

6/13/2016 EPA Committee

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 June 13, 2016.

MEMBERS PRESENT:

Legislator Kara Hahn, Chairperson
Legislator Al Krupski, Vice Chair
Legislator Sarah S. Anker
Legislator Thomas Muratore
Legislator Robert Trotta
Legislator Bridget Fleming

ALSO IN ATTENDANCE:

George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel/Legislature
Amy Ellis, Deputy Chief Clerk/Legislature
Robert Lipp, Director/Budget Review Office
Craig Freas, Budget Review Office
Christina DeLisi, Aide to Presiding Officer
Katie Horst, County Executive's Office
Sarah Lansdale, Director/Department of Planning
Lauretta Fischer, Department of Planning
Walter Dawydiak, Director/Environmental Quality/Health Department
Christina Capobianco, Deputy Commissioner/Health Department
Justin Jobin, Environmental Quality/Health Department
Michael Pitcher, Director of Communications/PO
Alyssa Turano, Aide to Legislator Hahn
Catherine Stark, Aide to Legislator Krupski
Robyn Fellrath, Aide to Legislator Anker
Brendan Chamberlain, Aide to Legislator Muratore
Greg Moran, Aide to Legislator Trotta
Elizabeth Sutton, Aide to Legislator Flemming
Rick Brand, Newsday
Dave Schwartz, Newsday
Steven Couzzo
Mitch Pally
Adrienne Esposito
Samuel Chu, Appointee/SC Planning Commission
Louise Harrison, Appointee/CEQ
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

MINUTES TRANSCRIBED BY:

Diana Flesher, Court Reporter
Kim Castiglione, Legislative Secretary

6/13/2016 EPA Committee

(THE MEETING WAS CALLED TO ORDER AT 10:07 AM)

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

CHAIRPERSON HAHN:

Okay, if all Legislators can please report to the horseshoe we're going to get started. All Legislators report to the horseshoe.

Okay, if we could all rise for the Pledge led by Legislator Fleming.

SALUTATION

If we could all please remain standing. As we're gathered here today to do the People's work, we must take a moment to honor and recognize the lives that were lost to the senseless domestic terrorism that has struck Orlando Saturday night. Our hearts ache for the families and for the LGBT community and all the people in Orlando who have faced this horrific terror. Please join me in a moment of silence for the victims and their families and for all those who serve this country to defend our freedoms.

MOMENT OF SILENCE OBSERVED

Thank you. We do have correspondence. So I'm going to just pass out a letter that was submitted for the record to each of you who have not received it already. Let me pass that down. A letter from the Peconic Land Trust is now in the record. Alyssa, can you bring this to the Clerk as well? We'll enter that into the record.

PUBLIC PORTION

Okay, now time for Public Portion. Each speaker will have three minutes to speak once they get up here. And those who have signed cards, I'm going to read them. Anyone who has not signed a card can contact the Clerk and we will add your name to the list. The first speaker is Steven Cauzzo followed by Mitch Pally.

MR. CAUZZO:

Good morning, ladies and gentlemen, our great Suffolk County Legislature and attendees. My name is Steven Cauzzo; lifelong resident of Huntington and last 22 years a resident of the Village of East Northport.

I attended a conference last Thursday on clean water sponsored by the Long Island Clean Water Partnership; very, very well done, represented all types of government from state government to counties, both Nassau and Suffolk, townships in both and villages. Also the scientific and research in this area and then local activists, 20 people, three hours; just amazing what's -- what they've done and what's been going on in conservation in Northport with the revitalization of the wastewater plant in Hempstead. It shows that what can be done is important.

They did use the "B" word, billions to be able -- to be able to do both counties fully, but there is -- there was a bill that was mentioned at the -- it is our County Executive's thing, may not be on the agenda for this year, where they're asking the residents to contribute, to vote on a tax to be able to support infrastructure for wastewater management. As a resident I am all for it. I think it's a very important item for our communities. And I'm looking forward to see how everything works out with this. Thank you. Thank you for your service.

CHAIRPERSON HAHN:

Thank you very much. Next speaker is Mitch Pally.

MR. PALLY:

Good morning, members of the Legislature. I'm here on behalf of Long Island Building Institute. We have been intimately involved with the County Health Department and the Planning Department with regard to Article 19, the new sanitary code system, which will enable individuals to implement at some point the new wastewater technology.

From our perspective we are strongly in support of that. Additional wastewater technology is very important to our builders. It provides the safety mechanisms necessary both inside our systems and into the groundwater of Suffolk County. All of our people live here. All of our people want clean drinking water. We have a responsibility as builders to make sure with we can install the highest technology possible. That's why we're working with the Health Department. The Health Department is now doing an experiment to try to find out what is the best available technology. From our members we will put in the best available technology as approved by the Health Department without any doubt in single-family homes and in multifamily homes. That's our responsibility.

The responsibility of the Health Department is to ensure that the systems we put in work and work in Suffolk County. That's the purpose of the experimentation that's going on in the moment and that's why we are supportive of that. We are hopeful that at some point soon they will create a bigger list for us to work off of with systems that provide better protection for the groundwater and we will implement that with no question about it.

So we look forward to that day. We understand completely the needs of the County. We have thousands and thousands and thousands of homes that no longer meet appropriate standards. That is a situation we can no longer tolerate in Suffolk County.

The best goal for us would be to have all those people sell their homes and let us build new ones with new technology, but that's not going to happen. For some people that will happen. For the large majority of the people, they're going to stay where they are and we have to create a system to be able to ensure that the systems they have work as well as possible.

So we're here today to thank the Health Department and the Planning Department for letting us participate in the process. And we would urge the County Legislature to support the new Article 19 to allow the system to actually be implemented. Thank you very much.

CHAIRPERSON HAHN:

Thank you. Any questions from the Committee? Okay, that was our last card. Is there anyone else -- okay, I see Adrienne here. Did you fill out a card?

MS. ESPOSITO:

I did. My name is Adrienne Esposito. I'm the Executive Director of Citizens Campaign for the Environment. I also am here to support 1571, which is the resolution which would really allow for Article 19 to be expanded. And you know it, we don't need to -- really need to discuss it with the new technologies for wastewater treatment are here. All right. We might be piloting them in Suffolk County, but we know at the end of the year many of them, if not all of them, should be able to meet the standard. But we need to have the ability for the Department of Health to oversee them, to be able to enforce the standard that is set for them and to be able to really regulate them efficiently and effectively. Otherwise why would we bother to do this?

So we need for our Department of Health Services to have this new jurisdictional control. And that's what the expansion of Article 19 will do. So we're asking you to please vote yes. It lays the groundwork for a new cleaner, safer Suffolk County. And it allows for all the work that has been done over the last many years to be implemented in a constructive, positive way. So thank you very much.

6/13/2016 EPA Committee

CHAIRPERSON HAHN:

Thank you. Would anyone else from the audience like to speak? Okay, seeing none, we will close the Public Portion.

And I'd like to make a motion to take IR 1514 out of order; seconded by Legislator Anker. All those in favor? Opposed? Abstentions? 1514 is now before us.

INTRODUCTORY RESOLUTIONS

IR 1514, To appoint member of the Suffolk County Planning Commission (Samuel Chu). (Co. Exec.). Mr. Chu, if you'd like to come forward. Hi, how are you?

MR. CHU:

I appreciate you taking it out of order. I wouldn't ask if I didn't have a flight to catch.

CHAIRPERSON HAHN:

Well, we're glad you could be here. You are currently a member of the Planning Commission.

MR. CHU:

Currently serving as Second Vice Chair.

CHAIRPERSON HAHN:

And this is not a reappointment; this is an appointment to a new slot.

MR. CHU:

I'm currently appointed as an at large member of the Commission. My understanding is this is an appointment to the Babylon post.

CHAIRPERSON HAHN:

Okay. So if you want to tell us a little bit about your experience on the Commission and --

MR. CHU:

Ah, sure.

CHAIRPERSON HAHN:

-- tell us why you want to serve.

MR. CHU:

I've been on the Commission a little over a year. For the most part I served -- I think I hold everyone on the Commission in high regard. I think for the most part everyone is aligned in their interest and their goals for the Commission. Occasionally there's philosophical differences but I'm actually quite proud that, other than a rare occasion, most of those differences are discussed in a very respectful and cordial way; very similar to how things are done here at the Legislature. And it's -- I've been proud to serve. It's a volunteer position. You know, there are very few people here who are a stranger to me. I take public service very seriously and it's been a privilege to continue serving the public in my capacity on the Planning Commission.

CHAIRPERSON HAHN:

Excellent. Any questions from the Committee? Legislator Fleming.

LEG. FLEMING:

Good morning, Sammy. Thank you. I hope you're going somewhere fun.

MR. CHU:

Pittsburgh; not too much fun; business. I might get a Primanti sub if I'm lucky, but that's about all

the fun I'll be having.

LEG. FLEMING:

So have a good time in Pittsburgh.

MR. CHU:

Thank you.

LEG. FLEMING:

I appreciate your service. I appreciate your being here. And, you know, I just wanted to ask you because I know we've spoken about your service on the Commission and I understand you have a really good understanding of the importance that the Commission brings to considerations of regional significance, which is sort of what distinguishes the Commission from the individual municipal boards that make the actual decisions with regard to approving development projects going forward.

And I just wanted to ask you your thoughts, you know, for a couple of us here, we have like pretty different considerations with regard to the impact, particularly the environmental impacts of large development projects. And I understand the Commission does a good job of distinguishing where the different projects are and the different considerations there. But if you could just outline a little bit, I don't mean to put you on the spot, but it's a really important consideration; and I think it becomes more increasingly important as financial pressure is brought to bear on our precious open space on the East End.

So I just wanted to ask you your thoughts. I know you've done a great job on the Commission and I don't mean to challenge that. But I just wanted to ask your thoughts on how one, as a member of the Commission, goes about considering the regional consequences of impacts of a development at the same time as you listen to the folks who are from the localities as to the impacts on their specific localities.

MR. CHU:

Sure, Legislator. I could only speak to my perspective, you know, I think that everyone on the Commission approaches their work and service a little differently. You know, given my experience and multiple levels of government, I tend to see the Planning Commission -- Suffolk County Planning Commission as a safety net to do exactly that. You know, as far as I'm concerned after all I've seen and all the work I've done over the years, I think, that the two greatest challenges facing Long Island are, you know, our need for continued economic growth and new economic stimulation, but that's also juxtaposed with the fact that we live in an extremely environmentally sensitive place in an environmentally sensitive planet. So I think those are -- those are the two -- those are the two considerations that I hold in highest regard when I consider my work at the Planning Commission.

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

In terms of how I reference our work to other -- to other jurisdictions, having been a local official in the Town of Babylon for several years, I understand the great deal of work and consideration that goes on at that level of government, and I tend to -- some of those who serve with me will know that I sometimes sound like a broken record in the fact that I don't want -- I don't think we should serve a duplicative role or a redundant role. And it should also be very respectful to the fact that there is a lot of work and consideration and talent at the local level that considers projects for their feeds.

With that being said, the Planning Commission does play an important role when couching the needs of neighboring jurisdictions in comparison to those of where a project may be originating or maybe in certain projects that may lie in multiple jurisdictions. That's a very specific role that we play and have, I think, can have an important voice and impact. But in terms of my personal perspective, I

6/13/2016 EPA Committee

tend to not want the Planning Commission to get wrapped up in minutia, but rather to always keep our eye on our mission, which is to mind the regionally significant considerations.

LEG. FLEMING:

Thank you. Thank you, Madam Chair.

CHAIRPERSON HAHN:

Thank you, Legislator Fleming. Legislator Trotta.

LEG. TROTТА:

What do you do for a living now?

MR. CHU:

I am a partner in a clean tech start up. We are bringing -- actually I am going to Pittsburgh to visit a fuel cell factory that we expect to bring a new fuel cell technology to market, either quarter four or quarter one of next year. I also have an electrical contracting business.

LEG. TROTТА:

What -- you know, I was at Wyandanch -- what's was your role in Wyandanch Rising?

MR. CHU:

I don't know if we have time. I had a lot of roles in Wyandanch Rising, everything from workforce development to my role as Deputy DPW Commissioner, so roads, public spaces, you know, some of the economic development policy. I was deeply involved in for a time just about ever aspect of Wyandanch Rising.

LEG. TROTТА:

What are your thoughts on how it's going?

MR. CHU:

I think Wyandanch Rising -- how it's going? I think Wyandanch Rising is still a story being written. I know the effort, the time, the work that went into getting it to where it is, and that started over a decade ago. It was -- municipal leadership was a big part of getting it done, intermunicipal cooperation was a big part of getting it done. I'm very pleased to know that the residential portions of the development have gained great interest, which isn't a surprise given our need for more affordable housing on Long Island. And I have high hopes for Wyandanch. I pass by it and I have a great deal of pride when I do pass by, and I know I personally was, you know, one of the things I'm most proud of in my career is having had the opportunity to participate in policies that ensure that local residents from Wyandanch received opportunities for careers in some part due to that project, or indirectly. So I have high hopes for it, but I think Wyandanch Rising, just as our other downtown developments that are in my estimation the future of Long Island, like Patchogue -- Patchogue and pending project Ronkonkoma are a big part of our future here on the Island.

LEG. TROTТА:

I walked through it the other day with the owner at 11 o'clock in the morning. There was one person in the lobby, in the I guess the atrium outside, in the outside, smoking a joint. Then I walked and saw the gym, and as I was walking back there was another guy standing up, you know, in the balcony doors smoking a joint. This is 11 o'clock in the morning, on like a Tuesday morning. You know, I look at that, if my daughter was going to there? She would never go there. I mean, I just think that a lot of taxpayer money was -- you know, I'm not against doing something in those areas, but that's \$400 million apparently of taxpayer money, and I think that there are other communities that could have used that and I don't think it was a wise choice.

CHAIRPERSON HAHN:

Do you want to ask -- do you have any questions for him?

LEG. TROTТА:

I have no more questions. Thank you.

CHAIRPERSON HAHN:

Legislator Krupski.

LEG. KRUPSKI:

So I'm not going to make you repeat what you said to Legislator Fleming, I just appreciate your comments on, you know, the differences between the -- and the diversity that the County has and that, you know, you're willing to look at all sides and address everything from all the environmental factors, the open space and farmland factors to, you know, increased economic development. So I appreciate that you're willing to look at everything and consider everything.

MR. CHU:

Thank you, Legislator.

CHAIRPERSON HAHN:

Okay. Anyone else have questions? Legislator Anker.

LEG. ANKER:

I just want to say how much I appreciate your knowledge in the energy realm of things and I look forward with your understanding and how you can put forth your ideas and help Suffolk County. So thanks, Sammy.

MR. CHU:

Thank you, Legislator.

CHAIRPERSON HAHN:

Okay. Any other questions? All right. We have -- did we make a motion? No. Okay. Does anyone want to make a motion? Motion by Legislator Anker, seconded by Legislator Fleming. All those in favor? Opposed? Abstentions?

LEG. TROTТА:

Opposed.

CHAIRPERSON HAHN:

It is approved. **(VOTE: 5-1-0-0)**. Thank you, Mr. Chu, for your service. Thank you for your continuing interest in serving the County, and you do not need to come before the full Legislature.

MR. CHU:

Thank you.

LEG. FLEMING:

Go Steelers.

CHAIRPERSON HAHN:

Okay. I forgot there was another piece of correspondence that I forgot to distribute earlier. I passed out a letter the from Stony Brook University School of Marine and Atmospheric Sciences. For the record, I passed it out to each member of the committee, the Clerk, who also -- did we give you one, too? Okay. The Clerk got a copy as well for the record. That's now on the record. And back to the agenda.

6/13/2016 EPA Committee

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

POWERPOINT PRESENTATION

CHAIRPERSON HAHN:

Okay, we have a presentation. Suffolk County Health Department is going to present on the changes to the Suffolk County Sanitary Code proposed in Introductory Resolution. And there was an error on the agenda, 1571.

Welcome. If each member who is here today can identify yourself for the record for our stenographer, and your title, that would be very helpful. Thank you.

MS. CAPOBIANCO:

Christina Capobianco, Deputy Health Commissioner.

MR. DAWYDIAK:

Walter Dawydiak, Director of Environmental Quality, Suffolk County Health Department.

DIRECTOR LANSDALE:

Sarah Lansdale, Director of Planning, Department of Economic Development and Planning.

MR. JOBIN:

Justin Jobin, Environmental Projects Coordinator for Suffolk County Department of Health Services.

CHAIRPERSON HAHN:

Welcome, Justin. Go right ahead.

MS. CAPOBIANCO:

Good morning, Legislator Hahn and members of the Committee. Thank you for giving us the opportunity to present to you the newly drafted Article 19.

CHAIRPERSON HAHN:

If you don't mind, just bring the mike a little bit closer to you. That helps for the taping and the stenographer and those listening at home.

MS. CAPOBIANCO:

Thank you for giving us the opportunity to present the newly drafted Article 19 of the Suffolk County Sanitary Code. As we just -- everyone's introduced themselves, we're going to be making a joint presentation today. IR 1571 seeks legislative authorization for the Suffolk County Board of Health to amend the Suffolk County Sanitary Code to adopt this new article, known as Article 19, which will allow for the approval, registration and management of innovative and alternative onsite wastewater treatment systems by the Suffolk County Department of Health for use by residents on a voluntary basis.

The use of these systems was a recommendation of the Suffolk County Comprehensive Water Resource Management Plan and as such any amendment of the Suffolk County Sanitary Code by the Board of Health will not take effect until approved by this Legislature. DEQ introduced Article 19 to the Board of Health in April of this year and followed up with a full presentation on May 18th. The Board of Health has scheduled a public hearing on this code amendment for this Wednesday June 15th. The Health Department also held a well-attended stakeholders' meeting at Suffolk Community College on May 16th and presented the proposed sanitary code and standard changers for the innovative alternative systems as well as a proposed Subwatersheds Management Plan.

Now I'm going to turn the mike over to Sarah to begin the presentation. Thank you.

DIRECTOR LANSDALE:

So I just wanted to provide some context for why we're here -- why we're here today in front of you. Specifically, the Reclaim Our Water initiative was launched a few years ago and this is one more step in the process of launching a full-scale home improvement program countywide in the replacement of failing septic systems and cesspools. I just wanted to provide some context for this and then turn it over to Walt real quick.

So in the past couple of years the County Executive has declared that nitrogen is public enemy number one for the County. We have -- and I want to acknowledge Legislator Hahn for participating in the multi-state septic tour that we held where we looked at best practices from the states of Rhode Island, Maryland, New Jersey and other states. In addition, we were fortunate to be one of four places in the nation selected for the IBM Smarter Cities Report, which estimated that the cost of replacing septic systems countywide is a a multibillion dollar issue; and then devised a number of steps that we have included in our Comprehensive Water Resources Management Plan including IBM has recommended in their report, and we've included it in our 2015 Comprehensive Water Resources Management Plan, the idea of creating a management entity to oversee the installation and follow through with the maintenance of these new innovative alternative systems.

Following that right here in this very room we held a septic lottery and I'm proud to report that all 19 systems have been installed. That represents four companies in six different technologies. We've also, this Legislature has approved receiving funding from New York State to start up this septic improvement program.

Again, in 2015 the Legislature -- the County released its Comprehensive Water Resources Management Plan as well as this Legislature approved the septic licensing regulations last year that was embraced by the Long Island Liquid Waste Association and we've held our first training and looking forward to holding a second one in August. Just wanted to provide this context. I'm going to turn over to Walt to go into the details.

So these are just pictures of -- the upper left corner is the County Executive along with -- our Water Qualities are Peter Scully, Deputy County Executive, Legislators Krupski and Hahn celebrating a septic smart week last year; and then we have Legislator Spencer as well as Legislator Anker and others, Browning and Calarco in the background, with the County Executive choosing the septic lottery. And then you have the first installation of a innovative alternative shallow narrow drain field in the lower-left corner; and then a -- the departure at 4 AM of our septic tour which was a cross departmental team from Department of Public Works, Department of Health as well as Economic Development and Planning.

MR. DAWYDIAK:

Thank you, Sarah. Walter Dawydiak, Health Department. I'm going to give you a little bit more background. Justin's going to speak to you about the septic demo and specific technologies and then I'll summarize where we are, where we're headed with Article 19, what it does and what it doesn't do.

I first wanted to mention other things that are going on to put this into context. We're in the midst of a sub-watershed's mapping and Wastewater plan with an associated Generic Environmental Impact Statement. I'll talk about that in a moment. Justin will speak to both phase I and phase II of septic demo. We've been working closely with Stony Brook University, Center for Clean Water Technology on experimental systems. Both Stony Brook and the County acknowledge that the technology has come a long way, but we need to perfect it and make it better. The layer cake system is one such option with biological action and a saw dust media after a sand filter is going to be piloted on county parks in cooperation with Stony Brook. We hope that within a year or so we'll have promising results on that system.

Justin will speak to industry training. Article 19's the subject of today. We'll follow up with

residential standards. Later in the year we're going to be doing commercial standards and leaching standards. We've been very fortunate to receive a \$4 million grant for the state DEC which Sarah was instrumental in procuring for us. And that's helped us upgrade our capacity both in terms of manpower for planning, management and technology as well as infrastructure. One of the things we're doing is upgrading the County databases. We're digitizing all of the Health Department records and we'll have an interface so the liquid waste industry can communicate with the Health Department seamlessly from electronic devices into the field as part of the responsible management entity and data management and tracking. Finally we'll close with some thoughts on policy discussions for future changes to other articles of the sanitary code, specifically 5 and 6.

So a quick word about the Comprehensive Water Resources Management Plan. It was a great inter-departmental initiative led by Planning, Health Department and Department of Public Works. This is a first time ever that we laid the strategic framework for dealing with a non-point source problem. The elephant in the room has always been septics. We've done a great job with point sources and sewage treatment plants. Back in the 1970s when the 208 study was done, it was envisioned sewerage would be a widespread solution. It never happened for a number of reasons. And this is a first time historically that anyone has actually taken ownership of this very vast problem of legacy, preexisting, non-conforming septics.

Today also marks the first time legislatively that anybody's looking at changing the residential standards in over 40 years. Not since we required a septic tank in front of a leaching pool in 1973 has anything changed with respect to residential on-site technology. So it's an exciting time. We have a Wastewater Plan to bring this altogether and give us a coherent direction in terms of how much we need to reduce and where, over what timeframe. And today we're talking about the code changes, which are critical to get started and set the table, so to speak, to let us begin approving these innovative alternative systems.

A quick word about the Wastewater Plan: We're basically looking at a series of alternatives from no action to sewerage. For much of the County these innovative and alternative on-sites are the only viable technology which can reduce to significantly less than 20 milligrams per liter compared to a conventional that's putting out about 60 parts per million, over three times as much nitrogen. At the end of the day we're going to have a plan. And this plan is the first early action of the Long Island Nitrogen Action Plan. It's basically a four or five year program to look at everything from permeable reactive barriers, constructed wetlands in water aquaculture, stormwater, water fowl, the whole series of pollutants. But septics are the biggest and that's the one we're tackling first with this one-year action plan.

And this map is a discussion draft of a map of priority areas. The blacks and the reds are the ones that we think are the most important in terms of nitrogen loads and surface water sensitivities. The yellows are a medium priority; the greens are probably not going to affect surface water as much in any significant way so they're the lowest on our priority scale.

In terms of numbers, we've got 360,000 septics in Suffolk County. Sarah and the planning group have estimated that about 210 of those lie in sensitive areas with respect to surface waters. And our challenge is to bring the best science as to whether 50,000 or 100,000 or some number in between are the ones that are the most critical and that are going to give us the best bang for the buck in terms of restoring our bays.

So that process is going to have a preliminary map by the fall that we can begin working with. And Sarah's group has preliminarily estimated 60,000 septics in the two-year travel time, which is a most sensitive travel time. But if you look in some of the yellow and green areas, that may not be where you want to upgrade systems. Some of the more sensitive water bodies you may want to go to a 25-year travel time. So at the end of the day that order of magnitude of 50 to 100,000 systems is the range of numbers that we're probably looking at for the first order goal to most significantly improve surface waters. It's a big challenge and we can't do it overnight but today's

the first step.

So the Septic Tour Report laid forth several principles that we learned from. I did the first septic tour back in 2000. It was a miniature tour to Rhode Island and a conference call with New Jersey. And back then Massachusetts had zero systems certified for use. Rhode Island had systems, many of which were failing. New Jersey was also decertifying systems. There were a lot of kinks in the system at that time. And for Suffolk County it was not yet ripe, but we have the benefit of 15 years having gone by and the technology maturing. So the lessons that we learned are to do demonstrations, which Sarah's group and Planning has led in cooperation with Health and Public Works, institute a training program, which Justin will talk about. Today we'll talk about the first steps in permitting. And the policy issues about financing and future regulation are yet to come in part to be informed by the Wastewater Plan and the Environmental Impact Statement.

So I'm going to turn it over to Justin for a few minutes to talk about the septic demo program and the specific technologies that we expect to be approving in the second half of this year.

MR. JOBIN:

Great. Thank you, Walt. So phase I of the septic demo program as Sarah had mentioned, there are four manufacturers that were selected. They installed six technologies. And those systems, the last one went in the ground -- the 19th system went in the ground in April of this year. And the 19th system was a two-part system because it embraced the shallow -- pressurized shallow narrow leach field, which Sarah had mentioned. So it's kind of a bridge into a phase II where we have a separate demonstration program for shallow narrow leach fields.

Phase II demo program, there is a Request For Expression of Interest that was issued on March 10th. We've received -- six manufacturers responded to that representing eight technologies. And at a minimum it looks like we will be installing 17 systems under phase II. There's the potential for more manufacturers donating systems.

And, let's see, homeowner selection, this is interesting because in Phase I we had 138 applicants. Phase II we had an increased number of applicants. And there was a lot more interest out there so we've had over 205 applicants and we're looking through those now. These homes are being vetted and then ultimately will be entered into a lottery similar to Phase I.

So the 19 systems, you see we have the six technologies: The Norweco Hydro-Kinetic, Norweco Singulair, the Busse, which is a German system, membrane bioreactor. We have Orenco AdvanTex system. They have two different AdvanTex technologies. We're piloting both of those. And then we have Hydro-Action, which is an extended aeration system. So we have five of the Norweco Hydro-Kinetics in the ground; five of the Norweco Singulairs; two of the Busse systems; and one each of the Orenco AdvanTex systems along with five Hydro-Action.

So this is just a chart of the technology, the manufacturers, the number of systems. It's hard to see, but basically there are over 10,000 of these systems throughout Maryland, Massachusetts, Rhode Island and New Jersey. So these systems have been tried and true. I know Walt mentioned in 2000 in his trip to Rhode Island that some of the systems were struggling. It was -- I started in Rhode Island in 2001 and we did 60 demonstration systems around that time, which tweaked and ultimately helped our -- establish our program in Rhode Island. So I can't stress enough how important the demonstration program is to raising local awareness and also working out kinks in our local -- in Suffolk County.

So this is just a map showing countywide installation of the 19 systems that were selected as part of the lottery. So we're taking a similar approach for Phase II so it's, again, going to be a countywide program. And like I said, we're looking at a minimum of 17 systems. We also have -- in addition to the 17 systems going in, we're also looking at pressurized shallow narrow drain fields. So the idea for Phase II is to implement a lot of those following the 17 systems and kind of looking at

alternatives to the leaching pools that have been installed for the last 40 years.

So for phase II, this is just a summary of the applicants. And the proposed number of systems is changing so a few of the manufacturers are upping the number of systems. One of the interesting things is that there are new technologies. And two of these companies in Suffolk County will be the first, really, investment into the US. We're looking at a company out in Japan. And there's a few companies out of Canada and also there's a new system out of New Mexico that's putting a lot of investment into Suffolk County. So this is really exciting for Suffolk County and we're excited to see how these systems perform.

This is one of my favorite slides. This is an Orenco system in Ronkonkoma. And it shows basically how although the systems do have lids and they are accessible above grade, it's not your typical bury-it/forget about it mentality, but they can fit into the landscape. And this is a great example where the homeowner working with the installer extended the landscape beds and it blends in really nicely so -- Long Islanders really care about their landscaping and their yards and this is a great example of how these systems can fit into that.

So monitoring these demo systems, the companies that participate in the demonstration program are subjected to a streamline approval process. So essentially we monitor -- the Health Department is sampling these systems over a six-month period. If 75% of each technology meets a rolling average of 19 milligrams per liter or better, then they will receive provisional approval. And these systems are in line to receive provisional approval this fall, so. But they did go in in the late -- it's important to note that they went in in the late fall so it did take some additional startup time.

The next thing is liquid waste licensing amendments. So we worked very closely with the Long Island Liquid Waste Association. And, again, this is a very important piece. And this is something that I've learned in my time in Rhode Island. We did not have licensing for operation and maintenance of these systems. We had licensing for installation; we had licensing for design. We did not have licensing for the long-term management of these systems. So I'm proud to say that I've learned from my prior mistakes and that we've adopted the 7 -- or 11 endorsements, two of the endorsements specifically for innovative and alternative technologies. So we require training in order to receive the endorsements. And then upon renewal of the liquid waste license, you need to have continuing education. So I think that's a huge important step. We had our first classes this April. And with very limited notice, we had a great turnout especially for the innovative and alternative classes. We were limited to 25 people. I believe we had around 23 attend with a very short notice. And now we've scheduled classes again for August so there will be two classes in August.

So I'll just turn this back over to Walt and he can talk about Article 19. Thank you.

MR. DAWYDIAK:

Thanks, Justin. I wanted to mention that we recruited Justin from Rhode Island with the help of Sarah as well as the State DEC Septic Cesspool Grant. He's got 15 years of experience as a protege of the really foremost expert in the country, George Loomis who runs a Rhode Island New England Training Center for these systems so we're very fortunate to have him on board to jump start this program for us.

So into the nuts and bolts of what we're proposing with the sanitary code, this is an entire new article that gives Suffolk County the power to do cradle to grave management of the innovative and alternative systems. We must do this before we can permit these systems in any meaningful way. Most of the country and most of the places that have done this, this sort of regulation is done at the state level. Here in the County we've been doing it at the County level with approval and coordination with both Department of Environmental Conservation and the State Health Department. So they're supportive of us, but the State Sanitary Code requires that before you have any

6/13/2016 EPA Committee

widespread infrastructure that requires active treatment including pumps, recirculation, biological treatment processes, you need a responsible management entity to oversee these moving forward into the future. And in our case that's proposed to be the Suffolk County Health Department.

So our goal is to have this adopted by July between the Board of Health and the Legislature. The systems that are coming to equilibrium will be approvable in the August/September timeframe. So once this article is in place, anybody can apply for one of these systems and receive an approval with no board of review requirement, no experimental requirement. It'll save time, money, have certainty and provide a very important tool in our toolbox to combat nitrogen.

So other code amendments that we'll talk about in a moment deal with requiring upgrades potentially in certain areas undoubtedly with some sort of financial incentive or subsidy. Either on failure of a system or on property transfer are two common options that are done in places like Maryland and Rhode Island. The framework is going to be developed by the end of the year. That'll be factored into the Subwatersheds Wastewater Plan and Impact Statement and we hope to have policy options developed in the first half of 2017. But these will be future code amendments. They will be subject to both the Board of Health and Legislature. They'll be closely coordinated every step of the way.

Article 5 by way of background defines the requirement to have a permit to discharge wastewater. And Article 6 is the one many folks are familiar with and that has to do with density requirements in unsewered areas for subdivisions and developments.

So Article 19 basically establishes a framework whereby the Health Department can evaluate and approve these systems. Homeowners need to register them. The Health Department oversees and promotes the use of these systems. The Health Department will promote promulgate standards, which I'll talk about in a moment. And it's a foundation for future changes our Articles 5 and 6. And I wanted to emphasize based on comments that we've received both from the Legislature and stakeholders that Article 19 does not mandate on that County Health Department level the use of innovative alternative onsite wastewater treatment systems. If towns end up requiring them, the Health Department will review and approve them and all requirements will at that point attach in terms of operation, monitoring and management. But this is just a first step in giving us the power to establish a program and approve these systems.

This also does not affect density requirements for parcels without sewerage or as defined in Article 6 community sewer systems. So this is not a way to pack additional density. It's intended for nitrogen removal and nothing in Article 19 on its face alters Article 6 density for unsewered areas.

So, again, this is Justin's schematic of the great pyramid. Article 19 is our foundation upon which we build and down the road we'll be looking at Article 6 and Article 5 for ways to better promote nitrogen removal using these technologies.

So what does a Health Department do under an Article 19 as a responsible management entity? We oversee installation of each and every one of these systems. We're responsible for making sure operation and maintenance happens. A lot of this is done under the standards which we'll be adopting in the coming months. We'll be tracking all of these, where they are, how well they're working, are the O & M contracts in place and are folks keeping these systems registered. And any necessary enforcement will be done at the Health Department level.

As a property owner, you really only have one obligation, is to maintain your operation and maintenance contract. And if there's a problem with the system, it's gotta be fixed. These systems have come down in costs and up in performance over time. That trajectory will continue. Most of the pieces are relatively simple and easy to swap out upon a circuit board chip, that sort of thing. Over time these do require some marginal maintenance but they have a long life span and the maintenance is expected to be fairly minimal. Somebody comes once or twice a year to make sure

your filters are cleaned, your pumps are working, that the circuitry is properly adjusted in terms of recycle rates. They take a sample as needed and as needed sludge is removed every couple of years. There may need to be some marginal sludge removal. Other than that these systems really are fairly simple to operate and maintain.

The property owner must register these upfront when they get a permit approval. Once every three years they get a letter to make sure that they continue registration. If a property transfers, changes hands, the Health Department needs to know who the new property owner is for purposes of overseeing the program. And the service provider, as Justin talked about, some of the training and endorsements, they do the annual O & M from the field with their electronic device. They automatically upload the inspection results, sample results. Health Department does nothing unless there's a problem. If it exceeds a certain pre-program limit, the Health Department gets a red flag and one of our sanitarians goes out to find out what, if anything, is wrong with the system and how to fix it. So that's how this all works moving forward.

In terms of timeline, we had small stakeholder meetings back around February and March into April. We introduced a board of health. Christina went over some of this. There was a very large stakeholder meeting with well in excess of 150 folks. Right now we're in the middle of the board of health and legislative processes moving forward.

Quick word about the standards and what they do. The standards are going to set treatment performance numbers for how well these systems need to operate. And they're going to set forth a framework for evaluating technologies and improving them. A lot of other mechanical stuff like sampling and construction standards, I don't think we need to get into but that will be vetted with stakeholders. We expect a meeting in July with the engineering community, with manufacturers, realtors, attorneys, any stakeholders that are interested in addition to the usual ones.

In terms of performance, as Justin mentioned, there are over 10,000 systems removing nitrogen. They are capable of meeting 19. None to our knowledge have been demonstrated to go significantly below that on a consistent basis but they have been getting better and will continue to -- and new technologies are being developed and tested.

This is a schematic of a 1973 system with a septic tank and a leaching pool. We used to say 60 milligrams per liter is an effluent back in the day with low flow plumbing. That's gone up to 80 or higher. These systems reduce on the order of 10% on a good day of nitrogen. They're not really designed to remove nitrogen. There's a little bit of anaerobic digestion and retention in solids but very little; they pretty much put out close to what they put in. These alternative systems are going to remove about 70% of the nitrogen. They're going to get to 19 or lower. We want to see that number go lower. Sewering by comparison reduces about 90% of nitrogen. You can get to the five to ten milligrams per liter range but sewerage individual parcel, the cost typically ranges from \$50,000 and up with a retrofit. With this system we're talking in the range of \$10,000. So it's a huge cost difference and on a per pound of nitrogen basis, this system is far more cost effective.

This is an outline of how we're going to pilot systems. We want to see 8 to 12 in the ground for a year before we'll go to provisional use. With provisional use we don't stop installation of systems but we want to make sure that at least 20 of them are performing well for two years before they go to general use. That's quarterly monitoring. Even when they're out there in the environment, we're going to monitor at least every three years on the part of the O & M folks and the Health Department will do Q/A monitoring on top of that to make sure that they continue to monitor as designed.

So moving forward, some of you may have participated in the harmful algal blooms symposium. Our action plan is due July 15. That's going to further define nitrogen reduction goals in priority areas. We're going to have a large wastewater generic environmental impact scoping session this summer. That's going to deal not only with priority upgrade areas, but to the midrange sewage

treatment plants one to 15,000 gallons per day, possibly as high as 30,000 gallons per day. We call them our appendix A system because they're appendix A to the commercial standards. And we want a blueprint for how to deal with grandfather flows and preexisting non-conforming SPDES permits that otherwise exceed Article 6 density. It's been a vexing problem for decades and nobody's come to terms with it. We're not going to solve this in a year but we're going to set forth a blueprint for solving it.

The Standards Meeting for Article 19 is going to happen in July. Subwatershed Plan, as I mentioned, is going to have a preliminary map and recommendations this fall. It'll be done next spring and other code changes to come. I think, we probably took a little more time than we expected. This is a County Executive's quote about clean water being the birthright of every Long Islander and it's time that we tackle this crisis together and reclaim our water. He does it way better than I do but I want to give deference to the County Exec who's really championed and has spearheaded this initiative. There hasn't been this kind of political will for any time in the past decade so we appreciate your intention and are happy to answer questions.

CHAIRPERSON HAHN:

Legislator Krupski.

LEG. KRUPSKI:

Thank you. And I do want to thank everyone involved here. This is really -- really ambitious. A lot of people have been calling out for this for a longtime. The County Executive does deserve a lot of credit for addressing this. And I know you all have done a tremendous amount of work and put a tremendous amount of -- appropriate amount of effort -- time and effort into this. And so thank you for all that. This is something that people have been calling for for a longtime.

I do have some questions, you know, some of the specific questions about some of these things. I'm not sure where to start here, I wrote so many things down. Will there be any sampling -- I guess it goes to the sampling. I'll start with that first. So the sampling, you mention that for three years, is that all systems -- say they're permitted this year in '16 and you put 100 private systems in the ground that aren't pilots. Will there be sampling on all those systems or are you talking about three years with the sampling on only the pilots?

MR. DAWYDIAK:

The provisional systems, to the extent that they go in the ground, will all be monitored on a quarterly basis for that two-year period. So the septic demo systems, those six technologies, it will jump to provisional. Whether there's 10 of them or 20 of them or 30 of them, we want to see at least 20 sampled quarterly for two years. But to the extent that there's any population in the ground, they will all be sampled for that two-year period.

LEG. KRUPSKI:

Thank you. So will you be sampling for any other contaminants? Because I know some of these systems, you know, there is -- there's potential for removing all the other -- all the personal care products, all the chemicals that people take, pharmaceuticals, steroids, hormones, all that that go through people's -- pass through people's bodies, that you can't avoid being put into the waste stream. Will there be any sampling for any of these things?

MR. JOBIN:

Yes. With the shallow narrow leach field project, we are working with the Center for Clean Water Technology. And they are going to be analyzing the effluent that comes out of the shallow leach fields. Studies out of Barnstable County and the Mass Test Center have shown that the soil has the ability to remove some of these articles and break them down so we're looking to work with Stony Brook to advance those studies.

MR. DAWYDIAK:

If I could add to that, Legislator Krupski, this is vital to the Health Department. Our lab does not have all of the methods to sample for all of these parameters. And a dirty sample like wastewater, one of the things we're looking at doing is sampling the groundwater immediately down stream of the wastewater. And we've had this conversation before. We're looking at pilot sewage treatment plants. We're reinstating monitoring wells. That same approach will be used for these as well, sampling not only the effluent on an experimental basis with Stony Brook but also the groundwater.

LEG. KRUPSKI:

Okay, so then -- thank you. That's great. So as far as the -- you know, you show the picture of the different watersheds and you said that they are -- you're in the process of mapping the groundwater sheds?

MR. DAWYDIAK:

Yeah, this is the first time ever that all of our contributing areas to the streams are going to be mapped in a consistent way under one methodology and we're working with our consultant Camp, Dresser & McKee as well as the US Geologic Survey and the New York State Department of Environmental Conservation. All of the estuary -- all of the estuary programs have done them in different ways and different times, but we're going to have the shallow flow fields that are actually contributing to the bays; not, for example, moving out and under to the ocean and getting lost outside of the bay area.

LEG. KRUPSKI:

Like how small micro groundwater sheds are you looking at? Because it's gotta to be a million of them out there.

MR. DAWYDIAK:

There are. As a first cut we're looking at a couple of hundred. And what we're doing is we're in the process of aggregating priority water body lists based on a methodology that we're developing with the DEC. To come up with the group, we're going to convene a management committee for the Subwatersheds Plan to look at these to make sure that we have it right moving forward before we crunch the numbers any further.

LEG. KRUPSKI:

So the plan is to approve this and then have these systems commercially available this year. But at some point they will be, I would think at the very least for new construction or reconstruction, mandated to provide for in certain areas greater wastewater treatment. Who's -- how do you make those decisions? Will the towns have any input into, like, overlays where, you know, major reconstruction on the waterfront, would have to treat the waste, you know, at a better level? Who's going to make those decisions on -- and then in which system to use -- you know, you're piloting these systems today that are successful so you've got six systems that are operating, but who's going to make -- I know it's a lot of -- runon question here, but who's going to make the decision on which system to put in? Are they going to be optimal watersheds or are they all going to be equal? There's two questions there. Sorry about that.

MR. DAWYDIAK:

I could tell you how it's going to work in the beginning with some certainty. Beyond that, there's a lot of variables. As of this year the Health Department has a goal of having six systems, which are approvable for anyone who chooses to use them. So there has been discussion on the part of some towns to establish critical overlay districts requiring these. The Health Department would certainly honor that. And if somebody needed to come in with one of these systems, we would approve it as of right under our code and our standards and all the associated obligations would move ahead with that. Our goal is obviously to come up with some kind of a countywide plan bringing on municipalities and stakeholders together so that we optimize the investment of resources and do the best good for the environment. Those are policy issues that the County Exec and his staff are

working on. Sarah, I don't know if you have anything to add?

DIRECTOR LANSDALE:

It's the process -- it's a process that will require a lot of input from local towns as well as our Legislators.

LEG. KRUPSKI:

So -- okay, so you don't -- so no one's quite sure yet which -- there won't be -- no one can say with certainty in this groundwater shed area for whatever reason you have to put this system in, A -- system A versus system B?

MR. DAWYDIAK:

For the foreseeable future in 2016, that's the case again, our goal with the Subwatersheds Plan is to establish a preliminary map in the fall, get a framework together. Our goal is by next spring to have the plan and impact statement done. Then we'll have the options and it'll be a range of options. It'll be cost and benefits of a two-year travel time, a 25-year travel time, how much nitrogen reduction is needed for the integrity of surface waters and how much do we get based on spending X dollars in Y area; then it becomes a policy issue for how to implement that.

LEG. KRUPSKI:

Okay, thank you. That's good. That's very good. And what about commercial, there's a lot of areas in hamlets and downtowns that are restricted and limited, places that aren't sewered that are restricted and limited that could really benefit from having apartments over storefronts because of setbacks or whatnot are restricted from having residences above storefronts. What about where the density is already allowable and already there, how would these systems affect those areas?

MR. DAWYDIAK:

So, first of all, flows, we're looking at amending the commercial standards by December. That'll be a little bit more complicated than a residential. This first wave affects residential only for small flows. By December we'll have the commercials up to a thousand gallons per day completed, which is our goal. That can help you in a number of different ways, not only reducing nitrogen, but potentially reducing the footprint of a system in a tight area where leaching may be a problem can be helped. Again, this doesn't disrupt density in anyway; it just provides for better treatment and gives you more tools in your toolbox.

The other thing to mention is the appendix A systems, which are 1,000 to 15,000 gallons per day. Our Generic Environmental Impact Statement is looking at increasing the utility inflexibility of that system potentially allowing it to 30,000 gallons per day and potentially reducing separation distances in certain areas. And the idea is to come up with consensus on conditions of approval and criteria and thresholds for further environmental review. And we're only at the beginning of that scoping process right now. That'll also be a public stakeholder process.

LEG. KRUPSKI:

All right, thank you. I do have a lot of questions and concerns about density, but I'm going to let my other -- my colleagues ask questions and I'll -- I'm still thinking about, because we got the amendments this morning. It was a lot to digest.

CHAIRPERSON HAHN:

I'm hoping that we can create a working group of people who are really interested, Legislators who are really interested in this, wanting to understand, you know, the real nuts and bolts and all the implications and talk it through in a manner that we really need to do. And I'm sure a number of Legislators on this Committee might want to be a part of that. So, you know, we'll discuss that following today's meeting. Rob was next -- excuse me -- Legislator Trotta was next.

LEG. TROTТА:

Compared to a sewage treatment plant, like what percent does that reduce the nitrogen?

MR. DAWYDIAK:

Sewage treatment plant will typically get you down to the 80 to 90%. Ten milligrams per liter is typically the regulatory requirement. So from 60 to 10, but most sewage treatment plants is a practical matter. It can get 6 pretty regularly so from 60 to 6 is about a 90% removal.

LEG. TROTТА:

Okay. And can the town -- like can the Town of Smithtown tomorrow say that anybody within 300 yards of the Nissequogue River is required to put one of these systems in?

MR. DAWYDIAK:

That will be a question for Smithtown and their legal counsel. But towns have put proposals on the table requiring systems. Our understanding is so long as they conform to a county health department or state health department standard and code, that they are approvable by the health department and we would honor that.

LEG. TROTТА:

The gentleman from Rhode Island, but I mean I -- my buddy built a house in Massachusetts 20 years ago. And he was required -- and it was near a pond. He was required to put one of these systems in. I mean I'm perplexed why we're doing these studies if -- I'm sure they were done already, you know, I'm sure that you in Rhode Island has five -- five mechanisms, five systems that are approved; is that true?

MR. JOBIN:

Absolutely. I think one of the advantages, though, is because we haven't done anything for decades, new technologies are emerging and there is such a high concentration of septic systems in Suffolk County that it's a great opportunity to pilot these systems here on these lots and determine which ones are capable of meeting different site constraints.

LEG. TROTТА:

Do you have -- are there ones in Rhode Island that reduce it 70%?

MR. JOBIN:

Not the -- the industry -- the typical industry numbers, the 19 milligrams per liter, which we estimate is 70 to 75% nitrogen removal, but as I mentioned we have new systems that are participating in Suffolk County that aren't participating in Massachusetts yet or New England. And they might -- we're excited to see the potential in those systems.

LEG. TROTТА:

Do you have -- do they exist at 70% in Rhode Island now?

MR. JOBIN:

Absolutely. There's over 3,000 systems in Rhode Island that have been approved for the 19 milligram per liter standard. A lot of the coastal communities create what are called critical resource areas where they require those systems. And similar thing in Barnsville, Mass and Cape Cod where they have the same standard and they'll require --

LEG. TROTТА:

So they exist; they're there?

MR. JOBIN:

Absolutely. Over 10,000 systems in the ground that are functioning.

LEG. TROTTA:

In Rhode Island, does the town or the state tell you that you need it?

MR. DAWYDIAK:

It varies by state. In Rhode Island there's a state law that requires using certain coastal zones and there can be town overlays. It's similar in Massachusetts where there's statewide minimum requirements and the various townships in Cape Cod can require based on their coastal watershed management programs where and how to require these systems.

Legislator Trotta, if I could answer your prior question in a different way also, these systems are not appliances like refrigerators where you plug them in and they work. They're fairly mechanical. They rely often on local construction and installation expertise as well as regulatory expertise and that's what we're trying to develop here. Part of the reason that these systems had hiccups in other places is because there was a big learning curve. And that's one of the things that we're dealing with. So that's one reason why we need to demonstrate that these systems work with our environment, our construction manufacturers, our installers and our regulators.

The other thing is that there has not been a good process federally in place for validating these technologies. The New York, New England data sharing agreement has been championed by the Environmental Protection Agency. They're coming up with methodologies to review, assess and monitor these in a uniform and consistent way so that we know that the data from other jurisdictions is useable and it'll accelerate technology approval moving forward. Every data set in every state is collected in different ways and places and times and it makes it a little difficult --

LEG. TROTTA:

But it's safe to say this has been going on for 20 years.

MR. DAWYDIAK:

It's been roughly two decades since the mid to late '90s.

LEG. TROTTA:

Now, I'm concerned, you know, about how -- I just read an article recently, these cromaglass systems that they're not working very well. And we don't have enough people to check that. How are we going to check, you know, 10,000 of these things?

MR. DAWYDIAK:

The idea is to build to capacity in a rational and measured way. And that's exactly what we're doing here based on the experience in other jurisdictions. The cromaglass example is sort of an isolated example in wastewater treatment technology. I wanted to say that by and large sewage treatment plants are operating exceptionally well. The nitrogen levels are going down; the compliant rates are going up to a point where --

LEG. TROTTA:

How much do these systems cost as compared to a regular cesspool?

MR. DAWYDIAK:

One of these systems?

LEG. TROTTA:

Yeah. Let's use the Rhode Island, like, \$10,000 --

MR. DAWYDIAK:

Ten thousand is basically the lower cost system. The most expensive is roughly 20, \$22,000 more than a conventional system. And that's without the leaching, which would be a couple thousand dollars more.

LEG. TROTТА:

So in Rhode Island, do they -- it seems to me the logical thing would be if you sell your house, the person who buys it or before you sell it, you have to have this done. That seems to then take the taxpayer out of it.

MR. JOBIN:

Rhode Island has done that with the cesspool phaseout. They have one year upon property transfer to replace the system.

LEG. TROTТА:

How is that working?

MR. JOBIN:

Upon said -- one of the great things that we've established when I was in Rhode Island was a great working relationship with the mortgage companies and the real estate companies. And there was -- as soon as a system's on the market, there was an analysis done, they would hire a septic inspector who would go out, inventory the system, say this either meets the standards or it doesn't meet the standards *and here's the process for bringing it into compliance and you have one year to do so.*

LEG. TROTТА:

And it worked out well?

MR. JOBIN:

Yes.

LEG. TROTТА:

Is there any taxpayer subsidies in Rhode Island?

MR. JOBIN:

There is a revolving loan program, 2% up to \$25,000 that homeowners can get. That is actually given to the communities with established wastewater management districts but they can --

LEG. TROTТА:

It's something that has to be paid back by the individual homeowner; it's not a grant or anything coming from --

MR. JOBIN:

Right, no grants.

LEG. TROTТА:

Thank you.

MR. DAWYDIAK:

Legislator Trotta, if I may, the most successful jurisdictions have been Rhode Island and Maryland. Maryland instituted a program to address about 10,000 systems in their highest priority areas. And they did institute a flushing water use surcharge fee which funds the cost of the black box or the treatment unit that \$10,000 add-on. So in that state model, there is a subsidy, an incentive mechanism which is more robust than that in Rhode Island. I just wanted to put that on the table; the two most successful models that we saw were Maryland and Rhode Island in terms of number of systems.

LEG. TROTТА:

Okay. Thank you.

CHAIRPERSON HAHN:

Legislator Anker.

LEG. ANKER:

I have a question. Following up with Legislator Trotta, as far as why don't we just do this instead of doing this study? And I'm thinking -- I would think that Massachusetts' geography is very different than Long Island's. And I don't think you can really understand how this type of system would work in our environment. And, you know, the clay, the sand, you know, what are we actually addressing, you know, in dealing with these systems? So I'm assuming that's probably one of the reasons why we are going forward with this type of study?

MR. DAWYDIAK:

Yes. And you're absolutely correct about Massachusetts having probably the most similar climate and geology to us. I wanted to note that in two decades, Massachusetts has installed all of about a thousand systems based on its exquisite planning and study so that does underscore the need for action. We are taking a much more aggressive approach here in Suffolk County, but again it needs to be measured. But the last innovative and alternative system that we had put into the ground was a passive denite system. The first couple worked great. The next couple hundred worked horribly and now we have a legacy problem to address because we didn't have the infrastructure, the training and the oversight in place to make sure that this went well. So we understand the prompting for future action. We're trying to strike a balance between something that's deliberate and effective and supportable and successful.

LEG. ANKER:

And we appreciate that. The other question I have pharmaceutical biproducts, do these systems help filter those types of products that get into our water?

MR. DAWYDIAK:

Yes. Advance treatment reduces the levels of many, but not all pharmaceuticals. Our Comprehensive Water Plan has a chapter on this. Not only do the systems help, but the shallow and narrow drain fields help even more with microbial decomposition in the shallow groundwater zone. So this is something that we're definitely going to monitor and follow up on further but there is that benefit.

LEG. ANKER:

And relating to that, nanotechnology, you know, we've recently banned microbeads because of the concern, getting, you know, the microbeads getting to our water. How does that -- how does nanotechnology fit into this system? Does it address nanotechnology to the point where it keeps microbeads out of our water?

MR. JOBIN:

There are different technologies. Of the six that we're evaluating, some have -- one's a membrane bioreactor so it has very microscopic filtration. And others have a passive, what they call pack bed media filter so there's physical filtration. Others are aerating systems where you might not have filtration of those. So there are different technologies. Speaking with manufacturers, there are other components that they can add on to the treatment drain that would remove further but -- so to answer your question, some of the technologies are capable and others are not.

LEG. ANKER:

I will say I think the most important thing we can do to protect our water is to prevent these types of chemicals, these types of substance to get in the water so we don't have to worry about filtering them. But, again, thank you for your input.

CHAIRPERSON HAHN:

Legislator Fleming.

LEG. FLEMING:

Thank you, Madam Chairwoman. Thank you so much all of you for coming in and presenting to us this morning. It's so important. I think you all know that I fully support authorizing the County Health Department as the responsible management entity for these advance treatment systems. And I also understand the speed that we need to move within this important measure, not only for the crisis. I mean, we had an alert just this past week with regard to cyanobacteria blooms in Marratooka Pond in Mattituck, Agawam Pond in Southampton, Wickapogue Pond in Southampton and Wainscott Pond in Southampton. These findings are leading the Department of Health to recommend that folks not swim in the waters or bring their pets into the waters. So this is very serious.

I think it's also very important to the towns, who especially in my neck of the woods in the East End, who certainly have shown the willingness to move forward with really forward-thinking legislation and regulations that will require nitrogen-reducing systems at certain trigger points and they are awaiting this step in order to be able to move forward with those regulations. So that's my first point. Thank you very much and I understand the speed that we need to move with.

At the same time this is a huge and important step. Not only for Suffolk County, but for the east coast and for our environment as a region. So for me from the standpoint of a lawmaker, I think it's really important to get it right with regard to legislative drafting and the far reaching implications of this very large amendment that you're asking us to consider.

I also wanted to applaud the extraordinary amount of work that you've put into this and certainly the remarkable cooperation between the Department of Health Services and Economic Development. I mean, I think we're benefitting from your professionalism and your ability to handle this monstrous, large project with such professionalism. So thank you very much.

Most importantly to me, and we've had these conversations offline, relative to Article 6 and Article 5 to a certain extent, it is critically important that we ensure that this legislation does not lead to the additional density, particularly on the East End of Long Island, which I represent. And so just in keeping with that concern, you know, while I appreciate the language and the Legislative intent, I haven't had a chance to review the amendments that came in. But while I appreciate the language and the legislative intent, if it's not intended to do so, I think, I've expressed to you certainly in my district there is a tremendous amount of economic pressure to push past density limits.

And sewers have always -- the fact that we don't have sewers have always sort of functioned as a break on that push toward development and density. And so as we move away from a landscape where only sewers are regulated by health department, we need to ensure that we get it right in not allowing some slippage there and not allowing this -- the ability for folks to install these alternative systems to allow them to build -- build, baby, build, as we say. So that is critically important.

And I think there is language -- you know, just drafting language issues that I would like to -- I applaud, Kara, your suggestion of a working group because I think we can attack this from a language standpoint with an understanding that we need to move quickly, specifically with regard to Article 6. Since we've had our conversations, I've had an opportunity to look a little further into it. Certainly it's -- in section 607 (c) which allows for increased density flow, if you're less than 15,000 gallons per day and the denitrification system can meet a certain minimum standard, there's -- I think it's there that we have to address the inner play between this new authorization and what that does.

There are also just simple language changes. I don't know since our conversation if you've addressed it in your revisions, but for instance in Article 19, you have references to sewage and individual systems. And in Article 6 I think -- it's called communal disposal systems. So we need to match up that language and make sure that there's -- because you have really good lawyers that are paid a lot of money to figure out how to get past these regulations to a certain extent in places

where you need -- you know, folks want to build large, large developments where the environment might not support it. So we just need to draft that carefully.

I also wanted to understand, Walt, you talk about, and I think your PowerPoint addressed this, revisions to standards against which installation and the monitoring of operation and maintenance is going to be judged and that these key standards are being drafted. Can you put more meat on those bones for me? I think we've had a little bit of this discussion, but I do feel that if we're going -- if there's reference to these standards in Article 19, we need to have standards in place. And I think we can -- we can certainly build into that reference an ability to be flexible and to change and shift as the technology improves, but I just -- I want to see it explicitly referred to. I don't know if you've had any conversation since we spoke about that.

MR. DAWYDIAK:

Legislator Fleming, we have -- we made a couple of changes to Article 19 in response to some of your concerns. And section 716 1902 we note that these systems are not considered sewerage or community sewerage systems under Article 6 of the sanitary code and it is not the intent of this Article to alter density requirements for unsewered parcels. And we're certainly open to modifying that further or at other places. I applaud Legislator Hahn's suggestion for a workgroup as well as yours, Legislator Fleming, we appreciate the interest and support and are happy to work with you in any way moving forward.

In terms of the standards in section 716 1907 we added additional verbiage about how verification and certification needs at a minimum to meet the National Sanitary Foundation 245 specification; or its equivalent substantially and that we'll establish procedures and performance standards as to be embodied in the standards to further refine that. So, again, this is the first cut at language. We're happy to work with you further on this. The standards should be ready if all goes well for further review within a month. We hope to have a stakeholder meeting. We're happy to share preview drafts with Legislators of that as well.

LEG. FLEMING:

Okay, great. Thank you. I think that what you -- what you're saying will allow us to be more specific in a way that I think more -- allow us to be a little bit more responsible to our constituents and the specific concerns. I'm sorry, Christina, you had a question.

MS. CAPOBIANCO:

Yes, thank you, Legislator Fleming. We did make a number of changes over the weekend and you all received a revised version of Article 19 this morning. But since you just got it this morning and there is -- we, you know, like the idea of a workgroup, we're happy to participate. Perhaps the Chair would like to table this bill so we that can continue our discussion, give you time to review all the changes we made to Article 19 based on discussions we had with certain Legislators and stakeholders from the meeting that we had with them in May.

LEG. FLEMING:

That's great. And I certainly appreciate that. Then separately just a couple more questions, probably going along with that idea of the workgroup, you said something, Walt, about amendments to Article 6 and Article 5. What's the timeline on that and what's happening with that? Maybe we can address that in the workgroup.

MR. DAWYDIAK:

Yeah, that would be 2017. That's a step down the road. Basically this year the goal is get the residential standards in place July-ish; the commercial standards for these individual onsite by December; and through the wastewater plan and impact statement process get a roadmap or a blueprint for supporting policy decisions in 2017. So, again, we'd be happy to work with you on those along the way, but right now the first step is Generic Environmental Impact Statement scoping, which will set forth the alternatives and options. And that's going to be happening

sometime in July.

LEG. FLEMING:

I appreciate that. I just think there may be at least a simple change to Article 6 that might accompany this effort so I would like to -- I would like to explore that.

Somebody mentioned the center -- I think it was Justin -- the Center for Clean Water Technology and maybe the both of you did, I'm sorry, and that you're working closely with them. I saw a presentation where they said their miracle timeline is five years for approval of the first system. So I understand that we're moving forward with some of these other systems prior to anything that's going to be coming out of that center, no?

MR. DAWYDIAK:

Correct. They were probably speaking about their layer cake system, which as you saw, a dust bed under the sand where you have nitrification and denitrification happening in a fairly simple cost-effective way. In some ways that's very similar to our failed denit system which had operational issues. We know it can be done. The question is how to do it right in a sustainable way. And under our experimental pilot model, we'd be looking at a three-to-four-year timeframe before that's fully available for use on a widespread basis.

LEG. FLEMING:

I can certainly appreciate a push to want to get that out there. I mean every -- the less working parts you have in any particular system, the better you're going to be with regard to the O & M and making sure it moves forward. But I also understand that if that miracle timeline is so far out, we should probably be pushing forward with alternatives.

MR. DAWYDIAK:

And the other thing, Legislator Fleming, is that even if Stony Brook acknowledges that that system is not going to be suitable for all places, even if it does work, it needs a fair amount of space which is not available in many corners of Suffolk County. So it's definitely going to be hopefully one important tool in the toolbox, but it's not going to be the only one so we're moving forward on what's available to us now.

LEG. FLEMING:

I appreciate that. The only other question I have, then, for you is with regard to the Subwatershed plans, what's the mechanism or, you know, your vision for including the input of the towns and villages, their GIS systems, their planning departments, their policymakers to ensure that it's -- I would love to see it, you know, locality-driven. I think Legislator Krupski would as well. There's just so much good work out there right now in terms of geographic information systems and mapping and planning. And I hope that you're going to lean heavy on the towns for input.

MR. DAWYDIAK:

Absolutely. Through Sarah in large part we've been in close contact with town planning departments. One of the first tasks of our Subwatersheds plan is a data inventory of data sets and management programs locally. And towns will be invited to sit on the smaller water management workgroup. We had a big stakeholder kickoff meeting at the beginning. We'll have another one at the middle and another one at the end but we can't have 200 people in the room for every monthly meeting. We will have towns in the room for those.

LEG. FLEMING:

Yeah, I appreciate that. Even just the GIS people would be helpful, or one or two very interested council members. And I'd be happy to, you know, act as a liaison for you to get those people in the rooms. Thank you very much. This makes you proud to see how well you're working on this and I hope that I can be helpful as we move forward.

CHAIRPERSON HAHN:

Anyone else? Because I did have a few follow-up questions. I, too, agree about the standards. I thought I heard someone suggest that they were distributed to the stakeholders and I certainly feel like we need to see them to review them for -- you know, before passage. Have you -- in terms of operation and maintenance, have you thought about -- considered, you know, sensors, requiring sensors to be a part of this whether it be nitrates or other, you know, so that it doesn't require as much in terms of inspections, et cetera.

MR. JOBIN:

Absolutely. A lot of these systems have what they call remote telemetry systems that are tied into the internet. And they can send a maintenance provider, a manufacturer details. EPA is working on, I believe, a design competition for nitrate sensors. That's probably a number of years down the road, but there are things now that can be done in the field and through the electronics that'll help the maintenance provider calculate the estimated rates for optimal nitrogen removal.

CHAIRPERSON HAHN:

How much of the annual maintenance cost is, you know, associated with just collecting something that could be sent -- you know, I know that there -- nitrates sensors exist already. You know, so how much of the maintenance costs is with regard to measuring types of things that sensors could help with and how much is filter changing and sludge removal?

MR. JOBIN:

Right. Typically the maintenance costs are under \$300 a year. That typically includes two site visits where they clean the pumps, check the controls. But like I said typically the controls report electronically so -- we're working on even through our own database system to have some streamline process where the maintenance providers can report electronically to the County, where the labs can report electronically to the County. I think a lot of that's going to cut down some of the paperwork overhead and hopefully drive down the costs. We're also looking into other test kits that could give you an overall idea of nitrogen without laboratory analysis, but those are still being evaluated.

MR. DAWYDIAK:

Legislator Hahn, if I could, that \$300 number generally does not include sampling. Sampling costs might be on the order of a hundred bucks above and beyond that which is why we hit that sweet spot of sampling once every three years. We don't want to have a hundred dollar bill every year for a homeowner, but you need some data moving forward. So in the pilot provisional phase, it's essentially the responsibility of the manufacturer and the Health Department to prove out that technology that should not be an expense for the homeowner. Moving forward it's about a hundred dollars every three years. But the point is also that by getting the data on a real time basis, whatever it is, torpidity, BOD, solids, even if it's not nitrates, you can make the system work a lot better. It'll reduce pollutions -- pollutants more effectively and the lifespan of the system will be better and that it's working more effectively, not getting clogged by sludge and whatnot. So, it's an important thing on multiple fronts, just not cost, also operation.

CHAIRPERSON HAHN:

Right. So can we work into -- how far off is -- and are there really no sensors that could operate now for sampling remotely?

MR. DAWYDIAK:

Not for nitrogen, which is a key parameter and, you know, we're hoping that in the foreseeable future with EPA's leadership there will be. That's really the acid test of how well this is doing for the parameter that we needed to reduce. As Justin mentioned, with other operating parameters, progress is being made, but we're not there yet with nitrogen.

CHAIRPERSON HAHN:

So you really don't know of any sensors that are used by DEC or any other existing technology for sensors that transmit that data -- test and transmit that data remotely?

MR. DAWYDIAK:

Not that's been used in a wide scale basis for wastewater. There are marine sensors for nitrates that have been used in some of our sondes that are very fussy and high maintenance. They work but they require a lot of attention. They would not be effective in a wastewater environment. The organic and ammonia fraction of the nitrogen in the wastewater would not be picked up by those measurements either.

CHAIRPERSON HAHN:

But we're talking about testing the outflow, not what sits in a --

MR. DAWYDIAK:

Correct, but even the outflow is going to contain some fraction of ammonia and organic that you need to understand to understand total nitrogen and how well the system is working.

CHAIRPERSON HAHN:

Justin, do you have anything to add?

MR. JOBIN:

Well, I just want to point out that there are -- EPA does have test kits for nitrate and they've been tested through various, you know, universities. And that's promising. And that's on the horizon, but we're still not there yet. We're still developing which test kits work the best, the cost of the test kits, but that is the next direction in this. And I'm optimistic that within the next five years that'll be readily available.

CHAIRPERSON HAHN:

And can we work that into our standards as we adopt them now? Can we work into future technologies for those purposes?

MR. JOBIN:

Absolutely. In fact, that is in our draft standards and we're also working with the New England Long Island Data Share Program, which establishes protocols for sampling the systems initially. So, that'll also be in there so that the New England states and Long Island are operating off of the same procedures essentially.

CHAIRPERSON HAHN:

Okay. Also I noticed the slide -- it doesn't have a number but on page 12 so it's probably somewhere around slide 23, "Understanding The Role of Article 19", it says that you -- or someone said, it might not say it on this slide but someone said the homeowner has to register the new system. Can't it be registered by the installer?

MR. DAWYDIAK:

The installer after the installation is not going to have a long-term obligation to the Health Department. The homeowner is. So in terms of who registers it initially, it could be the applicant or an agent. We haven't worked that out. It could be an engineer, an architect, possibly the manufacturer on the owner's behalf. Moving forward, three years, six years, whoever owns the property is going to need to continue to provide the Health Department with information about the ultimate responsible party.

CHAIRPERSON HAHN:

Yeah, I mean I just think it makes sense, if someone's installing the system, they can register it on behalf of the homeowner with contact information provided by the homeowner, you know, including

things like e-mail where we can alert them when the three years are up and they have to reregister. And if we don't have to -- you know, to put the burden on -- you know, I think there are ways to ease that burden. Anyone want to add to that? Justin?

MR. DAWYDIAK:

No, those are actual points that we agree.

CHAIRPERSON HAHN:

Okay. On page 16, maybe slide 31 or 32 of the approval process, so you said that the -- the 19 systems or -- I'm sorry -- six different technology types, four different companies that are in the lottery are fast forwarded to the provisional stage, but do they still require 24 months -- will they still require 24 months of testing before they're allowed to be used in the general public?

MR. DAWYDIAK:

They will be allowed to be used in the general public to the extent that anybody wants to use them. So whether it's 20 or 30 or 50, any number of these can be installed in that two-year period. What we want to see is the Health Department is at least 24 months of data from at least 20 systems that are installed. So whatever systems are out there are going to be providing data to us. Once they hit number 20, then the two-year clock starts running on number 20 and we want to see that two years of data.

CHAIRPERSON HAHN:

But you'll be approving -- like let's say Brookhaven Town's law passed, which I believe it did, and that they start requiring on -- what, on a new home within the bound -- you know, within the range -- I'm sorry -- within the zone, you're going to allow -- at what point can that start to be implemented?

MR. DAWYDIAK:

Immediately once the technology jumps to our list as a provisionally-approved technology. So after Article 19 is approved and the standards are approved and once we see six months of data from the demo systems, we know these systems can and do work. We just need to make sure that our manufacturers, our contractors, installers and regulators understand how to use them. And once we have that comfort level, they can go to provisional approval and any number can go in.

What the provisional means is that we're keeping an extra close eye on them for a couple of years to make sure nothing back slides. If it does, we call in the manufacturers, the operator, whoever, to make sure we fix it. We just want a really good data set during the gestational period of this program. And after a couple of years, we still get data but it won't be as intense.

CHAIRPERSON HAHN:

Okay. All right, so I obviously will put out a request to the Legislature -- Legislators about creating a small working group. I'm sure a number of us here on this Committee will be interested in doing that. We look forward participating with you. Was there -- were there other questions?

LEG. FLEMING:

Just wondering if that committee could meet on the East End?

CHAIRPERSON HAHN:

We'll see. Certainly not on a Friday afternoon.

LEG. FLEMING:

In the County seat.

CHAIRPERSON HAHN:

Okay. Okay, with that we will thank you for your offer to understand and recommend a motion to

table. If it's okay, can I take this out of order so that we can deal with that? I'm going to make a motion to take out of order IR 1571; seconded by Legislator Krupski. All those in favor of taking it out of order? All those opposed? Abstentions? Okay, it is before us.

Introductory Resolution 1571, Authorizing the Suffolk County Department of Health Services to amend policy and authorizing the Suffolk County Board of Health to amend the Suffolk County Sanitary Code to allow for the approval, registration and management of Innovative and Alternative On-site Wastewater Treatment Systems. (Co. Exec.) I will make a motion to table, you know, just for the -- obviously I believe, you know, we are all very invested in this happening and happening properly and effectively for the good of our water. And we just -- you know, a small -- a working group of Legislators will go through all of the questions we've had and Legislators will propose and work with you to get this done and hopefully next cycle we'll be good. So I make a motion to table with that in mind; seconded to table by Legislator Fleming. All those in favor of tabling? Opposed? Abstentions? **IR 1571 is tabled. (VOTE: 5-0-0-1. LEGISLATOR ANKER NOT PRESENT)** Thank you for all your work today. We look forward to working with you.

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

CHAIRPERSON HAHN:

Okay, now we'll move on to the rest of the agenda. I know we have a number of individuals waiting here so I'm hoping it will be okay with everyone if we take those out of order as well. Let's see. Let me make sure I don't skip over anything. Okay. Do we have -- is Rob Carpenter here? No, he is not here. Louise Harrison? Okay, I'm going to make a motion to take 1491 out of order. Second by Legislator Fleming. All those in favor? Opposed? Abstention? 1491 is before us.

1491 - Appointing member to the Council on Environmental Quality (Louise Harrison) (Krupski). Hello, Louise.

MS. HARRISON:

Good morning, everybody.

CHAIRPERSON HAHN:

Good morning. So we do have a number of open spots on the Council on Environmental Quality. I'm also going to say that we have gotten a lot of interest. So there are a number of individuals that there are appointing resolutions here today and there are number of individuals who -- that has not been filed yet. So we look forward to meeting with you, talking with you. We might not get voted on today. I know that we do have a need for folks at CEQ, but there are a number of individuals interested in this and I think it's -- anyway, we do want to hear from you, though, this morning. I know you have a lengthy history and a long resume and we'd like to hear all about it.

MS. HARRISON:

Oh my.

CHAIRPERSON HAHN:

And maybe have questions about it. So with that, Louise, I'll let you say hello to the committee that's here and there may be questions for you when you're done. And if you want to sit, you certainly can do that.

MS. HARRISON:

If I want to do what?

CHAIRPERSON HAHN:

To sit at the table instead of standing.

MS. HARRISON:

Sure. Thank you very much for inviting me to speak with you this morning. I understand I have another screening after this, and I hope you'll tell me which room to go to for that.

My name is Louise Harrison. I guess you've all received my CV. I'm interested in getting into public service again. I have a long history of public service. I enjoy it very much, I miss it, and I miss the very high level of activity on environmental matters that Suffolk County's responsible for. I worked for six years in the Suffolk County Health Department in what at that time was the brand new Office of Ecology. It had a larger and more diverse staff than it has today, and we worked on a large number of County issues and it was stimulating, it was exciting. I learned a lot and was able to carry that forward with additional work I did at the State level and the Federal level.

I've worked for three different State agencies; the New York State Parks on Long Island, New York State DEC in Region I, which is Nassau and Suffolk, and at the New York State Department of State in Coastal Management Program, where I worked on developing the Long Island Sound Coastal Management Program as well as some work on the South Shore Estuary Reserve Program.

I also have worked at the Federal level on the Long Island Sound Study in the U.S. Fish and Wildlife Service where I had a term appointment for four years and worked out of an office in Stamford. I was happy that I was during that time able to bring what I think was the first -- the first Federal dollars to Long Island for a land purchase that was not for a Federal property. We were able to bring money in for watershed protection in Setauket for what you know, Legislator Hahn, as the Diocese Property, which is now Patriot's Hollow State Forest. That was part of the Long Island Sound Study Stewardship Program, and that was great to bring some money back for that.

I would have to say that among my most favorite activities are protection of open space. I also greatly enjoy working with community groups, whether as a volunteer member of the community or in an official capacity. I've always enjoyed working with members of the public.

I would rather answer specific questions because I do have a very long CV and I don't want to bore people or say things that are not relevant to our conversation today.

CHAIRPERSON HAHN:

Legislator Krupski.

LEG. KRUPSKI:

Thank you. Welcome and thank you for considering this. You know, we've got a great deal of experience and knowledge and I think you could add an awful lot to the process.

MS. HARRISON:

Thank you very much.

CHAIRPERSON HAHN:

Anyone else have any questions?

LEG. TROTTA:

How many people are on this board? Is it one from each Legislator?

CHAIRPERSON HAHN:

I don't recall off the top of my head. Eleven members of CEQ I'm being told. Does that sound right to you, Laretta? Oh, currently there are presently six is what you're saying. Actually is Sarah Lansdale still here? I know I sit on it, but people come and go. It's not like every meeting every single person is present and how many of them are voting members. I don't have a good memory of -- Director Lansdale, I'm sorry. I just want to -- we were asked a question about CEQ and the number of individuals who are voting members on CEQ. Do you have the math?

DIRECTOR LANSDALE:

Off the top my head I believe it's 15 members.

CHAIRPERSON HAHN:

Okay.

DIRECTOR LANSDALE:

But I can double check that.

CHAIRPERSON HAHN:

George is going to double check that for us right now, because we have people calling out from the audience and now we've gotten three different numbers.

LEG. TROTТА:

And what do they do?

CHAIRPERSON HAHN:

There are 11 voting members.

LEG. TROTТА:

Sarah, what do they do?

DIRECTOR LANSDALE:

So members of the CEQ review legislation that is before the Legislature under consideration and review it pursuant to the State Environmental Quality Review Act to determine if it's a Type I action, if it merits further environmental review, or if it's a Type II or an unlisted action. They have monthly meetings.

LEG. TROTТА:

So they interpret the State law?

MR. NOLAN:

They act as an advisory board, Legislator Trotta, to help all County departments and the Legislature comply with SEQRA. So like when we do a bill, there's generally a SEQRA provision, and to get it right, CEQ reviews it, they give us -- they are advisory, but we almost always accept their recommendation. There may have been one instance in the last 10, 15 years where we have not. But they assist us in that function.

LEG. TROTТА:

It's not a paid position I'm assuming.

CHAIRPERSON HAHN:

No.

LEG. TROTТА:

And we don't have people in the County that do that?

CHAIRPERSON HAHN:

This is part of what the State Environmental Quality Review Act set up. The Council on Environmental Quality reviews every action that we take, actions, you know, that past Legislature building -- whether we're building things or not, whether they fall -- like she said, fall into the different categories of types of actions as defined by SEQRA.

DIRECTOR LANSDALE:

The Department of Economic Development and Planning, Division of Planning and Environment staffs

CEQ.

CHAIRPERSON HAHN:

Every month we meet and we go through, you know, there's a list of legislation, they're assigned different types. We get presentations from Department of Public Works, from, you know, every major project that's happening. We make sure it's reviewed for environmental impacts. Go ahead, Legislator Krupski.

LEG. KRUPSKI:

And I think you should probably invite Legislator Trotta on Wednesday at 9:30.

CHAIRPERSON HAHN:

Come on down. Sorry, Louise. Were there other questions for Ms. Harrison?

LEG. FLEMING:

I'd just like to thank you for your willingness to serve.

MS. HARRISON:

I'm very excited to do it. When I was with the County either I or a member of my staff in the Office of Ecology would attend the CEQ meetings, so it was interesting work. The County always has something innovative or interesting to work on. Now with -- in the era of grave and large water quality concerns, I think that we need to have CEQ particularly well equipped to be able to evaluate the proposals before the Legislature and to give good advice on that.

LEG. FLEMING:

Yeah, that's very well said. Thank you.

CHAIRPERSON HAHN:

Okay. All questions were asked and answered? Okay. So we're in a unique position now, where we have an excellent candidate obviously, we have several, and all of the resolutions are not before us today and we have Legislators -- Tom, did you have a question?

LEG. MURATORE:

No.

CHAIRPERSON HAHN:

So we have other Legislators who want to put forward other individuals. We want to be able to consider everyone together and so, you know, certainly there are some of us who really want to pass you through today, but because of just this process that we feel like everyone should be heard, I'm going to make a motion to table.

LEG. MURATORE:

Second.

CHAIRPERSON HAHN:

Seconded by Legislator Muratore.

LEG. KRUPSKI:

On the motion.

CHAIRPERSON HAHN:

Legislator Krupski.

LEG. KRUPSKI:

I think this is kind of unfortunate and I apologize to Louise for, you know, for not being able to act

on this today because I think we had some good candidates and we need good people to serve on this. It's an important County function, so we don't want to abandon good candidates for volunteering.

CHAIRPERSON HAHN:

Yeah, no. And certainly we don't require you to come in again next time, because you certainly can and we'd welcome you.

MS. HARRISON:

Thank you.

CHAIRPERSON HAHN:

I know how far it is for you, but we want to take all the candidates together, consider all the resumes up next to each other and pick the top however many openings we have. And so with that, we have a motion to table, we have a second. All those in favor of tabling? Legislator Fleming.

LEG. FLEMING:

I don't have any questions, thank you.

CHAIRPERSON HAHN:

Okay. All those in favor of tabling? Opposed? Abstentions? It is tabled. **(VOTE: 5-0-0-1. LEGISLATOR ANKER NOT PRESENT)**. Thank you so much for your willingness to serve. We do need folks like you.

MS. HARRISON:

Is it too late for me to ask a question? I'm just curious what the term limits for CEO appointments.

CHAIRPERSON HAHN:

Term limits. Good question.

MS. HARRISON:

I understood by looking at the Charter there were term limits. When I took a look they were staggered.

CHAIRPERSON HAHN:

Our Counsel will look into that.

MR. NOLAN:

There's no term limits that I'm aware of on the CEO. Yeah, it's a five year term is correct.

MS. HARRISON:

Thank you very much. Thank you for considering my candidacy.

CHAIRPERSON HAHN:

Thank you very much for your willingness to serve.

MS. HARRISON:

Where do I go to my next interview?

CHAIRPERSON HAHN:

Hang out right here and we'll come get you.

MS. HARRISON:

Okay.

CHAIRPERSON HAHN:

Individuals that we have present for appointments. We took care of Samuel Chu. Oh, and then we didn't have -- is there anyone else in the audience who is here for an appointment that's actually present that -- those are reappointments, correct, that's on the agenda?

Okay. I will make a motion to take ***Introductory Resolution 1510, To reappoint member of the Suffolk County Planning Commission (Adrienne Esposito) (Co. Exec.)***, out of order.

LEG. KRUPSKI:

Second.

CHAIRPERSON HAHN:

Seconded by Legislator Krupski. All those in favor to take it out of order? Opposed? Abstentions? Introductory 1510 is before. Adrienne, if you'd like to come forward we have Introductory Resolution 1510, to reappoint a member of the Suffolk County Planning Commission, Adrienne Esposito. You don't need to. You're here, I figured you wanted to be since you raised your hand.

MS. ESPOSITO:

I mean, I think you already know me.

CHAIRPERSON HAHN:

Okay. We have a motion to approve by Legislator Fleming, seconded by Legislator Anker. On the motion, Legislator Muratore.

LEG. MURATORE:

This is a holdover, correct? When did this term expire, this lady's term expire.

MR. FREAS:

Madam Chair?

CHAIRPERSON HAHN:

Yes.

MR. FREAS:

In my notes it appears that the office -- this term is set to expire December, 2017.

LEG. MURATORE:

That's the new term. When did the old term expire?

CHAIRPERSON HAHN:

So it is a holdover. George, can you explain that?

MR. NOLAN:

It appears that, yes, Miss Esposito has been serving in a holdover capacity on the Planning Commission.

LEG. MURATORE:

Do we have rules about that? I mean, is it supposed to happen?

MR. NOLAN:

No, the person is appointed and they are not reappointed or no successor is appointed to replace them, they continue to serve in a holdover capacity until such time as a resolution is passed. So Miss Esposito's term expired, she continued to serve in a holdover, and now we have a resolution to appoint her, but she just picks up like in the middle of what her normal term would have been.

LEG. MURATORE:

So this poor lady just sat there for two-and-a-half years not knowing if she would be reappointed or not appointed.

MR. NOLAN:

I wouldn't characterize Adrienne that way, no.

LEG. MURATORE:

Well, maybe not her, maybe another lady or another man. You know, they sat there for two-and-a-half years not knowing if they were going to be reappointed.

MR. NOLAN:

I can't explain why there wasn't a resolution forthcoming. I don't know, and I don't know how Adrienne dealt with that. I'm sure pretty well.

LEG. MURATORE:

Is that our fault?

MR. NOLAN:

No, no, it's not our fault. We're good.

LEG. MURATORE:

Okay. Thanks.

MR. NOLAN:

You're welcome.

CHAIRPERSON HAHN:

Okay. We have a motion and a second. All those in favor? Opposed? Abstentions? 1510 is approved. **(VOTE: 6-0-0-0)**.

TABLED RESOLUTIONS

We'll go back to Tabled Resolutions. Introductory Resolution **1309, Adopting Local Law No. -2016, A Local Law to limit nitrogen content in lawn fertilizers (Lindsay)**. I'll make a motion to table for public hearing.

MR. NOLAN:

Yep, still open.

CHAIRPERSON HAHN:

The public hearing is still open. Seconded by Legislator Fleming. All those in favor of tabling -- all those in favor? Opposed? It is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **IR 1478 - Adopting Local Law No. -2016, A Local Law to improve and strengthen the County's Purchase of Development Rights Program (Krupski)**.

LEG. KRUPSKI:

Motion to approve.

LEG. FLEMING:

Second.

CHAIRPERSON HAHN:

Motion to approve by Legislator Krupski, seconded by Legislator Fleming.

LEG. TROTТА:

On the motion.

CHAIRPERSON HAHN:

On the motion, Legislator Trotta.

LEG. TROTТА:

This is for Sarah if she's still here.

LEG. KRUPSKI:

This will -- through the Chair?

CHAIRPERSON HAHN:

Yes, Legislator Krupski.

LEG. KRUPSKI:

This will allow for -- right now with open space you can -- there's no time to put in a parcel for appraisal. This would give farmland preservation equal -- equal footing. And it also requested the department, as there is a master list for open space, to make a master list for farmland preservation. Basically it doesn't require the County -- it requires the County to have a master list, but this outreach undergoing with the towns to provide the County with that list.

LEG. TROTТА:

Sarah, is this -- the open space and the farmland preservation all comes to the same fund?

LEG. KRUPSKI:

Currently.

LEG. TROTТА:

Currently. So my question is, is this going to, you know, I'm an advocate for open space in Western Suffolk. I mean, I sit here and all I see is us buying stuff, 90%, on the East End. Is there anything that's going to strengthen Western Suffolk purchases of open space?

DIRECTOR LANSDALE:

This allows -- there is farmland throughout the County in both Western Suffolk and Eastern Suffolk. This puts the Farmland Development Rights Program, where we purchase development rights, on an equal footing for open space. So to answer your question directly, this will strengthen our Farmland Program, and we have a pretty strong Open Space Program at this point. And we're looking to -- some of the actions that we're looking to to strength our Open Space Program, separate and apart from the legislation that's before you now, is looking at recanvassing the private property owners who are on our Comprehensive Master List for Open Space to see if they're interested in selling their properties to us to generate additional interest.

LEG. TROTТА:

You said this was now going to be on equal footing. How was it not on equal footing before this?

DIRECTOR LANSDALE:

Well, this -- farmland requires going through a few extra steps. You need to appear before the farmland development rights -- the Farmland Committee of the County first, and also for each -- each perspective purchase of development rights. So this -- the amendments to Chapter 8 allow for the creation of a process, and it also -- it allows for the creation of a Comprehensive Master List for farmland that would then allow you to once that committee approves the list, the wish list,

for farmland development rights, you then don't have to go back to that committee again for each individual purpose. It would come then before the Legislature.

LEG. TROTТА:

So it seems to me with the very limited funds that we have available right now, and clearly there is more farms on the East End than the West End, this is going to be -- and they have a negative impact on purchases on the West End.

LEG. KRUPSKI:

No, it's going to have a positive impact on preserving farmland in Suffolk County.

LEG. TROTТА:

Which is mostly on the East End.

LEG. KRUPSKI:

If we don't preserve the farmland on the East End, there won't be any left anywhere in Suffolk County. I mean, that's the whole point of it, is to preserve --

LEG. TROTТА:

I've watched -- I just recently watched 25 acres get sold in Northport that we could have preserved for maybe because of this reason or reasons like this if there's no money. We've saved thousands and thousands of acres out east.

LEG. KRUPSKI:

Because land preservation, whether it's open space, fee title or farmland preservation, it's a voluntary program. So the property owners, they know -- they have a lot of different options, and land preservation is only one of those options. So this puts -- this does put the County process more on equal footing with open space and farmland preservation, but if you're a land owner, you're going to explore all your options and preservation is only one of them.

LEG. TROTТА:

I know, but, I mean, listen, if I were you I would be saying the same thing but, you know, the West End, you know, we provide probably the majority of that tax revenue and all this being purchased on the East End. If there was some kind of other --

LEG. KRUPSKI:

But that's where the land is.

LEG. TROTТА:

That's true.

LEG. KRUPSKI:

And don't forget, there was a place in Huntington, and it was -- I can't remember the name of the farm. What was the name of the farm that we -- we approved the appraisal process.

DIRECTOR LANSDALE:

Just recently, right?

LEG. KRUPSKI:

Yes.

DIRECTOR LANSDALE:

Within the past six months. The Tilden Farm in Greenlawn.

LEG. KRUPSKI:

The Tilden Farm. And we didn't -- you know, nobody hesitated and said *no, it's in Greenlawn, we don't care about that, we'd rather preserve the farm in Peconic*. We said *sure, it's a farm in Suffolk County, it has value as farmland and we'd like to preservation it as such*. But if the Tilden family had decided that it was in their best interest to do something else with it, they wouldn't have come forward. It was entirely up to them.

LEG. TROTТА:

Of course. I just would hope that there's some higher rating being put on properties on the West End because, you know, I think that most of the tax money is generated here, yet it's being spent out east, so.

DIRECTOR LANSDALE:

We do on our open space rating form take that into consideration, the West End parcels, and they are assigned a few more points.

LEG. TROTТА:

I don't know if I can support it. Okay. Thanks.

CHAIRPERSON HAHN:

Legislator Anker.

LEG. ANKER:

You also have to consider, you know, Suffolk County, you know, we're 1.5 million people. Legislator Trotta. We're 1.5 million people, and just because what's a priority in one district may not be a priority in another district, we need to look out for the entire County. You know, we have sewers, you know, investing millions, hundreds of millions of dollars into sewerage. Is my district getting that? Not really, but I'm supporting it because, you know, like in Al's district, that's where the farms are, and Bridget's district. I'm on the Soil and Water Conservation District Committee and, you know, that -- the farms, they're part of our economy. And if it wasn't for the farms, who would want to go out east? Really, you know. Yeah, we have beautiful beaches, and we have beautiful parks, open space, but it's a whole -- the entire perspective needs to be considered when we look to invest into Suffolk County.

LEG. TROTТА:

Exactly, so why not invest a little more equally. More equally.

LEG. ANKER:

But we are, because I mentioned the sewers. So we're putting a lot of money in the sewers on the West End, but not as much on the East End, but we are investing in open space and farmland.

LEG. TROTТА:

I'm not getting any sewers on the West End. Zero.

LEG. ANKER:

What are you getting?

LEG. TROTТА:

Nothing.

LEG. ANKER:

Well, maybe you should have a more positive attitude.

LEG. TROTТА:

But my people are paying the taxes. The red tide. Get ready. It's coming.

LEG. FLEMING:

But may I just note that we do look for opportunities where in those rare instances where there is agricultural opportunity up west we have supported it, and I appreciate the Legislators supporting our recent approval of an appraisal of the CSA that the nuns were running. Where was that?

LEG. KRUPSKI:

Brentwood.

LEG. FLEMING:

Surrounded by development and it was, you know, acre for acre a more expensive parcel. But from my perspective it was really important because those are the folks who really, you know, don't have access to fresh foods and we should support the opportunities as few and far between as they might be.

LEG. TROTТА:

You know, it's ten to one probably.

LEG. FLEMING:

Well, it's the opportunities.

CHAIRPERSON HAHN:

So we have a motion and a second. Okay. All those in favor? Opposed? Abstentions? 1478 is approved. **(VOTE: 6-0-0-0)**

All right. Here we go. Introductory Resolution **1479 - Adopting Local Law No. -2016, A Charter Law to permit County-owned farmland to be utilized for alternative energy uses (Browning)**. I'll make a motion to table due to public hearing. Second by Legislator Anker. All those in favor? Opposed? Abstentions? 1479 is tabled. **(VOTE: 6-0-0-0)**

INTRODUCTORY RESOLUTIONS

Introductory Resolution 1490 - **Appointing member to the Council on Environmental Quality (Robert N. Carpenter, Jr.) (Krupski)**. I'll make a motion to table.

LEG. ANKER:

Second.

CHAIRPERSON HAHN:

Second by Legislator Anker.

LEG. KRUPSKI:

On the motion.

CHAIRPERSON HAHN:

On the motion, Legislator Krupski.

LEG. KRUPSKI:

Is this something that we should consider approving? This is to fill an unexpired term and we do need members on the -- and I should have said the same thing with the previous appointment of Louise Harrison. You know, these are unexpired terms and maybe we should approve these and fill the seats. There has been a problem at CEQ is getting a quorum.

CHAIRPERSON HAHN:

Well, again, we have several individuals interested in serving. We're going to take them all together and review them together. We have reappointments. The reappointments we'll be approving.

6/13/2016 EPA Committee

The next CEO meeting is Wednesday. We wouldn't have approved these by then anyway, they would have to pass through the full Legislature. Anyone else have any comments to make? No? Okay. I'll make a motion to table for the purposes of discussion. We have that. All those in favor of tabling? Opposed? Abstentions? 1490 is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **1505 - Reappointing member of the Council on Environmental Quality (Eva Gowney) (Hahn)**. I'll make a motion to approve. Seconded by Legislator Fleming. All those in favor? Opposed? Abstentions? 1505 is approved. **(VOTE: 6-0-0-0)**

Introductory **1506 - Reappointing member of the Council on Environmental Quality to represent historic preservation interests (Mary Ann Spencer) (Hahn)**. I'll make a motion to approve.

LEG. KRUPSKI:

Second.

CHAIRPERSON HAHN:

Seconded by Legislator Krupski. All those in favor? Opposed? Abstentions? 1506 is approved. **(VOTE: 6-0-0-0)**

Introductory Resolution **1508 - To reappoint member of the Suffolk County Planning Commission (Michael F. Kelly) (Co. Exec.)**. Motion by Legislator Muratore, seconded -- anybody to second Michael Kelly? I'll make a second. On the motion, Legislator Anker.

LEG. ANKER:

So how many members are we looking to reappoint? Where are the openings right now?

CHAIRPERSON HAHN:

This is the Planning Commission. Anyone from the Planning -- sorry. Director Lansdale is right in front of us. Director Lansdale.

DIRECTOR LANSDALE:

So with the approval of the 1514 resolution, 1514, there is one opening at large on the Planning Commission, and that's the reappointment or the appointment of Sammy Chu to the Town of Babylon spot on the Planning Commission was a result of Ray Accettella stepping down after his retirement.

CHAIRPERSON HAHN:

So once Sammy Chu moves from at large to Babylon and all that's taken care of, then we'll have a opening in the at large?

DIRECTOR LANSDALE:

That's right.

CHAIRPERSON HAHN:

One opening, and then the rest of it is full.

DIRECTOR LANSDALE:

Yes.

CHAIRPERSON HAHN:

Other than all these holdovers who have to be reappointed.

DIRECTOR LANSDALE:

That's right.

LEG. ANKER:

How many at large members are there?

DIRECTOR LANSDALE:

There are two at large members.

LEG. ANKER:

Who's the other one?

DIRECTOR LANSDALE:

Kevin Gershowitz.

CHAIRPERSON HAHN:

Our Counsel is just going to confirm the number, too. He thinks it's three but he's going to check.

DIRECTOR LANSDALE:

Oh, I'm sorry. It's three at large. It's 15 members. It's one member from each town. It's villages under 5,000 people in population, villages over 5,000 and then three at large. I stand corrected.

CHAIRPERSON HAHN:

Okay. Legislator Anker.

LEG. ANKER:

Who's the third at large member?

DIRECTOR LANSDALE:

Let me just go through my notes.

CHAIRPERSON HAHN:

Sure. It's hard to remember all these members of every commission.

LEG. ANKER:

While you're doing that, can I ask you another question, maybe Laretta or Sarah, and confuse you more.

DIRECTOR LANSDALE:

Errol Kitt is the third at large. He was approved by the Legislature a few months ago.

LEG. ANKER:

So with the recent legislation, I think that was Legislator Krupski's resolution about putting a farmer -- having a farmer representation. Is that -- I'm sorry, Bridget, Legislator Fleming. Is that part of the recent appointment or do we need to add another farming representative?

DIRECTOR LANSDALE:

Carl Gabrielsen is a representative from the Town of Riverhead and he considers himself to be a farmer.

LEG. ANKER:

So he would fulfill the requirement of a farmer being on the Planning Commission.

CHAIRPERSON HAHN:

Our Counsel will answer that question.

MR. NOLAN:

Right, I agree. If he's a farmer he would meet that criteria and serve that purpose, that one slot.

CHAIRPERSON HAHN:

Did we define farming formally when we passed that legislation? They're all questions, we'll have to look. What are we considering right now. Right now we are considering reappointing a member. We're on 1508, so we're considering the reappointment of current member Michael Kelly. So you want to ask the question about whether or not is there -- people obviously, as we heard earlier, act as holdovers indefinitely I guess. So, Legislator Anker, do you want to ask what your question was?

LEG. ANKER:

How pertinent is it to vote on these folks today?

DIRECTOR LANSDALE:

I don't understand. Is there a reason why not to vote on them?

LEG. ANKER:

Well, again, I just want to make clear that there's an opening for an at large and, you know, I'd like just to clarify that that opening's available. I think there was a little confusion between the farmer --

CHAIRPERSON HAHN:

This spot says Michael Kelly, Brookhaven. Is he the Brookhaven appointment?

DIRECTOR LANSDALE:

Town of Brookhaven.

CHAIRPERSON HAHN:

He represents the Town of Brookhaven spot.

DIRECTOR LANSDALE:

Yes.

CHAIRPERSON HAHN:

And does that come from the town itself? Do they make those recommendations?

DIRECTOR LANSDALE:

The town is certainly consulted in the process.

CHAIRPERSON HAHN:

Okay. Does that help at all? Okay. We have a motion and a second on the approval. All those in favor? Opposed? Abstentions? 1508 is approved. **(VOTE: 6-0-0-0)**

Introductory Resolution **1509 - To reappoint member of the Suffolk County Planning Commission (Kevin Gershowitz) (Co. Exec.)**. This is an at large position. It's a reappointment. Anyone want to make a motion? This is an at large position.

LEG. ANKER:

I'd like to make a motion to table.

LEG. FLEMING:

I'll second that.

CHAIRPERSON HAHN:

There's a motion to table and a second.

LEG. TROTТА:

Second.

CHAIRPERSON HAHN:

Two seconds. On the motion, Legislator Krupski.

LEG. KRUPSKI:

So I don't know everyone on the Planning Commission, you know, who they do and what they do, but I do know that a couple of years ago someone from Orient was removed and someone from Babylon was put on. And I asked -- while I supported the person from Babylon and I'm sure he's doing a good job, that's not the issue. The issue was that we should have representation from the East End. And I've been working really with the Administration for a number of years to get someone who happens to be a farmer from the East End on the Planning Commission, and I would hate to see that just --

CHAIRPERSON HAHN:

There are five East End towns, am I correct?

DIRECTOR LANSDALE:

That's right, there are five.

CHAIRPERSON HAHN:

So there are five East End representatives automatically.

DIRECTOR LANSDALE:

Yes.

CHAIRPERSON HAHN:

Thank you.

LEG. KRUPSKI:

But one of the at large positions was replaced and I thought that it was appropriate to have someone on there and there was actually a name put out there and then it was removed recently. So I would like to be consistent there and put on a farmer from the East End who I believe has been interviewed and I think it's important to --

CHAIRPERSON HAHN:

Are there villages smaller than 5,000 that are in the five East End towns?

DIRECTOR LANSDALE:

We have a list of that at our office. I think the answer is yes.

CHAIRPERSON HAHN:

And villages larger than 5,000? Are there villages larger than 5,000 on the East End?

DIRECTOR LANSDALE:

Yes, Sag Harbor.

CHAIRPERSON HAHN:

Right now one is from Smithtown township, the smaller than 5,000. I can't remember which village. Head of the Harbor.

DIRECTOR LANSDALE:

It's Michael Kaufman.

CHAIRPERSON HAHN:

Yes.

DIRECTOR LANSDALE:

And then Adrienne Esposito --

CHAIRPERSON HAHN:

Represents Patchogue.

DIRECTOR LANSDALE:

Over 5,000 for Patchogue.

CHAIRPERSON HAHN:

Okay. We'll find out when we get to it. Okay. So we have a motion to table and a second to 1509.

LEG. KRUPSKI:

On the motion again.

CHAIRPERSON HAHN:

Legislator Krupski.

LEG. KRUPSKI:

Why are we tabling this one? I mean, is this -- this person has served in the past as far as I know. And I'll ask Director Lansdale. Has this person served currently?

DIRECTOR LANSDALE:

Yes, he's currently on the Planning Commission and fulfills all of his obligations and duties.

LEG. KRUPSKI:

And he's a businessman?

DIRECTOR LANSDALE:

Yes.

LEG. KRUPSKI:

I think it's important to have a businessman on the Planning Commission.

CHAIRPERSON HAHN:

Are you making a motion to approve?

LEG. KRUPSKI:

I make a motion to approve.

CHAIRPERSON HAHN:

And I will second. We have -- Legislator Anker you made the motion to table. Do you want to talk more about that? We have a second.

LEG. TROTТА:

I don't know who he is. I mean, we're relatively new. And it looks like his appointment doesn't expire for, by the looks, expire in 2019?

CHAIRPERSON HAHN:

Is that the new term?

DIRECTOR LANSDALE:

His term expired December 31, 2015.

LEG. TROTТА:

This is from Gershow Recycling?

DIRECTOR LANSDALE:

His resume is attached to the resolution.

CHAIRPERSON HAHN:

Do you need a copy of that?

LEG. TROTТА:

I'm good.

CHAIRPERSON HAHN:

Legislator Anker.

LEG. ANKER:

So is there, you know, again, we just passed a resolution to have a farmer on the board, on the Planning Commission. Is there -- I guess he's there because he's a businessman and he represents businesses? Is that why he is on the Planning Commission?

DIRECTOR LANSDALE:

Yes, that's right. There are certain qualifications for the Planning Commission, and he represents one of the qualifications, which is business.

LEG. FLEMING:

If I could just say the legislation that we recently passed that I sponsored required a farmer and also someone from the business community as distinct from real estate. So Mr. Gershowitz would satisfy that requirement, the new requirement.

CHAIRPERSON HAHN:

And if we make this reappointment, if we approve this resolution today, there will still be one at large open after Sammy moves from at large to --

DIRECTOR LANSDALE:

Yes.

CHAIRPERSON HAHN:

It will still be one.

DIRECTOR LANSDALE:

There will be one at large opening if the Legislature approves the move from at large to Babylon.

CHAIRPERSON HAHN:

To Babylon.

LEG. ANKER:

I'll withdraw my tabling.

CHAIRPERSON HAHN:

So Legislator Anker will withdraw her tabling motion. So now we just have a motion to approve and a second. Okay. Any other motions? All those in favor? Opposed? Abstentions?

LEG. TROTTA:

Abstain.

CHAIRPERSON HAHN:

One abstention. 1509 is approved. **(VOTE: 5-0-1-0 Abstention: Legislator Trotta)**

We passed 1510 earlier. Introductory Resolution **1513 - To reappoint member of the Suffolk County Planning Commission (John J. Finn)(Co. Exec.)**. He will be representing -- continue to represent Smithtown township. Anyone want to make a motion? I'll make a motion to approve. Seconded by Legislator Trotta. This is Introductory Resolution 1513. Any other motions? Okay. All those in favor? Opposed? Abstentions? 1513 is approved. **(VOTE: 6-0-0-0)**

Earlier we approved 1514 and now we are on to Introductory Resolution 1517. Several of these have to be tabled. Introductory Resolution **1517 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk 2016 Home Rescue Solutions Limited (SCTM No. 1000-059.00-10.00-002.000)(Co. Exec.)** We have a public hearing so this has to be tabled. I'll make a motion to table.

LEG. KRUPSKI:

Second.

CHAIRPERSON HAHN:

Seconded by Legislator Krupski. All those in favor? Opposed? Abstentions? 1517 is tabled. **(VOTE: 6-0-0-0)**

I'm going to make same motion, same second, for Introductory Resolution **1518 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk 2016 Threshold Blue Inc. (SCTM No. 1000-063.00-02.00-006.002)(Co. Exec.)**. So that was same motion, same second, same vote, to table. **(VOTE: 6-0-0-0)**

Introductory Resolution **1519 - Authorizing the disapproval of a new parcel for inclusion into an existing certified Agricultural District(s) in the County of Suffolk 2016 Kurt and Susan Meyer (SCTM No. 0802-010.00-04.00-008.000)(Co. Exec.)**. Same motion, same second, same vote. 1519 is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **1520 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk 2016 South Country Farms, LLC (SCTM No. 0200-976.10-03.00-027.002)(Co. Exec.)**. Same motion, same second, same vote. 1520 is tabled. **(VOTE: 6-0-0-0)**

Legislator Fleming has a question.

LEG. FLEMING:

Just a question on the last resolution. I wonder, Laretta, if we could get an updated aerial map of that acquisition proposal?

MS. FISCHER:

The new aerials have been flown in this year February/March, but we won't be -- accessible to us until next year, that time.

LEG. FLEMING:

Is there any survey or anything that would indicate to us what the current conditions of the property are?

MS. FISCHER:

The only thing we can do is provide you with a photo.

LEG. FLEMING:

Yes.

MS. FISCHER:

And we can go out and do that for the property.

LEG. FLEMING:

That would be helpful. Thank you.

MS. FISCHER:

Okay.

CHAIRPERSON HAHN:

Okay. Introductory Resolution **1521 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk 2016 Agriturismo Sannino, LLC (SCTM No. 1000-101.00-01.00-014.006)(Co. Exec.)**. Same motion, same second, same vote. 1521 is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **1522 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk 2016 MF LK Holdings, LLC (SCTM No. 0600-021.00-01.00-003.000)(Co. Exec.)**. Same motion, same second, same vote. 1522 is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **1523 - Authorizing the disapproval of a new parcel for inclusion into an existing certified Agricultural District(s) in the County of Suffolk 2016 Timber Gardens, LLC (SCTM No. 0600-066.00-01.00-017.007)(Co. Exec.)**. Same motion, same second, same vote. It is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **1524 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk 2016 Laura Mccarthy (SCTM No. 1001-007.00-03.00-019.003)(Co. Exec.)**. Same motion, same second, same vote. 1524 is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **1525 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk 2016 Meador Land Company, LLC (SCTM No. 1000-055.00-01.00-007.000)(Co. Exec.)**. Same motion, same second, same vote. 1525 is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **1526 - Authorizing the inclusion of new parcel(s) into an existing certified Agricultural District(s) in the County of Suffolk 2016 Sagaponack Realty, LLC (SCTM No. 0908-010.00-03.00-001.000)(Co. Exec.)**. Same motion, same second, same vote. 1526 is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **1527 - Authorizing the disapproval of new parcels for inclusion into an existing certified Agricultural District(s) in the County of Suffolk 2016 Pal-O-Mine Equestrian Inc. (SCTM Nos. 0504-004.00-01.00-019.000, 0504-009.00-01.00-035.000)(Co. Exec.)**. Same motion, same second, same vote. 1527 is tabled. **(VOTE: 6-0-0-0)**

Introductory Resolution **1562 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) open space component - for the Galasso Property Pine Barrens Core/Warbler Woods addition Town of Brookhaven (SCTM No. 0200-528.00-06.00-018.000)(Co. Exec.)**. That one I'll make a motion to approve.

LEG. KRUPSKI:

Second.

CHAIRPERSON HAHN:

Second by Legislator Krupski. All those in favor? Opposed? Abstentions? 1562 is approved. **(VOTE: 6-0-0-0)**

Introductory Resolution **1563 - Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) open space component - for the Wood Property Wading River Wetlands Town of Riverhead (SCTM No. 0600-029.00-02.00-025.000)(Co. Exec.)**.

LEG. KRUPSKI:

So moved.

CHAIRPERSON HAHN:

Motion by Legislator Krupski, seconded by Legislator Anker. All those in favor? Opposed? Abstentions? 1563 is approved. **(VOTE: 6-0-0-0)**

Introductory Resolution **1564 - Adopting Local Law No. -2016, A Local Law to identify and reserve tax default properties appropriate for siting Community Wastewater Treatment Systems (Fleming)**. This needs to be tabled for public hearing. So we'll make a motion by Legislator Fleming to table, seconded by Legislator Krupski. All those in favor?

LEG. FLEMING:

On the motion.

CHAIRPERSON HAHN:

On the motion, Legislator Fleming.

LEG. FLEMING:

If I could just note that we -- I've had some good discussions with Real Estate and we will be filing an amended copy probably this evening, George? Is that our deadline?

MR. NOLAN:

The deadline actually is -- we would like to get it done by Thursday, but as soon as you get us the changes we'll make them.

LEG. FLEMING:

Okay. So there will be amendments coming. Thank you.

CHAIRPERSON HAHN:

As soon as you get them. 1564 we had a motion to table and a second. All those in favor? Opposed? Abstentions? 1564 is tabled for public hearing. **(VOTE: 6-0-0-0)**

1571 -- oh, we did that one already. We tabled that. Wow. Thank you very much for everyone's patience. It was a long committee. And seeing that we have no further business, we are adjourned.

(THE MEETING CONCLUDED AT 12:39 PM)

6/13/2016 EPA Committee

{ }DENOTES SPELLED PHONETICALLY