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 September 30, 2013.

MEMBERS PRESENT:
Legislator Kara Hahn, Chairwoman
Legislator DuWayne Gregory, Vice Chair
Legislator Sarah S. Anker
Legislator Thomas F. Barraga
Legislator Albert Krupski, Jr.

ALSO IN ATTENDANCE:
Deputy Presiding Officer Wayne R. Horsley, 14th Legislative District
George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel to the Legislature
Renee Ortiz, Chief Deputy Clerk of the Legislature
William Shilling, Legislative Aide
Thomas Vaughn, County Executive Assistant III
Robert Lipp, Acting Director/Budget Review Office
Laura Halloran, Budget Review Office
Sarah Lansdale, Director/Department of Planning
Lauretta Fischer, Principal Environmental Analyst/Department of Planning
Janet Longo, Real Property Acquisition & Management
Jill Rosen-Nikoloff, Director/Affordable Housing
Michael Mule, Department of Planning/CEQ
Frank P. Castelli, Environment Projects Coordinator/Economic Development and Planning
Walter Dawydiak, Chief Public Health Engineer, Environmental Quality, Health Department
Jeff Szabo, Suffolk County Water Authority
Carrie Meek-Gallagher, Suffolk County Water Authority
John Milazzo, Suffolk County Water Authority
Tom Ryan, Aide to Legislator Hahn
Alyssa Turano, Aide to Legislator Hahn
Marge Acevedo, Aide to Presiding Officer Lindsay
Amy Ellis, Aide to Legislator Anker
Michael Pitcher, Aide to Presiding Officer Lindsay
Marie Berkoski, Aide to County Executive
Nicholas Planamento, Appointee, Suffolk County Planning Commission
MaryAnn Johnson, ABCO
Annette Kattau, ABCO
Jan Williams, L.I. Matters
Bill Stegermann, Sierra Club
Nancy Gamby

John Turner
And all other interested parties

MINUTES TAKEN BY:
Diana Flesher, Court Stenographer

MINUTES TRANSCRIBED BY:
Diana Flesher, Court Stenographer
Kim Castiglione, Legislative Secretary

(*THE MEETING WAS CALLED TO ORDER AT 2:03 PM*)

(The following was transcribed by Kim Castiglione, Legislative Secretary)

CHAIRWOMAN HAHN:
If all could rise for the Pledge of Allegiance led by Legislator Gregory.

Salutation

Welcome to the September 30th meeting of the Suffolk County Legislature's Environment, Planning and Agriculture Committee. We have a few cards. I will start with the public portion. Actually, correspondence comes first. I have -- you should have received a letter from -- hold on -- I circulated to the committee, we have letters from Pierre Mercier, from the Vice President of Knoll Farm, Long Island, owner of property known as Knoll Farm, expressing at this time there's no interest. And then we received a letter from Legislator Montano as well requesting that we table that one. So that's the correspondence for the day. If you haven't received that I could circulate that again certainly.

(The following was transcribed by Diana Flesher, Court Stenographer)

With that, we'll move on to the public portion with -- our first speaker is Annette Kattau. Am I saying that correctly. That'll be followed by Maryann Johnston.

MS. KATTAU:
I just want to say that I was at the Newsday Channel 12 filming of "What's in the Water" in the audience. And I was impressed with their presentation. And that I think the last thing that we need is a commission. We need to get right to work on all the proposed housing and additional septics that they will bring and add to our water problems. We need the DEC and Suffolk County water to step up and see that only state-of-the-art systems are implemented regardless of the additional costs. That's it.

CHAIRWOMAN HAHN:
Thank you. Ms. Johnston, followed by John Turner.

MS. JOHNSTON:
Good afternoon. Maryann Johnston representing the affiliated Brookhaven Civic Organizations. I'm here on a few things. Unfortunately Legislator Krupski wasn't able to give me the farmland thing, but on the creation of the commission, we have more than two-and-a-half million people in Nassau and Suffolk. The last thing we need is another politically-dominated commission setting out a four-year plan of work with no experts, with a bill that has no teeth. You know, I tell everyone, a saber tooth tiger without teeth is just a cat with stripes. So realistically we need to do the right thing. The window is very short. Another commission, another bureaucratic mess dealing with things.

Secondly, as a Suffolk resident, I know full well I don't know enough about what's going into Nassau County's water and what is the state of their aquifers to join together. I think we need to study that. We need to understand. Are we just going to transfer some of the poison to our residents in Suffolk by blending those things? That's not what we want.

Are we going to impact our farmers in terms of how much water they can take out of an aquifer? If we're not looking at what's going on the land and into our aquifers, what's coming out of it almost doesn't matter. And that's really where we need to be. We need to have experts doing this work. And we have plenty of them available. And it is time for us to stop appointing politicians. Because if politicians could get this done, we wouldn't have water the way we do right now. Thank you.

CHAIRWOMAN HAHN:
Thank you. Next speaker is John Turner followed by Nancy Gamby.

MR. TURNER:
Yes, good afternoon. Thank you to have the opportunity to speak with you about 1565. Good afternoon, Chairwoman Hahn and members of the Committee. I want to talk about the issue again that the two prior speakers have talked about, that is the proposal to establish a Commission on aquifer protection. I've have got a different take from them in that I think it's a good idea. I think it's something that I strongly support; it's something that I think the Legislature should move on or act on in due speed.

I do have a few recommendations to you to consider about it. One has to do with the membership of the group. And that is while I've got tremendous respect for the Water Authority, I think the five permanent positions reflected, Long Island Water Conference, Suffolk County Water Authority are very worthwhile, I think that borrowing Maryann's line, on an Island of 2.7 million people, many of whom have great expertise about Long Island water issues -- I mean, I interact with these people all the time, to limit yourself to just four more positions, I think, is not doing yourself good service. And I think that you should think about expanding that list.

I don't have a magic number for you, if it would be 11, 13, 15. I don't want it obviously to get unwieldy, but I think that merely limiting it to four people, two from Nassau and two from Suffolk, I think, you're unnecessarily limiting the great pool of expertise that could be available to you to provide meaningful input in a direct way. I do recognize those people that obviously have had opportunities from public hearings to comment. But I know from having served on commissions, you've got a greater value being on it. So, again, there's a whole host of people. And I would hope -- that do have that expertise. So I'd would that there'd be some consideration in expanding beyond the four, kind of, public at-large positions.

Another key component of this is funding. You do have an ambitious goal with regard to this development of an annual report, development of a plan after three years. And I think that truly if the County -- Suffolk County and Nassau County are serious about this, I think you're going to obviously need to provide funding for this to some extent. And I think that it would be a better idea to get that funding upfront, perhaps even in the bill, so people can understand the seriousness in which both counties are committing to this.

The third thing I'll talk about and conclude on is simply that to me there are two priority issues, or certainly one priority issue that, I think, that the Committee should look at immediately. And that is something that's come out of my work after being a consultant to the Town of Brookhaven on the Carmans River Plan, is the impact of on-site sanitary systems. That is something that, again, Newsday talked -- covered lately, News 12. You folks are very familiar with, I know, from conversations I've had with you. But the -- take a look at the current technology's practice and use and current regulations that unfortunately still have us behind the eight ball with regard to the use of low-flow alternative or innovative sanitary systems. It's something that's vital. I really think it should be the first charge and mission of the committee.

Another issue that I think does deserve some merit that has not gotten really a lot of focus is water re-use. That is something that was embodied in Article 15 of Title 6 of the New York State {Inkind} Law. What we mean by water re-use is re-using, you know, potable water after it's being treated at a facility for non-potable uses: Landscaping, irrigation, golf course irrigation. There are 130 golf courses on Long Island. I don't know how many septic -- how many sewage treatment plants. And there's been talk about pilot programs. For example, Indian Island Golf Course and the Riverhead Sewage Treatment Plant, which are right next to each other. They're using the polished effluent for irrigation. The benefits of that and the efficiency of it is just -- is there, I think, for everybody to see. That's the reason why New York State actually passed the law to put in place the

regulatory framework for water re-use. And I really encourage you to take a look at that.

The benefits of that is the amount of nitrogen you would then be taking out of the system into coastal, you know, water; the reduction in savings to maybe Suffolk County government because you wouldn't have to buy as much fertilizer; and, of course, the lessening, to some degree, the strain on the water resource because you're not -- you're not pumping as much.

So those are just some thoughts about it. I think, again, it's a good idea and I do hope you move to enact it.

CHAIRWOMAN HAHN:
Thank you, John. Oh, yes, Al? Questions? Go ahead.

LEG. KRUPSKI:
John, you referenced the Riverhead Sewage Treatment Plant. And in fact they will --

MR. TURNER:
Yes.

LEG. KRUPSKI:
-- once they do the upgrade, they will be able to use, like you said, that water resource on the adjacent county golf course.

MR. TURNER:
That's good. So we hope that you'll look at that model and apply it as appropriate in other places on the Island.

LEG. KRUPSKI:
Yes.

CHAIRWOMAN HAHN:
Thank you. Next we have Nancy Gamby; and followed by Bill Stegermann.

MS. GAMBY:
Hello. My concern is our aquifers require a hearing in which the public and the major stakeholders have had enough time to appear and comment in depth. I don't think that everyone was made aware of this particular hearing on this -- or -- well, not a hearing, but before the vote. Our water is too important to us all. Our drinking water is a top priority. And what concerns me with -- and of course I'm talking on 1565 -- I'm sorry -- in section 18 A, my concern is with the sustainable development water uses studies that would be allowed under this -- hold on a second, I'm sorry -- to my knowledge the studies of water usage needs are done either by the Town or the developers at a time when you have the development proposal. So why would we be doing an additional study on this or why would we be funding studies on this?

When new sewers, etcetera, are needed to improve our drinking water, they should not be used as an excuse to increase the density around the sewers. It seems like every sustainable development project that's going up on Long Island, they're saying, "oh, our water, we need to get the nitrogen out, we need to have better quality water." And in that they're saying, "oh, we're going to increase the density and put more into the sewers." So how is that increasing the quality of our water if we're just going to dump more into it? It seems illogical to me if we're supposedly going for the green. And to, you know, make everything more natural and have more open space, we're using TDRs to have the open space out East, but we're dumping it all into Huntington, especially. They're being a big receptacle of TDRs over there. It doesn't make any sense. Build it way up here so you can keep it green over here. How is that helping anything?

So I don't think we need more regulation, more oversight or more committees. I think we have enough people watching our water. And we should just do a better job with water as our first priority before we're dumping more population into Suffolk County, especially.

Thank you.

CHAIRWOMAN HAHN:
Thank you, Nancy. Next we have Bill Stegermann.

MR. STEGERMANN:
Good afternoon. Thank you. Many remember seeing me, I spoke to you once before on this topic, the Commission on Aquifer Protection 1565. I handed out these to many of you. I have a few more copies that you can give to your colleagues as well. You know, I'm representing the Sierra Club, by the way, the Long Island Group. We feel strongly that a Long Island Aquifer Management Compact is what we need. This commission, which is -- you know, has political appointees and entities that profit from extracting the resource. And we feel that that's not the best way to go for Long Island. So I'll just leave these with you. Thank you.

CHAIRWOMAN HAHN:
Thank you. That is the last card I have. Is there anyone else from the public who would like to speak before us at this time? Yes. And our Clerk will give you a card so that you can fill that out. Please identify yourself for the record.

MR. WILLIAMS:
Jan Williams, Nesconset, New York, Long Island.

Hi, yes, I've just been on the quick looking at some items here and told to come down and monitor what you were doing here. And I happen to agree very much with Nancy Gamby, which she's a friend of mine. And we agree somewhat together. And I think our concern in creating a board between Nassau and Suffolk County is really sort of ludicrous. I mean, I get this in the mail. These people Suffolk County Water Authority monitor the wells. I don't see anything alarming in here.

I mean, a lot of the areas still haven't been cleaned up. I understand that. I understand the nitrate situation. And I do understand that creating hot spots with a lot of sewer plants, putting the nitrates back into the ground in one area, it can be very detrimental to the groundwater. And it seems like these initiatives are being formed around the high density housing, you know, initiatives. They seem to fall lockstep in that.

If there's a problem with cleanup or something like that, this has been going on for years and years. And there's a little article -- a little commentary from somebody -- I'll identify him on the Newsday here. And I'm just going to read what he wrote. I was just reading it; was handed to me an hour ago or so. And he says, you know, if it starts the issue or are we just going to create another government patronage kind of council between Nassau and Suffolk to create four more jobs for somebody else is one thing. But if you're going to create -- create this -- I want to read this to you: This gentleman's name is Joseph Thorpe, Rockville Center.

I read with interest your article -- I don't know what the article was -- another article about possible water contamination on Long Island, "Rising Risk from Nitrogen." In my opinion, like all problems, it's a lack of money and direction of funds for the good of the people. This is all in correspondence if we have a cleanup problem. We still got a cleanup problem down in Brookhaven Labs, I mean, I don't think we're actually cleaning things up as much with the high density. We're going to be creating more.

The State Legislature has spent all the energies rewarding corporations. The State's Brownfield Law put more than 362 million in the hands of corporations in 2008 and 2009. The lack of remediation site cleanup is not the fault of the State Department of Environmental Conservation. It's the fault of the Legislators who channel the money to corporate welfare and then choose not fund additional resources for DEC.

We have a DEC department here. We have the State and everything else. We have a very good water authority, tells us exactly what's in my water right here, where it comes from, etcetera. We're going to create something with this? Legislators write laws that are mind-boggling to protect the responsible corporations from ever cleaning up the contamination.

So it concerns that. And that's from Joseph Thorpe, Rockville Center. I gotta give him his due for that; little article. It was said better than I could say it so I'm repeating that. So I really don't understand some of this exactly. And there hasn't really been a lot of input from the public -- I don't even know this was going on. I mean, we've had no say in whatever and no information given to us. I mean, this is just thrown on me about four hours ago, five hours ago. Maybe yesterday. Okay. Thank you very much.

CHAIRWOMAN HAHN:
Thank you. Any other speakers who would like to address the Committee? Seeing none, we will close the public portion.

(The following was transcribed by Kim Castiglione, Legislative Secretary)

Tabled Resolutions

We will move on to tabled resolutions. Hello, Director Lansdale. Thank you for being here. Okay.

We are up to Introductory Resolution ***1368 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Pletenik property - Town of Brookhaven (SCTM Nos. 0209-033.00-07.00-025.000 and 0209-033.00-07.00-026.000). (Browning)***

CHAIRWOMAN HAHN:
This is one of those items -- and I'll make a motion to table. Seconded by Legislator Krupski. One of those items where we are waiting to find out about Federal -- possible Federal funding so that we don't expend our own if we can get that to help us.

DIRECTOR LANSDALE:
That's right.

CHAIRWOMAN HAHN:
Thank you. So we have a motion to table and a second. All those in favor? Opposed? Abstentions? 1368 is tabled. ***(VOTE: 5-0-0-0)***

Introductory Resolution ***1425 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Bayview Drive, Mennuti property Town of Brookhaven (SCTM No. 0209-037.00-01.00-021.000). (Browning).***

I'll make a motion to table. Seconded by Legislator Krupski. Director Lansdale, the same applies for this resolution?

DIRECTOR LANSDALE:
Yes, it does, as well as Resolution 1426 and 1568.

CHAIRWOMAN HAHN:
Okay. So all those in favor of tabling? Opposed? Abstentions? 1425 is tabled. ***(VOTE: 5-0-0-0)***

Introductory Resolution ***1426 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Riviera Drive, Mennuti property Town of Brookhaven (SCTM No. 0209-025.00-07.00-004.000). (Browning)***

I will also make a motion to table. Seconded by Legislator Krupski. All those in favor? Opposed? Abstentions? 1426 is tabled. ***(VOTE: 5-0-0-0)***

Introductory Resolutions

Introductory Resolution ***1465 - Adopting Local Law No. -2013, A Charter Law to strengthen farmland and open space preservation in Suffolk County. (Krupski)***

LEG. KRUPSKI:
Motion to table.

CHAIRWOMAN HAHN:
Motion to table by Legislator Krupski. Seconded by myself.

LEG. KRUPSKI:
On the motion.

CHAIRWOMAN HAHN:
On the motion.

LEG. KRUPSKI:
I would just like to thank Director Lansdale for her work on helping me on this. I'd still like to do a little bit more work on the rating system, the whole purpose of this. It's kind of a misnomer, it should say strengthen farmland preservation and open space protection. It should reference both on this bill. And -- because the whole point of it now is to have a rating system where the County, when they get applications for open space and farmland, there is the existing rating system, because we have such a lack of funds that the County wouldn't be doing appraisals and surveying, it's other work on those parcels unless they've reached a certain score. So we are trying to find a score that's going to be equitable and purchase with our limited resources the highest quality farmland and the highest quality open space. So that's why I would ask you to table, to make sure we get the right scoring system so with our limited resources we can make the best decisions.

CHAIRWOMAN HAHN:
Any questions? So we have a motion to table and a second. All those in favor? Opposed? Abstentions? 1465 is tabled. ***(VOTE: 5-0-0-0)***

I was just reminded, I would like to take number ***1788*** out of order, ***To appoint member of the Suffolk County Planning Commission (Nicholas J. Planamento). (Co. Exec.).*** I'll make a motion to take 1788 out of order. Seconded by Legislator Gregory. All those in favor of taking it out of order? Opposed? Abstentions? 1788 is before us. You can have a seat -- nope, you want to be at the podium?

MR. PLANAMENTO:
This is my first time before the Legislature.

CHAIRWOMAN HAHN:
Oh, sorry, here at the table, where Director Lansdale was. No worries. I was trying to point to it and then I lifted my finger off the microphone, so that didn't work. So I'll take a motion from Legislator Krupski on Introductory Resolution 1788.

LEG. KRUPSKI:
So moved.

CHAIRWOMAN HAHN:
And I will second that motion, ***1788 - To appoint member of the Suffolk County Planning Commission (Nicholas J. Planamento). (Co. Exec.).*** We have a motion and a second, so on the motion, welcome.

MR. PLANAMENTO:
Thank you.

CHAIRWOMAN HAHN:
I hope I said your name correctly. Welcome. I hope that you can give us a brief introduction to yourself and tell us why you'd like to serve.

MR. PLANAMENTO:
Absolutely. I hope you can hear me. As I said, this is the first time before the Legislature. Good afternoon, ladies and gentlemen, and thank you for having me. While not a native Southolder nor a native Suffolk County resident, I have lived in Suffolk County for about 15 years and in the Town of Southold. I'm an active real estate agent. I've served on a number of Town of Southold boards and committees, starting with the Stakeholders for Mattituck followed by well over ten years on the Architectural Review Committee, and most recently I'm an appointee of the Town's for the Board of Assessment Review. I love my community. I am very much grateful for my adopted county of Suffolk County. I'm originally from Westchester. I absolutely love working and living on the East End.

While not an attorney, I really am big advocate of property owner rights and land use. I think, for what it's worth, as a real estate professional, I'm expert in certainly the Town of Southold real estate and quite knowledgeable in also Riverhead and Shelter Island Towns. And I think that hopefully for the Commission I'll bring some new experience and perhaps some additional insight that another member or other members would benefit of.

CHAIRWOMAN HAHN:
Thank you. Legislator Krupski, do you have any questions?

LEG. KRUPSKI:
Well, I'm just happy that Mr. Planamento is willing to do this because he's been very active in Southold Town on the various committees that he mentioned, and that makes him very much aware of what's important in Southold and on the East End. He'll be, you know, he'll be a very good contributing member.

LEG. GREGORY:
Okay, thank you. So there's a Southold vacancy and you're filling that?

LEG. KRUPSKI:
Yes, this is the vacancy recommended by the Southold Town Board.

LEG. GREGORY:
Okay. I'm trying to delay until the Chairman gets back. So how's the real estate market going out there?

MR. PLANAMENTO:
I'm also the President of HANFRA, which is a volunteer organization. It's a realtors board serving the five East End towns, and I'm speaking as the President of HANFRA which, again, is Hamptons and North Fork Realtors Association. I would say it's a very strong and robust market. It's an exciting time. Obviously we all buy and sell homes at different points in our lives, some people second homes, other people certainly are tenants in a home, but we all need housing. And professionally speaking I will share that certainly on the North Fork there's a strong market. It really also helps aid the economy.

LEG. GREGORY:
Right. I read -- you're in a real estate field, right? So how do you feel that your real estate background will help you as a member of the Planning Commission?

MR. PLANAMENTO:
Well, again I think the experience that I have, I've got a lot of flexibility in my career. I am, in fact, an independent contractor. While I work with one particular office where I -- with Town and Country Real Estate where I work professionally, I'm still an individual. With that said, I think that my background, the experience and the exposure, I come across things on a daily level, speaking more specifically about the East End, I think, than western Suffolk County, but it's certainly something that I'm willing to learn and gain more expense to, but they're sort of universal. And while the real estate transaction one would think would be a very clear-cut or an easy transaction, there are so many layers in between regarding land use, the personality of either a buyer or a seller or collegial of nature. So I do think that I bring a variety of skill sets that are unique to the table, and for that matter I think I can help certainly voice the opinion of property owner also.

LEG. GREGORY:
Okay. Thank you. Madam Chair?

CHAIRWOMAN HAHN:
Any other questions? Okay. We have a motion and a second. All those in favor? Opposed? Abstentions? Introductory Resolution 1788 is approved and you do not have to return for our full general session next week, which is a good thing. ***(VOTE: 5-0-0-0).*** So, thank you.

MR. PLANAMENTO:
I'm most appreciative that you had me here today. Thank you. Enjoy the afternoon.

CHAIRWOMAN HAHN:
We are up to Introductory Resolution ***1563 - Authorizing execution of an order on consent with the United States Environmental Protection Agency concerning County underground storage tanks and universal waste. (Co. Exec.).*** I will make a motion to table. Seconded by Legislator Gregory. And on the motion we have Mr. Vaughn. Did you want to say anything? Nope, that's what you were going to request. Excellent. So we have a motion and a second for a tabling. All those in favor? Opposed? Abstentions? 1563 is tabled. ***(VOTE: 5-0-0-0)***

(The following was transcribed by Diana Flesher, Court Stenographer)

CHAIRWOMAN HAHN:
Introductory Resolution 1565, Establishing the Long Island Commission on aquifer protection. (Spencer). I will make a motion to approve, seconded by Legislator Anker. On the motion, we do have here representatives from the Water Authority, Jeff Szabo, Carrie

Meek-Gallagher, John Milazzo -- sorry -- sorry about that. If you'd like to come forward, if there are questions that the Committee has as we discuss this, that would be helpful, you can sit at the table there. But it would help, George, if you don't mind giving us a little bit of an explanation, a quick summary for the Committee as we discuss this.

MR. NOLAN:
Very briefly, this, as we've heard from the testimony from the public, it creates a bi-county commission on aquifer protection. It's made up of members that come equally from Suffolk and Nassau Counties that are subject to legislative approval.

The Commission is created for the purpose of looking at the state of the aquifer. The commission is supposed to within one year of its creation prepare and release a State of the Aquifer Report. And it says -- the resolution states that the report and its updates will be issued to the County Executives and Legislatures of both Counties; that on an annual basis that this commission LICAP will conduct at least one public hearing in each county for the purposes of soliciting information for the reports, preparation on issues of regional concern; further that LICAP will establish two standing committees, one called the 2040 Water Resources and Infrastructure Committee and the Water Resource Opportunity Sub-Committee.

The first committee I discussed, the 2040 Water Resources and Infrastructure Committee, will develop a plan to identify long-term risks to the water supply created by global climate change, and will recommend short-term measures to strengthen the public water distribution system, etcetera. Within three years of the report, LICAP will issue a Groundwater Resources Management Plan, which, I believe, you know, the folks at the Water Authority can discuss. And the resolution further states that in preparing the plan, LICAP will do what they need to do to prepare that plan.

CHAIRWOMAN HAHN:
Thank you, Mr. Nolan. I do have some individuals who have some questions. I did just want to ask one or two things myself, if you don't mind. First and foremost being if you could -- thank you. I want to say thank you for stepping up. I think that certainly there are some things in here that are different from what you have done in the past. And if you could just outline a little bit about how, you know, how this will move our ball forward, and how is this different from, you know, the reports you've released in the past, what will we learn that's new from what's going to happen in the State of the Aquifer Report.

MR. SZABO:
Thank you, Legislator Hahn. Jeff Szabo, CEO of Suffolk County Water Authority. We appreciate the opportunity to talk a little bit about LICAP and its origins. It must be over a year, just about a year, when Legislator Spencer and I had our initial discussions. The goal -- the initial goal of LICAP is to try to bring together experts from the water industry in the region. Historically the Suffolk County Water Authority serves 1.2 million people in Suffolk County, certainly the largest. There's also Riverhead and Hampton Bays, but we are by far the largest. We have not had a lot of collaboration with our counterparts in Nassau County. Nassau County is made up of over 50 individual water districts. Some privately run, some run by municipalities.

So the intent was looking at water and quantity and quality long-term, we needed to do a better job looking at it regionally. So we thought there are entities that exist like the Long Island Water Conference, but we thought that by putting experts together and by involving the Legislature and the County Executives, that we could begin the process to develop a plan to let the public and the elected officials know exactly where we are with our water quality. It's not Suffolk's water, it's not Nassau County's water. It's, you know, it's the people of New York State. It's their water. So we have to ensure that we maintain it at a very high quality. So that's the initial concept of what we should do with LICAP.

Moving forward, you know, there are some questions about funding and hiring positions and all that. None of that is going to happen. There are no positions. We're not hiring anybody. All of the work will be done by representatives from the water industry and with input from folks from the County Health Department and from DEC and USGS and other entities like that. That's sort of where we are with LICAP in a nutshell. I don't know if Carrie wants to comment on anything else or add anything to that.

MS. MEEK-GALLAGHER:
Just that we -- we felt that it was important to have something that's focusing just on aquifer protection. It's one piece of looking at our water resource managements on Long Island. Obviously there's a lot of talk about impacts to surface waters. We need to look at that as well. But by protecting the aquifer and having people focus on that, you're also helping to protect the surface water resources. But sometimes if you try to do everything all at once, it can be too much. So we felt that we can bring our expertise to bear specifically focusing in on aquifer protection since that is the source of drinking water for all three million Long Island residents. And the aquifer is not -- it doesn't recognize any political boundary. So the 110 Corridor is a political barrier for us, but not for the aquifer.

So as I think Maryann was saying before, or someone else was mentioning, there's pollution happening in Nassau that could be starting to migrate into western Suffolk. And we want to make sure that we're looking at the aquifer holistically as a regional resource and trying to manage better in that way.

MR. SZABO:
I would like to add, if you don't mind, Legislator Hahn, to your question, you know, what will we learn, where will we go, what information will be provided to the governmental bodies and to the public? Historically the studies that were conducted, it looked at the past. It looked at where we were, not necessarily where we need to be. What LICAP hopes to do is put together a game plan moving forward. I think that's a very important distinction.

CHAIRWOMAN HAHN:
How does this compete with and/or supplement calls for our compact?

MR. SZABO:
I don't believe that there's any competition. We have had discussions with numerous environmentalists for many, many months about LICAP and also some initiatives at the State level. We agree, you know, more needs to be done, whether it's at the local level or the State level. The bill before you today, I believe, it -- the commission itself would expire in five years. It would need to be reauthorized by both the Nassau and the Suffolk County Legislatures in order to continue. This is a short-term commission, the thought being that eventually New York State will act and they will be able to put together something more far reaching than what you have before you.

CHAIRWOMAN HAHN:
Legislator Horsley.

D.P.O. HORSLEY:
Yes. Thank you, Legislator Hahn. I got the impression, and I heard the initial conversations about LICAP, the positives. And so when I hear some of the questions coming from the audience or statements from the audience that were true, I just wanted to reemphasize there's not going to be any bureaucrats that we're going to be appointing from the Legislature here that are being paid high level jobs or something like that; just wanted to make sure that's absolutely not the case, because that's certainly not the mindset of any of the Legislators.

MR. SZABO:
I'd like to thank Legislator Horsley, too, because Legislator Horsley and I have been talking about this topic for probably close to a year. And he has provided some insight and some thoughts in the bill, working along with the Legislator Spencer. So thank, Legislator Horsley, but you're absolutely correct there's no position, there's no position, there's no -- we're not hiring anybody. All of the work done by LICAP will be through Suffolk County Water Authority personnel or individuals associated with other water districts.

Now we may ask the County -- the County Health Commissioner to appoint a designee and ask their time or ask them to contribute in that way. But as far as positions and salaries, that's not happening at all.

D.P.O. HORSLEY:
Thank you. And as far as politicians making appointments, do we have any appointments on this? How does that -- we have the PO and --

MR. SZABO:
There's an appointment by the County Executive and the Presiding Officer but the --

D.P.O. HORSLEY:
And how many is that out of the entire body?

MR. SZABO:
There'll be two -- you know, two from Suffolk, one from the PO, one from the County Executive; and the same in Nassau County. I would like to add, though, there are requirements, you know, in order to be appointed. You know, I forget, I don't have it in front of me, John, you may want to -- hydrology, engineering, public sanitation, public health, environmental protection or employment with a water provider. So we are trying to narrow the scope so that we're not --

D.P.O. HORSLEY:
So what you're saying, then, that this is going to be basically a group of technicians rather than just the opposite of what it was portrayed as politicians just talking about water problems.

MR. SZABO:
That's exactly right.

D.P.O. HORSLEY:
Thank you.

CHAIRWOMAN HAHN:
Legislator Krupski.

LEG. KRUPSKI:
I have a question for Director Lansdale. Thank you. Is there any -- does the County have any authority to do this at all on its own today?

DIRECTOR LANSDALE:
You know, I would have to look into that. I haven't had a chance to study this issue extensively, but that's something that I can bring back and perhaps the Law Department could research.

LEG. KRUPSKI:
George, do you have any idea?

MR. NOLAN:
Just so I understand the question, are you asking can the Planning Department do these? I mean, the Planning Department, I presume, could study these issues if they chose to, but I think the goal for the sponsor was to get it done on a regional basis, so to get both Nassau and Suffolk County Legislatures passing a -- you know, a similar -- very -- the same resolution and doing this cooperatively so you can get it done from a regional perspective. So while the Planning Department can study water issues on its own, I think the goal of this is different.

MR. SZABO:
If I may comment on Legislator Krupski's question, that is something that we have heard quite a bit over the last several months, you know, why do you need this commission? Can't you just have meetings with water providers and invite folks from the Health Department and DEC and the County Planning Department and everyone else? Can't you just have these meetings and put together a report? And the answer is absolutely we could.

The reason why we want this blessed and approved by the Legislature in both houses is to hold our feet to the fire; is to make us accountable to ensure that there is public input, to ensure that we're going to provide you with a report on the State of the Aquifer in a timely manner. If we just had these meetings, it would be too easy just to, you know, postpone them, to delay a report and not get back to the public and to the governmental bodies. So that's why we felt it important that it come before the Suffolk County Legislature and move forward that way.

LEG. KRUPSKI:
Thank you. I think the members of the public did raise some very good comments today. And a lot of it has to do -- a lot of the water quality on Long Island has to do with land use and zoning. That's a local issue. One of the problems I have with something like this is that it would attempt to kind of preempt or override local zoning and local land use, because that should be local issue only.

Another big factor there is that -- what's in the news today, a lot of the nitrogen loading from either sewer treatment plants or private septic systems. So, again, you get back into land use issues. And I'm not sure if -- if a commission led by the local water vendor is the appropriate place to house these sort of questions, because you obviously are going to have -- I hate to use the word agenda, but you're going to have -- you're going to want it to go in one direction because of your business. And people think the Suffolk Water Authority is part of Suffolk County government. And lot of people do. And, of course, we know that's not true, that you're really a private water company.

So I don't know if it's appropriate to have a private water company running a commission and a study on water quality for both counties. So -- that's why I would like to see this tabled. I would like to see more public input. The public is very interested in this. The public should be very involved in it because it is their -- it is their water after all. And not to say that I'm against this at all; I would just like to see it tabled and have this baked a little slower.

CHAIRWOMAN HAHN:
Jeff, would you mind just explaining the difference between a private company and a public benefit corporation?

MR. SZABO:
Correct. Legislator Krupski is a hundred percent right. The Suffolk County Water Authority is not part of County government. We get that all the time, even from our customers. They believe that we're a division within County government. We are a state -- an authority created by the New York State Legislature. We're a local authority public benefit corporation.

I understand your concerns, but there is no agenda, you know, from the water providers. We will have entities and folks from your own Superintendent Gary Pendzick -- not your own -- Gary

Pendzick from Riverhead will be involved as will the other Superintendents from districts within Suffolk County.

The important thing is to remember that you have the Water Authority leading the charge because of our size and our staff; our talented expert staff. We have some folks who could really make significant contributions to the discussion. So we are -- we're sort of the cheerleader, but everyone else from Nassau and Suffolk, including representatives from, like I said earlier, DEC, health departments, Parks Department, Public Works, USGS, they will all play a significant role. So we will not be able to dictate the agenda.

CHAIRWOMAN HAHN:
Deputy Presiding Office Horsley and then --

D.P.O. HORSLEY:
Just wanted to remind everybody that the Water Authority's board is appointed by the Legislature. So you are product of our -- your board determines policy for -- the Suffolk County Water Authority is appointed by this Legislature, the people's Legislature.

CHAIRWOMAN HAHN:
Director Lansdale would like to have a moment. Would you mind if she -- Director Lansdale, go ahead.

DIRECTOR LANSDALE:
Thank you. I just wanted to remind everyone that there were a couple of public meetings about the issue of water quality that were held jointly between Suffolk County and Nassau County. And I believe that this legislation is a product of those meetings and that public input. One meeting occurred here at the Suffolk County Legislature; another meeting was -- I know in Nassau County. And then I believe that there was a third meeting at Cold Spring Harbor at the public library. And I'm sure there might be others that I didn't personally attend, but I know of at least two that were held here in Suffolk County.

CHAIRWOMAN HAHN:
Yes, yes. And I participated in those. And there was one in Nassau. So this did come as a result -- Legislator Spencer is not here today, but the main chief sponsor of this legislation held those hearings in conjunction with Legislator -- what's her name from Nassau -- Bosworth, thank you, Judy Bosworth. And so, yes, Sarah, thank you for that. Legislator Gregory.

LEG. GREGORY:
So, Jeff, it sounds like what you're saying is that due to the resources that your -- that your office has, that the Water Authority has, you're going to kind of be coordinating the effort, but you're certainly not going to be -- you don't have an agenda; certainly you have concerns because that's your -- that's what you do, it's your industry, it's the quality of our water, but you will be seeking input from other jurisdictions. It's not going to be this master plan imposed on, you know, individual water districts throughout Suffolk and Nassau County, but certainly with some input from those stakeholders or interested parties?

MR. SZABO:
That is absolutely correct, Legislator Gregory.

LEG. GREGORY:
Okay. And I for one, I'm not opposed to having a comprehensive plan. I think particularly when it comes to planning, there are issues at a local level. We understand, you know, local land use rules and zoning issues are important and paramount to the people in those areas, but I think there's a gap, there's no comprehensive -- from a county perspective, sometimes I think we fall short because

the County may have a certain perspective that we are very limited in imposing or getting input or buy in from the local level because they have all the authority to do it; and in this issue it's -- it's different, but certainly I think we benefit from coordinating efforts. And I certainly think that it could really never be a bad thing to coordinate and collaborate with Nassau County.

I was at one of the hearings. And one of the talks was about the Lloyd Aquifer and how, you know, there's some issues there; and that some of the board of Suffolk and Nassau and -- so I think it's, you know, certainly not an issue that can be segmented just in Suffolk County or in Nassau County. We should be working together. And I think this is a good start.

MR. SZABO:
Thank you, Legislator Gregory. Just one more point, too. It is, you know, this type of collaboration between the water providers and Nassau and Suffolk County, this really is historic. This has never been done before. There have been meetings. There are conferences that cover specific topics, but actually sitting down and putting together a work product between the two counties looking at drinking water, that would be historic. So we think that there may be something with some additional teeth at the state level, which will come down. But we think there's no reason not to act, you know, we should move forward and do what we can to get the bill approved. There's no time to waste.

CHAIRWOMAN HAHN:
Legislator Anker.

LEG. ANKER:
I want to thank you again for coming here today and, you know, participating in this -- on this committee. If you could answer just a couple of questions, who oversees Long Island's aquifer? It can be a very brief -- you can just say one word or --

MR. MILAZZO:
Probably -- the DEC gives us our well permits.

LEG. ANKER:
But they -- who enforces the aquifer issues?

MR. SZABO:
Six hundred -- just within our service area, 600 wells producing water for the residents of Suffolk County, before we can construct a well and before we can begin providing customers with drinking water, we must apply to New York State DEC Region One and get a permit approved. They then -- we then have to tell them how much water we pump from that well.

MS. MEEK-GALLAGHER:
Legislator Anker, if I could just add, there's no one entity that oversees the aquifer. There's regulations imposed by US EPA, by New York State Health Department, by Suffolk County Health Department, by Nassau County Health Department, by DEC. So there's a myriad of regulatory entities. No one entity that oversees the aquifer.

LEG. ANKER:
So as far as creating this type of committee, do you feel that they will provide a better oversight of our aquifer? In other words, would we be able to understand maybe some of the issues? And also I know that environmental groups have created their own water protection committee or board. Do you feel that you can maybe, you know, work with them, try to understand -- because, again, prior to being a Legislator, I was an environmental advocate. And, of course, the big issue on Long Island is the water and groundwater contamination. I just -- you know, again, I know there's concerns. You know, the closer you are to it, sometimes you don't focus, you don't see everything.

But I think, too, you need to understand is the closer you are to it, the more information you can give to us. You know, this is what you've been doing for -- how many years has Suffolk County Water Authority been in business?

MR. SZABO:
Over 62 years.

LEG. ANKER:
Okay, and, again, you know, we've had our issues with groundwater. And we need to take responsibility. And I think this is the first step that the Suffolk County Legislature, you know, is really addressing this issue. And I'm looking globally. In other words, I'm going to listen to what you have to say, but I'm also going to listen to what the environmentalists have to say because I think both the information is going to be very important. But what's really important is the scientific research and the understanding of what we're doing to our groundwater and how we can better protect it. So, again, going back, how do you see yourself working with some of the environmental groups?

MR. SZABO:
We think certainly at the Suffolk County Water Authority we have a very long history of working with environmental organizations and individuals. And I think we've only strengthened our relationship over the last three years or so that I've been Chief Executive Officer of the Water Authority. We are on the same page with them. We understand that we have a very valuable sensitive resource. And we all need to work together to ensure that we are able to produce safe drinking water for generations to come. There's no debate. You know, it's very simple.

Whether you're any of the water providers or an environmentalist or a Legislator, we have a common goal. And I think we have gone out of our way trying to ensure that they are included in not only what we're trying to do with LICAP, but also with other -- water authority activities. In fact, it was -- it was just a few months within my tenure as CEO of the Water Authority that we started a quarterly roundtable discussion with -- it's about 15 or 20 individuals. And we have a dialogue quarterly bringing each other up to date on where we are so that there's no misinformation, there's no disinformation. It's very upfront and transparent.

So -- in fact, they came to one of our board meetings just a couple of months ago and asked for the Water Authority's support for their latest initiative. And we passed a resolution supporting them. So we will -- we plan to work together as much as possible trying to ensure that we're successful.

LEG. ANKER:
And, again, I can tell you as an environmental advocate it is so frustrating when you're waiting on people to take care of the problem. You know, a perfect example is Lawrence Aviation. TCE in the water for how many years, how many decades before the State and the County came in to clean it up? But, again, we have to do everything we can to identify the problem. And how can you identify the problem when you don't have the complete picture?

And that's why I think I have to thank Legislator Spencer that what he's doing right now is having a global perspective on our groundwater. There may be contamination in one area. And, again, the concern is, and I've heard this, and again I don't want to get into this whole conversation back and forth, but, you know, we need to understand how to clean up that toxic spill or that toxic site instead of, you know, blending the water and making it a little better. We need to make it a lot better.

So I'm looking forward to working with your committee and, you know, listening to what you guys have to say. So, thanks for coming.

CHAIRWOMAN HAHN:
Thank you, Legislator Anker. Legislator Krupski.

LEG. KRUPSKI:
Just one more comment. I think -- I don't know if Wayne or DuWayne said it about the County having the authority over -- or not having the authority, but it was a longtime ago. What do my notes say here? Something about water treatment. And we all know how water drives development on Long Island and how wastewater treatment drives development. And I think that -- so it all goes backs to zoning and it goes back to land use. And then that in turn is going to also affect water quality.

So I think that we're a little bit ahead of ourselves here. And I will keep my motion to table on because I don't know if it's going to be successful or not but I think that we really have to look at this comprehensively. It's more than just saying, well, it's about clean water. It's really about clean water, development and then how that water is kept clean. So it's kind of a -- it's a larger picture here. And I think you have to look at the whole picture.

CHAIRWOMAN HAHN:
I have a question for George. Does us passing this resolution in any way preclude either the Legislature and/or the County Health Department or Environmental Division of the Economic Development Department from working on things such as alternative innovative septic systems or working on monitoring PCEs, TCEs, TCAs or working to educate the public about dry cleaners, gas stations and pollutions and cleaning up and pharmaceutical waste not going into our -- being flushed, etcetera, etcetera, etcetera? Is there anything in this legislation that precludes us from continuing work that we are already doing in all these areas?

MR. NOLAN:
No, the creation of this commission doesn't preclude anybody else from doing anything.

CHAIRWOMAN HAHN:
Okay. Any other questions? Director Lansdale.

DIRECTOR LANSDALE:
So as part of the Health Department's commitment to advancing alternative wastewater systems, I've been informed that the alternative septic system study that's a companion piece to the Water Resources Management Plan, the RFP is going to be released shortly.

CHAIRWOMAN HAHN:
Thank you. That's excellent. And so we are -- we are on these issues already. And this -- we are -- you know, I think we're excited to see the Water Authority and other water organizations working together regionally on this. And is there more to do? Absolutely. Is there a need for the State to do something that has real teeth? Absolutely. This doesn't preclude that. And I think it moves the ball forward even if it's just a small step, I do think it gets us in the right direction and I support it.

So with that we have a motion to approve and a second. All those in favor? Opposed?

LEG. KRUPSKI:
Opposed.

LEG. BARRAGA:
Opposed.

CHAIRWOMAN HAHN:
One opposition. Two opposition. Any abstention? Okay, that is approved. **(1565 APPROVED. VOTE: 3-2-0-0).**

(The following was transcribed by Kim Castiglione, Legislative Secretary)

And we may need you at the General Meeting as well if the full Legislature has questions. We'll try to work out when.

Introductory Resolution ***1568 - Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Mowdy property - Town of Brookhaven (SCTM No. 0209-021.00-05.00-032.000). (Browning).*** This is one of the ones -- okay.

LEG. ANKER:
That's right. Yes.

CHAIRWOMAN HAHN:
Yes, okay. So I'll make a motion to table. Seconded by Legislator Anker. All those in favor? Opposed? Abstentions? 1568 is tabled. ***(VOTE: 5-0-0-0)***

INTRODUCTORY RESOLUTIONS

Introductory Resolution ***1699 - Authorizing an appraisal for the purchase of Development Rights of Farmland under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, Knoll Farms of Long Island, Inc. - Town of Islip (SCTM Nos. 0500-117.00-01.00-078.001 and 0500-117.00-01.00-078.002). (Montano)***

I'm going to make a motion to table as per the request of the sponsor. Seconded by Legislator Gregory. All those in favor? Opposed? Abstentions? 1699 is tabled. ***(VOTE: 5-0-0-0)***

Introductory Resolution ***IR 1700 - Adopting Local Law No. -2013, A Local Law amending Chapter 8 of the Suffolk County Code. (Co. Exec.)***

This requires tabling for a public hearing, so I'll make a motion to table. Seconded by Legislator Anker. All those in favor? Opposed? Abstentions? 1700 is tabled. ***(VOTE: 5-0-0-0)***

Introductory Resolution *1762 - Amending Resolution No. 606-2013, authorizing appraisal for the acquisition of Development Rights under the Suffolk County Drinking Water Protection Program as amended by Local Law No. 24-2007 - Gus Wade Farm property - Town of Babylon.* I skipped something? Okay. Then we'll go back to Introductory Resolution 1705. Sorry about that.

1705 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the Speonk Mobile Home Park, Inc. Property - Manorville Pine Barrens County Park addition - Town of Brookhaven (SCTM No. 0200-511.00-06.00-064.001). (Co. Exec.)

I'll make a motion to approve. Seconded by Legislator Anker. On the motion, Director Lansdale. Do we have any --

DIRECTOR LANSDALE:
Sure. This property is 2.75 acres in size. There's no structures on the site. The County owns 2,000, more than 2,000 acres in the vicinity of the subject parcel and it is within Pine Barrens core. The acquisition price is $47,040 as per the first Resolved clause.

CHAIRWOMAN HAHN:
Legislator Krupski.

LEG. KRUPSKI:
Are there any buildings on the parcel right now?

DIRECTOR LANSDALE:
No, there is not.

LEG. KRUPSKI:
Despite the description?

DIRECTOR LANSDALE:
I'm sorry if I misspoke. There are no structures on the site.

CHAIRWOMAN HAHN:
Any other questions? This is an acquisition resolution, so we've already been through the planning steps and all that previously. This is coming to us with -- right, we have the price. Okay. All those in favor? Opposed? Abstentions? It is approved. ***(VOTE: 5-0-0-0)***

Now we're up to 1762? Am I in the right place? Okay. Sorry about that. Introductory Resolution ***1762 - Amending Resolution No. 606-2013, authorizing appraisal for the acquisition of Development Rights under the Suffolk County Drinking Water Protection Program as amended by Local Law No. 24-2007 - Gus Wade Farm property - Town of Babylon. (Co. Exec.).*** We have a motion to approve by Legislator Gregory.

LEG. BARRAGA:
Second.

CHAIRWOMAN HAHN:
Seconded by Legislator Barraga. On the motion, Director Lansdale.

DIRECTOR LANSDALE:
This is a technical correction to Resolution 606 of 2013. It updates the 27 listed parcels consisting of 15.87 acres in Exhibit A with corrected tax map numbers.

CHAIRWOMAN HAHN:
Okay. Thank you. Any questions? All those in favor? Opposed? Abstentions? 1762 is approved. ***(VOTE: 5-0-0-0)***

We did 1788. Introductory Resolution ***1791 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) - open space component - for the William and Antoinette Smith property - Swan River County Park addition - Town of Brookhaven - (SCTM No. 0200-981.10-03.00-005.000). (Co. Exec.).***

I'll make a motion to approve. Seconded by Legislator Anker. On the motion, Director Lansdale.

DIRECTOR LANSDALE:
Thank you. The parcel, the subject parcel is 1.56 acres in size. There are no structures on the site. The property is located within the Swan River County Park area. To date the County has acquired 65 -- approximately 65 acres along the stream corridor. The rating for this assemblage is 57 points, specifically receiving points for the characteristics that it contains a high marsh tidal wetlands, hydric soils, it's located within a major swail area and adjacent to County parkland.

CHAIRWOMAN HAHN:
Legislator Krupski.

LEG. KRUPSKI:
Is this parcel buildable?

DIRECTOR LANSDALE:
Lauretta? I can tell you that the property is zoned A1 residence with 40,000 square foot minimum lot size. Is it buildable?

MS. FISCHER:
It would have to be evaluated by the town. Approximately half the property is wetland so there would have to be a determination locally.

LEG. KRUPSKI:
All saltwater wetlands?

MS. FISCHER:
Yes, approximately half is tidal wetlands.

CHAIRWOMAN HAHN:
But it's a 1.6 acre parcel. Even if half of it is wetlands the other half could potentially -- it would be up to the town.

MS. FISCHER:
It would be up to the town, right.

CHAIRWOMAN HAHN:
Okay. Any other questions? All those in favor? Opposed? Abstentions? 1791 is approved. ***(VOTE: 5-0-0-0)***

Introductory Resolution ***1797 - Directing the Division of Real Estate to canvass the owners of Master List Properties. (Hahn)***

I'm going to make a motion to approve for the purposes of discussion. Seconded by Legislator Anker. On the motion. I guess I can explain why I introduced this. We have -- we, the County Legislature, passed since 2004 three master lists including thousands of acres of property that we wish to target for preservation for environmental reasons, and those property owners were solicited at the time the master lists were developed in 2004, 2005 and 2006. They were asked if, in fact, they were interested in selling to the County, and since that time some get back to us and some have not, and some properties have been sold, etcetera.

So as we are dwindling in funds and other properties are coming to our attention, I thought it was time to recanvas the master list to determine if the properties that we haven't heard from in, it could be up to a decade of time, that maybe there might be some interest in these properties we have established as a priority and policy in our master lists, that there may be some interested individuals now. I want to make sure that if there are individuals who are interested they are part of our process as we move forward with our Open Space Program.

So that was my intent in the legislation. Director Lansdale, I know you had some questions for me, etcetera, so, you know, I'd like to have that discussion here at committee where I think it's appropriate.

DIRECTOR LANSDALE:
Thank you, Legislator. We're requesting that this bill be tabled so that we can do additional analysis looking at the ratings of each assemblage that are in the master list and perhaps coming up with looking at the funding that is available and coming up with maybe a more enhanced methodology for outreaching to parcels -- owners that have parcels on the master list in conjunction with your office.

CHAIRWOMAN HAHN:
So do we know -- of the master list properties, do we know the range of the points rating, rating points that the properties have earned? Like properties on the master list range from 25 points to 75 points or do you have a range that you can tell us about?

DIRECTOR LANSDALE:
I do, just give me a minute. I actually have the master list here.

CHAIRWOMAN HAHN:
Thank you.

DIRECTOR LANSDALE:
So it appears to me with the information that I have that there's a range all the way from 90 to a low of in the 30's, but I would want to just verify that.

CHAIRWOMAN HAHN:
Okay. Certainly a 30, a rating of in the 30's is not particularly low considering things that do come before us, where 25 is the threshold. And I would absolutely agree with you that maybe if we needed to somehow target these solicitations that we would target the highest ratings first. That's the whole point of this, is that we want to include high rating parcels, environmentally sensitive parcels, making sure that the most environmentally sensitive properties the County is preserving permanently. And that is the whole intention of this resolution and others I have done in the past. Legislator Gregory, did you have a question?

LEG. GREGORY:
Yes, and I guess to the point you were making, the master list is the master list. They're, you know, they're a priority for us, correct? So I guess -- I would think that, okay, say there is a 35, a rating of a 35 on a parcel on the master list, but then there's a property out that's not on the master list that's let's say is a 40. So according to our system now the 40 would get it, right, because it's a higher rating. I mean, it shouldn't get it even though it's a higher -- it shouldn't get it because the master -- we prefer master list properties, right, whether it's a lower rating or not. It's a preference.

So to the point that I wanted to make is, given that there's less monies available, to me there is really no harm, no foul, to use a sports analogy, excuse me, if there is a master list property that becomes available and say there are other properties outside the master list that we're looking at, the master list properties is going to get the preference.

The only benefit I see from this resolution is to just to kind of update what interest there may be, but someone who, you know, someone on the master list won't be disadvantaged per se, you know what I mean? Because at any point when they show an interest they are going to get the preference, right? Or am I wrong.

CHAIRWOMAN HAHN:
I think this is a question that in my discussions with the Director has kind of come up in my mind and maybe others minds is do master list properties circumvent the Triple A system that we just established? And so have we determined that yet?

DIRECTOR LANSDALE:
The master list properties already have an existing planning step resolution attached to them through one of the four master lists that were adopted. So it skips the appraisal step process, and then we're still determining whether it comes in then at the evaluation stage. We don't have a final determination on that -- on the second step, when the master list properties come in to the process.

CHAIRWOMAN HAHN:
And I think that's an interesting point. It's definitely an important point from our policy perspective as to whether or not we want to establish a separate track for master list that -- and I don't think we do, especially considering the very wide range in ratings that exist on the master list. And if I certainly want to be -- I want to have Counsel's office part of the discussions that your office and the County Attorney has on this so that we can determine if there need be that we need to further restrict what happens with old master list properties, maybe under a concern rating threshold, you know, under a rating threshold they come in and over a rating threshold they continue or maybe not. Maybe we just decide they all come through the Triple A process at this -- at that middle step. But that's certainly -- I'm glad that as a result of introducing this piece of legislation we've identified that area of policy discussion that we need further action on potentially. Legislator Krupski.

LEG. KRUPSKI:
A question for Director Lansdale. How many parcels are on the master list? Ballpark.

DIRECTOR LANSDALE:
There's more than 1,000 acres on the master list.

LEG. KRUPSKI:
I'm sorry, but how many parcels?

DIRECTOR LANSDALE:
Let me look that up. Hold on, let me see if I have that here. I believe it's in the text of the legislation. Yes, the legislation says that there's -- it mentioned the acreage. I can get back to you on the number of parcels. It's a considerable amount of parcels.

LEG. KRUPSKI:
The Land Preservation Program and the County's program, how many parcels do we have in for either appraisal steps or planning steps currently? Ballpark.

DIRECTOR LANSDALE:
How many?

LEG. KRUPSKI:
Parcels.

DIRECTOR LANSDALE:
Parcels.

LEG. KRUPSKI:
How many individual parcels have we approved since -- well, how many are in that process in some form or another.

CHAIRWOMAN HAHN:
Well, remember she just said that every master list parcel was approved for a planning steps as part of the -- you know, just the creation of the master list and the passage of the master list did that. So let's say it's 600, I'm just throwing that name out, 600 that totals 1400 acres, you're going to

add them plus any individual planning steps that we passed or any individual appraisals step that we passed.

LEG. KRUPSKI:
Then I'll rephrase my question. How many parcels have we passed resolutions for specifically for those parcels, for planning steps or appraisal steps?

DIRECTOR LANSDALE:
For the master list parcels? No?

LEG. KRUPSKI:
Or for land preservation, either way.

DIRECTOR LANSDALE:
So currently we have in the cue, we have approximately ten acquisitions ready to -- that are in the acquisition pipeline.

LEG. KRUPSKI:
For open space? Farmland?

DIRECTOR LANSDALE:
For open space and farmland.

LEG. KRUPSKI:
Okay. And do we have currently -- do you have enough money to approve all of those and acquire the open space and development rights?

DIRECTOR LANSDALE:
As I reported at the last meeting, we have $380,526 and we are awaiting a transfer of the 2012 quarter percent sales tax funding that funds open space, so we don't have that figure yet so it's hard to specifically answer that question without knowing that figure and how much will be covered and not covered with the acquisitions that are in cue right now.

CHAIRWOMAN HAHN:
Can BRO tell us approximately what we expect for 2012?

MS. HALLORAN:
I haven't fully vetted everything out, but I believe it is about 3.7 million for 2012. And then we have maybe about, according to the recommended budget, another six million in '13, and I think '14 is coming in around seven million according to the recommended budget, which again, I would want to really look at more detail to give you definitive numbers.

CHAIRWOMAN HAHN:
And obviously '13 and '14 are both projections, '13 is almost done so we have a better idea that we're coming in near that target. You know, maybe we'll have ten million, you know, by the end of this year, but it takes a while for '13 numbers to be -- because clearly we don't have 12's numbers yet.

MS. HALLORAN:
Right, we're just getting the official '12 numbers now. We just finally have the official amount of sales tax that was received and the official amount of expenditures that we spent and then we get the fund balance.

CHAIRWOMAN HAHN:
Okay. So we have the 398,000 plus maybe 3.7, which gets us to about four million total that will be kind of cash on hand very soon, because those the '12 number -- the '12 transfer should be very soon; correct?

DIRECTOR LANSDALE:
That's right. It's 380,526.

CHAIRWOMAN HAHN:
So plus 3.7 million gets us to around four million, right? So let's just say we have four million in cash, how does that stack up against what's in the pipeline? Because we just had an ETRB meeting.

DIRECTOR LANSDALE:
I would be happy to answer that question when I have more definitive information. I didn't realize that those were the questions that you wanted answered today or I would have been a little bit more prepared. So I can most definitely give this information to all members of this committee.

CHAIRWOMAN HAHN:
Legislator Barraga.

LEG. BARRAGA:
Very quick question. What if you tallied it up and what was in the pipeline would cost maybe eight million dollars to purchase and you've got four million dollars. Do you then have to pick and choose? I mean, obviously you're short unless you can somehow postpone it and wait until 2013 revenues.

MR. VAUGHN:
Legislator Barraga, and I think that actually goes to the heart of one of the concerns that we had about this resolution and why we wanted a little bit more time to continue analyzing the data available to us. And one of the things that I would say is that you don't want to create that false sense of hope by sending out a blanket letter to all the parcels on the master list, and Director Lansdale, please jump in here if I'm wrong, but you didn't want to send that out if we didn't have enough money to cover those solicitations essentially.

LEG. BARRAGA:
Okay. All right.

DIRECTOR LANSDALE:
That's right, and further the -- all of the property owners that are currently on the master list have already received, albeit several years ago, solicitations from the County and all remaining parcels that are on the master list have previously indicated that they are not interested.

CHAIRWOMAN HAHN:
I'm just going to make a slight correction to what you just said. It is possible that some of those property owners transferred and the current property owner has not been solicited.

The purpose, and I do understand this of course, I'm the Chair of this committee and I had us review our master list, had us -- worked with the Administration on creating the Triple A Program all because I recognize that we are running out of dollars. However, behind -- my intent behind all of these items has been to make sure that we're buying the most highly rated properties first. And so with that intent I had wanted to solicit the master list property owners and then -- so maybe not quite understanding the full range of the ratings, but I think we could table this, work on it to get us an acceptable threshold that maybe it would be worth soliciting, whether it's 75 points and above or whatever it is, but if we have four million left and we have eight million dollars worth of properties,

but half of them are 40 points and below, you know, there may be a reason to want to make sure we're spending our last dollars on -- if one property comes back from the master list with a new owner that wants to sell now with a rating of a 90, you know, we might be able to get it in there. So that really was my intent.

I understand the concerns obviously and I just once again want to continue to have this discussion about realistically where we're at, realistically what we're buying and making sure that we're getting the most environmentally sensitive properties with each of our last pennies, and so that's my intent here. And I, you know, am willing to table a cycle to have that talk with you, to see if there's an acceptable threshold that we all can live with as we move forward.

MR. VAUGHN:
That sounds great.

CHAIRWOMAN HAHN:
Thank you. I'll withdraw my motion to approve and make a motion to table.

LEG. BARRAGA:
Second.

CHAIRWOMAN HAHN:
Seconded by Legislator Barraga. All those in favor of tabling? Opposed? Abstentions? 1797 is tabled. ***(VOTE: 5-0-0-0)***

That's the last item on our agenda. With no other business before us, we are adjourned. Thank you.

(*THE MEETING CONCLUDED AT 3:27 PM*)