

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 March 14, 2016.

MEMBERS PRESENT:

Leg. Kara Hahn, Chairperson
Leg. Al Krupski, Vice Chair
Leg. Sarah S. Anker
Leg. Thomas Muratore (excused absence)
Leg. Robert Trotta
Leg. Bridget Fleming

ALSO IN ATTENDANCE:

George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel/Legislature
Jason Richberg, Clerk of the Legislature
Amy Ellis, Deputy Chief Clerk/Legislature
Laura Halloran, Budget Review Office
Katie Horst, County Executive's Office
John Marafino, County Executive's Office
Sarah Lansdale, Director/Department of Planning
Lauretta Fischer, Department of Planning
Janet Longo, Real Property Acquisition & Management
Michael Pitcher, Director of Communications/PO
Alyssa Turano, Aide to Leg. Hahn
Catherine Stark, Aide to Leg. Krupski
Robyn Fellrath, Aide to Leg. Anker
Brendan Chamberlain, Aide to Leg. Muratore
Greg Moran, Aide to Leg. Leg. Trotta
Elizabeth Sutton, Aide to Leg. Fleming
Rick Brand, Newsday
Dave Schwartz, Newsday
Kevin McAllister, Defend H2O
Doug Swesty, Sea Run Trout Coalition
Chart Guthrie, NYS DEC
Thomas Kowalsick
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 10:02 AM

CHAIRPERSON HAHN:

Okay, good morning. Welcome to the Legislature's Environment, Planning and Agriculture Committee. If we could all rise for a salute to the flag led by Legislator Anker.

SALUTATION

Okay, thank you. I'd like to announce that Legislator Tom Muratore has an excused absence today.

PUBLIC PORTION

With that, we have one card, member of the public, Thomas Kowalsick. Come on up. You can come up to the podium. And you will have three minutes to address the Committee.

MR. KOWALSICK:

Okay. My name is Thomas Kowalsick. I reside at 1520 Main Road in Jamesport. And I'm here to support the resolution number 1168, which is authorizing appraisal of the land, nine plus acres in the front parcel by TDG Jamesport Owner, LLC in the Town of Riverhead for open space.

My wife and I live on the property that's on the west portion of that property that you're considering for appraisal. We purchased our home in 1980, and at that time that was an active farm. There was actually cauliflower growing alongside the property there.

And in addition to that, that property actually belonged to my great grandparents. So they had their home there on the front portion. And that was their active farm. They grew vegetables, raised livestock for themselves and for sale as well.

In addition to that, my mother actually was raised by her grandparents, my great grandparents, so she's told me lots of stories about working on the farm and living there. I'm not sure if you're aware of it, but there's also a portion of that parcel called Sharpers Hill. And the importance of that is that there's evidence that it was actually used by Native Americans. And I'm a member of the Jamesport Civic Association and that's been discussed quite, you know, a lot. And there's a person actually there that's working with, I believe, an agency in New York State in regard to that.

My mother actually has told me stories about Sharpers Hill and a portion of that being fenced off and -- she called it sacred. They weren't allowed to walk on it, raise their animals there. And she actually remembers archeological digs taking place near the Sharpers Hill area. So I think that's pretty significant. I'm not sure if you've seen this land, but it's quite elevated in relation to the Main Road Route 25. So all the plans I've seen for development so far seem to indicate that they want to just come in and excavate and level this whole property down so that it's level with the Main Road, which in my opinion, environmental disaster; let alone what it's going to do to the, you know, rural character of this Hamlet of Jamesport.

So I'm just here to tell you -- ask you, I mean, to hopefully approve the appraisal, hopefully it'll end up open space. Jamesport's one of the first little hamlets you're going to see as you travel up into the North Fork and retaining that rural character I think is very important; certainly lots of other people feel that as well. So thank you very much.

CHAIRPERSON HAHN:

Thank you. We do have one question for you.

MR. KOWALSICK:

Okay.

CHAIRPERSON HAHN:

Thank you.

LEG. KRUPSKI:

Thanks, Tom. Could you -- for the Committee, could you -- because I'm familiar with it, could you characterize the, you know, the development threat there and what that would mean to the -- you know, to the Hamlet.

MR. KOWALSICK:

Okay, what --

LEG. KRUPSKI:

And also the -- the level of community concern. Because I know there's an active group that's --

MR. KOWALSICK:

Yeah. There's Save the Main Road and the Jamesport Civic Association, both of those associations are quite involved in trying to keep this proposed development of this property, you know, just trying to keep it not happening. Because it's just such a large acre of land that's -- that would be able to be developed in the small Hamlet of Jamesport. If you travel down the Main Road where all the zoning changes occurred in Riverhead, this portion of land, for whatever reason, no one's been able to figure it out, is so deep off the Main Road, which is -- would allow such a big huge retail type development to occur. It's just unlike anything else that seems to run down from 105 to the Laurel area where Riverhead ends. And -- I mean, the things I've seen, you know, especially this leveling of the land and being adjacent to our property just, you know, it's just huge, so -- and there's just a lot of pressure for development going on in Jamesport and in those surrounding areas now. So I just think this is an important one to consider.

LEG. KRUPSKI:

Thank you. Thanks for coming.

MR. KOWALSICK:

All right. Thank you.

CHAIRPERSON HAHN:

Thank you very much.

Do we have any other speakers? That was the one and only card that I had here. Was there anyone else who would like to address the Committee? Okay. Seeing no one else, we're going to close the Public Portion.

There's no correspondence. And we do have presentations: The Sea Run Brook Trout Coalition in conjunction with Defend H2O will offer a presentation on dams. So if you'd like to come forward. You can sit down here in front of us at the table. And then when you speak, you just need to make sure that the little green light is on on the microphone and that you're holding the microphone close to your mouth and that you identify yourself for the record. I'm sorry. Go -- whenever you guys are ready.

POWERPOINT SLIDE SHOW PRESENTATION

MR. McALLISTER:

Okay.

CHAIRPERSON HAHN:

I'm sorry.

MR. McALLISTER:

Good morning, Legislator Hahn and members of the Committee. My name is Kevin McAllister. I'm the Executive of Defend H2O. I'm here with my colleague, Doug Swesty, Sea Run Brook Trout Coalition. And we're missing Enrico Nardone with Seatuck. He was to join us but was called to an important meeting in the City.

Thank you for the opportunity to address the Committee on Suffolk County's dams. Doug and I in particular, we've been very active as Enrico in really categorizing the dams within many of the streams on Long Island. Ultimately if you look at the -- this graphic, it shows the tributaries. We have approximately 200 tributaries if you consider the South Shore, North Shore and the Peconic basin. Ultimately the values and functions of these streams is extremely important for conveyance of, of course, freshwater. I'd like to refer to them as arteries to the Bay. That freshwater is largely groundwater driven. So it is an important source, again, feeding the bay systems, the ecosystem where freshwater is the driving force behind bay productivity in a large extent.

Historically with respect to an important use of values and functions, of course, is fish passage. And we have some graphics here of alewife, herring, brook trout, American eel. These are all anadromous fish that require access up these stream corridors for egg laying and then returning to the sea.

Historically the -- many of these impoundments, or I should say these streams, have been impounded by use of dams. And the Colonial era dams largely with gristmills. And, again, I think all of us can visualize as we drive, whether it be North Shore, South Shore, virtually every larger pond that you see for the most part is likely a stream corridor that has been impounded by virtue of a dam. And for the uses that -- certainly with the gristmills. In this case, this is further east in for cranberry bogs. If you know the Riverhead area, North Hampton area, there's a large corridor that was created for the cranberry farming, these, again, impoundments that have caused difficulty for fish access up into Wildwood Lake in this instance.

And then lastly in some -- some of these streams have been impounded, again, going back some eras ago to -- for ice harvesting. Again, virtually every stream has been impounded in some manner. And I think there's a great deal of opportunity for examining these impoundments. And where the opportunities present themselves to consider removal or at least creating alterations that do provide the access for fish. You know, one of the impacts that I have not described, and Doug will get into it in more details, but, you know, ultimately by virtue of creating an open water body, you're changing the ecosystem. And in some cases, you know, we have seen solar heating of these areas where we're changing water temperatures. That's affecting the biology. They are sinks for nutrients to come in, depositional areas where there's a buildup of muck that is conducive to aquatic invasives. We're spending a great deal of money in some areas to try to combat these invasives: Cabomba, Variable-Leaf Milfoil being two of the big problematic plants.

So, again, with respect to recognizing the impacts to the impoundments or the dams, the uses are no longer applicable. So I think we have to start to move into a change of thinking; and particularly as it relates to coastal resiliency. We've gotta open these corridors to the greatest extent possible to respond to rising sea levels and flooded attenuation. So, I think, again, it's really important. There are opportunities that Doug will allude to. And I do appreciate, again, being invited today and your attention to this important issue. Doug?

MR. SWESTY:

Thank you very much for the time to talk here today.

I wanted to discuss some of the issues of dams in Suffolk County in particular. As Kevin said, there's a dam on almost every single stream that we have here on the Island. In fact, there are only two that I am aware of: One, Yaphank Creek within Wertheim, and Beaver Dam Creek, a little bit to the west of Wertheim National Wildlife Refuge, do not have dams on them, and are able to allow fish, for example, to pass freely between the freshwater systems and the marine ecosystem.

As he stated, they no longer serve any sort of industrial or public safety purpose. We're fortunate here on Long Island, we don't have the kind of flash flooding that they deal with Upstate. Our streams are not usually fed by runoff. They're fed through groundwater. And while we can have high groundwater events, and we do have flooding that occurs on the roads and highways, we know there's a problem with that, the streams themselves are not flashy. Even if you look at 100 year events, for example, there are only -- they have stream flows that are only four times what the -- or five times what the base flow of the stream is in comparison to tens of times that you would see on Upstate streams. So we don't need these dams for flood control purposes. They weren't designed for that and they're simply not used for that here. So there's little benefit in many cases to maintain these impoundments. And they do cause extensive environmental damage. And I wanted to talk a little bit about that.

But before I do, I want to mention that one of the reasons we're speaking before you all is because many of these are on County-owned properties. In fact, of our four major river systems, the Connetquot, the Carmans, the Nissequogue, the Peconic, all of those systems have dams on them that are owned by the County. They offer in many cases limited recreational value on the impoundments. And I'll actually backup here, this is an example. These are -- this is the Brown's River and we're looking at a satellite view of it here with the Sans Souci Lakes, if you would call them that, but they're really just a series of impoundments that no longer serve any legitimate purpose. You have an invasive species -- an aquatic invasive species problem there. And those could potentially be opened up to allow the stream to flow naturally, which would provide access for fish. It would eliminate other issues. The aquatic invasive plants usually will not thrive in flowing water. It solves that issue. And it provides a more natural habitat for Long Island's native fauna.

Now, it's not just fish passage that are the issues. There are a number of environmental issues. Fish passage is one. This really threatens the diadromous fish populations here, as Kevin talked about when he was showing the pictures of the various types of fishes that make use of this. But this is also important. And it's important to understand this doesn't just affect the populations of the fish in the streams. It affects our commercial fisheries. These fish, in many cases, the alewives, the blue back herring and the American eels especially, are forage fish for our offshore fisheries.

And so when we talked about over the years the collapse of Long Island's commercial fishing industry, this is one of the contributing factors is the hindrance of the ability of these fish to spawn and move between saltwater and freshwater as they would naturally do. And, in fact, a number of these fishes, the first three I have listed there, alewives and blue back herring are currently -- there's a Federal mandate at this point for states to halt harvest of those until they can -- sorry -- demonstrate sustainability. American eels, there have been a number of petitions now to have that fishery listed as threatened under the Endangered Species Act, because these fisheries are simply collapsing. Brook trout is another one that Long Island was once famous for, its Sea Run Brook Trout, and we have almost no populations. We probably have 30 streams on this Island that support native brook trout on them, and almost none of them have any access to the saltwater like they once did.

There's also an issue of thermal pollution caused by these things. As Kevin mentioned, when you spread this water out over a very large area, and you can see from the very nature of the geology here on Long Island, I'll back up this digital elevation map, our impoundments are very shallow and broad. And so spreading that water out over a large area allows it to collect sunlight and it heats it up to, in many cases, very high temperatures. And I'll show you an example of that coming up in just a moment or two.

In addition, they also cause low dissolved oxygen levels. They often have algal blooms, freshwater algal blooms taking place in these impoundments that can create conditions that are not suitable for aquatic fauna.

And finally as Kevin mentioned, these things stop sediment transport, and there's a growing recognition right now that stopping sediment transport from rivers is having an effect on feeding and nourishing salt marshes of which we know we have a problem with here, especially on the South Shore. And this really feeds into the idea of coastal resiliency. If we're doing things that are harming our salt marshes, that's got a lot of negative impacts both for wildlife and for coastal zone land use policies.

And, finally, these things also create habitat for invasive species. They're not the right environment for Long Island's native fauna to thrive in. And so for this reason, in this day and age, new dam construction is unheard of. Right. Nobody would be allowed to build a dam on a stream like we have here in Long Island in this day and age. But the simple fact of the matter is most of these things continue to persist. And really dam breaching and removal are the new norms, and I'll get to that in my very last slide.

Let me also talk about some liability and cost issues arising from this. First of all, State law requires that dam owners maintain their dams in compliance with all regulations. Most of the dams on Long Island at this point are probably not in compliance. Many of them are earthen dams. There are strict requirements on earthen dams. You can't have trees growing on them, for example. There are other requirements, the details of which I won't get into, but it can be very costly to maintain these things. And any maintenance that's done of it often -- well, actually, always requires the issue of addressing fish passage. It's a State requirement at this point, that when you're going to make some modification or maintenance of a dam, that you need to address fish passage. And that can be a very expensive proposition and it's often very ineffective.

Dams can also be a public safety hazard. I mean, a great example here would be this picture that I have in the upper right -- upper left corner, I should say, I'm sorry, (referring) of a person standing on a dam. This is in Southaven County Park. This is a dam that's probably going to come out hopefully some time soon. We've already had discussions with folks in Suffolk County Parks about that possibility. People seem to be pretty favorable to that, but it's easy for someone to slip and fall on that and get hurt. That brings up a huge liability issue.

They are also acting in many cases as attractive nuisances. All right? There's vandalism that takes place on them. That dam in particular where the gentleman is standing on there, we often have people going in. And that dam -- the height and the impoundment behind it is controlled by boards that are pulled in or out to raise or lower the level of the impoundment behind it, which is only a foot-and-a-half high. But we commonly have people pulling out the boards and throwing them away, things like that. So there are issues there. And they are often subject to vandalism as well.

There seems to be sort of a belief among many people that fish ladders are really the solution to fish passage with dams. And in many cases we're seeing these things are often ineffective, and I'll cite an example here for you. This dam that's pictured here (referring), which has a number of people standing there behind it, I'm in that photo very proudly, this is from about ten years ago and there

are a number of people of note in there; John Pavacic, who at the time was Director of Suffolk County Parks; Peter Scully at the time was Director of the DEC Region One; to Peter Scully's left would be Jake Kritzer, who was with Seatuck Environmental. And many of us were there because we were dedicating this fish ladder that you see in the picture there that had just gone in. And we were very hopeful about how this was going to allow fish passage to occur at the Hards Lake Dam.

The reality is that we've seen now in the past two years, in particular, with studies that have been done by DEC in combination with folks from Cornell and from the SoMAS at the School of Marine and Atmospheric Sciences at Stony Brook, actually tracking fish usage here, we see a very small percentage of the fish that attempt to ascend the ladder are actually able to do it. We do pass some alewives there. We do some pass some adult eels but not many. We've seen one trout in the entire time use it; and that wasn't even a native trout. It was an invasive stock trout.

And so that's turned out to be a very expensive proposition. It hasn't been very effective. And this mirrors something that was published -- there was a study that was published in one of the fishery journals two years ago that looked at fish passage throughout the Northeast United States and concluded that by and large it was a dismal failure. People had put ladders in in the hopes that they would pass fish, but the simple fact of the matter is they don't seem to be doing it very well. Although species can in theory use them, the fact of the matter is for whatever reasons, and we don't understand it, oftentimes they don't.

The other issue which I alluded to was thermal pollution caused by the spreading out of the water so that it becomes effectively a large solar collector. This is an example of something here. Let me describe what this plot shows to you. In the lower panel of the plot you see a blue and a red line. What we were doing in this case is with permission of Suffolk County Parks, we were measuring the water temperature going into the impoundment at the head end of the impoundment. It's essentially the water temperature of the stream. That's represented by the blue line there.

The red line basically shows the water temperature as it's exiting the impoundment. And you can see it's substantially higher. And, in fact, the upper plot there, which shows in that purple line, the magenta line, the temperature increase caused by this, that impoundment in this particular case causes between -- at midsummer between 10 and 12 degrees of Fahrenheit of thermal heating of that water. And it raises it to a temperature in excess of 80 degrees at points, which is fatal to many of the native fauna that are here on Long Island. It essentially drives them out. In this case we believe there's about half a mile of stream that's basically rendered uninhabitable by the thermal pollution due to that impoundment.

So what could we do? Well, one of the things that we're going to recommend that the County consider for dams on County property, or which they have some control over in the future, would be to recommend that the County consider dam breaching or removal as a cost effective alternative of this passage. Often we don't even need to remove the entire dam. Usually what we need to do is breach the dam; that is, basically put a gap in the dam that would be sufficient to carry the normal stream flow plus a little bit of, you know -- I'm sorry, a little bit of extra room in order to handle any sort of flood that may occur. That's something that's mandated by State law, but usually is not very difficult to do that. Breaching typically is far less expensive than putting in fish ladders. And it has little risk here on Long Island because of the fact that our streams aren't flashy; because of the fact that we don't have these kind of flash floods that you see up in the Adirondacks or Catskills. Most of the water that rains down on us soaks very easy into the sandy soils that we have here, and so we don't have those, you know, flows during storm events where the volume of the stream flow goes up by many factors of tens or hundreds even in some cases.

And there are many sources of State and Federal money available for breaching and dam removal. This is in contrast to putting fish ladders in, which they are often very -- relatively few sources for.

And we know that the County has allocated money for these thing -- for fish ladders. And I don't mean to dismiss fish ladders. There are cases where we need to put them in because we can't remove a dam, but they should be considered a case of last resort as opposed to actually putting money into something that may not end up being very effective at all.

And finally there are no sources of money for dam maintenance. Breaching a dam or removing it gets rid of the problem once and for all. You're no longer liable for the issues of maintaining the dam; you don't have the hazards that you once did; you don't have the environmental damage that you once did.

Now, the question -- the idea of dam removal, my organization has been involved with dam removals throughout the Northeast United States from here to Maine. And we've often encountered the question what happens when you breach a dam? The streams recover quickly. And I can think of no better illustration of this than some picture here of a dam removal that took place not that far from here on Martha's Vineyard for a stream that's very akin to the kinds of streams that we have here on Long Island. This is on the West Tiasquam River in Martha's Vineyard (referring), which was removed in the Spring of 2015. And I have two pictures here which illustrate what that former impoundment looked like six weeks after the breach on the left; and on the right what it looked like thirteen weeks after the breach. Within two weeks a new stream had basically carved itself into the former lake bottom. It's sand gravel bottom like we would have on our streams here. And the muck that had been deposited over the many, many years that that dam had been in existence quickly grew up. It's full of seeds. It's full of nutrients. You essentially needed to do nothing with it in order to get the picture that we have there at 13 weeks. Now, you could certainly plant native fauna in there -- or native flora in there and basically, you know, push that further, but you didn't really need to do anything.

And my last slide here, which I'll conclude with, is now that dam removal and dam breaching has become the norm throughout most of the United States. This graphic, which I'm showing you from Americanrivers.org illustrates dam removals since 1916. And you can see that the states around New York have been very busy with dam removals. And, in fact, the green icons on there illustrate dam removals that took place in 2015. New York's had very few; and, in fact, none of the ones that are depicted here are on Long Island. We're way behind the curve on dealing with this issue.

So I'll stop at that point and we'll answer any questions you may have about the issue.

CHAIRPERSON HAHN:

Legislator Fleming.

LEG. FLEMING:

Thank you, Legislator Hahn. Thank you so much for coming. This is really fascinating and important. Do you have mapping that shows where specific dams are so we know what are in our districts and what we can get to work on?

MR. SWESTY:

We do actually. Our colleague Enrico Nardone, who couldn't be here today because he's meeting with the Army Corps fighting this battle on another front, is actively working on a GIS layer that will depict that. We hope to be able to provide the County with that sometime soon that would do that. There are -- many of our County parks where there's any sort of stream running through have in many cases dams on them; in fact, multiple dams in some cases. It's not just County parks. There are other County properties that, for example, have them as well. On the Carmans River alone, there are at least four different dams that are controlled by the County that are owned there by the County -- four different dams on the Carmans River that are owned by the County. As I said, all of our major river systems have them and -- that are owned by the County. And there are

probably many other streams that we may not even now about yet but we hope to provide that later sometime soon.

LEG. FLEMING:

Yeah, if you have specifics that you could just pass onto my office, I'd really appreciate it.

MR. SWESTY:

That'll be -- yeah, we'll be happy to do that.

LEG. FLEMING:

Where was the -- where was the dam -- I may have misheard you, where you showed the gentleman standing, it was kind of a big and high dam. Where was that?

MR. SWESTY:

Right there. That is on the Carmans River in Southaven County Park. That's completely contained within the park and that basically is -- provides only about a foot-and-a-half of elevation. It's not clear why that was ever put in. We've already had some preliminary discussion with some folks from -- Nick Gibbons from Suffolk County Parks about the possibility of removing that one. I don't think there's any opposition to removing it. It would just be sort of a case of finding the funding to actually make that happen, that particular one.

LEG. FLEMING:

Thank you. And then just finally I wanted to ask you about thermal pollution and the relationship with climate change. I actually in my district, which is the East End of Long Island, the southern shore -- I mean the southern fork -- Al's on the North Fork, as you know, but I think we both have -- there's particular concern about alewife passage. And a lot of our streams and creeks, I think, are drying up in the summer season in a way that they didn't used to; and so the alewives aren't able to pass. I don't know what the relationship is to the dams, and I'd love to know. But could you talk a little bit about thermal pollution and how it's exaggerated or the problems are exacerbated under climate change conditions?

MR. SWESTY:

Sure. I'll let Kevin speak, before let me just -- before I do that, let me just say that on Long Island, we are fortunate that our streams are groundwater fed. So if we take care of our streams, the great thing about groundwater fed streams is they tend to be fairly resistant, more so than streams that are fed by surface flows, to being affected by climate change. If we could remove dams, we could essentially have these streams running cold year-round, all right, and they'll be resistant to climate change. But the issue of drying up is a little bit of a different issue and I'll let Kevin speak to that.

MR. McALLISTER:

Legislator Fleming, that was a very good question. And I'll point this out and this goes to water demand of basically groundwater, whether it be the density of housing as well as what I refer to as trophy lawns, excessive irrigation use. And many of our areas are feeling the level of groundwater actually reduce and, in fact, you would -- you would have a reduction in what's called the hydrostatic head, in other words, that volume of groundwater coming into the streams. Again, I can't say this with certainty, but it is plausible that we are drawing too much water and we're having a negative effect on stream flow in some of the areas that you're referring to.

MR. SWESTY:

I'll also follow up, I mean, there are streams on the south shore there where Suffolk County Water Authority has had to do stream flow augmentation to keep them flowing simply because of water use. And this is one of the issues we need to be concerned about, what sewerage is. Sewerage

may reduce the level of nitrogen going into our bays and our waterways, but it's also an issue with potentially drying up streams here on Long Island for the very reason Kevin mentioned.

And to once again get back to your issue about thermal pollution, we can protect against thermal -- we can protect against climate change here if we can get these dams out of the streams, because the streams will run cold provided there's enough flow into them. And so that -- that's a critical issue for sustaining our fisheries in the face of climate change.

LEG. FLEMING:

I appreciate that point about water conservation. I think I'm coming to learn that water is so inexpensive in Suffolk County that folks just don't even think about how much they're turning on those sprinklers or making other wasteful use of water. So I appreciate. This is yet another adverse impact to the environment, that kind of behavior. I'm looking forward to working on that. So thanks for bringing it up.

MR. SWESTY:

You're welcome.

CHAIRPERSON HAHN:

Legislator Krupski.

LEG. KRUPSKI:

Thank you. I have a couple of questions. I think -- and thank you. It was very -- very informative. The -- could you go back a few -- it might back before it -- I'm sorry -- it shows that -- right there, yes, (referring). So you've got that heavily developed area and you've got this water body in between. And you have to -- knowing anything about land use, you'd have to make the assumption that the area wasn't developed closer to those impoundments, because when you impound the water, of course, it makes it more of a swamp adjacent to it also depending on elevation and soil types. And that's why it wasn't developed any closer. If you remove that -- those impoundments, would there be a concern about changing the land use there? Suppose that's not public lands, supposed it's still private land; and then you'd have even more development adjacent to, you know, a waterway.

MR. McALLISTER:

Legislator Krupski, I have thoughts certainly -- and this goes to the Carmans River, for instance, and there's, you know, question what happens after you breach a dam or remove a dam; they'll be a contraction in that stream. But the reversion would be from surface water to a wetland complex. And ultimately the -- the value, of course, whether it be freshwater or tidal wetlands is enormous, principally with filtration and take up of nutrients, etcetera. I don't believe those parcels would become buildable by virtue of the fact that they are protected as wetlands.

MR. SWESTY:

Also, I'll reply to that, too. In most of the cases where you would be looking at dam removals on County property, the property surrounding it is County-owned and it's not privately owned. So I don't think you would have the issue of development there. That has been -- what you've spoken to has been exactly a problem. There's a problem on the branch of the Nissequogue River near here, for example, where there was development and it was done during low groundwater years, I believe, in the 1970s. And now when we're under normal groundwater conditions, we have folks in those developments complaining about water in their basement thinking that the issues are due to the stream, and the reality is it isn't. The stream is nothing more than a surface expression of a groundwater table. And so I think that's going to also limit development in that situation from occurring.

LEG. KRUPSKI:

All right. Well, I hope -- I hope you're right. I hope we've learned something. Okay.

Another question is the impoundments, and I'm not familiar with that one; I'm more familiar with the ones in the Peconic River. Do the impoundments provide additional spawning habitat? And I'm thinking about the alewives that come up Grangeable Fish Ladder and get -- and get stuck at the, you know, upper mills and Woodhull Dam.

MR. SWESTY:

There is a --

LEG. KRUPSKI:

If they get past those, and say there was an effective fish ladder and they got past those, is all that impounded water, does that provide good spawning habitat? And would you lose some if you took the -- if you lowered the water level there?

MR. SWESTY:

That's a good question. There is more that basically flat water, essentially ponds of some sort, provide the optimal spawning habitat for alewives. Certainly other fish like, for example, the brook trout, that's not true for. But keep in mind that -- that these -- the Island here had tremendous alewife and blue back herring runs long before colonial times, all right? They did not need artificial impoundments to be able to spawn. We had quite a successful fishery here long before humans came along and started tinkering with the landscape to do that.

So, yes, there might be some loss of some habitat for alewives in that case, but we know that the alewives in many cases have managed to eek out an existence even in the small areas below these dams before that -- before, for example, Grangeable Park went in. There was still an alewife run there, right, that was maintained even before the Grangeable Park Rock Ramp went in.

So I don't think that the argument that we need to maintain these things in order to maintain spawning habitat is really a viable one. That's an area that really should be subject to more research, but it seems to be the case that these things survived without that.

LEG. KRUPSKI:

I think that a concern, though, because if you'd look -- if you go back -- you know, you're going back to colonial times before the dams were built. But having said that, if you look, and that slide up there illustrates what's happened since then, and you've lost a lot of the seasonal areas that are wet where traditionally alewives could have gone into and spawned, those are -- I mean, you can imagine the acres of wetland that have been seasonably wet and available for spawning that have been lost in the past few centuries. So, my point is you might not want to lose any more habitat. That's something that, I think, you'd really have to look into the numbers and say what are you going to lose here? Because you've lost so much already historically.

MR. SWESTY:

Yeah, well, that's certainly true. But as Kevin mentioned, you are not going to -- you are still going to have wetland, I mean, there. There are going to be all sorts of nooks and crannies back where alewives are going to be able to tuck back into the aquatic vegetation there and still continue to spawn. It just may not spread over such a large area. And I don't think the area of the spawning habitat has been the critical problem in maintaining alewife fronts. But there are other people that you could speak to about that. And I believe that basically the regional fisheries manager, Chart Guthrie, the freshwater fisheries manager Chart Guthrie, would be happy to talk to you about that.

LEG. KRUPSKI:

If he was -- if he was here, we could ask him to come up and speak.

MR. SWESTY:

I believe he would be supportive of that position as well.

LEG. KRUPSKI:

Could you?

MR. SWESTY:

Yeah, yeah.

CHAIRPERSON HAHN:

Bridget has a quick follow -- I'm sorry, Legislator Fleming has a quick --

MR. SWESTY:

I had no idea you were here.

LEG. KRUPSKI:

Neither did I.

CHAIRPERSON HAHN:

I guess, then, we'll bring him up. If you can identify yourself for the record and make sure you speak into the microphone.

MR. GUTHRIE:

Yes, good morning. I'm Chart Guthrie. I'm the Regional Fisheries Manager with the DEC. I came because this is a matter of interest and concern. While removal of the dam would potentially remove alewives spawning habitat immediately above the dam, moving the alewives up the system is generally beneficial, specifically some examples -- historically what the alewives did on Long Island, to a large extent, is that they found kettle hole ponds and spawned there. The largest alewife run on Long Island right now goes into Big Fresh Pond in Southampton up Alewife Creek, which is a really tiny creek.

The Peconic system, probably the largest part of that run, would be getting fish up into Wildwood Lake, which is another natural impoundment. And actually there was one year when we documented successful spawning in Wildwood Lake. I'm not sure how the fish got up there, but the little ones were certainly coming back down afterward.

So fish passage or removal of the Woodhull Dam would greatly enhance the Peconic system's production of alewife. Generally I'm in agreement that the best management is to figure out how to -- how to get these dams out of here. They'd greatly reduce the cost of maintenance, overtime and bring the systems back closer to natural.

I think two specific cases where the County's actively involved in fish passage projects where they should do a serious investigation of costs relative to the cost of fish passage and maintaining the dam forever versus the cost of breaching the removal of the dam, are the Woodhull Dam on the little river, which feeds into the Peconic that I just mentioned; and also the Lower Lake dam on the Carmans River where the County is investigating a -- they have, I believe, 30% design of what would be an excellent fish way, a rock grant fish way similar to what they have at Grangeable Park, but it will also be a very expensive fish way and would get fish up into Lower Lake, which has had serious problems with invasive species. The town at the same time is investigating possibly spending lot of money to dredge Lower Lake. If the Town and the County got together, they could

spend a lot less money and breach that dam and restore the Carmans River to more of a trout stream.

Those temperature graphs that Doug showed, he didn't mention but that's temperature above and below Lower Lake in Yaphank. And the largest naturally reproducing brook trout population on Long Island is in the Carmans River immediately below Lower Lake. We could potentially extend that brook trout population almost up to the base of the Upper Lake dam, which would not quite, but almost double the amount of brook trout habitat that we have in the Carmans River at this time by breaching that dam.

LEG. KRUPSKI:

I've got just another question for you, if I could. I've got a list from -- and we got this from the DEC from Julie Nace last week about the Woodhull Dam, but also the Upper Mills and the Forge Road and Edwards Avenue, of course, the State is putting in a fish passage there. How would you -- and you mentioned the one at Lower Lake. How would you -- you're talking about reconstructing the whole road there. I mean, obviously the Forge Road is the road and the same at Edwards. I mean, Edwards they're just doing the fish passage. They're not going to change the elevation there, right?

MR. GUTHRIE:

No, they are not. When the Edward -- Edwards Avenue Dam failed or nearly failed about ten years ago, I recommended to the powers that be in the DEC that they seriously consider removal of that dam. But the feeling in Albany at that time was that they didn't want to go in that route, so they designed a rebuild of the dam. They did include both a fish ladder and an eel ladder at that location.

The Peconic River -- sorry -- when they were originally putting in the -- or discussing fish passage at Grangeable Park, I recommended to Riverhead that they look at removing that dam. That was not looked upon favorably and they put in the rock ramp, which is doing an excellent job. They are in the process of putting in -- or of looking at fish passage alternatives for Upper Mills, the next dam up. That's one that --

LEG. KRUPSKI:

Sorry, could it -- could we have the pictures put on that? I have pictures, then, if you could explain it. And I was going to explain it but you're going to -- I have great interest in this, but you're going to do a much better job. Thank you.

MR. GUTHRIE:

Okay. This is Upper Mills Pond. This is the -- the roadway goes across the pond to a LIPA, PSE&G, whatever you call it now, substation. It's -- for that purpose the roadway needs to stay open. The Peconic Estuary Program is working with the County and other stakeholders. The dam itself is owned by LIPA, maintained by Riverhead, and there are part ownerships of County and Town in there as well. So it's kind of a complicated issue. But, anyway, they're working on fish passage. I'm mixed on breach or removal of that dam. I think it would make the Peconic pretty much free-flowing from the Forge Pond Dam, which is the next dam up, all the way down into Riverhead. The Peconic is a warm water river so the warming of the water behind the dam is not as big an issue as it is in a cold water river like the -- like the Carmans. And the pond above Upper Mills Dam does provide a fair amount of flat water fishing opportunity.

But, again, making the Peconic free-flowing through that wouldn't necessarily be a bad thing. And I think your picture's -- do they probably move up the -- well, this is the outlet of the Upper Mills Pond Dam. It actually flows into a small impoundment that's held back by a USGS gauging station, which is another impoundment on the river. It does provide a certain amount of blockage to alewife and

in the process of developing fish passage at the river, that has to be addressed as well.

That's still the outlet to Upper Mills Dam (referring). And that's the spillway (referring) -- that nearly failed, I think, it was 10 or 11 years ago now, and Riverhead had to do an emergency repair to keep the dam from blowing out altogether. That's one thing where some of these dams have fairly recently been repaired or upgraded. So it reduces the pressure on -- to remove them. My feeling is if a dam needs repair, that's the time that you need to address possibly taking the dam out.

LEG. KRUPSKI:

Where does the reluctance come? And you said the decision made on Edwards Avenue not to remove the impoundment, where did that decision come from and how was that made?

MR. GUTHRIE:

That decision was made in Albany, and I never got a good explanation. To my knowledge, nobody ever polled the residents. There are a few residents on that impoundment above Edwards Avenue. Much of it's owned by the DEC. And it historically was a cranberry bog. There would have been some necessity to remove a couple of berms upstream that block for cranberry bogs. But I never got a good reason why that decision was made. People have a tendency to -- you know, the dam's been there forever, we want it to stay. Well, unfortunately the dam really hasn't been there forever, but it's been there for everybody's memory. I think people are finally starting to realize that maybe we should look at alternatives here when it comes in. Unfortunately I wasn't able to successfully push that with Edwards Avenue.

MR. McALLISTER:

Legislator Krupski, I'd just like to reiterate one point. With the lower impoundment, that is a County dam, County road. I'm not a structural engineer, but I can tell you that there's going to be some serious repair that's required. It's currently required. So when you bring in your County engineers, the expenditure of dollars to reinforce that dam, this is -- as was pointed out, this is an opportunity to visit the idea of breaching or removal.

LEG. KRUPSKI:

Thank you. I did -- thank you for that. I did make a note because we have Public Works on the agenda for this afternoon, committee, and I'm going to bring that up with the Commissioner, because that's a very good point, fix it when it's broken, as opposed to -- once you make that investment in infrastructure, everybody kind of gets queasy.

CHAIRPERSON HAHN:

Legislator Anker.

LEG. ANKER:

I guess -- I don't know if someone could answer. You might want to stay up there. You may know this, I don't know. How many dams are there? Between the three of you guys, how many dams are out there that need to be addressed?

MR. GUTHRIE:

In New York State the number I've heard is something like 10,000.

LEG. ANKER:

Let's get that down to Suffolk County.

MR. GUTHRIE:

(Laughter) I couldn't say exactly, but it's probably pushing a hundred.

LEG. ANKER:

So we have a hundred dams. Okay.

MR. SWESTY:

I would follow up on that. There are actually -- on the south shore there has been a barrier survey that was done a few years ago which we could provide you with a copy of, that looked at that, that could chronicle the exact number on the South Shore of barriers. That was done by the SSER and has details on where all of those are located.

LEG. ANKER:

Okay. And the other very important question, I was waiting for this to come out with this conversation, and I don't know if I didn't hear it, but why were the dams built?

MR. GUTHRIE:

It depends on the dam. As I mentioned, the one at Edwards Avenue was built for cranberry bogs. If we're going on the Peconic, the next one down Forge Pond or Peconic Lake, there was an iron forge there and they used that as a water supply for that. They also used the lake for ice harvesting. And then the Upper Mills Pond, they actually had an electrical generating station there for a while.

LEG. ANKER:

So are any of those projects in existence today?

MR. GUTHRIE:

No. The only use for impoundments nowadays is recreation. And some of these provide good recreation that you wouldn't be able to get very well otherwise. We didn't -- the one impoundment on the Peconic that we really haven't discussed, and, of course, Al's gone right now, but --

LEG. FLEMING:

He's listening.

MR. GUTHRIE:

But the Peconic Lake or Forge Pond is the largest impoundment on the Peconic. And that's -- at 120 acres, it's the third largest lake in Suffolk County. And it provides an amazing amount of flat water recreation. It's an excellent bass fishery: Pickerel, pan fish, it gets a lot of use.

Legislator Krupski, I moved up to the Peconic Lake and I'm addressing the fact that -- that Forge Pond or Peconic Lake is the third largest -- or actually the third largest lake in Suffolk County and provides excellent warm water fishing opportunity bass, pickerel. So it's one where I would not advocate removal of the dam, but there are lots of others where the recreational value has declined substantially. One thing about lakes is they're all -- all lakes, natural lakes, manmade lakes, regardless, they're all temporary. The life of the lake is whether a dam's built and makes it or whether a glacier digs a big hole and leaves it full of water; either way as soon as they become a lake, they start filling in and they get sediment runs in from the shore and they get shallower and shallower over time. And as they get shallower, they get more nutrients and more plants grow and eventually they become a marsh and a wetland and then a field or whatever. If it's a manmade lake, that process happens in tens or hundreds of years; whereas it can be thousands of years or millennia for a natural lake.

LEG. ANKER:

Okay. I just -- also the economic impact of either keeping, you know, the dam or not, or taking it down, I think, will vary, it sounds like you're talking about that. And I'd like to see a list -- a priority list of what I would call low-lying fruit or low-lying dams that are easy to convert. And then

maybe some of the dams that may not be as beneficial to, you know, take down. What's your response to that?

MR. SWESTY:

We're working on that actually. Kevin, I, Chart are calling Enrico Nardone, who isn't here today, Byron Young, who also works with Seatuck, have been trying to develop -- we've been talking about the development of a priority list on those things to see where the -- as you put it, the low-lying fruit is -- low-hanging fruit is that we could basically make big progress on. Some of the ones that Chart just mentioned actually are certainly among that low-lying -- low-hanging fruit. Hopefully we could provide a formal list to you in the very near future.

LEG. ANKER:

And also just keep in mind, and what you have said is that if you're looking at a dam and you're going to take it out, you may lose some of those precious native fish, native plants that have been able to survive all this time. So I think it would be very important to have an inclusive committee, you know, in other words, make sure all the stakeholders are around the table before addressing the dams. Would you agree with that?

MR. SWESTY:

Oh, absolutely. I'll also mention, though, that the habitat formed by these artificial impoundments is usually not the favorable habitat for the native fish. It's often favorable habitat for fish that are not native to Long Island, so.

LEG. ANKER:

Good to know. Thank you.

CHAIRPERSON HAHN:

Legislator Trotta, did you have any questions? We are running short on time.

LEG. TROTТА:

Sunken Meadow Creek, they took down a bunch of those wood things. They come in and -- and I've watched it, you know, in a year, there's trees growing where there used to be water. I mean, my concern -- I like the field part of it but, you know, I have mixed feelings on it. Because I look at where there used to be a pond and ducks and all this stuff, now it's, you know, a stream maybe two inches deep and three feet wide. And on a high tide it comes up a little bit, you know, it fills the pond, you know, maybe six inches. And then on low tide it's nothing. I mean, I have mixed feeling -- I mean, I look at the fish in there, I don't, you know -- there's so much acreage back there. Are you familiar with Sunken Meadow Creek?

MR. SWESTY:

I'm not familiar with that. I think Chart probably is. I'm putting him on the spot.

MR. McALLISTER:

Legislator Trotta, as I described when you breach these dams or remove them, you're reverting to natural flow. So, again, the impoundments will contract. You are transitioning the habitat type so likely reversion into swamps or marsh wetlands but --

LEG. TROTТА:

I was shocked how much -- the trees started growing.

MR. McALLISTER:

But let me point out the benefit to that habitat for water filtration in particular, the wetlands. And one last point I'd like to make, Legislator Anker, with respect to your inquiry, these

impoundments -- in the interest of managing them for recreational use, basically open water, we've been employing or seeking to employ toxic herbicides in some of these systems and have been employing, as well as million dollar projects for dredging just to keep them open in, again, trying to combat Cabomba and Milfoil. And again, reversion to a natural stream, there's cost savings there and obviously improvement and enhancement of habitat for important fish species. Thank you.

LEG. TROTТА:

The Nissequogue River, I mean, there's all kinds of -- you know, Wells Lake would be empty, right, I'm assuming, right here in Blydenburgh Park. If you were to take those down, that lake would be gone.

MR. SWESTY:

We're not necessarily advocating every single dam be pulled here. As Chart said, there's a balance. They -- and I think he would agree that he probably would not prioritize that, I'm assuming. No.

LEG. TROTТА:

Like White's Pool -- what about White's Pool up by the bull in Smithtown?

CHAIRPERSON HAHN:

Yes, I'm sorry. You do have to -- in order to be on the record, you have to speak into the mike.

MR. GUTHRIE:

Yeah, White's Pool is actually the plunge pool below the Philip's Mill Dam, which is -- that's -- the Philip's Mill Dam is a State-owned dam, mostly State Parks. It has some serious structural deficiencies and the State is discussing what to do with it. If they were to take that out, you would then have a fleet -- free-flowing stream from the base of the Blydenburgh Dam all the way down, which would benefit the trout population there. You might lose the pool, but there are actually stream structures you can put in to maintain the pool even in -- and have a free-flowing stream along with it.

LEG. TROTТА:

Would that affect the ponds up on Caleb's Smith State Park there, like -- on the north side of Jericho? That's probably ten acres, maybe even larger.

MR. GUTHRIE:

Yeah, those ponds -- taking out the dam at Philip's Mill Pond would have no effect on those ponds. Those ponds are also man-made and maintained by dams. Again, those are ponds that are still -- for the most part still have high recreational value, both Vail and -- I always mix them up -- the one on the north side of 25 --

LEG. TROTТА:

The kids fish in there. There's no boats or anything.

MR. GUTHRIE:

No, they don't have boating, but they do have fishing in those. And so they provide recreational opportunity.

LEG. TROTТА:

If you were to take that down, it would run under Jericho into the Nissequogue?

MR. GUTHRIE:

Yes.

LEG. TROTTA:

And that would be empty there, then.

MR. GUTHRIE:

Well, it still runs under Jericho into the Nissequogue. But, yeah, if you took the dam out, what you'd have is a small feeder stream and a nice wetland.

CHAIRPERSON HAHN:

I think we're going to -- I think -- I'm so glad that there's so much interest here. So I think we're going to look forward to, you know, a priority list that involves Suffolk County property that we can have, you know, input into. I'm sure you'll be doing your own list of all of the dams, but we'd also like the ones in Suffolk County. And I know we have interest from Legislator Krupski, who's Chair of Public Works, myself as Chair of EPA, I'm sure we should include the Parks Department and Committee. And I know we're going to finish up with one quick question from Legislator Fleming because we do have to move on today.

LEG. FLEMING:

Just a super quick point, not a question because I know we're short of time, but I wanted to just note there's been a lot of discussion about the impact on predator fish of these -- you know, passage of these smaller fish, but there's other wildlife that's also impacted, particularly birds. And I can say when Big Fresh Pond is -- the passage is clear and the alewives are running, our trees in Conscience Point are filled with black crusted night herrings, amazing sight. And when we talk about economic engines, folks come out to see this stuff, you know, we're near Morton Sanctuary. And those birds are super important to what we do and our economy and they need the alewives to eat, to live.

CHAIRPERSON HAHN:

Thank you.

MR. McALLISTER:

Legislator Hahn, thank you very much. We're very pleased with the intelligent questions and the engagement. Thank you, again, for this opportunity.

CHAIRPERSON HAHN:

Thank you for coming. Thanks, Doug.

Okay. All right, we're going to try -- if we don't mind, I have a -- I actually have to leave for a funeral, so we're going to try to move along here. Onto -- there are no Tabled Resolutions so onto Introductory Resolutions.

INTRODUCTORY RESOLUTIONS

IR 1168 -- and I know that the Department's going to come up with Director Lansdale and Laretta Fischer probably and whoever she wants to bring forward. **Introductory Resolution 1168, Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, TDG Jamesport Owner, LLC Town of Riverhead (SCTM No .0600-068.00-01.00-035.000). (Krupski)** We did have an e-mail from Laretta with maps of these properties.

DIRECTOR LANSDALE:

Would you like me to provide some more background on this?

CHAIRPERSON HAHN:

Thank you.

DIRECTOR LANSDALE:

So the property is located on -- north on Main Road, Old Post Road, west of Manor Lane in the Hamlet of Jamesport, Town of Riverhead. The property is 9.71 acres in size. The property is located within the Central Suffolk Special Groundwater Protection area. It's predominantly wooded consisting of an Oak Pine Habitat with a steep sloped topography as was previously mentioned in the public testimony. And it has a rating of 13 points. The property receives points for its location within the SGPA, its location along a main road and its size.

CHAIRPERSON HAHN:

So this is -- I'm sorry, we don't have a motion or a second yet.

LEG. KRUPSKI:

Would you like one?

CHAIRPERSON HAHN:

Sure, if you want to make a motion.

LEG. KRUPSKI:

I'll make a motion.

CHAIRPERSON HAHN:

Motion by Legislator Krupski; seconded by Legislator Fleming. On the motion I'm going to ask a question. So we did have a speaker on this earlier; is that correct?

LEG. KRUPSKI:

Yes.

CHAIRPERSON HAHN:

So I was under the impression it was going to be for -- you know, based on the speaker's comments, that it could be for farmland. Is there a reason why it's a farm property and is there a reason why --

LEG. KRUPSKI:

It's actually -- it's actually both. This parcel is the --

CHAIRPERSON HAHN:

I'm looking at the map now. The front parcel, I see.

LEG. KRUPSKI:

So it's on for both open space -- for appraisal as open space to be preserved for the public use and also farmland development rights. So we put it in as both to make sure that it would -- two separate resos to make sure that the landowner had an opportunity, that he had -- his options were both open. Land preservation's a voluntary program. And we want to make sure that while this parcel could be developed, that certainly it would -- if you look at the -- and if you look at the map there, it would certainly benefit the Hamlet if it were preserved.

CHAIRPERSON HAHN:

However, we have a threshold that we usually meet for open space that's 25 points and this is 13 points. So, you know, we're going to struggle with that --

LEG. KRUPSKI:

I haven't had a chance to, in all fairness, to take a look at the ranking here. It seems awfully low for a parcel that is significant for -- also the archeological. I don't think that was given any points

at all here.

MS. FISCHER:

The archeological information is not considered as part of the natural environment criteria. We did put it in our active recreation historic sites category ratings sheet. So it does not consider it here; however, we can, you know, look into whatever information you have available and consider it.

CHAIRPERSON HAHN:

Legislator Krupski, if you'd like us to table, if you'd want to look through this more carefully and see if there are other points that you think this deserves --

LEG. KRUPSKI:

I'd like to approve it. It is -- it is a very important site here. And just because the -- the way the rating system -- and you could redo the rating system so that this would rate in the 90s, you know. There's always different ways of rating things so --

CHAIRPERSON HAHN:

Well -- but we do have an established rating system that we've been using. And unfortunately for the purposes of open space preservation, this doesn't meet those qualifications. Questions? Were there other questions did I see? Legislator Trotta.

LEG. TROTTA:

I agree with the same thing. I mean, I see a lot of open space in that picture. In Western Suffolk something like that we'd pass over because it doesn't meet it. Now this is way below. I've had things higher than this that weren't approved so I can't support this.

CHAIRPERSON HAHN:

Legislator Anker, did you have a comment?

LEG. ANKER:

I was just looking at it visually. You know, it looks like it's a nice wooded piece of property by -- on the main road, which, you know, I think it's great for accessibility.

CHAIRPERSON HAHN:

Legislator Fleming.

LEG. FLEMING:

Just a quick point. The archeological finds on this site are very significant. I think, you know, for -- our Native American population is trying so hard to reestablish their history. I would hate to overlook the archeological significance of this piece. I think folks who aren't out there looking at the news may not be aware of how significant it is, but it is significant archeologically.

CHAIRPERSON HAHN:

Legislator Krupski.

LEG. KRUPSKI:

I would be open to, then, changing my motion to discharge without recommendation and -- because this should -- this should be available for all activities and all funding sources. This should be for passive active rec and also hamlet park. And I'd like to see -- and I think, then, it would rate -- it'd be a different rating and it would rate a lot higher and it would be acceptable to everybody.

CHAIRPERSON HAHN:

Then I think we should table it. If we're going to change the rating, you know -- I mean -- I'm

sorry -- if we're going to change the source of funding and the whole program that we're going to use, I think we should table it and reconsider that, you know, if you're going to amend it for that, that's a whole --

LEG. KRUPSKI:

Well, I think if we -- why don't we discharge without recommendation and we can sort that out next week at the General Meeting? If it's not -- if it's not acceptable at that point, we can table it then.

LEG. TROTTA:

Motion to table.

LEG. FLEMING:

I'll second the motion to discharge.

CHAIRPERSON HAHN:

We have a motion to discharge without recommendation and a second. We have a motion to table but no second unless --

LEG. ANKER:

Let me just mention, though, again, this -- there's -- there's, you know, maybe some additional funding, resources, there's looking into the rating. There's a lot of things that we might want to look at, you know. If we get this to the general Legislature, it may not pass and then that's it. It's gone. So if we can table this for now, it can really, you know, get some momentum going and some energy going.

CHAIRPERSON HAHN:

Is there an urgency, Legislator Krupski? Is there some sort of -- what's going on?

LEG. KRUPSKI:

It is -- it is a high priority for the area because it is under immediate development pressure.

CHAIRPERSON HAHN:

Is that what you're finding at the -- have you -- Laretta and Director Lansdale, have you spoken with the Town about the development pressure?

MS. FISCHER:

We had a meeting --

CHAIRPERSON HAHN:

Do they get points for that?

MS. FISCHER:

We had a meeting in Legislator Krupski's office about two weeks or so ago and the Town was represented there. And Legislator Krupski can speak to this as well. But their funding sources are nil as far as I can tell, although we spoke about this property with regard to both farmland PDR and open space. And we felt that the open space category was more appropriate for this property because of its wooded character. And that's why we thought it would be more appropriate in that vein. But if you want to look at it as a hamlet park, it has some issues with regard to steep slopes and access, but we can certainly look at it in that respect as well. We'd have to do another rating and have it, you know, adjust the resolution to identify it as a hamlet park acquisition rather than passive open space acquisition.

CHAIRPERSON HAHN:

Right, but the question I was asking was how far along are they with the Town in terms of a development proposal and, you know, whatever process they have to go through at the town level to get that approved?

MS. FISCHER:

They did speak about a subdivision that was up before the Town Planning Board. I believe they said about six months and I could be wrong, Al, with regard to the timing of approvals.

LEG. KRUPSKI:

They -- the previous owner had an approved site plan for basically wall to wall paving it with retail and some sort of food establishments. The -- currently the Town is looking at some sort of assisted living facility with a very high density. So that's -- that's the -- it's very real pressure there.

CHAIRPERSON HAHN:

Okay. We have a motion to discharge without recommendation and a second. All those in favor of discharging without recommendation? Opposed? Abstentions?

LEG. TROTТА:

Opposed.

CHAIRPERSON HAHN:

Abstentions? Okay, we have four to discharge without recommendation but -- **(VOTE: 4-1-0-1.**

LEG. TROTТА OPPOSED. LEG. MURATORE NOT PRESENT)

LEG. KRUPSKI:

Thank you. No --

CHAIRPERSON HAHN:

Don't forget -- you know, I'm not even sure if Laretta could re-rate it that quickly but, remember, this, you know, this is rated very low using this system. So --

LEG. KRUPSKI:

It is. It's --

CHAIRPERSON HAHN:

Right.

LEG. KRUPSKI:

It doesn't reflect the importance of the parcel.

CHAIRPERSON HAHN:

Legislator Anker.

LEG. ANKER:

That's exactly what I have in mind, too, the importance of the parcels. I notice with the -- again, the rating system, maybe we need to look at the rating system. I know we just had done that, but there are some geological significant pieces of property out there with historical and archeological significance. Is there a way of including that or is that included in this rating system?

MS. FISCHER:

As I had mentioned, we did not include it for the natural habitat information. It is considered under the active or hamlet park category as far as historic sites considered for their preservation, etcetera.

So it is somewhat of a different category. And we identified them in that rating for such characteristics. So, you know, it's a question of whether we can get our hands on that information and verify it as well. And that's, you know, part of the issue with archeological information, it at times is very difficult to pin down.

LEG. ANKER:

I know Suffolk -- Stony Brook, their Anthropology Department has a significant volume of archeological information. But I also want to comment, too, the natural habitat got a zero. And I'm looking at the mass amount of trees and vegetation. So it didn't qualify for any points for natural habitat?

CHAIRPERSON HAHN:

Anyways, we can get all this for the next meeting. We need to move along.

LEG. ANKER:

Okay.

INTRODUCTORY RESOLUTIONS

Introductory Resolution 1169, Authorizing appraisal of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, estate of Dominick Mennuti Town of Brookhaven (SCTM No. 0200-713.00-03.00-002.001). (Browning)

LEG. KRUPSKI:

Motion.

DIRECTOR LANSDALE:

May I provide you with some background?

CHAIRPERSON HAHN:

Thank you.

DIRECTOR LANSDALE:

This property is approximately 1.2 acres in size. It's located within the Forge River Watershed where the County has been acquiring land for preservation and protection of this stream corridor for a number of years. The Comprehensive Master List update of 2012 identified over a hundred acres to be acquired by the County in this important watershed of Moriches Bay.

The property is adjacent to existing County-owned parkland and lands identified on the Master List. Due to its location within the Forge River Watershed, it is being proposed as an addition to the Forge River Watershed assemblage where the County currently owns 203 acres known as the Forge River County Park. The rating for this assemblage for natural environments is 52 points.

CHAIRPERSON HAHN:

And do we have a motion and a second already?

LEG. KRUPSKI:

Yes.

LEG. FLEMING:

Second.

CHAIRPERSON HAHN:

We have a motion and a second. Are there any questions?

LEG. TROTTA:

Yeah. How much land is this?

DIRECTOR LANSDALE:

How much land?

LEG. TROTTA:

Yeah.

DIRECTOR LANSDALE:

It's 1.2 acres.

LEG. TROTTA:

Who owns it now?

CHAIRPERSON HAHN:

Mennuti.

MS. FISCHER:

Mennuti. The owner is listed on the legislation.

CHAIRPERSON HAHN:

Dominick Mennuti.

MS. FISCHER:

Dominick Mennuti.

LEG. TROTTA:

And we're going to buy one acre of land?

MS. FISCHER:

Yes.

LEG. TROTTA:

In a watershed? Can he build on it?

MS. FISCHER:

Yes, he can.

LEG. TROTTA:

What town is --

MS. FISCHER:

Adjacent to another --

CHAIRPERSON HAHN:

Brookhaven.

MS. FISCHER:

-- piece to the west that we're also in the process of acquiring, which is right along the river

corridor; Forge River corridor.

CHAIRPERSON HAHN:

So we often buy small parcels in an assemblage area near a watershed like this. That's a very important watershed, the Forge River.

LEG. TROTТА:

That's it down below it there next to that blue line, is that the Forge River?

MS. FISCHER:

Yes, that's the wetland around the river, exactly.

LEG. TROTТА:

And how much -- this is just for an appraisal?

CHAIRPERSON HAHN:

Yes, this is to approve --

LEG. TROTТА:

How much does it cost for this appraisal?

CHAIRPERSON HAHN:

Fifteen hundred dollars.

MS. FISCHER:

Eight hundred.

LEG. TROTТА:

Fifteen hundred dollars for an appraisal on an acre of land.

CHAIRPERSON HAHN:

Yes. Okay, we have a motion and a second. Okay. Legislator Anker.

LEG. ANKER:

Real quick, what is this structure that's on there? I can't --

MS. FISCHER:

That's an old foundation that was originally a home. That will be removed before we acquire it.

LEG. ANKER:

Thank you.

CHAIRPERSON HAHN:

Okay. All those in favor? Opposed? Abstentions? It is approved. **(VOTE: 5-0-0-1. LEG. MURATORE NOT PRESENT)**

I unfortunately have to leave for a funeral. So Vice Chair Krupski will take over from now.

VICE CHAIR KRUPSKI:

IR 1171, 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, TDG Jamesport Owner, LLC Town of Riverhead (SCTM No. 0600-047.00-01.00-003.003). (Krupski) And when you get back, Kara, we'll bring up -- we'll

go back to the fish ladders and the dams. Don't worry. (Laughter) So I'll make a motion to authorize an appraisal; and the second by Legislator Fleming.

MS. FISCHER:

If I may?

VICE CHAIR KRUPSKI:

Oh, this is the back parcel. This is the back parcel.

MS. FISCHER:

If I may just mention that the Farmland Committee hasn't had an opportunity to review these parcels yet for a farmland PDRs. Our meeting is Thursday and we'd like to suggest that they be tabled until after -- 'til your next meeting.

VICE CHAIR KRUPSKI:

Because of the timeline, and this -- this is the problem with the process. The Farmland Committee is going to take a look at the back parcel here, which is 34 acres, and there's also five lots that we're going to take a look at next and also a 30 acre farm in Jamesport. So there's no benefit to tabling this because the farmland parcels have to go through the Farmland Committee, and if the Farmland Committee on Thursday when they meet sees no value in preserving these in farmland, they won't approve them and then they'll be withdrawn. So I would recommend discharging these without recommendation, letting the Farmland Committee meet on Thursday and then we can act on them.

LEG. TROTТА:

How much land total is this? This is the addition?

VICE CHAIR KRUPSKI:

This is the back parcel north of the red box there. It's 34 acres. The parcel surrounding it to the west and north and east are currently preserved and farmed. So this fits into the current land use of farming in the back there.

MS. FISCHER:

One of the issues with this parcel at the present time is that it is not being farmed. It is hopefully starting to be farmed. I spoke with the owner last week and he's turned under the soils to start preparing the land for agricultural production. However, you're going -- you know, we do like to bring before you the results and recommendations of the Farmland Committee before you move forward.

LEG. TROTТА:

There's no -- he's not selling this. There's no rush.

VICE CHAIR KRUPSKI:

Well, yes. There's always -- these two parcels are owned by the same owner. And actually all the other -- all the other parcels also, the Farmland Committee's going to meet on Thursday.

LEG. TROTТА:

I think we should wait. A motion to table.

VICE CHAIR KRUPSKI:

There's no downside to -- oh, thank you. Rob, you have to understand. I mean, if you want government to work the way it always works, you could just go along and table and just go along and get along. If you want to move these and actually preserve some farmland here, we have an opportunity to --

LEG. TROTТА:

I want to preserve a lot of land but, you know, I've had things that rate higher in Western Suffolk where most of the tax money comes from that haven't been approved, so.

VICE CHAIR KRUPSKI:

And this, we haven't even seen the rating on this.

LEG. TROTТА:

I think that, you know, based upon what you're saying, she doesn't like to do this until, you know, this happens, until they go through the Farmland to get approved.

VICE CHAIR KRUPSKI:

The Farmland Committee doesn't meet until Thursday.

LEG. TROTТА:

Oh, this is a short cycle. It comes up in April -- early April. It's been there forever. I mean, listen, no one wants to preserve land more than me, but I also want, you know, to be fair in the western part of Suffolk and the eastern part of Suffolk.

VICE CHAIR KRUPSKI:

Well, this isn't a matter of geographic fairness. I mean, this is -- this is saying that you agree that government works just fine and we should table it and drag it out instead of saying, oh, why don't we --

LEG. TROTТА:

It's been there for a thousand years. Two weeks isn't going to make a difference.

LEG. FLEMING:

But they do have an improved site plan for the front parcel so a thousand years is getting shorter.

LEG. TROTТА:

We know how that goes. I mean, it rated a 13; the front parcel I'm talking about.

VICE CHAIR KRUPSKI:

This is the farm parcel.

LEG. TROTТА:

The front -- you were talking about the front parcel.

MS. FISCHER:

Would be rated differently with regard to -- we have a separate rating for the farmland PDRs.

LEG. TROTТА:

I'm back on the front parcel.

LEG. FLEMING:

Could I just note, if I could, Al, that the development pressure out here because of property values is so much higher, it's really hard to kind of get your mind around it. But the development pressure is very, very real. Our active farms are disappearing. And the comps that are created by the purchase by folks who are developing these lands make it harder and harder for farmers, especially young farmers, to get a foothold and to get started. So if we've got a farm parcel that is being -- about to be cultivated, I really think that we have a responsibility to step in there and protect that economic activity in the face of the kind of development pressure that we're facing out

east.

LEG. TROTТА:

We're facing it here, also, a lot.

VICE CHAIR KRUPSKI:

So there's no -- I mean, there's no downside to passing this out without recommendation.

LEG. TROTТА:

It doesn't matter what I say anyway.

VICE CHAIR KRUPSKI:

No.

LEG. TROTТА:

Making a point.

VICE CHAIR KRUPSKI:

No, no, we need your vote to pass it without recommendation. We need four votes so we're asking for your help here to discharge it without recommendation. And you can --

LEG. TROTТА:

I'll retract my motion to table.

VICE CHAIR KRUPSKI:

Thank you, I appreciate that.

All right, so just to be clear on this and on the other ones, the Farmland Committee meets on Thursday. And anyone -- you know, anyone can come and advocate for or against this parcel being included in the program. And this is only for appraisals. This is not -- this is not for acquisition. Thank you. All right, so I've got a motion and a second for discharging without recommendation. IR 1171, all in favor? Opposed? Abstentions? So moved. **(VOTE: 4-0-0-2. LEGISLATORS HAHN AND MURATORE NOT PRESENT)**

IR 1172, 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, John P. Kujawski and Sons, Inc. Town of Riverhead (SCTM No. 0600-022.00-02.00-013.007). (Krupski) Now, the next one, two, three, and there's a skip there, four, five, this is a -- and if we could put the -- if we could put the map up on the big screen it's easier to explain it if we have that graphic.

MS. FISCHER:

We don't have the map. We don't have the rating.

LEG. TROTТА:

Okay, so -- so why isn't there a map with it?

MS. FISCHER:

As I had mentioned, it hasn't gone before the Farmland Committee. And we really respect the Farmland Committee's recommendations to you before you make your decision. We -- you know, I feel that we should really reconsider the Farmland Committee if you're going to just bypass their recommendations. We put a lot of work and a lot of effort into doing these reviews and these presentations before the Farmland Committee as well this Committee. And I feel that it's an

unfortunate situation. I understand pressure. I've been in this business for 30 years dealing with pressure from development. We've done an excellent job in acquiring both farmland and open space in this County. And I'm sorry that I am a bit upset about this, but I really feel that we need to, you know, respect the process.

VICE CHAIR KRUPSKI:

I'm going to make a recommendation on these next five parcels, and I'll give an explanation why I'd like to have them discharged without recommendation and have the Farmland Committee review them on Thursday. These are -- this is a farm that was subdivided years ago and five lots were cut out of it; five building lots, right on the road. The property owner has come in and he said he's willing to now preserve those five lots. And they're currently farmed. So if we were prepared and we had an aerial view, which I might have here. So it's basically a five-lot subdivision on a farm, on a road. And originally we had put in to authorize appraisal for the lots individually, and that's why 1173, 74, 75 and 77 have been withdrawn and they've been -- and actually at the request of Lauretta Fischer, they were withdrawn and put in under one resolution.

MR. NOLAN:

Everything's in 1172.

VICE CHAIR KRUPSKI:

Considering preserving all five lots as one block and they'll be appraised. Since they're separate tax map parcels, they have to be appraised separately, but they will be considered for preservation in one block. The farm behind it is preserved.

MR. NOLAN:

1172. Right, everything was -- right. So the Clerk should note that, as Legislator Krupski said, that 1173, 74, 75 and 77 should be withdrawn. And 1172 was amended this morning and circulated.

VICE CHAIR KRUPSKI:

So those are all currently farmed, previously subdivided five building lots that the owner has put in for preservation. So we have -- I made a motion to discharge without recommendation; seconded by Legislator Fleming. All in favor? Opposed?

LEG. TROTТА:

Opposed.

VICE CHAIR KRUPSKI:

So we have one opposed so it will not be discharged without recommendation. The motion fails. We will -- this will go to Farmland Committee, George? It is. It should be on the agenda. Now, Lauretta, is this going to appear -- make an appearance on the Farmland Committee on Thursday?

MS. FISCHER:

Yes, absolutely, as well as the one before. And there are other farms that are also being considered on Thursday as well as these.

VICE CHAIR KRUPSKI:

Well, that's what happened. It's been tabled. It's been effectively tabled.

MR. NOLAN:

You can make a motion to reconsider for the only purpose of --

VICE CHAIR KRUPSKI:

Okay.

LEG. TROTТА:

I'll make a motion to reconsider for tabling.

LEG. ANKER:

Second.

VICE CHAIR KRUPSKI:

A motion was made by Legislator Trotta; seconded by Legislator Anker. To reconsider for tabling.

LEG. FLEMING:

I second the motion to table.

VICE CHAIR KRUPSKI:

Okay. So all in favor to reconsider? Opposed? Abstentions? That was approved. Legislator Trotta.

LEG. TROTТА:

Motion to table.

VICE CHAIR KRUPSKI:

Legislator Trotta made the motion to table; seconded by Legislator Anker. All in favor? Opposed? Abstentions? So it's tabled. Thank you, George, keeping us straight. **(VOTE: 4-0-0-2. (LEGISLATORS HAHN AND MURATORE NOT PRESENT))**

Okay, so the next one is the same -- the same thing. Oh, we have to go along. Thank you. Okay, **1173, (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, John P. Kujawski and Sons, Inc. Town of Riverhead (SCTM No. 0600-022.00-02.00-013.008). (Krupski)** I make a motion to withdraw. Does everyone understand why these next few are going to be withdrawn? No, no, no. It's all one. Okay. So a motion to withdraw. Do I have a second? So you want a motion or not? Okay.

1176 -- thank you, George -- you wouldn't think this would be that hard. It all went downhill after Kara left (laughter). **1176, 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, John P. Kujawski and Sons, Inc. Town of Riverhead (SCTM No. 0600-022.00-02.00-013.016). (Krupski)** I'll make a motion to authorize the appraisal.

LEG. FLEMING:

Second.

VICE CHAIR KRUPSKI:

This is -- this is the same scenario. This is a 30-acre farm that's -- you know, has to be -- that has to go through the Farmland Committee on Thursday night. It's the same scenario. So, Rob, if you'd like to make a motion.

LEG. TROTТА:

Motion to table.

VICE CHAIR KRUPSKI:

All right. So I have a motion to table. That goes first. Is there -- second by Legislator Anker. All in favor? Opposed? Abstention? So moved. **(VOTE: 4-0-0-2. LEGISLATORS HAHN AND MURATORE NOT PRESENT)**

1187, Amending the 2016 Capital Budget and appropriating PAYGO funds in connection with the New Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection for Land Acquisitions (CP 8714.211). (Co. Exec.)

1177 was withdrawn. Thank you. That was one of those five lots.

So is there a motion for 1187? Motion to approve by Legislator Anker.

LEG. TROTТА:

On the motion.

VICE CHAIR KRUPSKI:

Is that a second? I'll second the motion. Go ahead, Legislator Trotta.

DIRECTOR LANSDALE:

This resolution provides funding in -- for open space and farmland acquisition in the amount of \$6,531,647 in Paygo funding.

LEG. TROTТА:

That's just putting it into a pot?

DIRECTOR LANSDALE:

That's right, yes.

LEG. FLEMING:

What was the figure again, Sarah, please?

DIRECTOR LANSDALE:

It's \$6,531,647.

LEG. FLEMING:

Thank you.

VICE CHAIR KRUPSKI:

And that's money from 2014?

DIRECTOR LANSDALE:

Yes.

VICE CHAIR KRUPSKI:

And when can we expect the money from 2015?

DIRECTOR LANSDALE:

I'd defer to the Budget Office for that.

LEG. TROTТА:

Is that all we have, is \$6 million for --

MS. HALLORAN:

That \$6 million was the effective 2014 balance. So each year we get new piece of the quarter percent sales tax come in. And after we deduct our expenses for past borrowing, we have what's left for that year. And usually we wait a little while to appropriate it once we know we have that final balance.

So for '15, someone asked, based on the recommended budget, which isn't final because actual sales tax receipts might be different, but we'll probably get somewhat less than -- maybe between 8.5 and 8.7 million.

LEG. TROTТА:

So out of all the money that we collect, the \$75 million in that quarter percent, we're only getting like between 6 and \$8 million to buy open space?

MS. HALLORAN:

Well, the quarter percent is divided into four parts.

LEG. TROTТА:

I know it's divided.

MS. HALLORAN:

So --

LEG. TROTТА:

I'm just making a point here.

MS. HALLORAN:

Because maybe around -- just coming up with this out of my head, but maybe 22 million might go to the land acquisition piece. And then we have to pay 16 million, again, I'm coming up with a rough number for --

LEG. TROTТА:

Borrowings.

MS. HALLORAN:

-- past borrowings. So that's a standard expense that we have --

LEG. TROTТА:

But the point -- the point I'm trying to make is generally the public thinks we're getting 75 million. And the reality is we're getting between six and \$8 million.

MS. HALLORAN:

Well, that bigger number was for -- probably the four different programs that --

LEG. TROTТА:

Yeah.

MS. HALLORAN:

Right.

LEG. TROTТА:

The quarter cent sales tax brings in about \$75 million a year but the -- people -- 99% of the people in this County think that's going for drinking water and open space. The reality is it's only \$6

million.

MS. HALLORAN:

Yes, I think it's misunderstood sometimes what that all goes to.

LEG. ANKER:

But to clarify, though, I mean, we're protecting our open space -- protecting our drinking water with the sewers, with the other -- you know, some of the other appropriations.

LEG. TROTTA:

Twenty-five million goes directly to the General Fund. It doesn't even go into anything to do with that. I know it for a fact. That's correct. Okay. Thank you.

VICE CHAIR KRUPSKI:

Okay, so we have a motion and a second to make that money available. All in favor? Opposed? Abstentions? So moved. **(VOTE: 4-0-0-2. LEGISLATORS HAHN AND MURTORE NOT PRESENT)**

Resolution 1221, Amending the Adopted Resolution No. 252-2015, in connection with a Pilot Program for the Installation of Alternative Wastewater Discharge Systems. (Co. Exec.)

LEG. FLEMING:

Motion.

VICE CHAIR KRUPSKI:

Motion by Legislator Fleming; second by Legislator Anker. Director Lansdale, could you enlighten us?

DIRECTOR LANSDALE:

Sure. This transfers funding that was previously committed by the Legislature in the amount of \$125,000 from the Peconic Green Growth Organization to the Suffolk County Department of Health Services. The reason for the transfer is to enable the pilot program of alternative drain fields to be piloted Countywide instead of just on the East End. We do see applicability Countywide for these innovative drain fields rather than just focusing on the East End.

VICE CHAIR KRUPSKI:

Thank you. Anyone have any other questions? We have a motion and a second. All in favor? Opposed? Abstentions? So moved. **(VOTE: 4-0-0-2. LEGISLATORS HAHN AND MURATORE NOT PRESENT)**

IR 1225, Adopting Local Law No. -2016, A Charter Law to ensure agricultural representation on the Planning Commission. (Fleming). I'll make a motion to table for the purpose of public hearing.

LEG. FLEMING:

I'll second. And could I just ask a question, George, on this. This has been amended. The amendment's been filed. It's in your e-mail boxes today. I just want to be clear on when we table this for public hearing, we're actually tabling the amended motion -- the amended resolutions filed earlier?

MR. NOLAN:

Yes.

LEG. FLEMING:

Thank you.

VICE CHAIR KRUPSKI:

So we have a motion and a second. All in favor? Opposed? Abstentions? So moved. **(VOTE: 4-0-0-2. LEGISLATORS HAHN AND MURATORE NOT PRESENT)**

IR 1235, 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, TDG Jamesport Owner, LLC Town of Riverhead (SCTM No. 0600-068.00-01.00-035.000). (Krupski) This is the parcel that is highlighted on red. This is one that we did discharge without recommendation for open space and are trying to use -- to have it reassessed, considering it as hamlet park and active rec as well as passive. This was put in as a -- as a companion to that because it had been previously farmed, certainly could be farmed again. And I suspect there'll be a tabling motion on this as well, because this would have to go to the Farmland Committee on Thursday also.

LEG. TROTTA:

Motion to table.

VICE CHAIR KRUPSKI:

Motion to table, Legislator Trotta; second, Legislator Anker. All in favor? Opposed? Abstentions? So moved. **(VOTE: 4-0-0-2. LEGISLATORS HAHN AND MURATORE NOT PRESENT)**

Now I'll make a motion to go into Executive Session to review the appraisals for proposed acquisitions pursuant to the requirements of the "Triple A" program.

LEG. FLEMING:

Second.

VICE CHAIR KRUPSKI:

Second by Legislator Fleming. All in favor? Opposed? Abstentions? So moved. Thank you. **(VOTE: 4-0-0-2. LEGISLATORS HAHN AND MURATORE NOT PRESENT)**

(EXECUTIVE SESSION 11:43 PM - 12:38 PM)

CHAIRPERSON HAHN:

Okay. We are back from Executive Session. And the Committee -- no motion necessary to come out of Executive Session. And the Committee has authorized Counsel to prepare a Procedural Motion to make offers on the following properties. Please excuse me if I don't pronounce this right: Santapogue Creek; Santapogue Creek, the second Santapogue Creek; estate of Vincent Riehl; Sinning Property in Mastic/Shirley; Weinzette Junior Property in Mastic/Shirley; Dr. Allan S. Gorman property, North Fork Preserve addition; Spectacle Pond property; the Hauppauge Springs property; the second Hauppauge Springs property; the estate of Gary Susnjara property; Core Pine Barrens property; the John G. Mariauzzi Core Pines Barren property; and the John G and Roberta Marinuzzi Core Pine Barrens property; along with the Brushes Creek property.

And that's it. With that being said, we are adjourned.

THE MEETING CONCLUDED AT 12:39 PM