In other words, these are -- this is a cash --

DIRECTOR GREENE:

Yes.

LEG. D'AMARO:

-- sum that's accumulated over time and we're now spending cash.

DIRECTOR GREENE:

We need an appropriation resolution. I'm sorry.

LEG. D'AMARO:

Appropriation, okay. That was my --

DIRECTOR GREENE:

Thank you.

LEG. D'AMARO:

Please go ahead.

CHAIRWOMAN HAHN:

Thank you for that question, Legislator D'Amaro.

DIRECTOR GREENE:

Thank you. In fact, if I can share with Renee one more -- thank you, Legislator D'Amaro. Thank you very much. Yeah, we can share with you that we have now been provided with the actual sales tax figures from 2011.

MR. LIPP:

Just as a point of information, this is still an estimate. 2011 isn't over yet. We accrue money back

through February so -- and even after that's the case, then we need to reconcile with the Budget Office. So this is the preliminary numbers.

DIRECTOR GREENE:

Okay. But we like them. Because, as you see the first red circle, we are anticipating the amount that has been accumulated from 2008 should round out at about 49 million. So of that, we have already asked -- had this Legislature approved the resolution for 26.7, the remainder to be requested later this summer, which allows us to continue -- thank you -- with the offers that are under consideration. But moving onto the next two circles that you'll see for 2012, 2013, the estimates for those years are coming in at 4.5 and 5.3 million dollars respectively. So we would agree --

CHAIRWOMAN HAHN:

And that's after we pay the debt service?

DIRECTOR GREENE:

Correct.

CHAIRWOMAN HAHN:

That's what's left over afterwards and available for property purchases?

DIRECTOR GREENE:

Correct. So we would agree that this certainly is an appropriate juncture to consider the proper plan for the future.

CHAIRWOMAN HAHN:

Can you read those numbers out loud for the audience sake? I'm not sure they can see those numbers.

DIRECTOR GREENE:

Of course.

CHAIRWOMAN HAHN:

And this is a very important piece of what you're expecting we'll have in cash in 2012 and 2013.

DIRECTION GREENE:

The annual projection for 2012 at this time is anticipated to be 4,555,107. For 2013 it is anticipated to be 5,306,589. I'm sorry, am I saying that right? 5,306,589.

LEG. D'AMARO:

We knew what you meant, Pam.

CHAIRWOMAN HAHN:

Legislator D'Amaro has a question.

LEG. D'AMARO:

Yeah, couple quick questions, yes. The 23 million and change left over from the 49 from 2011, is that all accounted for?

DIRECTOR GREENE:

It has -- no.

LEG. D'AMARO:

No. So that's available for future acquisition? Or is that --

DIRECTOR GREENE:

What we have right now today, and again it is fluid from day to day to day --

LEG. D'AMARO:

Right, I understand.

DIRECTOR GREENE:

Right now today we have 15,295,000 for future negotiations.

LEG. D'AMARO:

Because the balance up to the 23 and change is already spoken for or *in negotiation*?

DIRECTOR GREENE:

Correct.

LEG. D'AMARO:

That kind of thing.

DIRECTOR GREENE:

Thank you.

LEG. D'AMARO:

So there's 15 million left over now --

DIRECTOR GREENE:

For future negotiations.

LEG. D'AMARO:

-- for future considerations?

DIRECTOR GREENE:

Correct.

LEG. D'AMARO:

Planning steps, acquisitions, that type of thing.

DIRECTOR GREENE:

Correct.

CHAIRWOMAN HAHN:

Is that the four and a half million?

DIRECTOR GREENE:

Yes. For next -- for 2013, yes.

LEG. D'AMARO:

My other question was how come in 2011 the actual annual projection -- well, not the projection, the actual was ten million -- 10.8 million and the projections for 2012 and 2013 are so much lower? What's impacting that to more than 50%?

DIRECTOR GREENE:

Again, I would probably defer to someone with budget analyst as their title, but it would be that those cumulative amounts were what was accruing during the time that we were using the accelerated bonding.

LEG. D'AMARO:

No, not really because the "K" --

MR. LIPP:

The simple explanation would be the debt service is increasing so, therefore, it's taking away more of the revenue.

LEG. D'AMARO:

Okay. So under the Quarter Point bonding program, the debt service is really starting to hit home now.

MR. LIPP:

Yes, because we borrowed between 2008, 2011 so it gets larger.

LEG. D'AMARO:

So the numbers we see in the "K" column are net of debt service, the last column?

MR. LIPP:

Correct.

LEG. D'AMARO:

Okay.

CHAIRWOMAN HAHN:

And the debt service column is "G"?

MR. LIPP:

That would require me seeing their spread sheet. Yes.

CHAIRWOMAN HAHN:

So it went from 12 million in 2011 to 16.6 million in 2012. And that's just the -- not exactly even. We're probably projecting less coming in.

MR. LIPP:

Basically the debt service is leveling off. Actually it'll go down slightly over time. It peaks in 2012; then it goes down slightly. It starts tailing off. And the good news is that while that's flat and slightly tailing off, the revenue should increase sales tax growth so that as you go further out, the actual additional cash would be larger. Perhaps not as much as you'd like, but it will grow some in the out years.

DIRECTOR GREENE:

But it's important to note that at present right now, accepted offers exceed current appropriation until our next step before you, which is why we have some thoughts that we'd like to share.

LEG. D'AMARO:

Well just before -- accepted offers exceed current appropriations. That doesn't impact the 15 million that you just referred to?

DIRECTOR GREENE:

No, they haven't been accepted yet.

LEG. D'AMARO:

We said there was 15 million left for future --

DIRECTOR GREENE:

Future negotiations.

LEG. D'AMARO:

-- negotiations. But have we -- have we passed resolutions that are -- there are negotiations going on now that'll impact that 15 million? Or is that completely unencumbered right now?

DIRECTOR GREENE:

They have not received authorizing resolutions.

LEG. D'AMARO:

But they are -- but there is negotiations going on?

DIRECTOR GREENE:

Correct. There are offers outstanding.

LEG. D'AMARO:

Oh.

DIRECTOR GREENE:

From passed -- from previously passed planning steps.

LEG. D'AMARO:

So you would anticipate even if, say, half of those were rejected, half accepted so that brings your 15 million down to maybe seven or eight million --

DIRECTOR GREENE:

Correct.

LEG. D'AMARO:

-- that's really going to be available?

DIRECTOR GREENE:

Correct. So it's coming to a critical juncture.

LEG. D'AMARO:

What did we spend in 2011 on land acquisition? I know you had it up there before; just what was that number?

DIRECTOR GREENE:

That was actually the total. Our total pie chart was from 2007 to 2011.

LEG. D'AMARO:

Oh, it was. Do you know what we spent in 2011? Sarah, do you know?

DIRECTOR GREENE:

I do.

DIRECTOR LANSDALE:

Sixty million.

LEG. D'AMARO:

Sixty million in 2011.

DIRECTOR LANSDALE:

Yes.

LEG. D'AMARO:

And in 2012 we have maybe eight million available; seven or eight million? Is that accurate?

DIRECTOR GREENE:

We still have some funding left over from the accelerated Quarter Percent that we'll be finishing out. So if we're not counting that --

LEG. D'AMARO:

No, we're not.

DIRECTOR GREENE:

-- as cash on hand. You're not counting that?

LEG. D'AMARO:

No.

DIRECTOR GREENE:

Okay.

LEG. D'AMARO:

We're talking about cash. Pay-go.

DIRECTOR GREENE:

Then we would say that we have 15 million for our future negotiations because once there's an offer letter sent out, we put a hold on --

LEG. D'AMARO:

Right.

DIRECTOR GREENE:

-- the funding so that we don't over -- over extend. So we are still well served by the future appropriations we requested this summer. But that's why we believe this is an important time to come to you for this presentation for what we're looking at in the next year.

LEG. D'AMARO:

Well, no, I understand the importance. And I think the Chair has it exactly right, that if we spend 60 million in 2011 and whether we're talking about 15 million, ten or eight going into 2012, we certainly have to give pause here and think a little bit about, you know, if we're only going to have a limited amount of funding left or much reduced amount of funding left, we have to spend that money wisely. I think it brings into question whether or not or how we're going about deciding which properties to purchase. So that's my thinking any way.

CHAIRWOMAN HAHN:

Director Lansdale.

DIRECTOR LANSDALE:

So what comes next? What we'd like to propose is a hold on new planning steps for the next six months to allow the Planning Department to re-visit the current policy, specifically the language in the planning steps resolution between "shall" and "may." As you saw in the 11-step acquisition process, once there's a planning steps resolution, there's really nothing stopping things from moving forward to an authorizing resolution even though there are many steps in between.

It would also allow the Planning Department to prepare a report to reevaluate, re-prioritize properties and look at the existing Master Lists and what's been legislatively approved for planning steps resolutions. That's the short term.

In the mid-term what we'd like to do is work with the Legislature and the community partners to recommend new acquisition and prioritization process consistent with current revenue projections. And also at the conclusion of six months, remove from any Master List parcels that have been developed already, preserved already by other partners and where there's outstanding environmental or title issues on those properties so that we're really looking at clean lists for preservation.

In the long-term what we'd like to do is within the next six to twelve months present to the Legislature a streamlined Master List to strategically optimize the limited funding availability for future acquisitions. Over to you.

DIRECTOR GREENE:

It's important to note that Suffolk County can be very proud of its record on land acquisition. It is second to none for Counties in the country. And thanks to the voters, it will continue to be so into the future, but it is that future that now needs some planning at this time. We've taken an opportunity to just offer as a refresh what has happened in just one legislative district to illustrate. And we chose the first Legislative District.

LAUGHTER

Again, we have Master Lists that were approved in 2004 and 2005. Those resolutions were resolutions 621 of 2004 and resolution 877 of 2005. So we're certainly coming to a point where we can take a look at what has been purchased from those Master Lists. And I'll let Director Lansdale explain the illustration.

DIRECTOR LANSDALE:

So this map illustrates that the light green are the purchase of development rights parcels. The dark green on the map shows the County parks and open space acquisitions and you'll see that we have included the North Fork Preserve on this as well. And then the pink areas are those remaining that have not been acquired that are still on the Master Lists.

LEG. ROMAINE:

And the white we haven't acquired yet.

DIRECTOR LANSDALE:

Precisely, yes.

LAUGHTER

CHAIRWOMAN HAHN:

Legislator Anker.

LEG. ANKER:

Sarah, how old is the Master List?

DIRECTOR LANSDALE:

So the first was approved in 2004. And then there was a subsequent list.

LEG. ANKER:

When was that subsequent list?

DIRECTOR LANSDALE:
2005.

CHAIRWOMAN HAHN:
Have we added properties to the Master List along the way other than that second list?

DIRECTOR GREENE:
Yes.

DIRECTOR LANSDALE:
Yes, we have.

LEG. ANKER:
Okay, so how can that be 2005? So we've updated the Master List. So it's current now.

DIRECTOR LANSDALE:
No, there's been several Master Lists. 2004, 2005 and the subsequent ones. But we have not added any other parcels to the Master List or looked into evaluating --

DIRECTOR GREENE:
Our keeper of the list --

DIRECTOR LANSDALE:
Yes. Let me introduce Laretta Fischer from the Department of Planning.

MS. FISCHER:
Good afternoon. There were four Master Lists that were approved. The first two -- the first one was 2004 and the second one was 2005. Those were the significant thousands of parcels and acres that were on those lists. There were two subsequent Master Lists after that. Master List Three included, I believe, four parcels of property. And Master List Four included a number of parcels in the Town of Southold and I believe Riverhead as well. And they were much less with regard to acreage than the first two. But those encompassed the four Master Lists that we prepared and were approved.

LEG. ANKER:
And that was as of 2005?

MS. FISCHER:
Correct.

LEG. ANKER:
Thank you.

CHAIRWOMAN HAHN:
When was the rating system created?

MS. FISCHER:
There was a rating system -- this was in place initially with the Old Community Greenways Program. That was actually funding from the Old Drinking Water Protection Program. We then updated that list in, I believe, 2007/2008. We then included those rating sheets as part of the requirements for the New Drinking Water Protection Program that was amended in 2007.

CHAIRWOMAN HAHN:
Part of this that is so important is that the Master Lists were created in 2004 and 2005. And our

current rating system was created in 2007. And we really don't have, you know -- what comes before us, some are Master Lists, some are not, some have ratings, some don't. And if we're going to move forward and be really strategic, we need everything to have a rating. And this is why, you know, the six months is a really longtime. We're going to have to, you know, talk about that. But we need to step back and pause and we need ratings on all those Master List properties so we can compare them to each other.

LEG. ROMAINE:

Can I ask a quick question?

CHAIRWOMAN HAHN:

Legislator Romaine.

LEG. ROMAINE:

Just a quick question. I was listening to your testimony, Ms. Lansdale. Did you indicate that all the planning steps that were authorized by this Legislature previously have been wiped out?

DIRECTOR LANSDALE:

No, I don't believe I indicated that, I'm sorry.

LEG. ROMAINE:

Okay. You were talking about a clean list. Were you referring to all previous planning steps? I just want to clarify that for the record.

DIRECTOR LANSDALE:

I was referring to the Master Lists to make sure --

LEG. ROMAINE:

To the Master Lists. So all -- so whatever was authorized under the Master Lists now has been -- I believe that was authorized by a Legislative resolution. Correct me if I'm wrong.

DIRECTOR LANSDALE:

Yes, they were.

LEG. ROMAINE:

Okay. And you're saying that all of those planning steps that were authorized under a Master List by this Legislature are wiped out or clean?

DIRECTOR LANSDALE:

No, that's not what I'm proposing.

LEG. ROMAINE:

Okay, I'm sorry. I'm not -- you know, I'm very dense so just for the record, just explain what you mean? What is happening to all the previous planning steps that were part of Master Lists? Are they still going through the process? What's occurring with them?

DIRECTOR LANSDALE:

What we're proposing today is that there be a pause on all planning steps so that we can look at the -- all of the properties on the Master Lists to do a couple of things. One, to clean up the Master Lists so that --

LEG. ROMAINE:

Yeah, I got that.

DIRECTOR LANSDALE:

Okay.

LEG. ROMAINE:

So let me just jump ahead to what my real question is. Okay. So you're proposing this pause. Is this going to come over as a CN for a resolution for us to adopt? For us -- do our actions -- we acted by resolution. You, as a department head, by fiat cannot change the authorization of this Legislature --

CHAIRWOMAN HAHN:

Legislator Romaine.

LEG. ROMAINE:

-- of what we have done.

CHAIRWOMAN HAHN:

Legislator Romaine.

LEG. ROMAINE:

What you would have to do is have one of my colleagues or the County Executive, by CN, whatever, come forward with a resolution that would stipulate --

CHAIRWOMAN HAHN:

Legislator Romaine.

LEG. ROMAINE:

-- all the things that you stipulated.

CHAIRWOMAN HAHN:

Legislator Romaine.

LEG. ROMAINE:

Yes.

CHAIRWOMAN HAHN:

Counsel's working on that as we -- we speak.

LEG. ROMAINE:

Oh, you have requested that?

CHAIRWOMAN HAHN:

I have.

LEG. ROMAINE:

Okay.

CHAIRWOMAN HAHN:

And I actually am looking at this Committee for their input as well. But I have requested that be drafted.

LEG. ROMAINE:

I will meet that with great interest when it is laid on the table. I assume it's not coming over by CN from the Executive?

CHAIRWOMAN HAHN:

That has not been decided.

LEG. ROMAINE:

Okay.

CHAIRWOMAN HAHN:

I have not asked for that.

LEG. ROMAINE:

Okay. So it will be laid on the table on February 7th; is that a safe assumption?

CHAIRWOMAN HAHN:

I hope so. It's certainly something we need, great thought and I cannot guarantee a timeline at this point.

LEG. ROMAINE:

Okay. But at the earliest it would be laid on the table on the 7th of February. And if it was passed out of this Committee available for the full Legislature on the 13th of March, is that -- if it was to be expedited, that would be the schedule.

CHAIRWOMAN HAHN:

I have not yet requested a CN. I don't anticipate that.

LEG. ROMAINE:

No, not a CN. I'm saying --

CHAIRWOMAN HAHN:

I don't want to rule out any --

LEG. ROMAINE:

Without a CN it would be laid on the table at the earliest at the February 7th meeting. And if it was passed out of this Committee in March, it would be available for the March 13th Legislature to consider. Thank you. That's all I wanted.

CHAIRWOMAN HAHN:

Legislator D'Amaro.

LEG. D'AMARO:

Yeah, I had a question. But I also, just to respond to Legislator Romaine, Ed, I think formally we need to change it by resolution. But the Committee being aware of the information in a limited funding, we could also stop passing planning steps at this level as well. You know, that's something you may want to think about as well.

LEG. ROMAINE:

I have thought about that. In fact, I had a discussion with my staff when we realized the shortage of money and how we're going to approach that. And I do have an approach that I'm going to be taking a look at. And, you know, clearly these are pressing times for finances and we are going to look at that. I'm certainly going to work with a lot of groups in my district and listen to what they have to say about farmland and open space and how they would approach this. So, clearly this is not a decision just from me. I'm a representative. I have to listen to my constituents as well. And I have -- in fact I have a little bit of a letter that I hope will appear in the news review this week. Thank you.

LEG. D'AMARO:

All right. If so you're proposing or we're discussing a six-month moratorium on planning steps to give the Department an opportunity for our benefit, as well as your own, to take a step back and re-evaluate all of the properties that are presently under planning steps, I think that would be very helpful. But I assume what you mean by that -- or I would recommend that you include in that is, you need to now start to judge one property against the other. Because that's what's missing here. My experience here has been, and I've been here now for six years on this Committee, most properties are worth purchasing, you know, if you had unlimited funds, of course, they're worth purchasing for environmental reasons mostly. So when it comes here, let's say it gets a rating of 30, okay, we look at that and say 30 or 35, you know, that's a decent rating, we look at the underpinnings of the rating and we decide to go ahead.

The information that's always been missing in my mind is, *well, how does that 30 compare to the 50 other properties that will come under consideration after that one?* Okay. Because even though you may have a 30 here, there may be ten other properties that have a 30 as well, but are more worth purchasing or maybe they have a higher rating. So what's missing is when you have a limited or shrinking pool of resources, which is what we have, we need to be making these decisions, I think, not only looking at them as stand-alone's on their own merit, but also in relation to or relative to all the other acquisitions we may be considering at the time. That may lead you to passing authorizing resolutions not on a case-by-case basis, but perhaps at segmented periods of time doing the best we can to weigh one property against the other instead of just against itself. So that's my first comment.

The other comment I had or question, was I agree, I think we need to slow down and reevaluate, I agree with the Chair, that the Master List properties need to be rated under any kind of new system, because the Master List is a snapshot in time. And, you know, at the time the list was created, it was important to acquire that property. It may still be important to acquire that property for various reasons, but, again, we don't know how important relative to all the other properties. So all of the properties need to be under the same system, I think; would be very helpful.

The other point I wanted to make was you talk about six months to get our cards in order here. But isn't it just as important to stop the authorizing resolutions during that time? I mean, if we're talking about four, five, six million dollars available right now, do we want to continue to purchase before we have a handle on, again, the ratings for all the other properties and where they fall in our priority list? I mean we could do one or two authorizing resolutions within the next week, two weeks, three weeks or next few cycles here and wipe out our entire funding for the year. So it may be important to also include authorizing resolutions as well as planning step resolutions.

Now I understand with authorizing resolutions, we've already expended time and effort and funding appraisals, review; a lot has gone into that. We're in contract, but the contracts are subject to legislative approval. But, you know, at some point you have to kind of close the door so we can get our information. What would be your opinion on including the authorizing resolutions?

DIRECTOR GREENE:

If I may --

LEG. D'AMARO:

Yeah.

DIRECTOR GREENE:

That is why the authorizing resolution is required for the Division to close the property. So, yes, there will be authorizing resolutions continuing to come to you through this process. And I would submit that it gives an opportunity to ask those questions of, is this property part of an assemblage or we've already acquired 50% of it, 60% of it, is it in a groundwater protection area? I would say

that I don't know that you can have a blanket, yes, stop them, no, go forward; but we can certainly provide this Legislature who will make that determination with all the information it needs to determine if this is a priority acquisition or not.

LEG. D'AMARO:

Right. Well, I agree with you but I think we do need to include them. If you put an authorizing resolution before me even today, and say, you know, should we go ahead and purchase this without all the other information we're talking about receiving, getting the best bang for our buck with taxpayer money on preserving environmentally sensitive properties, how could I vote even today to acquire property without knowing what -- there may be 20 other properties coming down the line right now that are vitally important beyond this particular property we're considering today. So, you know, it's all in the mix in my mind.

DIRECTOR GREENE:

That's a Legislative prerogative, and we'll certainly provide you with any outstanding offers at present and any information about them.

LEG. D'AMARO:

Right. Okay. Thank you.

CHAIRWOMAN HAHN:

Presiding Officer Lindsay.

P.O. LINDSAY:

I probably agree with most of the comments of my colleagues. Legislator Romaine makes a valid point, that some things authorized by this Legislature, it's valid. One thing -- I mean we can authorize all we want, but if we don't have the money to pay for the property, what the hell are we doing? And I hear what Legislator D'Amaro is saying and I hear what you ladies are suggesting. And it's a radical step from the way we have been operating, but I think it's a necessary step. I think it's time to take a deep breath and see where the hell we are with the fiscal situation. And the last thing we want to do is to spend money on appraisals, to increase the expectation of our constituents and to make offers to people for property that we don't have the money to buy. So I concur with what you ladies are suggesting.

CHAIRWOMAN HAHN:

Legislator Anker.

LEG. ANKER:

Okay. And I'll follow up with that, just a couple of things. I would hope that when we are able to evaluate or reevaluate the process, we can consider partnerships with other government municipalities, agencies, not-for-profits, private donors. High up on that list, high up on that list, you know, again it's -- we need to really look at the fiscal impact of buying the property in addition to the environmental sensitivity like core Pine Barrens properties or areas.

The other issue I'd like for us to consider, and I had this issue pop up about eight months ago, is the DEC wetlands list. It's not up to date. It's probably, I want to say 15 years behind. So you may find properties that have been either added to the wetlands list or de-listed. But if you can contact the DEC and see if that's possible. They're waiting on federal funding to send out a letter to update their wetlands list. That hasn't been done in what, 15 or so years. So before you spend a lot of time and money and effort, let's make sure we know where our wetlands are, we know where areas we might want to preserve, we know areas that have been de-listed and let's not even look at that.

And -- but one last comment here is, again, the financial impact of even the planning steps, you know, we're paying County workers to look into proposals, we're paying 2,000, 20,000, whatever it

is, of dollars to come up with an appraisal. If there is any way we can get a letter of interest first, I don't know how we could do that exactly, you guys can figure that out but --

DIRECTOR GREENE:

We do.

LEG. ANKER:

You get the letter first before a Legislator even submits planning steps?

DIRECTOR GREENE:

No, I'm sorry. In the process, Legislator Anker, there was -- after the passing of the planning steps before appraisals are ordered, there is an interest -- there is interest outreach to the owner. So at least we have interest to pursue the steps that go into making the offer that's then either accepted or rejected.

LEG. ANKER:

I'm considering even prior to a Legislator submitting the planning steps, first find out if that person or corporation is even interested in selling their parcel. I'm just curious how much time have you spent pursuing a 200-acre parcel and then find out that they're just not interested? Has that happened before?

DIRECTOR GREENE:

Again, we have about half of the offers that are extended out through an offer letter rejected. But, for example, there's a resolution on your agenda today that's already had two prior offers in the past and both of them have been rejected. So the initial outreach yields that, *yes, I'm interested in receiving an offer*, but after the offer is tendered, it's rejected. So that's happened twice in one particular acquisition.

LEG. ANKER:

Okay, thank you.

CHAIRWOMAN HAHN:

Any other questions?

P.O. LINDSAY:

Which reso is that?

DIRECTOR GREENE:

The Tremont property.

CHAIRWOMAN HAHN:

I think it's very important to point out that this discussion does not involve stopping the Land Acquisition Program, does not involve -- you know, this is critical that a pause of this nature is done so that we can make sure that what we are spending goes to the most environmentally sensitive properties. We have so little -- as you've pointed out, we will have so little money that we want to make sure as we move forward, we are scrutinizing what we're buying and buying the top priorities.

DIRECTOR GREENE:

If we hear you, you're looking to strategically optimize your limited funds. And we certainly applaud you for listening to us. Thank you very much.

LEG. D'AMARO:

Can you rate all these properties in that six-month period? Can that be done? You know, you're confident that it be done?

DIRECTOR GREENE:

I believe the first step would be to take the large basket of Master List properties, remove any that have already been acquired by other partners, that have been developed, that have any environmental issues. Let's see what that remainder number is.

LEG. D'AMARO:

Okay.

DIRECTOR GREENE:

And then we'll be able to give this Legislature a very clear timeframe on we can move forward.

LEG. D'AMARO:

Very good.

CHAIRWOMAN HAHN:

As a matter of fact, there was one in CEQ where there was the red outline of property saying Master List properties and there were homes built on the properties. So there clearly is a need to clean that list up in many ways. And, you know, we're anxious for that to get done. And I hope it can be done quicker than six months. Thank you.

DIRECTOR LANSDALE:

Thank you.

DIRECTOR GREENE:

Thank you.

CHAIRWOMAN HAHN:

Sorry. Legislator Browning and then Legislator Horsley.

LEG. BROWNING:

Yeah, just a real quick comment. You know, I know that very often we're always looking at these very large tracts of land to purchase because the belief that they are, you know, so large and we need to buy it, like the North Fork Preserve, which I think was a good purchase; however, in my district I have a lot of small pieces of land that are very environmentally sensitive because of the Forge River and Carmans River, the Beaverdam Creek. So you're -- I just want to make sure that when you're looking at anything, that you're not going to say, *well, it's only, you know, 100 by 40 lot so it's not important*. So I just want to make sure that it's not going to be knocked down to the bottom of the list if, you know -- if you're going to be --

DIRECTOR GREENE:

And, Legislator Browning, that might be important input into any proposed legislation. But, again, if it's already part of a proposed assemblage area for groundwater protection, what has been the accumulation so far. So Beaverdam Creek, we've been very successful --

LEG. BROWNING:

Right.

DIRECTOR GREENE:

-- in accumulating those small parcels --

LEG. BROWNING:

Right.

DIRECTOR GREENE:

-- to creating a great yield in totality.

LEG. BROWNING:

And we -- you know, the Shirley/Mastic Conservation area, again, all those tiny lots, but they all added up to one very environmentally sensitive piece. Okay? Thank you.

CHAIRWOMAN HAHN:

Thank you. I think that's a very important point, Legislator Browning. I think we will be looking to many individuals including some who may be in the audience here today, environmental experts in helping us to craft how we -- we move forward. And here everyone at the table will be working together. Legislator Horsley and then Legislator Anker

LEG. HORSLEY:

Yes, I concur with Legislator Browning's comments because I, too, in my district over in the West End, we've only got the -- we only have those smaller parcels that abut places like the Carll's Creek and stuff like that. So I think that your comments are spot on. We should be considering those issues.

You know, I have -- this is parochial and I just wanted to see how our thinking is, if there's any leeway in this in that -- I'm looking at one of the resolutions that are on today, 1046, where I know that there's been -- this is -- this goes to not the Quarter Cent monies, but the Drinking Water Protection Program. It's been in the works for a long time where we have state monies coming in and it's going to be used for an active recreational project in the, I believe, Patchogue area. And it's been on the drawing board for so long but it just happens to be here today looking for planning steps. This is something where the Brookhaven Town is going to build a recreation center. I just was concerned about, it doesn't get lost in the mix, that, you know, in doing the right thing for the big program, that we don't lose something like this that might be so important to some of the young people in Suffolk County.

CHAIRWOMAN HAHN:

Thank you. Sarah? Legislator Anker.

LEG. ANKER:

And I agree, too, that -- because, again -- even in Mt. Sinai when we -- the County bought The Wedge, we need to consider that too, you know, in your analysis. Can you also -- when you go back and you update the Master List, and again that was a big concern of mine, you know, to try to figure out where we are with that first, will you be able to overlay the Town's Master List? Because I know Brookhaven has a substantial current Master List. And maybe contact the other towns to find out where their priorities are?

DIRECTOR GREENE:

I think that's an excellent suggestion.

CHAIRWOMAN HAHN:

Okay. Does that complete your presentation?

DIRECTOR LANSDALE:

It does. Would it be helpful to -- would you like this e-mailed to you as the Chairwoman?

CHAIRWOMAN HAHN:

I'm sure the whole Committee would appreciate access to this Power Point. Thank you.

DIRECTOR LANSDALE:

Great. I'll do it following this meeting. Thank you.

CHAIRWOMAN HAHN:

Thank you very much.

CEQ RESOLUTIONS

Now we go to the agenda. Gloria Russo from CEQ, our new Chair of the Council on Environmental Quality. Thank you for being here.

MS. RUSSO:

Good afternoon, Madam Chair and members of the Environment, Planning and Agriculture Committee. I am the Chair starting this year of the CEQ. And I'm here this afternoon to introduce our latest CEQ resolutions to all of you.

Our first **(01-2012) proposed introductory resolution 1016-2012, Authorizing the Execution of a lease with the Town of Smithtown for the Construction of a Suffolk County Motor Carrier Inspection Station, Town of Smithtown. (Unlisted Action, Negative Declaration)**

The CEQ board recommends this as an unlisted action with a negative declaration. Are there any concerns?

CHAIRWOMAN HAHN:

I'd like to make a motion.

LEG. D'AMARO:

Second.

CHAIRWOMAN HAHN:

Second. All in favor? Opposed? Motion carries. **(VOTE: 6-0-0-0. PO LINDSAY INCLUDED IN VOTE)**

MS. RUSSO:

Okay, the second CEQ resolution is **(02-2012) a ratification of Recommendations for Legislative Resolutions Laid on the Table January 3, 2012.**

CHAIRWOMAN HAHN:

I'll make a motion. Is there a second?

LEG. D'AMARO:

Yes, second.

CHAIRWOMAN HAHN:

Second by Legislator D'Amaro. All in favor? Opposed? Motion is approved. **(VOTE: 6-0-0-0. PO LINDSAY INCLUDED IN VOTE)**

MS. RUSSO:

Okay, the third **(03-2012) is the Proposed Suffolk County Sewer District #3 Southwest, Truck Scale at Bergen Point WWTP (CP 8180), Town of Babylon. (Unlisted Action, Negative Declaration)** CEQ recommended this as an unlisted action with a negative declaration.

CHAIRWOMAN HAHN:

Once again, I'll make a motion.

LEG. D'AMARO:
Second.

CHAIRWOMAN HAHN:
Second by Legislator D'Amaro. All those in favor? Opposed? Motion is approved. **(VOTE: 6-0-0-0. PO LINDSAY INCLUDED IN VOTE)**

MS. RUSSO:
The fourth resolution **(04-2012) is the Proposed Acquisition for Open Space Preservation Purposes Known as the Mud Creek County Park Addition Estate of Frieda Langman Property, Town of Brookhaven. (Unlisted Action, Negative Declaration)** The CEQ recommended this as an unlisted action, negative declaration.

CHAIRWOMAN HAHN:
Once again, I'll make a motion.

LEG. D'AMARO:
Second.

CHAIRWOMAN HAHN:
Seconded by Legislator D'Amaro. All in favor? Opposed? Motion is approved. **(VOTE: 6-0-0-0. PO LINDSAY INCLUDED IN VOTE)**

MS. RUSSO:
And the last resolution **(05-2012) is Proposed Acquisition for Open Space Preservation Purposes Known as the Lake Montauk County Greenbelt Addition, The Rams Head Reality LLC Property, Town of East Hampton. (Unlisted Action, Negative Declaration)** The CEQ recommended this as an unlisted action, negative declaration.

CHAIRWOMAN HAHN:
Same motion, same second, same vote?

LEG. GREGORY:
No.

CHAIRWOMAN HAHN:
No. Okay. I'll make a motion, seconded by Legislator D'Amaro. On the -- did you want to speak on the motion?

LEG. GREGORY:
Yes, Madam Chair.

CHAIRWOMAN HAHN:
Okay.

LEG. GREGORY:
This parcel is point 07 acres. It is totally surrounded by County-owned property. Is this --

LEG. ROMAINE:
This is a CEQ resolution.

LEG. GREGORY:
Right.

LEG. ROMAINE:

We're not voting on the merits. We are voting on the classification under SEQRA, how it's classified. I believe it's a Type II Action, negative declaration.

MS. RUSSO:

Unlisted.

CHAIRWOMAN HAHN:

Unlisted.

LEG. GREGORY:

My -- I guess my question is what is the motivation to go forward with this process?

MS. RUSSO:

Madam Chair, I think I can answer Legislator Gregory.

CHAIRWOMAN HAHN:

Thank you.

MS. RUSSO:

This property looked like it was landlocked and we were concerned at CEQ why would they be purchasing this. It turned out there is a right-of-way easement to get to that property and the private homeowner and -- the property owner would technically be able to get in there and develop it with that easement access. And that is why we decided that it was worth to purchase this because when the easement will be gone, it'll be surrounded by all County property. It's further County properties.

CHAIRWOMAN HAHN:

Lauretta, did you want to speak?

MS. FISCHER:

I would just like to add that from a management point of view, we've been identifying properties like this within County parks or areas of significant County holdings, not only for the issue with regard to potential development of that property within basically a County park, but also the management of that property around it and the issues that Parks Department has with lots similar to this one.

When we consolidate our holdings, it's an important, as I said, management position, but it's also with regard to an ecological position, when you -- when you have contiguous pieces of parcels, it's an important -- it's important from an ecological perspective to not take pieces and fragment a habitat. This case is more a management issue. And because they do have potential access to the site through an easement, the development of the property is greater. And it is point 7 acres, I believe; not point 07 acres. There was a mis-information on that.

LEG. GREGORY:

Yeah, there's definitely -- okay. That's one reason why I asked. But you can't -- from this photograph, you can't visualize an easement so I don't -- so to me --

MS. FISCHER:

An easement would just be kind of a right-of-way for a road --

LEG. GREGORY:

Right.

MS. FISCHER:

-- access.

LEG. GREGORY:

So my -- when I saw this, I was in my office last week and I saw this, I'm like *well, this looks like a landlock property, no access.* You look at the graphic, it says that it's a very small parcel, why are we going through the process of spending diminishing resources, as we just heard in our presentation, that was the impetus of my question. So thank you.

MS. FISCHER:

You're welcome.

CHAIRWOMAN HAHN:

Legislator D'Amaro.

LEG. D'AMARO:

Hi. Is the easement by prescription or is described? Is it filed?

MS. RUSSO:

Lauretta, I will ask you, do you know it offhand?

CHAIRWOMAN HAHN:

Janet, do you want to come forward? Please state your name just for the record.

MS. LONGO:

This parcel is a lot in the middle of a County park. I think point 78 acres. It's not landlocked. It's -- there is --

LEG. D'AMARO:

Right. But my question is whether or not is the easement by described, is it filed, is it by prescription only?

MS. LONGO:

It's described.

LEG. D'AMARO:

Okay.

MS. LONGO:

It's not a prescriptive easement. It's a described easement.

LEG. D'AMARO:

Okay.

MS. LONGO:

So that the person who owns that lot --

LEG. D'AMARO:

How wide is it?

MS. LONGO:

-- could have access to their --

LEG. D'AMARO:

How wide is the easement?

MS. LONGO:

I don't recall. I think it's 20 feet.

LEG. D'AMARO:

Twenty feet. What would be the impact if we did not pass the CEQ resolution? What would happen to stop the --

MS. LONGO:

It would stop the acquisition.

LEG. D'AMARO:

-- acquisition? Yeah.

MS. LONGO:

Yeah. I'm not -- it's not clear to me why this wasn't purchased way back when, when we purchased Montauk County Park. I wasn't here at the time. But this was an out parcel in the middle of hundreds of acres of a County park that we now have a willing seller. And it was valued as a building lot. That's where we're at.

LEG. D'AMARO:

Thank you.

CHAIRWOMAN HAHN:

Okay. So once again I'm making a motion.

LEG. D'AMARO:

I'll second.

CHAIRWOMAN HAHN:

We have seconded by Legislator D'Amaro. All in favor? Opposed? Motion passes. **(VOTE: 6-0-0-0. PO LINDSAY INCLUDED IN VOTE)**

Okay, thank you.

INTRODUCTORY RESOLUTIONS

Introductory Resolutions. IR 1011-2012, Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Long Island Beagle Club No. II, Inc. Property - Town of Riverhead (SCTM No. 0600-078.00-01.00-002.000). (Romaine)

LEG. ROMAINE:

I'll make a motion.

CHAIRWOMAN HAHN:

There is a motion on the floor. Any second?

LEG. GREGORY:

I'll make a motion to table.

CHAIRWOMAN HAHN:

Motion to table by Legislator Gregory.

LEG. D'AMARO:

I'll second the motion to table.

CHAIRWOMAN HAHN:

Seconded by Legislator D'Amaro.

LEG. ROMAINE:

On the discussion.

CHAIRWOMAN HAHN:

On the motion, Legislator Romaine.

LEG. ROMAINE:

Yeah. Obviously the climate is changing; however, I would point out to you I did provide everyone with a list of habitat diversity. I think the author's in the audience; give a wave please. This lists all the habitat and bird and plant inventory on this property which is unique to the North Fork as well as a description of the Beagle Club. This has been in the works for sometime. I know Real Estate has been working very closely with the owners of this property and have an agreed price, a contract. And if you know anything about the process, I would just point this out to you, and I understand that there's a change in people's viewpoint at this moment in time. But what happens is we make them sign a contract. We don't sign that contract. They think that we're going to purchase it. One of the things with this property is remediation was needed. They went out under the impression that we were buying this property and spent money to remediate the property.

It's remediated now. And they're saying, "okay, what's happening?" Now I've got to say something. You want to change the scope, the direction of our open space or farmland preservation, okay, that's a collective decision of 18 Legislators. Some would be for it, others will be against it, whatever. I suspect that the majority may be shifting in this Legislature. However, then, you better change the process. Don't ask people to spend money to remediate their property, don't ask them to sign a contract and then say after the fact, "guess what, we're not going to buy it. Too bad you spent the money, oh, well, good luck."

They're spending that money because they think they have a buyer. They think the County is prepared to buy. They've signed a contract and they've been assured and they go out and remediate. We should not be asking for remediation. We should be changing our process, because that's unfair to the property owner. And this property owner spent money to remediate their property. I mean, what I would ask and I know, you know, the majority uses tabling as a way to kill a bill and in six months it dies.

Do me a favor. Give me an up or down vote. If you feel so strongly this property should not be acquired, vote against it. But give an up or down vote. Don't do the tabling and then six months later it's stricken from the agenda. That's not the right way to do this. If you don't think this property should be acquired, you know, you heard a lot of reasons that you can defend your actions by saying *we have limited money, I don't think this is the property we should go with*, whatever. Vote no. Give an up or down vote on this. Don't table. Why are you tabling it? What other information do you need? Is there something lacking that we haven't provided? Do you not have enough information to make an informed decision to vote yes or no? Just vote yes or no on this. What's so difficult? No one's going to -- you know, you all have your own rationale for casting your votes. You're all intelligent people. I understand tabling it if *we need to hear more information, we need more witnesses or you haven't provide this or you haven't provided that*. That I get. I'm happy to vote to table it and often times people ask me to have it tabled because they need X, Y or

Z. What else is it that you need to make an informed decision? If there's nothing else, let's have an up or down vote on it is all I'm asking for.

CHAIRWOMAN HAHN:

Legislator Romaine, I do want to hear from the Department. But Legislator D'Amaro had a quick comment before we go to Laretta.

LEG. D'AMARO:

Yeah. And, Legislator Romaine, I understand your passion over this particular parcel. And I understand that somebody's expended funds. I think that's all legitimate arguments. But the reason why I second the tabling is because I don't necessarily want to vote up or down right now. And your question was do I need more information. And the answer is a resounding yes. And I thought I had made that clear in my previous comments when I said giving the shrinking pool of resources that we have, I would like to know not only what the rating is for this particular property -- and we passed it. I believe this passed unanimously for planning steps.

LEG. ROMAINE:

Yes.

LEG. D'AMARO:

Probably with you saying "it's just planning steps, so don't worry about it, you can vote no later on," but that's another issue. But in any event, it did pass unanimously. And it's not necessarily an acquisition that I wouldn't support. And yeah, I do need a lot more information. If I vote for this today, and I believe the purchase price is north of \$8 million and it wipes out my ability to acquire any other parcel for the rest of the year, well, I may be willing to do that but I need more information before I do it.

LEG. ROMAINE:

I understand your concern. And you know what? I'm going to vote against tabling, but I'm sure it will pass. But if you get it tabled, then my direction is to Planning, I have a list of rare plants, inventories and birds on this property that I don't think you included in your rating system. And I'm going to ask you to take a look at your rating system on this property again. Because you did not rate this, I think, with all of this information in hand. So I'm going to ask that you contact my office, you examine this. And before our next committing meeting you get in touch with me and talk to me about your rating system. Thank you.

CHAIRWOMAN HAHN:

Sarah and Laretta.

MS. FISCHER:

Is that the rating that we reviewed for the planning steps or has that been updated at this point, the list that you have, Legislator Romaine? We'd be happy to look at it.

LEG. ROMAINE:

Thank you.

P.O. LINDSAY:

I have a question.

CHAIRWOMAN HAHN:

Bill, can we hear from the Department on what they want to say about this?

P.O. LINDSAY:

As long as they tell us how much it cost.

CHAIRWOMAN HAHN:

They will. Okay. Go ahead.

DIRECTOR LANSDALE:

Okay. Briefly this was before this Committee in December. And it was stated earlier during the public portion that this property is surrounded by preserved land. And I just want to clarify that it is surrounded on three sides by preserved land. That preserved land is preserved farmland, not open space.

The property is located on -- south of Sound Avenue and on the west side of Edwards Avenue in the hamlet of Calverton, Town of Riverhead. It's 150 acres in size. And there are three existing structures on this site that would be retained. As it's been previously stated, the property is located in the Central Suffolk SGPA and previously it was a dog's club for competitions and training. And prior to that it was farmed.

There's a map that's prepared as well as a rating sheet. The rating sheet scored, according to our information, 24 points, one point below the threshold that the Planning Department is comfortable with recommending. And that rating sheet was changed because of the lack of partnership from the Town of Riverhead. The Town previously partnered on -- originally it was going to partner on this property. And then they switched their funding from this parcel -- this acquisition to the North Fork Preserve to satisfy the funding requirements there.

CHAIRWOMAN HAHN:

Presiding Officer Lindsay, did she answer your question?

P.O. LINDSAY:

No.

CHAIRWOMAN HAHN:

Okay. The amount is eight million -- 880 -- oh, I'm sorry. Director Greene.

DIRECTOR GREENE:

The acquisition is \$8.8 million for 150 acres. It's 59,000 an acre so this -- that funding has already been accounted for in the Division's budget. So it would have been the funds that you've already seen that we accounted for and requesting the 26.7, which you approved last year. Legislator Lindsay, did I answer your question?

P.O. LINDSAY:

(Nodding head yes)

DIRECTOR GREENE:

Thank you.

CHAIRWOMAN HAHN:

Are there any other questions? We have -- oh.

LEG. D'AMARO:

I just wanted to -- Pam, just -- when you say it's accounted for, in other words, a lot of the properties though that we'll be reviewing, or some of the properties at least, are already accounted for, when we talk about taking a -- you know, putting a hold on things so that would hold true for many other properties as well also; is that correct?

DIRECTOR GREENE:

Anything coming to you for an authorizing resolution, correct.

LEG. D'AMARO:

Okay. All right. You know, I just want to be fair in --

DIRECTOR GREENE:

Not planning steps. Authorizing resolutions.

LEG. D'AMARO:

I want to be fair in pointing out that, you know, maybe this wouldn't eat into the four million, or whatever we have for this year. Right?

DIRECTOR GREENE:

That's a true statement, yeah.

LEG. D'AMARO:

Right. But it doesn't negate the fact that we need to know what all the priorities are for whatever funding we do have available. Right?

DIRECTOR GREENE:

Correct.

LEG. D'AMARO:

Okay. All right.

CHAIRWOMAN HAHN:

Okay, so we have a motion to table and a second. All those in favor? Opposed?

LEG. ROMAINE:

Opposed.

CHAIRWOMAN HAHN:

The motion to table passes. **(VOTE: 5-1-0-0. PO LINDSAY INCLUDED IN VOTE)**

Okay. Moving onto Introductory Resolution **1022 of '12, Directing the Planning Department to study the feasibility of establishing a sewer infrastructure bank in Suffolk County. (Stern)**

I would like to make a motion. I would like to make that motion.

LEG. D'AMARO:

I'll second.

CHAIRWOMAN HAHN:

Seconded by Legislator D'Amaro. All in favor? Opposed? Motion passes. **(VOTE: 6-0-0-0. PO LINDSAY INCLUDED IN VOTE)** Clerk, would you add me on as a co-sponsor to this as well?

Introductory resolution 1046, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Tremont Avenue property Town of Brookhaven)(SCTM No. 0200-838.00-03.00-001.000). (Calarco)

LEG. GREGORY:

I make a motion to approve.

CHAIRWOMAN HAHN:

There's a motion.

LEG. D'AMARO:

I'll second.

CHAIRWOMAN HAHN:

And a second by Legislator D'Amaro.

CHAIRWOMAN HAHN:

Can we --

P.O. LINDSAY:

Is the Department going to report on this? It was mentioned that there was two offers rejected on this property?

CHAIRWOMAN HAHN:

We are about to turn to Sarah and Laretta for their -- their input on this one.

DIRECTOR LANSDALE:

Thank you. So, yes, the -- there's been two previous offers made on this property and both of them rejected. Let me go into a little bit about the property.

P.O. LINDSAY:

Thank you.

DIRECTOR LANSDALE:

The property is located on the east side of Route 112, the west side of Tremont Avenue and north of Southaven Avenue in the hamlet of Medford, Town of Brookhaven. It's located across from the Tremont Elementary School in the Patchogue Medford Union Free School District. The property is 2.2 acres in size. There are two existing commercial structures on the property, which would have to be demolished and removed.

The use -- the proposed use of the property is for the construction of a community center as previously stated. The sponsor has indicated that the Town of Brookhaven and the Medford Foundation will construct and maintain the community center and property. The property was previously approved for planning steps by resolutions 1013-2006 and 523 in 2008. Laretta, do you want to go through the rating?

MS. FISCHER:

Sure. It received 46 points. We do have information that the sponsor provided that there's currently \$1 million in funding from New York State as well as an additional \$2 million from the Caithness funds that the Town has dedicated to the construction of this community center at this time. We did have a letter indicating that they would support the not-for-profit, but we have not gotten a letter or a resolution from the Town yet regarding whether they would indeed partner with the development and the maintenance of the property.

CHAIRWOMAN HAHN:

Legislator Romaine.

LEG. ROMAINE:

Yes. So we have no letter from the Town of Brookhaven saying they would partner with us in this acquisition; is that correct?

MS. FISCHER:

Not in so many words, correct. They're willing to support the not-for-profit at this time.

LEG. ROMAINE:

But not the acquisition.

MS. FISCHER:

Correct.

LEG. ROMAINE:

Okay.

MS. FISCHER:

However, with regard to the active recreation, we do buy the property in total with the caveat that -- and the Town may put monies forward, but we don't require that they acquire it with us at this point. But they would be required to go into contract with the County to maintain and improve the site.

LEG. ROMAINE:

And have they agreed to that by letter?

MS. FISCHER:

Not at this time.

LEG. ROMAINE:

So there is no Town participation at this time. Okay.

Next question I have, what is across -- there's two commercial buildings. This is a wedge on Route 112. What is the cost of demolishing those buildings and who bears those costs?

DIRECTOR GREENE:

Legislator Romaine, I can help you out with that.

LEG. ROMAINE:

Thank you.

DIRECTOR GREENE:

In the offer that was made in 2009, and again we don't discuss offers that aren't accepted, but I will share with you what the demo cost was, which would have been deducted from the offer. And at that time the demolition cost was \$132,549.

LEG. ROMAINE:

To demolish both buildings three years ago?

DIRECTOR GREENE:

Correct.

LEG. ROMAINE:

Okay. Now, has the owner agreed to this offer that you've presented to him?

DIRECTOR GREENE:

We haven't presented an offer. This is planning steps.

LEG. ROMAINE:

Oh, this is only planning steps.

DIRECTOR GREENE:

We would send --

LEG. ROMAINE:

But it's been rejected twice before by the owner of this property?

DIRECTOR GREENE:

That's correct.

LEG. ROMAINE:

Okay. I just want to make that clear. Thank you very much.

DIRECTOR GREENE:

You're very welcome.

P.O. LINDSAY:

Kara.

CHAIRWOMAN HAHN:

Legislator Lindsay.

P.O. LINDSAY:

So this -- first of all, real basic question, why do we need another planning step resolution? I thought planning steps once passed don't die. Why don't we just re-appraise and make an offer?

DIRECTOR GREENE:

We believe that we would like some Legislative direction if the Legislature would like to do that --

CHAIRWOMAN HAHN:

If we change --

P.O. LINDSAY:

Okay.

DIRECTOR GREENE:

-- given the past history.

P.O. LINDSAY:

But we have done this in the past? We've made multiple offers on properties over a period of time and to the same owner --

DIRECTOR GREENE:

They did not have --

P.O. LINDSAY:

-- with the same planning steps.

DIRECTOR GREENE:

There hasn't necessarily been commercial buildings on them, but I believe that's a true statement, yes.

P.O. LINDSAY:

Okay.

CHAIRWOMAN HAHN:

Pam --

P.O. LINDSAY:

I mean I don't, and -- process the way I understand it.

DIRECTOR GREENE:

Sorry. We also needed to request a new resolution to reflect the new funding source. This would be from Pay-go fund.

P.O. LINDSAY:

And the process here is if we approve this, the first thing we do is contact the owner again, *are you interested in selling?*

DIRECTOR GREENE:

Correct.

P.O. LINDSAY:

If he says no, no harm, no foul, so --

DIRECTOR GREENE:

Correct.

AUDIENCE:

Is this drinking water funds?

P.O. LINDSAY:

I don't -- I don't think we're going to accept questions from the audience.

CHAIRWOMAN HAHN:

Can't accept questions from the audience. Can you please explain --

MS. FISCHER:

If I may just give some background on this previous planning steps, first, there were two planning steps approved for this property: One in 2006 that requested funding for hamlet park purposes under the SOS Program. That program has expired.

The second one in '08 was proposed -- proposed acquisition under the Drinking Water Protection Program for hamlet park or active parkland purposes. So there is a redundancy in those two resolutions. We never differentiated between Pay-go and the former bonding funding. That was never part of what we approved in the past. If it was under Quarter Percent, it was approved for Quarter Percent regardless of whether it was bonded or Pay-go.

P.O. LINDSAY:

Okay. So does that mean we can go ahead and contact the owner at this stage and see if they're interested?

MS. FISCHER:

Yes, we can do that again. But as Real Estate has indicated, they rejected our offer in 2010.

LEG. ROMAINE:

2010.

CHAIRWOMAN HAHN:

Can you just review, again, the legitimacy of purchasing active recreation from this pot of funds?

MS. FISCHER:

I'm sorry, can you repeat the question?

CHAIRWOMAN HAHN:

Can you just review -- there seems to be some confusion both here and in the audience about the legitimacy of purchasing for active recreation purposes for a community center from this pot of funds.

MS. FISCHER:

There are, I believe, eight different categories by which you can acquire property within this program including open space, farmland, active recreation, hamlet parks, etcetera. So those categories were included when the legislation was amended in '07 to include all of those categories. So that's where you're allowed to request funding for an active parkland with this funding source.

CHAIRWOMAN HAHN:

Thank you. Legislator D'Amaro.

LEG. D'AMARO:

Yeah, I just want to point out that if we pass these planning steps and then we decide to go forward with some type of moratorium, this would all be subject to that as well. That was my point before. I think it's almost more important if you're going to stop the program temporarily is to make sure that we have the proper evaluations going on. I think it's almost more important on the authorizing resolutions. The planning steps would just add one more property into the mix. And we need to know the ranking of that property whether we pass it now or six months from now. We'd have to know and we need to measure it against all the other property.

So I feel that, you know, the planning steps -- if you want to stop them because it's a matter of resources and you don't want to just keep adding properties because you have a lot of work to do and what's already there, I understand that. And then after today going forward that's what we should consider. But I think it's even more important to take a look at those authorizing resolutions and just, you know, put a hold on that until we have an idea of how to rate everything, you know.

LEG. GREGORY:

Madam Chair, if I may, too, I think it's important with -- particularly with a potential acquisition like this where you have other funds, I mean in the neighborhood of \$3 million, if we show that we're moving forward, we keep those monies alive. So I think it's important that we move forward with this resolution.

CHAIRWOMAN HAHN:

Legislator Romaine.

LEG. ROMAINE:

Just to respond to Legislator Gregory, those funds aren't going away. Those funds are from Caithness. That was a slush fund that they have for community purposes for allowing them to build a power plant there. They're there for that use or any other use. They go to different member districts, mostly district four and a little bit district five and a very little bit district six. So I know what those funds are for. They ain't going away. They're there and they're there to be appropriated as the Council people from those districts see fit within Brookhaven Town. So it's not that this is a competitive grant that's going to go away. Those monies are there and will continue to be there. They're not used for this, Council person will use it for another purpose.

LEG. GREGORY:

If I may, Madam Chair, there's also over a million dollars of state funds or state grant as well. Two million from Caithness.

CHAIRWOMAN HAHN:

Any other comments? Based on what I've said in the past, I'm going to make a motion to table. We had a motion to approve and a second to approve.

SIDE BAR CONVERSATION

Madam Clerk, would you mind just reviewing who we have -- what motion we have in front of us and what seconds we have. Thank you.

MS. ORTIZ:

There was some confusion, but we have Legislator Gregory making a motion to approve and Legislator D'Amaro seconding.

CHAIRWOMAN HAHN:

The motion to approve. And I'm making a motion to table. Is there a second to table? Okay, then the motion to approve will go forward. All those in favor? Opposed? And I'm going to abstain. And that motion passes. **(VOTE: 5-0-1-0. PO LINDSAY INCLUDED IN VOTE)**

Okay, now we go -- we move onto **Introductory Resolution 1047, Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Harbor Cove property - Town of Brookhaven) (SCTM Nos. 0200-977.60-04.00-014.001 and 0200-977.60-04.00-014.002). (Calarco)**

LEG. GREGORY:

Motion to -- motion to table.

CHAIRWOMAN HAHN:

There's a motion to table and I'm going to second that. And we're getting the rating form right now.

DIRECTOR LANSDALE:

This is for planning steps, not for -- an acquisition resolution. Would you like a presentation?

CHAIRWOMAN HAHN:

Yes, please. I'm sorry. Thank you.

DIRECTOR LANSDALE:

Great. The property is located to the north of the Long Island Railroad south of East Main Street in the hamlet of East Patchogue in the Town of Brookhaven. Property is composed of two lots totaling 4.3 acres in size. There's an existing paved parking area that is presently utilized as a used car lot and contains a mobile trailer. It's located within the Swan River Watershed. And a portion of the river flows through this site along its western boundaries from north to south.

The property was previously approved for planning steps by resolution 274-2005. This resolution proposed acquisition under the Save Open Space Program for hamlet park use back in 2005. The SOS Program has subsequently expired. There was an interest letter sent; however, the County did not receive a response.

LEG. ROMAINE:

So there was no interest from the owner.

DIRECTOR LANSDALE:

That's correct.

LEG. ROMAINE:

This is the property immediately east of the old -- Nesenger Chevrolet in Patchogue. Nesenger Chevrolet, if you remember where that was? It's long time closed now but --

DIRECTOR LANSDALE:

It was also the subject of an introductory resolution in 2010, 1942 but was stricken. So in -- that IR had the proposed acquisition under the Suffolk County Drinking Water Protection Program for hamlet park purposes. So the property that is now being proposed for acquisition under the Suffolk County Drinking Water Protection Program is for passive recreational area.

LEG. ROMAINE:

Would that necessitate the removal of the parking lot?

MS. FISCHER:

We would review it to see if, in fact, it could be used for a small parking area. It would have to be obviously reduced down from the size it is and the scale that it is at the present time, but it may have some use for some type of access to the property.

LEG. ROMAINE:

So there are two other resolutions, one in 2005 and the owner did not respond to your request and, therefore, planning steps didn't go forward with the appraisals or anything. And one in 2010, that was introduced but, I guess it was table, table, table and eventually stricken from the record; is that correct?

DIRECTOR LANSDALE:

Yes.

LEG. ROMAINE:

So it's back before us again. Thank you.

CHAIRWOMAN HAHN:

Okay.

MS. FISCHER:

It received 33 points under natural environments. And approximately 40 to 50 -- 40 to 45% of the property has freshwater wetland. The stream corridor itself is on the site. It flows north south on the western side of the property.

LEG. ROMAINE:

Has the Town of Brookhaven expressed an interest in partnering with us?

MS. FISCHER:

Not that we're aware of.

LEG. ROMAINE:

Is there any correspondence from the Town at all regarding this particular parcel?

DIRECTOR LANSDALE:

Not that we've received, no.

CHAIRWOMAN HAHN:

Okay. Any other questions? We have a motion to table and a second. All in favor? Opposed?

LEG. ROMAINE:

Opposed.

CHAIRWOMAN HAHN:

One opposed. Motion carries. **(VOTE: 5-1-0-0. PO LINDSAY INCLUDED IN VOTE)**

Next we have **IR 1049 Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Schmeltzer property) Town of Brookhaven (SCTM Nos. 0200-300.00-01.00-004.000 and 0200-300.00-01.00-006.000). (Browning).** Rating forms are going around. We're going to let the Department make their presentation and then we'll take questions.

DIRECTOR LANSDALE:

So this is, again, another planning steps resolution. And it's actually under the Multifaceted Land Preservation Program, which has been frozen, the use of those funds. So let me just go through the review of this.

The property is located on the east side of the Long Island Expressway and west of Pine Hurst Boulevard on the south side of Edwards Avenue in the hamlet of Calverton, the Town of Brookhaven. The property is 104 acres in size and is composed of two parcels. There are multiple existing structures on the site. And there -- much of the site has been cleared. The Suffolk County Hills Park is -- Suffolk Hills County Park surrounds this property. It's located in Pine Barrens core and the Central Suffolk SGPA. And it's also in Hydrogeologic Zone Three. There's a freshwater wetland area located in the northeast corner of this site near existing sand mining operation.

The site is approximately a quarter mile from the nearest residential development. That was something discussed in the December EPA meeting and is located -- the residential development is located to the east of the property. There's another residential development located approximately a half mile west of the property. And this property is being considered for trap and skeet.

The rating for this property is 25 points. And we do recommend that this resolution be tabled.

CHAIRWOMAN HAHN:

Legislator Browning and then Legislator Romaine.

LEG. BROWNING:

Well, I know we have this one and the next one coming up. And, you know, for six years I've been dealing with this Trap and Skeet Range in Yaphank. And while I know my colleague Mr. Romaine will say this is not a good location because of the distance to the residential community, I'll advise you to go to Yaphank and look how close -- I mean there's a road going in between the Trap and Skeet Range and the residents.

The former administration made the decision to open the last Trap and Skeet Range without any consideration. I put any money on it he probably never even visited the place before he made the agreement. But I really -- we really need to be looking at alternative locations. We did have -- the relocation committee has met. This is one that we looked at. Again, like has been said before many times, a planning steps resolution is not a commitment. It is a take-a-look-and-see. And we, you know -- at the relocation committee, when we met, one of the things that JoAnn McConnell, who is a Yaphank resident who lives next to the Trap and Skeet Range, said she would not agree to relocating the range to another backyard and does not agree with that.

And what I'd like to see is that we could take an opportunity to go to the property, you know, test it out for the noise. Because I think that's probably the biggest issue is the noise. It's an operating range at this time, also, like Westhampton. And I don't know -- and I'm sure Mr. Romaine can comment on the complaints, but how many years has this Schmeltzer property been operating? Many, many years. I know you know, Ed. When it comes to history, you got the answer.

So I'm asking that this resolution and the next one, that we do consider it; that if we cannot pass these planning steps resolutions, we need to take a look and maybe there's some way we can go over these properties without going through the planning steps, but we need to do something. Because Yaphank is not where it should be; never should have been there. You know, the area at one time is all wooded. It is in the core Pine Barrens, like Mr. Amper said. And over the five years that was it was closed, they built a new housing development and there was no consideration taken for those residents at all.

I'm not looking to burden another community, but I think that we really have to look at every option we have and, you know, again, if I cannot get a location for the Trap and Skeet Range to be moved to, I'm going to have to be forced to put in another resolution to say "close it." Because we are getting -- right now we're getting summonses from the Town of Brookhaven every time there's a noise violation and we are getting a number of noise violations every time they go out. So it's not just the County's going to have to pay that fine, but also the vendor's paying the fine. And, again, I want more tests done, well tests. I think that they need to be looked at again as far as the lead contamination to the Carmans River. I'm not giving up on the Trap and Skeet Range. I am going to continue to fight to get this place either closed or moved and moved is the better option.

CHAIRWOMAN HAHN:

Legislator Romaine and then Legislator Anker.

LEG. ROMAINE:

Yeah, I would say a couple of things. Number one, I'm very respectful of Legislator Browning's desire to serve her constituents and I understand the issue and the problem and we'd like to get it resolved.

Number two, unfortunately as I've said to her in the past, the Schmeltzer property is probably not the right location and you don't have to be a cartographer to simply take a look at this map and understand that to the east and to the west -- to the west is a 236 unit condominium development. And to the east is a whole group of homes. To suggest -- so all we would be doing is moving this problem out of Yaphank. And I understand the desire of people in South Yaphank to have this problem -- to have this moved. And I'm sympathetic to their cause but we would only create for us another problem.

And the second thing I would say is I would encourage the Planning Department to start with DEC. This used to be an old asphalt plant and there's a plume moving from this asphalt plant decidedly towards the Peconic River northward. So take a look at that. Call Peter Scully. You'll get the information. And then find out a little bit about this plume and what is being done to remediate this because there's that issue that we will inherit if we purchase this property.

So for those reasons, and I've also e-mailed everyone who e-mails me from Legislator Browning's district because I'm sympathetic to their situation, I responded to the e-mail by saying, you know, I can't support this location because you're just moving it from one area to another where there's nearby residential. And I see the Airport Manager here. He does a great job. But the reason I'm willing to consider Westhampton, the nearest house is two-and-a-half miles away, you know. And if noise has been such a problem, do we really want to recreate this problem here at this location? Probably the wrong location to do this at. And do check on the asphalt plume, that plume from the asphalt plant because that is threatening the Peconic River. You want to get some comment back

on that to me. Whether this passes or not, I'd like get some information on that. Thank you very much.

CHAIRWOMAN HAHN:

Legislator Anker.

LEG. ANKER:

Okay, I'm looking at it right now in Google Maps. And, again, it's an old asphalt -- is it still in business?

LEG. ROMAINE:

Sand mine.

LEG. ANKER:

Sand mine. It's a sand mine. And there's already on it the Calverton Shooting Range?

LEG. ROMAINE:

Yes.

LEG. ANKER:

Yes, already there. Yes, okay. How far away is the nearest home?

DIRECTOR LANSDALE:

Quarter of a mile.

LEG. ANKER:

Okay. The area that surrounds it is owned by Suffolk County and it looks like core Pine Barrens area. Is there hunting allowed on that? I'm assuming not but just curious.

MS. FISCHER:

I'm not sure. We'd have to look into that with Parks.

LEG. ANKER:

Would you look into -- I know on DEC property I believe they're allowed to hunt and, you know, I was just curious. All right. Thank you.

CHAIRWOMAN HAHN:

Legislator D'Amaro.

LEG. D'AMARO:

So this property, I think, you mentioned in your presentation is also located in the Pine Barrens core? Is that --

MS. FISCHER:

(Nodding head yes)

LEG. D'AMARO:

-- the most sensitive portion or considered the most sensitive portion of the Pine Barrens?

MS. FISCHER:

Yes.

LEG. D'AMARO:

It is. Okay. Does the -- there's an issue at the present location about whether or not that activity

is somehow contaminating the groundwater or contributing to contamination. So, you know, I'm just trying to figure out, you know, can we even in good conscience move that from that location to this location? I want to support Legislator Browning in solving the issues with the present location on the Trap and Skeet, but I tend to agree with Legislator Romaine this may not be the right location.

CHAIRWOMAN HAHN:

Is there anyone else who would like to speak? We have a motion to table and a second. All those in favor? Opposed? Motion is tabled. **(VOTE: 5-0-0-0)**

Next we have **Introductory Resolution 1050-2012, Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Tuccio property) Town of Southampton (SCTM No. 0900-248.00-01.00-110.003). (Browning)**

And once again, the map and the rating form are going around and we'd like to hear from the Department for their presentation on this.

MS. ORTIZ:

Legislator Hahn, just for the record?

CHAIRWOMAN HAHN:

Yes.

MS. ORTIZ:

The backup for that resolution has been e-mailed to all of you. So if you have your laptops up, you should have them.

CHAIRWOMAN HAHN:

Thank you. Thank you, Madam Clerk.

DIRECTOR LANSDALE:

So I'm happy to report that the Planning Department did do a field inspection of this property last week along with the Airport Manager at Gabreski.

So the property is located south of Sunrise Highway, north of Gabreski Airport, west of Old Riverhead Road in the hamlet of Westhampton, Town of Southampton. The property is 75 -- approximately 75 acres in size. There are multiple existing structures on the property. Approximately eight acres of the property has been cleared which is approximately 10% of that site.

The property is currently being used as a shooting range. There are -- there is one facility -- one portion of the property, which is used for skeet, not trap. The property was previously the subject of a planning steps resolution 2086 in 2011; however, it was stricken at the end of the year. And it was proposed for acquisition under the Suffolk County Drinking Water Protection Program, but the proposed use of the Trap and Skeet Range under that program did not meet that criteria.

This proposed acquisition is being considered under the Suffolk County Multifaceted Land Preservation Program, which has been frozen and is still -- that use of funds has not been unfrozen. Just want to point that out. And this is being introduced for parkland purposes for the use of a Trap and Skeet Range. We do recommend that the resolution be changed from active parkland to parkland purposes. And under the active recreation category, we would need a partner in that.

The property is currently within the Pine Barrens core of the Central Suffolk SGPA and the Hydrogeologic Zone Three, which is a deep recharge aquifer area surrounded by County and State owned parklands and is within the globally rare dwarf pine plains woodland community. There have been maps that have been prepared. One map shows an up close image of the site. And the

second depicts the air traffic patterns at Gabreski Airport, which is directly south of this subject parcel.

According to our calculations the four closest residential areas to the existing shooting range is approximately one mile to one-and-a-third miles. The rating for this parkland purposes is 15 points. And let's see. There could be -- due to its location immediately north of the Airport, there are potential land use conflicts between the two contiguous areas; although there have not been any reported conflicts. We just anticipate that there could be in the future if this was developed as a full-blown County Trap and Skeet facility.

And there is access issues to this property. There currently is no easements to this. Users of this private facility have to go on the County Airport property through -- on a road that's maintained by the Airport to access this property. So there are current easement issues with this, this parcel as well as the public facility parcel, the storage facility parcel that's owned by the same owner. So that's our report.

LEG. BROWNING:

Sarah?

LEG. ROMAINE:

Couple of questions.

CHAIRWOMAN HAHN:

Legislator Browning and then Legislator Romaine.

LEG. BROWNING:

Yeah, I believe in November you made a request, Sarah, to change the resolution, which we did. Sarah -- sorry, Sarah Simpson, I believe we did amend the resolution. We already introduced it, right? We did do that?

MS. SIMPSON:

We did make the amendment that you requested for it to be parkland purposes on January 27th.

LEG. BROWNING:

Right. And as far as access to the property, there are people currently using that same road so I don't know how that should be an issue. Why are we letting these people use that road if it's a problem now?

MS. FISCHER:

Tony Ceglie's here, the Airport Manager. He can address that access issue as well as some other points that he'd like to raise as well.

MR. CEGLIO:

Good afternoon. Just on that point, the access to the facility, I do have a map over there, I'll get up in a minute, goes through the main entrance to the Airport, around the runways, nearby hangars, aircraft operations. Right now it's a limited use. There's not a lot of people out there. I don't know exactly -- I mean it's so limited that I rarely see people that are out there, you know, going back and forth. Maybe one or two cars and then an occasional weekend where they have something.

To increase that use, I think, is where the issue is going to come in. Right now there's a proposal -- actually we have a lease with Rechler Equity to build a half a million square foot industrial park that also is going to access that road. With the increased traffic with the possible increase in use of a trap and skeet is maybe where the problem comes in. And that's to just answer

that question. I have some other issues if it's okay just to go -- okay.

CHAIRWOMAN HAHN:

Oh, please, go. Why don't you continue your presentation and then we'll --

MR. CEGLIO:

Thank you. First, I wanted to thank the FAA for coming out earlier. I know they did a quick presentation. And Tom Felix, the head of the program and planning branch seemed like he was a little off-key, but he only got up to speed on this probably this morning. And I asked him to come out here. So I want to -- I just want to thank him for coming out and Jose Marino from the New York ADO, both in Jamaica and Garden City.

But since addressing the Committee about a month ago, I did talk to the FA. I talked to the Transportation Security Administration, the Air National Guard, Suffolk County Police Medivac. Inspector Cameron spoke earlier, just to get some perspective other than my own from an aviation safety standpoint.

I want to state briefly what I stated last month. And do I need to stay by this microphone in order to get up and look at the -- and point out a couple of things on the presentation board?

CHAIRWOMAN HAHN:

Is this the one we have in our packet here?

MR. CEGLIO:

Yes, it's just a larger version of that.

CHAIRWOMAN HAHN:

Okay.

MR. CEGLIO:

And just looking at this, the traffic patterns on the runway for each one of the runways, the three runways, we have shown in this magenta color, very light purple color and a black color. The proposed Trap and Skeet Range is right over here (indicating). Talking to Legislator D'Amato before, if an aircraft is using this runway, which is one of the most used runways in the summertime, aircraft are descending from a point over here (indicating) and, again, here's the trap -- the shooting range (indicating), descending to an altitude of 500 feet, making a turn and descending down to the ground over here, so there's less than 500 feet when they're passing over this. That's the major concern.

In addition to that, the entire area north of this, this is the 75-acre parcel right here, this entire area (indicating) is used by the Air National Guard for helicopter training, both at the Air National Guard at Gabreski and the Army National Guard over at Islip come out here also for training. So, again, very low altitude, 50 to a hundred feet type of operations. I did have some video I took of them about a week ago. I just didn't have enough time to put it up and show you, but it is a very low altitude and a serious concern.

Just to continue on, the divisions I spoke to at the FAA last week, as I mentioned, Tom Felix, Programming and Planning and Jose Marino, the New York ADO, Airport District Office, also I spoke to -- and they called me, the Flight Standards District Office out of Farmingdale, they're the regulating authority for safety and security of airports. They noted they're very concerned for the safety of the aircraft landing and department on runway 119 and 1533. The potential for low flying aircraft to be impacted by shotgun blasts is a major safety concern on their part.

In addition the Flight Standards Office in Jamaica, Queens also reported that low flying aircraft could

be at risk. During inclement weather when our instrument runway is in use and the wind is favoring another runway, there's a procedure called circle to land. And they could be going from one runway to another runway at about 500 feet; again, low altitude right over that area.

The New York Airport District Office mentioned that the County as a grant recipient, they're the sponsor for the Airport, are required by the Grant Assurances and Quick Claim Deed to take appropriate action to restrict the use of land adjacent to the Airport to purposes compatible with normal Airport operations including the landing and takeoff of the aircraft. So there is a responsibility for -- for this Legislative body and owners of the Airport.

The Air National Guard weighed in. And if I could, I'd just like to read an excerpt from an e-mail from Lieutenant Colonel Broccoli regarding the safety issue of potential trap and skeet range.

From the e-mail: "The issues we've identified are specific to flying. And they are possible airborne engine FOD, skin damage, an accelerating the potential for bird strikes due to the shotgun noise causing the birds to take flight. For the shot direct hitting an aircraft (skin damage), normally the angle of the weapons are low for skeet/trap but there could be potential for accidental discharges which could be where the weapon is pointing straight up in the air thus impacting aircraft directly flying over the range (most likely low-flying helicopters). Our best guess right now until we get technical data for the largest gage shotgun is that a shot can go up to 330 yards", which I think I reported last time, about 900 feet. "For #2 two shot in the air at that angle. For the airborne FOD issue, lead or plastic piece of shot would easily cause an aircraft engine damage and cause a catastrophic failure. With this location, that failure occur at the worst possible times in the flight regime, takeoff and landing. Our helicopter would definitely be at risk and would need to move their transition area. The HC-130s," large aircraft that fly in there for the Air National Guard "and civilian aircraft would also be exposed at times also. The only way to avoid and minimize the hazard would require a high level of coordination between the range and the tower and most likely NOTAMS as well. Looking at ORM basics" one of the manuals, "the ultimate question came up. If overall risks exceed the benefit, don't take the risk. Rejecting the new hazard is a valid option for risk when you don't have the authority to apply proper controls."

Bottom line in the summary, *we definitely do not support the intents for use of this range.*

CHAIRWOMAN HAHN:

Yes, Legislator D'Amaro.

LEG. D'AMARO:

So, sir, looking at that map, it appears that at least when you draw in the traffic patterns, there are three passes over the property, the three different runways; is that correct?

MR. CEGLIO:

There are, yes, at least three. And if you count the down wind for runway 24, it's four.

LEG. D'AMARO:

Four. And then putting aside that whole circle to land where you come into one, and once you spot it, you go to another runway, you can pass over this property as well if you're -- and that's in instrument conditions.

MR. CEGLIO:

Correct.

LEG. D'AMARO:

Which means --

MR. CEGLIO:

Low clouds, low visibility, correct.

LEG. D'AMARO:

Yeah. And I do agree with you that, you know, the most critical point is when you're close to the ground obviously. And so, you know, this is a serious consideration. I just don't see how this would be conducive to shooting guns into the air, you know, given the proximity of the air traffic.

MR. CEGLIO:

Right. And I understand there is a shooting range now, as Legislator Romaine mentioned, it's been that way for 40 years. You can visit the site, I'm sure, but it is vertical shooting for the most part. Actually there's pits where they shoot in a downward direction, very limited use. And they're all aware there's an Airport there. As a matter of fact the Air National Guard does some training there also.

CHAIRWOMAN HAHN:

I would like to apologize to Legislator Romaine. You were on the list so it is your turn now and then Legislator Anker.

LEG. ROMAINE:

All right. Very quickly, first of all, I want to thank Kate Browning for her resolution. Because apparently there's been an overwhelming crisis in Suffolk County regarding this Airport and we never knew about it until you put in your resolution. Because this thing has existed -- actually the people who own the property have owned it since the 1920's. And I know at least 40, maybe 50 years the shooting range has been in existence. And after listening to the testimony, I'm sure we're going to acquire this property, but probably not for skeet and trap; probably to protect the Airport.

Because I have to ask, if it's the responsibility of government to restrict the use of property near the Airport that might pose a hazard to aviation, why hasn't this been done? Why didn't the Air Force do this when they owned this Air Force Base for all these years? Why hasn't the County that's owned it for at least 40 years done and moved in that direction? How come this 75 acres -- oh, by the way, probably environmentally sensitive property to our Pines -- hasn't been preserved? How come we haven't stepped forward? Legislator Browning, you've done us a service because you got people up to talk about this property. It's amazing.

The other thing is limited access, you're putting an industrial park in here. And I know you mentioned the Dwarf Pine Barrens. And by the way, they're very rare, but this County decided to put an industrial park in the middle of this Airport. I didn't hear anyone screaming about that. And this limited access road, this isn't a limited access road. This is a public access road; access no place is denied. I've driven that road. I haven't seen any signs that said *don't go any further, limited access, by permit only* or something of that nature. There is nothing to limit access that I'm aware of. You can drive onto that property, head towards your office, make the left turn and it wraps around and goes on the north road. Is there something that would limit access by sign, by legislation? Is there?

MR. CEGLIO:

Just to answer your question, yeah, if you make that left pass my office, as soon as you make that hard left turn, there's a sign that says "authorized use only".

LEG. ROMAINE:

Okay. And who's authorized to use that now?

MR. CEGLIO:

Right now the people --

LEG. ROMAINE:

If I want to shoot at that shooting range, am I authorized to use that roadway?

MR. CEGLIO:

Yes, you are.

LEG. ROMAINE:

Okay. So generally anyone from the general public that is interested in shooting at that shooting range can go on that road?

MR. CEGLIO:

Again, it's a limited access. There's probably two dozen people in the shooting -- shooting range now.

LEG. ROMAINE:

Well, the day we were there, there were several cars that passed as we were standing there. And I'm talking maybe fifteen minutes about four or five cars passed us the day I was standing there. Because I looked at that range with Legislator Browning. She asked me to join her and I did. And I was like, *wow, okay, busier road than I thought*, plus which if I'm not mistaken, all the hangars are located -- in fact, the hangar we bought for a million bucks was located there. You know, despite the fact that half a million dollars of the equipment is still sitting on the other runway, but I don't know if they cleaned that up yet. But, you know, how much of the industrial park is going to be located off this road?

MR. CEGLIO:

Well, the industrial park is located on 50 acres right along County Road 31.

LEG. ROMAINE:

Okay. So --

MR. CEGLIO:

So right at the entrance to the Airport.

LEG. ROMAINE:

So you don't have any plans to expand this. But will you recommend that the County purchase this if this property is so key to aviation, that it shouldn't be used for this purpose? Would you recommend that?

MR. CEGLIO:

As a matter of fact, I brought it up several years ago. And when we talked about increasing the intensity of the use, I did bring that up, correct.

LEG. ROMAINE:

I'm glad for that. And I don't want to be cynical, but it just seemed like I've been around a longtime in this County. I've been an elected official for 27 years. This Airport has interested me because whatever district I represent in some way was adjoining this area, no one has ever brought this issue to my attention or the Legislature's attention, like, *we have these 75 acres that are critical to aviation, maybe we should purchase it. And by the way you probably have some dwarf pines on there and we should purchase it for that reason as well, for environmental and aviation purposes.* That's why I want to thank Legislator Browning for bringing this to our attention because now we're educated and hopefully we will move to acquire this property. If not for skeet and trap, to protect aviation and to protect the environment, maybe, and if it has dwarf -- does this have dwarf pines on it?

MS. FISCHER:

Yes.

LEG. ROMAINE:

And it rated only 25?

MS. FISCHER:

Yes.

LEG. ROMAINE:

You would think that one of the most sensitive things --

MS. FISCHER:

No, 15.

LEG. ROMAINE:

-- in our environment would rate higher. I mean I have to ask myself about the rating system that doesn't give proper, you know, weight to that fact.

MS. FISCHER:

We reviewed it as a -- parkland purposes, which is a different rating from natural resources.

LEG. ROMAINE:

So it would get a higher rating from natural resources?

MS. FISCHER:

Yeah.

LEG. ROMAINE:

All right. Thank you very much. You've been very helpful.

MS. FISCHER:

Actually, it's in the core and we can move forward on acquiring this property as we do on any property within the core.

LEG. ROMAINE:

What does that mean for the value for the property owner?

MS. FISCHER:

We would do our appraisal --

LEG. ROMAINE:

He told me, you know, that his family had owned this property since the 1920's. I don't know if -- probably Mr. Amper would know better than I, but I guess there's some truth to it, but they've owned it for a longtime. Is it capable of getting proper, you know, reimbursement?

MS. FISCHER:

Well, we would do an appraisal. Real Estate would do an appraisal --

LEG. ROMAINE:

Okay.

MS. FISCHER:

-- as we do on any property. You know, we would recommend it to be acquired for passive

recreation use to protect that habitat.

LEG. ROMAINE:

That would be great, because we would be closing down his business. I hope that be would be taken into account when -- when we evaluate this property --

MS. FISCHER:

Well --

LEG. ROMAINE:

-- because we're not just buying the property; we're closing a man's business.

MS. FISCHER:

We need a willing seller so -- we need a willing seller.

LEG. ROMAINE:

Again, the price --

LEG. BROWNING:

I believe we have a willing seller. He already gave us -- he gave us a a letter of intent to sell.

LEG. ROMAINE:

Thank you. And by the way, if you want to acquire Schmeltzer property and close down that range and save that, because I got to tell you, that's a scar on the environment. And, you know, not that I think you have a willing seller there, but if you wanted to save that, I'd be happy to -- have it re-vegetated and reclaimed. That might not be a bad idea, but I haven't heard that idea either. And, again, kudos to Legislator Browning for bringing this to our attention. Thank you very much.

LEG. BROWNING:

(Inaudible) -- any favors with that?

LAUGHTER

CHAIRWOMAN HAHN:

I'm going to take a shot in the dark. I'm going to take a shot in the dark. Does the FAA have any money to preserve this kind of property for protection of the flight paths and, you know, I'm just kind of wondering if it can get protected and the FAA can buy it?

MR. CEGLIO:

Does anybody from the FA want to talk about it?

CHAIRWOMAN HAHN:

You have to come on up to the microphone, please.

MS. FLESHER:

Re-state your name for the record, please.

MR. FELIX:

Again, Tom Felix from the FAA. And unfortunately we have -- we have money to assist Air Force sponsor in purchasing land that is needed for approaches, for -- let's say if this was within the runway protection zone, we would have provided assistance to -- to control that.

CHAIRWOMAN HAHN:

Well, let's look into that. Let's look into if this falls into that category and if we can get money from

the FAA to help us.

MR. FELIX:

Well, we could -- you know, we could certainly work with you. But the important thing, and maybe this is why I wasn't that strong when I originally made my statement, is, you know, we have defined surfaces for -- to keep certain structures away from, you know -- and in those cases, yes, definitely we will give the Air Force Sponsors to protect those surface for the approach of airplanes. Unfortunately this is not a structure. This is probably the accidental shooting of -- you know --

CHAIRWOMAN HAHN:

This is worse than a structure.

MR. FELIX:

Yeah. But --

CHAIRWOMAN HAHN:

Can be avoided. This is the potential -- something that could hit them.

MR. FELIX:

But it's not -- it's not a proscribed, you know, structure but we could explore it.

CHAIRWOMAN HAHN:

I think we should work with you. We should work with you. We should work with our federal representatives and determine -- because this might -- we might have -- we might be getting a different source of money to help us preserve this land in the Pine Barrens and protect the air flights that come over here. So -- I'm sorry, Legislator Anker, it was your turn. I'm sorry.

LEG. ANKER:

Chair, that was brilliant. Thank you for, you know -- again, and this is what it's about, thinking out of the box. We just can't stay in the same box, because, number one, we definitely don't have the funds and we're losing open space so quickly, it's unfortunate. I admire Legislator Browning's efforts in trying to move the Trap and Skeet. And I understand the problem in Brookhaven.

This particular piece of land, again, as Legislator D'Amaro had said, there is an issue with safety. There is a major issue with safety. And the last thing the County needs is to have an accident. It really is not where the County needs to go. I admire Legislator Romaine for his efforts in preserving this parcel. But we need to consider again the safety issue. And I just -- I can't say more. Gabreski Airport to me, and we do -- you know, this is part of the County property, is Gabreski. Could you clarify that?

MR. CEGLIO:

Yes, the County owns the Airport.

LEG. ANKER:

Okay. So, again, the County, we're in financial straits. Is there a potential -- with the additional development for the County to make additional money with revenue in some way?

MR. CEGLIO:

Related to this purchase or the entire Airport?

LEG. ANKER:

The entire Airport?

MR. CEGLIO:

Yes, absolutely. And that's what we've been working on for the last couple of years and I continue probably a little more stronger this year to increase the revenue.

LEG. ANKER:

Actually, again, I think the future vision, you know, land preservation absolutely, but there is this sense of development. And I think if we can accomplish that goal in creating a business friendly but also preserve the land, that would be the ultimate goal. I think a Trap and Skeet would diminish that goal. And, again, I can't support moving the Trap and Skeet here, but I absolutely would support the preservation that -- the potential preservation that we have available. Thank you.

CHAIRWOMAN HAHN:

Okay. We do not have a motion. I'm going to make a -- no, we don't have a motion yet? Right? Correct, Clerk?

MS. ORTIZ:

No, we do not.

CHAIRWOMAN HAHN:

I'm going to make a motion to table.

LEG. GREGORY:

Second.

CHAIRWOMAN HAHN:

Seconded by Legislator Gregory. All in favor? Opposed?

LEG. ROMAINE:

Opposed.

CHAIRWOMAN HAHN:

Motion to table passes. **(VOTE: 4-1-0-0)**

Okay, I believe that is all. I'll take a motion to adjourn. All in favor? Opposed? We are adjourned. Thank you very much.

THE MEETING CONCLUDED AT 5:13 PM

{ } DENOTES SPELLED PHONETICALLY