

1 ENVIRONMENT, PLANNING & AGRICULTURE COMMITTEE
2
3 OF THE
4
5 SUFFOLK COUNTY LEGISLATURE
6
7 MINUTES
8
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10 A meeting of the Environment, Planning & Agriculture Committee of
11 the Suffolk County Legislature was held in the Rose Y. Caracappa
12 Legislative Auditorium of the William H. Rogers Legislature
13 Building, 725 Veterans Memorial Highway, Smithtown, New York on May
14 8, 2017.
15

16
17 MEMBERS PRESENT:

18 Legislator Kara Hahn - Chairperson
19 Legislator Al Krupski - Vice Chair
20 Legislator Sarah S. Anker
21 Legislator Thomas Muratore
22 Legislator Robert Trotta
23 Legislator Bridget Fleming
24

25 ALSO IN ATTENDANCE:

26 Presiding Officer DuWayne Gregory - District No. 15
27 George M. Nolan - Counsel to the Legislature
28 Amy Ellis - Chief Deputy Clerk/Legislature
29 Laura Halloran - Budget Review Office
30 John Marafino - County Executive's Office
31 Sarah Lansdale - Director/Department of Planning
32 Laretta Fischer - Department of Planning
33 Janet Longo - Real Property Acquisition & Management
34 Valerie Smith - County Attorney's Office
35 Walter Dawydiak - Environmental Quality/Health Department
36 Corey Humphrey - Soil and Water Conservation
37 Auggie Ruckdeschel - Economic Development
38 Justin Jobin - Health Department
39 Peter Scully - County Executive's Office
40 Alyssa Turano - Aide to Legislator Hahn
41 Catherine Stark - Aide to Legislator Krupski
42 Robyn Fellrath - Aide to Legislator Anker
43 Brendan Chamberlain - Aide to Legislator Muratore
44 Greg Moran - Aide to Legislator Trotta
45 Elizabeth Sutton - Aide to Legislator Fleming
46 Jane Devine - Reappointee/Suffolk County Water Authority
47 John Turner - Seatuck Environmental
48 Gwen O'Shea - Community Development Corporation of Long Island
49 Robert Carpenter - LI Farm Bureau
50 And all other interested parties
51

52 MINUTES TAKEN BY:

53 Diana Flesher - Court Stenographer
54

55 MINUTES TRANSCRIBED BY:

56 Kim Castiglione - Legislative Secretary

1 *(*The meeting was called to order at 10:04 a.m. *)*
2

3 **CHAIRPERSON HAHN:**

4 Will all Legislators come to the horseshoe? Okay, if could all
5 rise for the salute to the flag led by Legislator Muratore.
6

7 **SALUTATION**
8

9 It's so good to see you looking so well, Tom.
10

10:05AM

11 **LEG. MURATORE:**

12 Thank you.
13

14 **PUBLIC PORTION**
15

16 **CHAIRPERSON HAHN:**

17 Okay. We will begin with the Public Portion. Our first -- each
18 speaker has three minutes. You can come to the podium and our
19 first speaker is John Turner followed by Gwen O'Shea.
20

10:06AM

21 **MR. TURNER:**

22 Good morning, Chairwoman Hahn and members of the committee. My
23 name is John Turner and I serve as a conservation policy advocate
24 for the Seatuck Environmental Association, which you may know is a
25 not-for-profit conservation organization located in the wonderful
26 County Scully Preserve down in Islip, where we advocate for
27 wildlife protection and provide education programs. I'm here today
28 to express the organization's strong support for the adoption of a
29 resolution, Introductory Resolution 1291, which relates to the land
30 across the street basically, the 6.6 acre property, two parcels
31 owned by Janice Bradt.
32

10:06AM

33 These parcels, while they may be small in overall acreage, have
34 really great ecological and water quality or hydrological
35 significance in that they are key components of the very headwaters
36 of the Nissequogue River. This river has two major headwater
37 systems, one that starts Townline Road, almost in the Town of
38 Islip, and flows north all the way through Millers Pond County Park
39 into Blydenburgh and then works its way not too far from here. And
40 the other system to it, a tributary, is much shorter and it really
41 starts right over here and then flows into Blydenburgh. I'm not
42 sure it's an artesian system or if it's just flow that comes out of
43 the hillside, but if you walk the property, which I have done
44 several times with County officials, you literally see the water
45 bubbling up, and because of that, the area is really dominated by
46 various wetland species. It's just a really important area.
47

10:07AM

48 You've already acquired one parcel to the east; the Town of
49 Smithtown in years past has acquired two. There's the third parcel
50 that you're negotiating in that they're very close to reaching an
51 agreement on. So when it's all said and done, government, both the
52 County and the Town of Smithtown, will have done a really bang up
53 job in terms of preserving an assemblage of open space that really
54 will lock away and preserve, again, the headwaters to one of the
55 two headwater systems of the Nissequogue River. So, again, for
56 those reasons we urge that you adopt the resolution today.

10:08AM

1 **CHAIRPERSON HAHN:**
2 John, do you mind staying where you are? We have some questions
3 from Legislators. Legislator Krupski.

4
5 **MR. TURNER:**
6 Sure.

7
8 **LEG. KRUPSKI:**
9 Good morning, John.

10:08AM 10
11 **MR. TURNER:**
12 Hi.

13
14 **LEG. KRUPSKI:**
15 Is this -- I'm only familiar with it because I've seen it from the
16 highway there.

17
18 **MR. TURNER:**
19 Yeah.

10:08AM 20
21 **LEG. KRUPSKI:**
22 Is this an area that should be -- is it a water quality issue? I
23 know there's a lot of development all around it. Is there
24 anything, impaired water, the surface water that's draining into it
25 that needs to be remediated or is this, in fact, already protected
26 from that sort of impact.

27
28 **MR. TURNER:**
29 I would defer to County officials to talk more about the water
10:09AM 30 quality impacts. My understanding is in years past there had been
31 some concern about contamination that had been flowing, I guess
32 from past, you know, legacy land use or dumping that may have
33 impacted the area at very low levels, very low concentrations. I
34 think that that's been remediated and is no longer an issue, but
35 I'm not 100% sure.

36
37 **LEG. KRUPSKI:**
38 Thank you.

39
40 **CHAIRPERSON HAHN:**
41 Thank you. Our next speaker is Gwen O'Shea.

42
43 **MS. O'SHEA:**
44 Good morning. I'm Gwen O'Shea with the Community Development
45 Corporation of Long Island, and I thank you for the opportunity to
46 speak with you this morning. For those of you that are not
47 familiar with CDCLI, we are a non-profit organization that has been
48 serving Long Island since 1949 and we really are a significant
49 force for revitalizing and building strong communities, because at
10:10AM 50 the core of what we do we believe that home matters for all
51 individuals. So our mission is to invest in housing and economic
52 aspirations of individuals and families by providing solutions that
53 foster and maintain vibrant, equitable and sustainable communities.
54 And so assisting Long Islanders by providing safe, affordable
55 housing is at the core of what we do, and that's really why we are
56 so pleased to partner with Suffolk County on Resolution 1262, the

1 Septic Program.

2
3 So our role through a one million dollar commitment from
4 Bridgehampton National Bank, we will be able, based on our
5 experience in doing a number of these projects, will be lending to
6 individuals who are interested in participating in the program but
7 may not have the resources, the disposable income to make that
8 possible. So residents who are interested but are unable to cover
9 the difference of the grant from the County can apply on their own.
10 They're not forced to, but they can voluntarily decide to
11 participate in this program that will be made available to them
12 once they start the application process with the County.

13
14 So I want to underscore the importance of this program being made
15 available to all Suffolk County residents. There is no cost to
16 participate in this program, there's no application fee. We
17 anticipate that it will take about three days to do a pre-qualify
18 so individuals that are going through the process of the
19 application can simultaneously pre-qualify. We will not start the
20 application process, however, until the County does, in fact,
21 verify that the homeowner qualifies based on the County's criteria
22 to participate in the program. So if a homeowner does qualify and
23 the County does allow them to move forward with a grant, it will
24 take no more than five business days for the individual to be able
25 to access this and be informed that they have all the resources
26 necessary to move forward with this program.

27
28 I want to underscore the importance and really commend the County
29 on how this is really a public/private partnership to make this
30 available to all homeowners, because our program is completely
31 funded with private philanthropic dollars. So in addition to the
32 dollars that the County is bringing to this program, we're bringing
33 over 1.6 million to cover the administrative cost and underwrite
34 the loan product as well as work with Bridgehampton to, again, make
35 those dollars available.

36
37 Through our program we anticipate that 150 households, in
38 particular low income individuals that would not be able to access
39 this program, will be able to access the Septic Program by
40 utilizing this program. We look forward to continuing to do
41 outreach and communication, in particular to those high need tier
42 one areas that have been identified by the County to insure, again,
43 that all homeowners are able to access this program if they so
44 choose to. Thank you.

45
46 **CHAIRPERSON HAHN:**

47 Okay. Stay right there. We have a question from Legislator
48 Fleming.

49
50 **LEG. FLEMING:**

51 Thank you, Gwen, for your critically important role in all of this.
52 I know we couldn't do it without your CDC Long Island's assistance,
53 so thank you.

54
55 **MS. O'SHEA:**

56 Thank you.

1 **LEG. FLEMING:**

2 You said you'd be doing outreach? Can you just describe a
3 little bit what you envision that to be?
4

5 **MS. O'SHEA:**

6 Sure. Our hope is through all of the different programs, so in
7 addition to the lending arm, so as a CDCFI, as a financial lender,
8 we will be communicating with individuals, but also we do a lot
9 around weatherization, first-time home buyer, financial assistance.
10 We'll be communicating to all of the individuals that we serve
11 about the availability of this program as well as making it
12 available through all the social media outlets that we utilize, and
13 we'll continue to work with the County by going to community forums
14 that take place, so if individuals have questions about the lending
15 product we can answer it there right on the spot.
16

17 **LEG. FLEMING:**

18 So you anticipate using the network that you already have in place
19 to just get this information out, that's great.
20

21 **MS. O'SHEA:**

22 Correct.
23

24 **LEG. FLEMING:**

25 Because so much of what we're doing revolves around cost and making
26 the cost, you know, bearable for individual homeowners. It's a
27 region-wide problem, the nitrogen overload and what it's doing to
28 our shellfisheries and our fisheries and our, you know, our
29 recreational waters. So to be able to reach -- I have been
30 wondering how is it that we're going to get folks who aren't
31 necessarily on the radar of new development or how do I spend money
32 to upgrade my house kind of thing, but are still in critical areas
33 that are close to or impacting already impaired water bodies. So
34 you're just going to fold this into the outreach that you already
35 do as well as tagging along with County when they do announcements?
36

37 **MS. O'SHEA:**

38 Correct. I know the County is planning to do outreach and have
39 everything available on their websites and, again, continue the
40 community outreach, but we'll be working with other community-based
41 organizations and partners that we have throughout all the
42 townships and villages within Suffolk County, again, to your point,
43 to really insure that those folks in particular in the most
44 critical areas are aware of this program.
45

46 **LEG. FLEMING:**

47 Thank you very much.
48

49 **CHAIRPERSON HAHN:**

50 Legislator Krupski.
51

52 **LEG. KRUPSKI:**

53 Good morning.
54

55 **MS. O'SHEA:**

56 Good morning.

1 **LEG. KRUPSKI:**

2 So this is a no cost application funded by private money?

3
4 **MS. O'SHEA:**

5 That's correct.

6
7 **LEG. KRUPSKI:**

8 And how -- you did 1.6 million. How -- what is the plan going
9 forward for this program? And I know the County I think has done,
10 you know, through Planning and the Health Department and Public
11 Works, have done a great job setting this up. I guess what happens
12 when the money runs out? How does this, what you're setting up
13 here, continue?

14
15 **MS. O'SHEA:**

16 That's a really good question and I would echo your praise of the
17 work that the County Health Department and the County Executive has
18 done in really doing their due diligence to make this available to
19 folks. I think that's an importance question, that the dollars
20 that are available that the County has earmarked for this only will
21 serve a certain number of households. I think it behooves all of
22 us that as the program becomes successful and we're able to
23 demonstrate to continue the conversation of where are there
24 additional dollars, whether it be at the State level or potentially
25 even at the Federal level as they're talking about infrastructure
26 investment, could we collectively advocate to ensure that some of
27 those dollars come to this region for that very purpose. But in
28 terms of how it stands right now, our intention is to utilize the
29 dollars that have been made available through Bridgehampton and our
30 private investors, Philanthropic Long Island Foundations, to really
31 make sure we get to the 150, 200 if not more households based on
32 the dollars that we know we do have available today.

33
34 **LEG. KRUPSKI:**

35 Thank you.

36
37 **CHAIRPERSON HAHN:**

38 Thank you. Any other questions? Legislator Trotta.

39
40 **LEG. TROTТА:**

41 This money has to be paid back.

42
43 **MS. O'SHEA:**

44 That's correct. So this is a 15 year fixed loan, and I think
45 that's a really good point to underscore that the dollars that the
46 County is making available are grant dollars. This is a loan. So
47 for individuals that do not have that type of disposable income to
48 cover that cost in completing the system installation, this would
49 be available to them at a very, very low cost.

50
51 **LEG. TROTТА:**

52 What percentage rate?

53
54 **MS. O'SHEA:**

55 Three percent fixed.

1 **LEG. TROTТА:**

2 Fifteen years. And how much -- is there a limit on how much they
3 can borrow?
4

5 **MS. O'SHEA:**

6 The program that we're offering is really tailored to ensure that
7 it goes to homeowners that are utilizing the vested -- the
8 contractors that had been vetted along with the systems. And so
9 right now we're anticipating, based on the numbers that we've seen,
10 that all in at the highest cost, that would be probably about
11 eighteen five, maybe \$19,000, so we would cover that difference.
12 So probably up to about -- we're averaging about \$10,000 based on
13 the numbers we've seen.
14

15 **LEG. TROTТА:**

16 The County is going to give ten I think it is?
17

18 **MS. O'SHEA:**

19 My understanding is the County will provide up to 11,000.
20

21 **LEG. TROTТА:**

22 Up to 11,000. And these are the poorest of the poor I'm assuming.
23

24 **MS. O'SHEA:**

25 I don't want to speak. I think the County will probably go more
26 into sort of --
27

28 **LEG. TROTТА:**

29 Your program I mean.
30

31 **MS. O'SHEA:**

32 Our program actually goes up to \$300,000 annual earnings, so we are
33 providing the loan for a large section of Suffolk County residents.
34

35 **LEG. TROTТА:**

36 Oh, so up to 300,000. Is there any special preference made for
37 people making 80,000 a year?
38

39 **MS. O'SHEA:**

40 There's not any special preference made. Our hope, although
41 nothing has been finalized yet, is we are investigating other
42 private dollars that might be used to offset the cost for
43 individuals that make up to somewhere in the neighborhood of 200%
44 of the area median income. So that would really target the lower
45 income residents in Suffolk County because we are concerned, as I'm
46 sure many of you are, that a loan for an individual making \$60,000
47 a year, you know, is an additional cost that they may not be able
48 to cover.
49

50 **LEG. TROTТА:**

51 So they're making on a 3% loan -- are the people who are giving you
52 this money making money?
53

54 **MS. O'SHEA:**

55 No. This is a zero interest loan that they're providing to us in
56 terms of getting back --

1 **LEG. TROTТА:**
2 Who's making the 3%?

3
4 **MS. O'SHEA:**
5 The 3% is helping to cover -- 3% is to insure in case there's any
6 loans that are not paid back that we will be able to cover that
7 gap.

8
9 **LEG. TROTТА:**
10:18AM 10 That was my next question. So what happens if you don't pay it
11 back?

12
13 **MS. O'SHEA:**
14 Well, we're hoping that everyone will pay it back, but we'll be
15 managing the lending product as we would any other lending product,
16 where there could be deferred payment or there could be a default
17 on the payment, and that's part of the risk that we take as a CDFI.

18
19 **LEG. TROTТА:**
10:19AM 20 And then what happens when there's -- I mean, there's 117,000
21 pending foreclosures now in Suffolk County. So, I mean, this
22 potentially could have some effect on additional foreclosures. I
23 mean, what --

24
25 **MS. O'SHEA:**
26 Well, when you take a look at the percentage, again, it's a 3%
27 fixed at approximately \$10,000, that we're looking at about \$50 a
28 month in terms of what individuals will be paying back. And based
29 on our historical work in lending, we work very closely with
10:19AM 30 individuals that do borrow from us to insure that payment is being
31 made and to talk with them if there are any challenges that come up
32 so that we have a very, very low default our loan products.

33
34 **LEG. TROTТА:**
35 Are you going to be at the General Meeting?

36
37 **MS. O'SHEA:**
38 Yes.

39
40 **LEG. TROTТА:**
41 Okay. Thank you.

42
43 **CHAIRPERSON HAHN:**
44 Any other questions? Thank you, Gwen.

45
46 **MS. O'SHEA:**
47 Thank you.

48
49 **CHAIRPERSON HAHN:**
10:20AM 50 The next speaker is Robert Carpenter.

51
52 **MR. CARPENTER:**
53 Thank you very much for allowing me the opportunity to speak. I'm
54 here today to speak in support of the RCPP project, which is also
55 Resolution 1361. I would like to first thank a couple of people
56 who are very instrumental in this grant proposal. One of them --

1 the first one being Auggie Ruckdeschel, who took it upon himself to
2 write the majority of this grant, was very instrumental. Sarah
3 Lansdale, the Director of Planning, and Corey Humphrey from the
4 Soil and Water Conservation District. They were all very
5 instrumental in this.

6
7 I'm here today to speak on behalf of Long Island Farm Bureau in
8 support of this project. Agriculture over the past 13 years, since
9 2004, has been working to improve agricultural practices on Long
10 Island to address water quality improvements. We started this
11 process in 2004 with the first agricultural stewardship plan, which
12 recently went through a ten year update and was passed unanimously
13 by the Suffolk County Legislature in March of 2016. As a result of
14 that, Farm Bureau has been working and has lobbied the State
15 Legislature to secure over actually one million dollars in the EPF
16 funding, Environmental Protection Fund, to help farmers with
17 stewardship practices as a result of that stewardship plan. So
18 there is already a tremendous amount of work being done.

19
20 The stewardship practices will help farmers with a number of
21 things, including nitrogen reduction and improved water quality, by
22 cost sharing practices such as controlled release fertilizers, with
23 nutrient management plans, integrated pest management plans,
24 irrigation system review, soil conservation practices and soil
25 health improvements.

26
27 This RCPP project will allow many partners to work together,
28 including the Peconic Estuary Program, the Farm Bureau, Cooperative
29 Extension, Soil and Water Conservation District, the County of
30 Suffolk, to help the farm community to implement these projects.
31 It is also my understanding that this RCPP project will not cost
32 the County anything; however, we do need the County to be able to
33 accept the funds so that the farmers can work with Soil and Water
34 District to implement nutrient management plans. So this project
35 will be a huge addition to the money coming in through the
36 Environmental Protection Fund from New York State and will
37 complement our work that's already ongoing. So I would encourage
38 you to accept this grant and allow us to work forward to continue
39 to help water quality improvement on Long Island for farmers.

40 Thank you.

41
42 **CHAIRPERSON HAHN:**

43 Thank you. Any questions? Sounds pretty awesome.

44
45 **MR. CARPENTER:**

46 Thank you very much.

47
48 **CHAIRPERSON HAHN:**

49 Okay. I skipped over correspondence and I think at the moment I
50 skipped over we received an e-mail from the Clerk's Office with a
51 letter that I re-forwarded to everybody so you probably have it
52 twice on the committee, the correspondence regarding IR 1262, so
53 that should be submitted for the record to the Clerk. That's for
54 the record for this committee. Okay.

1 I am now going to -- before we go to the presentation, I'm going to
2 ask that we take -- I'm going to make a motion to take IR 1274 out
3 of order. So I made a motion; seconded by Legislator Muratore.
4 All those in favor? Opposed? Abstentions? IR 1274 is before us.
5 **IR 1274 - Reappointing member to the Suffolk County Water Authority**
6 **(Jane R. Devine) (Pres. Off.).** I'll make a motion.

7
8 **LEG. MURATORE:**

9 Second.

10:24AM

10
11 **CHAIRPERSON HAHN:**

12 Second by Legislator Muratore. Jane, if you don't mind coming
13 forward, wherever you feel most comfortable, at the podium or
14 sitting down.

15
16 **MS. DEVINE:**

17 I feel comfortable over there with you.

18
19 **CHAIRPERSON HAHN:**

10:24AM

20 Yes, I know, you used to be a Legislator here. Welcome home, so to
21 speak. I know you've been here many times, but we always love to
22 see you.

23
24 **MS. DEVINE:**

25 Thank you.

26
27 **CHAIRPERSON HAHN:**

28 Just tell us a little bit about yourself and your experience so far
29 on the Water Authority and why you'd like to continue to serve.

10:25AM

30
31 **MS. DEVINE:**

32 Well, one of the reasons I want to serve -- I want to continue, is
33 because of the conservation of water, pure water, in this County.
34 And your agenda shows that you're very interested in that as a
35 committee yourselves. I mean, practically everything that you're
36 doing has to do with water. That's how I spend a lot of my time
37 now and have for the past two terms on the Water Authority. And
38 I'm very proud to work for the Water Authority, because I think
39 that as a public benefit corporation that we don't have taxing
40 power, we raise the revenues through our rates, we have to keep a
41 very tight budget, and I brought the proposed budget for 2018 with
42 me in case anybody wants to take a look at that. We have been
43 paring it down as the years go by.

10:25AM

44
45 I want to go back when I was first appointed, and I myself wrote
46 and introduced ten resolutions and they did things like take away
47 the credit cards from the board members, take away -- you're going
48 to love this -- take away the credit cards, the cars, the health
49 insurance. So I started that way as a former Commissioner of
50 Consumer Affairs, thinking about the consumers of the water, the
51 people who are ratepayers and what it meant to them in increase of
52 rates by continuing with those practices, which I think are wrong.
53 And so I have kind of kept that profile as I've served the Water
54 Authority.

10:26AM

1 Just recently we had the 2018 budget before us and we adopted the
2 budget as it was amended and written, but then on top of that we
3 considered a 10% reduction by a resolution that I forwarded to the
4 whole board, and we are in the process of doing that right now,
5 having the departments report to us on how they can reduce. When I
6 was Commissioner of Consumer Affairs here, I was instructed to
7 reduce my budget, my Operating Budget, by 10%, and I have this
8 feeling ever since then you can always go into a budget and you can
9 always find things to cut if you want to, because they're there.
10:27AM 10 The extra money is there and you can still function well and as you
11 should.

12
13 So those are the kinds of attitudes that I take to the work that
14 I'm going. I've always been involved in public service work all my
15 life. I continue to do that outside of the Water Authority
16 activity and I really want to be reappointed to continue what I'm
17 doing.

18
19 **CHAIRPERSON HAHN:**

10:27AM 20 Thank you. Are there any questions from the committee? Legislator
21 Krupski.

22
23 **LEG. KRUPSKI:**

24 Good morning.

25
26 **MS. DEVINE:**

27 Yes.

28
29 **LEG. KRUPSKI:**

10:27AM 30 You sound like you're very engaged. I like that.

31
32 **MS. DEVINE:**

33 I am.

34
35 **LEG. KRUPSKI:**

36 So I've got a couple of questions about -- well, one is just a kind
37 of a mechanical question about the remediation of the roadways when
38 the new water mains go in, and so it's a concern and we get calls,
39 you know, in our office on a regular basis. When the water mains
10:27AM 40 go in there's big holes. We were down on Mill Lane in Peconic
41 yesterday and there's cones there and they get knocked over and
42 there's unsafe driving conditions plus there's, you know, it's
43 left with quite a situation. Is there like an ongoing policy to
44 remediate, to repave the road?

45
46 **MS. DEVINE:**

47 There is. It's actually most of that is contracted out. Some of
48 the work is done by our own employees, but most of it is contracted
49 out, and so I will take that back to the CEO today actually and
10:28AM 50 have him take a look at not only your particular area there, but
51 also to the whole policy and maybe we need to tighten up our
52 contractual agreements.

53
54 **LEG. KRUPSKI:**

55 Yeah. I'm not sure --

1 **MS. DEVINE:**
2 Maybe we need more supervision.

3
4 **LEG. KRUPSKI:**
5 And I don't know about the timing of it, either. I know those
6 mains went in over the winter, so I'm not sure about the timing of
7 the paving and all that.

8
9 **MS. DEVINE:**
10:28AM 10 Yes, sometimes they form a little cavity.

11
12 **LEG. KRUPSKI:**
13 Well, you want to let it settle also before you pave it.

14
15 **MS. DEVINE:**
16 Yes, yes.

17
18 **LEG. KRUPSKI:**
19 So I understand that. Thank you. And the other thing was really
10:28AM 20 more of a larger overview and coming from the -- representing the
21 North Fork where we have tried to manage the groundwater resources
22 very carefully, and I know that your company came out to Southold
23 Town and did a presentation on -- because there's an issue in
24 August when everyone waters their lawn, it's just a volume issue of
25 trying to get so much water down a pipe so big at exactly the same
26 time in the morning when all the sprinklers go on.

27
28 **MS. DEVINE:**
29 Right.

10:29AM 30
31 **LEG. KRUPSKI:**
32 And how your company has been addressing this and try to get people
33 to spread out the use. Could you talk about that, on how you're
34 working towards doing more outreach to try to get people --

35
36 **MS. DEVINE:**
37 Right.

38
39 **LEG. KRUPSKI:**
10:29AM 40 I guess to use less -- I hate to say it, you're selling water, but
41 to say to use less water.

42
43 **MS. DEVINE:**
44 We have a couple of ways that we're doing that. One of the things
45 is we're asking people to water alternative days. So that's in the
46 process of being implemented, an educational project. The other
47 thing is we're looking at rates, and so for people who use over a
48 certain amount of gallons per day, and it goes -- shoots right up
49 in the summer, as you know, that if they use whatever the set rate
10:30AM 50 -- the set amount of water will be, their rates will go up and
51 sometimes that works. It should. It should work. We haven't done
52 that yet, but we're going to do that.

53
54 **LEG. KRUPSKI:**
55 I was going to ask, because I know that's been tried with other
56 things, and people who want that product, whether it's water or

1 anything else, it doesn't matter, it's just the cost of doing
2 business. So I wonder how flexible are you going to be? You said
3 you're going to give it a try for a season and see if it has any
4 impact or?

5
6 **MS. DEVINE:**

7 Well, we're certainly going to test it and see if works, right.
8 And I think that it will work to some degree, I really do, but
9 we'll see. And then we'll have to reassess after that, as any
10 business would.

11
12 **LEG. KRUPSKI:**

13 Thank you.

14
15 **MS. DEVINE:**

16 I would just like to say something about 1,4-Dioxane.

17
18 **CHAIRPERSON HAHN:**

19 Oh, I was just about -- I was going to --

20
21 **MS. DEVINE:**

22 Oh, you were going to ask?

23
24 **CHAIRPERSON HAHN:**

25 Well, I was going to thank you for the leadership of the Authority
26 in developing the new advanced oxidation process. You know, the
27 Water Authority really has been on the forefront of some cutting
28 edge technologies to treat water, and so we thank the Authority for
29 investing in that technology. And if you'd like to add anything.

30
31 **MS. DEVINE:**

32 I would like to add something. As you know, this is not a
33 regulated chemical.

34
35 **CHAIRPERSON HAHN:**

36 Can you turn that back on?

37
38 **MS. DEVINE:**

39 It's not a regulated chemical yet, but I think it will be, and we
40 have taken the leadership. We've looked at what's in our water now
41 and I have with me, if anybody wants to see it, a large map of
42 Suffolk County with the wells and the amount of Dioxane that's in
43 those wells. And it's there, there's no doubt about that, and
44 it's there because of products that we use. You know, cosmetics,
45 some laundry products. But we have now, and we will be having a
46 press conference about this in the very, very near future and I'll
47 make sure that everybody on the committee is invited to that, we
48 are going to introduce what we've done with this oxidation process.
49 And the CEO said to me the other day, I said, "What does it look
50 like?" I hadn't -- what I gave you I got after that. And he said,
51 "Well, it looks a little bit like a tanning bed." I said, "What?"
52 And it's a machine that actually takes the water, it goes through
53 there and it has hydrogen peroxide in it and it takes out, and
54 we've been testing this for a couple of years, it takes out 97% of
55 the 1,4-Dioxane, which is an incredible, I think, result. And so
56 I'm hoping that this will become the prototype for any area that

1 has this chemical in the water.

2

3 **CHAIRPERSON HAHN:**

4 Okay. Legislator Krupski has follow-up about the 1,4-Dioxane.

5

6 **MS. DEVINE:**

7 Yes.

8

9 **LEG. KRUPSKI:**

10:32AM 10 Thank you. I'd like to see that map.

11

12 **MS. DEVINE:**

13 Oh, okay.

14

15 **LEG. KRUPSKI:**

16 How widespread is the problem? I mean, are you going to treat it
17 to a -- I mean, you're not going to treat it to a level of zero,
18 you can't. So what level -- what level do you think, since there's
19 no standard and it's not banned and we continue to load groundwater
10:33AM 20 with it, what level would you recommend that it be treated?

21

22 **MS. DEVINE:**

23 I can't -- I'm not a chemist and I'm not a --

24

25 **LEG. KRUPSKI:**

26 That was putting you on the spot. I understand that.

27

28 **MS. DEVINE:**

10:33AM 29 Well, it's not on the spot, it's just not part of my job. I'm a
30 policy person as a board member, but we will listen to the experts
31 and we will follow what they say. And then I think that it -- I
32 don't think it's going to be very long before we have a standard.

33

34 **CHAIRPERSON HAHN:**

35 Right. One of the problems is that we don't have a human health
36 standard --

37

38 **MS. DEVINE:**

39 Right.

10:33AM 40

41 **CHAIRPERSON HAHN:**

42 -- for 1,4-Dioxane.

43

44 **MS. DEVINE:**

45 Right.

46

47 **CHAIRPERSON HAHN:**

48 We are waiting on the EPA.

49

50 **MS. DEVINE:**

51 I think we will get one.

52

53 **CHAIRPERSON HAHN:**

54 The State has committed to, if the EPA does not come through as it
55 should, and it should have, the State has committed to coming up
56 with a human health standard for 1,4-Dioxane, so we have to hold

1 them to that.

2

3 **MS. DEVINE:**

4 Right, right. And we would be right there with you.

5

6 **LEG. KRUPSKI:**

7 And the contributing factor is septic systems or is there another
8 contributing factor?

9

10 **MS. DEVINE:**

11 Most of what I've heard as a board member is that it comes from
12 products that are used by humans.

13

14 **CHAIRPERSON HAHN:**

15 And legacy. There is some legacy contamination.

16

17 **LEG. KRUPSKI:**

18 How do they get from the -- let's say it's in your shampoo. How do
19 they get from --

10:34AM

20
21 **MS. DEVINE:**

22 I guess it's the same -- it must be the septic system, right.

23

24 **LEG. KRUPSKI:**

25 Okay. I didn't know if there is any other products that would get
26 in through the surface flow and through other drains --

27

28 **MS. DEVINE:**

29 I haven't heard of any.

10:34AM

30

31 **LEG. KRUPSKI:**

32 Okay. Alright. Thank you.

33

34 **CHAIRPERSON HAHN:**

35 Legislator Trotta, did you have a question?

36

37 **LEG. TROTTA:**

38 You talked about the rate increase for people who use a lot of
39 water in the summer, but what's the criteria?

10:34AM

40

41 **MS. DEVINE:**

42 The amount of water that they use.

43

44 **LEG. TROTTA:**

45 What number? Is it a certain number of gallons?

46

47 **MS. DEVINE:**

48 Yeah, it would be gallons.

49

50 **LEG. TROTTA:**

51 Do you know what that number is?

52

53 **MS. DEVINE:**

54 No, I don't. I want to say 40,000 a month, but that sounds
55 extraordinarily high.

56

1 **LEG. TROTТА:**
2 I don't know. I have no idea.

3
4 **MS. DEVINE:**
5 I'll get it for you.

6
7 **LEG. TROTТА:**
8 Thanks.

9
10 **CHAIRPERSON HAHN:**
11 Excellent. Any other questions? Legislator Fleming.

12
13 **LEG. FLEMING:**
14 Thank you, Jane. I'm fully supportive of your reappointment.

15
16 **MS. DEVINE:**
17 Thank you.

18
19 **LEG. FLEMING:**
10:35AM 20 We're fortunate to have you. And I would like to just say as a
21 woman in a sometimes man's world in the Legislature and public
22 office, I'm very grateful to you for blazing a trail. Seriously,
23 let's be real people.

24
25 **MS. DEVINE:**
26 Maybe I'm still blazing. I'm the only woman on the Water Authority
27 Board, too.

28
29 **LEG. FLEMING:**
10:35AM 30 There you go. It happens all the time. There was a joint
31 committee from the State Legislature, I think I mentioned to you,
32 that used the Legislative Building to do a joint hearing on clean
33 water, and I was on the first panel. I sat there with three men,
34 including my dear friend Al Krupski. There were maybe 30 State
35 Legislators, one woman in that group, so it's still not -- despite
36 what my colleagues seem to think, we still have a long way to go.
37 But I say that just because I want to thank you, as a committed and
38 obviously very professional person. To be the only female in a big
39 group I'm sure was not easy and I'm grateful for you and all the
10:36AM 40 others who have blazed the trail.

41
42 **MS. DEVINE:**
43 But I've always said, Legislator Fleming, the great equalizer here
44 is a vote, and my vote is the same as anybody else's vote. So you
45 all have a vote on all of the things that come before you which
46 make you equal, no matter what your gender.

47
48 **LEG. FLEMING:**
10:36AM 49 Well said and I appreciate that. When you talked about the Dioxane
50 and all the great work that you're doing on that, something that's
51 present in a very limited way in my district, I serve the South
52 Fork, but we do have detections of Chromium-6, the Erin Brockovich
53 contaminant, and also p-phos.

54
55 **MS. DEVINE:**
56 Yes.

1 **LEG. FLEMING:**

2 And I'm wondering if you could speak a little bit to efforts that
3 are being made on those two contaminants. I don't think they're as
4 robust as the Dioxane. I'm hoping they will get to be, and I'm
5 just wondering if you have any thoughts on that.

6
7 **MS. DEVINE:**

8 I know that we're doing work on p-phos. I don't know the first one
9 that you mentioned. I'm not familiar with that.

10:37AM 10

11 **LEG. FLEMING:**

12 Chromium-6 is -- the standard is for all Chromium, but Chromium-6
13 is a specific contaminant that was made famous by Erin Brockovich.

14
15 **MS. DEVINE:**

16 Oh, I know that. Yeah, I know about Erin Brockovich.

17
18 **LEG. FLEMING:**

19 And has shown up in wells in Wainscott in Easthampton.

10:37AM 20

21 **MS. DEVINE:**

22 Is that the only place, in Wainscott?

23
24 **LEG. FLEMING:**

25 That's the only place in my district that I'm aware of.

26
27 **MS. DEVINE:**

28 Okay.

29
30 **LEG. FLEMING:**

31 But I do know that Senator Murphy has a bill that I'm very
32 supportive of. I met with him in Albany not long ago to try to get
33 standards established for Chromium-6. But other than that I'm not
34 sure what's happening. I was wondering if you had any thoughts, if
35 you don't now, if maybe in the future we could follow-up.

36
37 **MS. DEVINE:**

38 We'll absolutely follow-up on Chromium-6. P-phos we have been
39 treating. I believe it's out by the airport.

10:38AM 40

41 **LEG. FLEMING:**

42 That's correct, Gabreski Airport.

43
44 **MS. DEVINE:**

45 Right. And we have been treating that, and I think we're at a
46 place where it's acceptable levels at this point. I believe we
47 are.

48
49 **LEG. FLEMING:**

50 That's right. Well, I think there's a simple carbon --

10:38AM 51

52 **MS. DEVINE:**

53 Yes.

54
55 **LEG. FLEMING:**

56 -- fix which you all have done --

1 **MS. DEVINE:**

2 Right.

3

4 **LEG. FLEMING:**

5 -- in the public water supply and we're struggling with it in the
6 private water supply.

7

8 **MS. DEVINE:**

9 Uh-huh.

10:38AM 10

11 **LEG. FLEMING:**

12 But apparently there are other water authorities in the district,
13 or at least one other, that has discovered it in the public well
14 there, so I think it is of great concern and we need to look at.

15

16 *(Presiding Officer Gregory joined the meeting)*

17

18 We have so many private wells as well. So I think your efforts on
19 the public water supply could inform and educate us about the
20 surrounding water quality.

10:38AM 20

21

22 **MS. DEVINE:**

23 Well, it can, and through our Education Program we can certainly
24 reach out to the whole community. But, you know, our obligation is
25 to the ratepayer, so we would -- we would be more concerned about
26 public -- our public water that we supply, about treating that.
27 That's our job.

28

29 **LEG. FLEMING:**

30 Right. No, and I appreciate that. I just hope it's on the radar
31 screen.

10:39AM 30

32

33 **MS. DEVINE:**

34 It is.

35

36 **LEG. FLEMING:**

37 Thank you.

38

39 **CHAIRPERSON HAHN:**

40 Okay. And I think that's it for the questions. We have a motion
41 and a second. All those in favor? Opposed? Abstentions? It is
42 approved. *(VOTE: 7-0-0-0. PO GREGORY INCLUDED IN VOTE)*. Thank
43 you very much.

10:39AM 40

44

45 **MS. DEVINE:**

46 Thank you all very much.

47

48 **CHAIRPERSON HAHN:**

49 It now goes before the full Legislature. Thank you. Okay. We now
50 have a presentation. Walter Dawydiak and Justin Jobin from the
51 Suffolk County Department of Health Services, Division of
52 Environmental Quality will provide an overview presentation on
53 *Introductory Resolution 1262-2017 - A Local Law to establish a*
54 *Grant Assistance Program for the installation of Innovative and*
55 *Alternative Onsite Wastewater Treatment Systems.* Walter, and
56 Peter, maybe if you take 60 seconds, Walter, 60 seconds, if you

1 wouldn't mind taking 60 seconds before you begin the presentation
2 that you're here for, just to kind of comment on if we got anything
3 wrong about the 1,4-Dioxane when we were having that discussion
4 earlier? Because I know that, you know, there are multiple
5 sources. It's not just personal care products. It's a legacy
6 contaminant from, you know, industry as well. And then maybe if
7 you could speak to the -- again, just really quick, Chromium-6 and
8 p-phos, if there's anything you want to clear up that was going on
9 in that discussion.

10:40AM 10

11 **MR. DAWYDIAK:**

12 I think the discussion was substantially correct. I would just add
13 that with respect to 1,4-Dioxane we've definitely documented that
14 there's a significant number of detections associated with legacy
15 solvent plumes. Dioxane was associated with TCA, an industrial
16 solvent, which was also a cesspool additive heavily used in the
17 70's before it was banned in the 80's. So there's a lot of legacy
18 contamination. And where we pick up solvent plumes like TCA and
19 PSE we also pick up Dioxane and these public supply wells are
20 pumping in such mammoth amounts of water that the Dioxane is
21 soluble, mobile and persistent, even more so than the underlying
22 solvent it's associated with. Definitely a potential risk with
23 respect to the pharmaceuticals, personal care products, shampoos
24 and detergents.

10:41AM 20

25
26 We've taken thousands of samples. Thanks to you, Legislator Hahn,
27 we've instituted this method. In our laboratory we've documented
28 on the order of 40% detection, consistent with what the Water
29 Authority found in the deeper public water supplies. Fortunately a
30 very low detection rate in the shallow private wells and shallow or
31 non-community, so that was a bit of good news. But we are testing
32 in soils and sludges. We'll have a better idea of individual
33 sources, like laundromats, car washes, industrial facilities, that
34 may be using this this coming year as we've instituted our
35 secondary method.

10:41AM 30

36
37 **CHAIRPERSON HAHN:**

38 Thank you. Anything you want to say about Chromium-6 and p-phos?
39

40 **MR. DAWYDIAK:**

41 No, I think it was substantially accurate. Chromium-6 is generally
42 naturally occurring. There's a level of background based on
43 oxidation of Trivalent Chromium, which is naturally occurring in
44 our aquifer. There's no standard for it. I believe California
45 uses ten for the Hexa Chromium. None of our samples, to my
46 knowledge, have been above that. They are out there. We are
47 working with DOH on it, health impact assessment and potentially
48 following-up on a standard. And Legislator Hahn, you were correct.
49 PFC's have been out there at low levels in at least one other
50 public water supply. They have been tested as part of the
51 unregulated contaminant monitoring rule. The biggest areas of PFC
52 are in Gabreski, Westhampton and in the Yaphank area that we're
53 working toward resolution right now.

10:42AM 50

54
55 **CHAIRPERSON HAHN:**

56 Thank you. Okay, now for the reason you're here.

1 **MR. SCULLY:**

2 Great. So sorry that you didn't expect me but we've been working
3 really hard, have a lot of things going on at the same time.

4
5 **CHAIRPERSON HAHN:**

6 We'll allow it.

7
8 **MR. SCULLY:**

9 Yeah. We have been out in the community. We had the series of
10 town hall meetings and have been presenting to folks in the
11 community. We have a presentation here which starts with the
12 slides we've been showing folks out in the community. I'll try and
13 blast through those and turn it over to staff on any of the program
14 issues.

15
16 But by way of background, as the Legislature well knows, having
17 been very much involved and fully supportive of our efforts, we've
18 been busy setting the table for an evolution away from the use of
19 non-performing cesspools and septic systems towards the use of new
20 IA or performing treatment systems. It's a multifaceted effort
21 that has us looking at pilot testing of individual technologies in
22 the field to make sure that they perform the way they advertise
23 that they perform. It has us working to create an industry to
24 support the installation of those systems once they're approved for
25 use in Suffolk County.

26
27 It had the Legislature enacting Article 19 of the Suffolk County
28 Sanitary Code last year to designate the Department of Health
29 Services as the responsible management entity to oversee the
30 installation of those systems and we're reaching a point now where
31 we want to see systems in the ground, and that's the point of --
32 arrow this way? Yeah.

33
34 So many of you have seen this information. Some of it is
35 redundant. I'll just go through these slides quickly. We've been
36 showing folks in public why there is so much interest and concern
37 about these non-performing systems and their impact on groundwater
38 and by extension surface water. This is data that's gleaned from
39 the Comprehensive Water Resources Management Plan showing the
40 significant increases in the nitrate concentrations in groundwater
41 over time. Similarly this is a graphic depiction -- oh, thank you
42 for that, Legislator Hahn.

43
44 The message we try to take away here is to show -- try to draw the
45 link between the systems and what people see going on around them
46 and obviously the pie chart in the middle, which is taken from a
47 study of the Great South Bay, but the results being consistent with
48 other work that's been done about the impact of nitrogen on water.
49 About 70% of the impact of, nitrogen impact, is seen as coming from
50 cesspools and septic. Agriculture and lawn fertilizers are also
51 impacted, but they are dwarfed in comparison.

52
53 We've been making clear that it's the cesspools and septic that
54 are in the ground that are the issue. This is a chart that kind of
55 lays out the multiple legs that we're working on. I've just been
56 discussing those. We're in the process now of working on code

1 amendments. I want to thank Legislators Krupski and Fleming and
2 Legislator Hahn, and even Legislator Trotta who has been joining us
3 at the working group and offering some productive guidance on how
4 we should proceed in terms of the use of these systems in future.

5
6 We're here today because of last leg. We want to put these new
7 technologies in place and we have an idea, the County Executive has
8 an idea about how to make it more affordable for folks to make the
9 change voluntarily if they would like to do that, and that's the
10 Grant and Loan Program we're here to discuss today.

11
12 The department, meanwhile, is actively at work. Subwatersheds
13 Plan, which is actually going to delineate all the subwatersheds in
14 this County, more than 180 I believe, and allow us to have even
15 more refined information to make policy decisions moving forward
16 about where we might want to consider requiring the use of these
17 system, but initially will tell us where the use of these systems
18 can have the most benefit. I think what I'll do now is turn it
19 over to Justin to talk a little bit about the demo program and run
20 you through the history.

21
22 **MR. JOBIN:**

23 Thank you, Peter. Suffolk County Health Department, where we have
24 two demonstration programs where we're looking at 14 technologies
25 total, was started in 2014. And everyone here is aware so I'll
26 move through this very quickly, but the initial demonstration
27 program was four manufacturers and six technologies that were
28 installed in 19 homes. Now we're halfway through phase II where
29 we're installing 23 systems, eight different technologies. So out
30 of the phase I systems, these are the manufacturers.

31
32 Just an important thing to note is that with such a high density of
33 septic systems in Suffolk County, we had international interest in
34 our demonstration program to donate systems for evaluation. So
35 these are some of the companies here, Norweco, Busse out of
36 Germany, Orenco and Hydro-Action.

37
38 In addition to the treatment technologies, we're also evaluating
39 different ways to disperse the effluent. So the pressurized
40 shallow drain fields allow treated effluent to be dispersed on the
41 top 18 inches of the soil horizon where there is more treatment,
42 more microbes in the soil chemistry can breakdown particles in the
43 wastewater even further, and estimated additional nitrogen
44 reductions through plant uptake and microbes up to 50%.

45
46 So out of the six technologies, four of them are provisionally
47 approved for use right now in Suffolk County. Our limit is 19
48 milligrams per liter, hydroactions average is 12 milligrams, the
49 other three technologies are right around 18.8, 18.9 milligrams per
50 liter. The AdvanTex AX20 is not meeting our performance standards
51 and the Busse system wasn't working properly. It was not meeting
52 our standard, so we took them offline. The manufacturers
53 reassessed them and now they've -- as of last week they're back
54 online and we're hopeful that they'll be performing.

1 So as part of phase II we have these eight technologies and I can
2 go through each one, but just want to mention again we have
3 international interest. We have a Fuji Clean system from Japan, we
4 have two systems from Canada and a couple of US systems.

5
6 So out of these, 11 of these are -- actually 13 as of last week,
7 are currently in the ground. So I'm going to turn this back over
8 to Peter to talk about or to Walt to talk about the Septic
9 Improvement program.

10
11 **MR. SCULLY:**

12 Great. So, again, we're working with information that we've been
13 providing to citizens at a town hall meeting, and apologize if some
14 of it has limited value for Legislators. This is a copy of the
15 local law obviously. This is a copy of the language that was
16 included in the Charter amendment which the voters approved in
17 2014. I know based on my prior discussions with Supervisor Romaine
18 that he was instrumental in seeing this language included providing
19 no less than \$2 million for the installation of residential and
10:50AM 20 commercial enhanced nitrogen removal systems. That's the language
21 on which we're relying to use the proceeds of the Drinking Water
22 Protection Fund for this grant program.

23
24 So here's some details on the program for those of you who have not
25 been involved in discussions to date. The grant portion of the
26 program will be administered through our Department of Health
27 Services. We'll be adding staff to do that using State funding
28 from grant sources. We'll be adding four staff to do that.
29 Individual homeowners can be eligible for a grant of up to \$11,000.
10:51AM 30 It's a \$10,000 basic grant plus \$11,000 for the installation of a
31 pressurized shallow drain field. Justin talked a little bit about
32 the benefit of that. And as indicated, any other cost not
33 associated with this system installation would be the
34 responsibility of the property owner.

35
36 Gwen O'Shea was here on behalf of CDCLI. As one of the Legislators
37 noted, we would not be in a position to offer the program without
38 their assistance. There are basic facts about the program that
39 they will be administering on their side. The County would have
10:51AM 40 nothing to do with the loan program. That would be administered
41 using -- by a third party lender using private funds.

42
43 Eligibility criteria are here and also I think they're set forth in
44 the local law. We're looking for single family residences that are
45 owner occupied year-round and primary residents. It has to be,
46 obviously, served by a septic system or a cesspool that this new
47 system will replace. We're not looking to provide grants for
48 rental properties. We are not proposing to provide subsidy or
49 grants for new construction at this point, but the law would
10:52AM 50 require or could allow for grants for folks who are doing
51 significant or substantial expansions on construction projects and
52 need a new system. And we're not proposing to fund any
53 improvements to business properties and are requiring CO's or
54 Certificate of Zoning Compliance as we might.

1 We need to verify income because this is a, you know, there's some
2 eligibility criteria there. And the way the law is structured, no
3 current employee of Suffolk County or elected official or office
4 holder of any political party, including a political party
5 committee member, would be eligible.

6
7 And so the grant assistance criteria is pretty much based on the
8 New York State Star Property Tax Rebate Program, which sets an
9 income ceiling of \$500,000 per household for eligibility, but we
10 10:53AM set a threshold of \$300,000 household income for eligibility for a
11 full grant. Above that level you would be eligible for 50% of the
12 maximum grant of \$10,000. And staff indicates that with that type
13 of eligibility requirement we cover about 96% or 97% of the
14 households in Suffolk County. We're trying to maximize the
15 benefit.

16
17 There is a scoring criteria. You guys probably all have the
18 information about the scoring system that staff devised. We'll be
19 placing priority on areas that are more sensitive, the first tier
20 10:53AM being those within the zero to two year travel time, the second
21 tier between two and 25, and the third tier being any other
22 property in Suffolk County. We are working with a -- this is a
23 preliminary map of priority areas, but we'll be refining the map
24 for the purposes of doing the actual analysis of applications.
25 Staff is doing that in the Health Department.

26
27 Here's information we've been using to show folks the comparative
28 cost of these systems. The cesspool replacement staff puts at
29 4,000 to \$6,000; some folks use higher numbers. A new septic tank
30 10:54AM with leaching pool sytem could cost six to \$8,000. We know that
31 there are folks who are paying a lot more than that. We had a
32 discussion with a staff member of one of the organizations we're
33 working with who had had a cesspool replaced recently. Sometimes
34 when a cesspool fails it's a very quick decision that needs to be
35 made, and that homeowner paid \$12,000 on a credit card to get the
36 cesspool replaced. She probably could have gotten a better quote
37 if she got a second opinion. But staff puts the cost of an
38 installation of one of these new systems all in, this is a retrofit
39 situation, at about \$17,850.

40
41 We continue to have the discussions with the construction trades
42 about any additional expense that we haven't flagged yet that
43 should be included in the analysis. We're continuing to work, for
44 example, with the Long Island Builders Institute about concerns
45 that they have. And if and when we get additional information
46 we'll refine those numbers, but that's what we're looking at right
47 now.

48
49 Here's a slide we use to show folks how the combination of the
50 10:55AM grant and loan could work to make a system more affordable.
51 Remember, when a homeowner is faced with the possibility of having
52 to go in pocket and make a disbursement of \$6,000, that's a
53 significant expenditure for most people in this County. Under this
54 program, somebody who is facing that type of expense for the
55 replacement of a system in kind could instead look towards the
56 County's program for the installation of one of these new systems,

1 and rather than paying out of pocket \$6,000, could actually put
2 together a combination of grant and loan that had them instead
3 paying \$54 a month for the installation of the system over 15
4 years. That is good by comparison, recognizing that these systems,
5 unlike septic and cesspools, carry other costs. They need to be
6 maintained so there is some annual maintenance costs. Staff puts
7 that at between \$300 and \$500, depending on the system, and they do
8 utilize electricity.

10:56AM 10 So here's where we're at in terms of process. May 8th, middle of
11 the board there, we're here before you and hope that this
12 resolution will be discharged and available for consideration by
13 the full Legislature on the 16th. If we move forward a pace we're
14 working with IT to stand up an electronic application process.
15 We're hoping to have the program up and ready to accept
16 applications on July first.

10:57AM 18 And we are here to answer any questions that you may have about the
19 program or the way it's going to be implemented. For those of you
20 who have been involved in discussions so far, we appreciate your
21 time and your support. Thanks.

22
23 **CHAIRPERSON HAHN:**
24 Legislator Krupski.

25
26 **LEG. KRUPSKI:**
27 First of all, just it's an impressive amount of work that everyone
28 has put into this and it's I think very well thought out. I mean,
29 you certainly have reached out to I think everyone, all the user
10:57AM 30 groups, all the towns, all the different municipalities, planning,
31 engineering. I think it's helped make a better work product and
32 thank you for that.

33
34 Two things. I have two questions. One is that one of the slides
35 referenced poor soils. You mean soils with poor drainage? I'm a
36 just a soils guy so it just bothered me when you said poor soils.

37
38 **MR. JOBIN:**
39 Sure. Poor soils can represent typically poor drainage or also
10:58AM 40 poor soils in high groundwater sites are kind of used hand in hand
41 as well. So I think that slide you're referencing was in regards
42 to the pressurized shallow drainage field, in which case you can
43 utilize the upper horizons, the top 18 inches of the soil to better
44 treat the wastewater and provide additional separation to
45 groundwater. So in some areas it might be a more feasible
46 alternative than a five pool system with expensive retaining walls.

47
48 **LEG. KRUPSKI:**
49 Okay, thank you. And then are you going to prioritize projects?
10:58AM 50 Some of the local municipalities are thinking about, in some areas,
51 mandating these for reconstruction in sensitive areas. If that's
52 the case and you get a permit that you've got to move your system
53 because of environmental conditions, are you going to prioritize
54 those projects for this, you know, for this program?

1 **MR. SCULLY:**

2 Let me restate the question to make sure that I understand it. So
3 the question is that in situations where a local government may
4 institute a requirement for the instillation of one of these
5 systems as part of a reconstruction, would we prioritize those
6 because they are a requirement of local government.

7
8 **LEG. KRUPSKI:**

9 Yes.

10:59AM

10
11 **MR. SCULLY:**

12 We have not had that discussion yet.

13
14 **LEG. KRUPSKI:**

15 Because there have been instances where in the past because of
16 existing groundwater conditions and setbacks to wetlands, that the
17 Health Department had been requiring these elevated systems, some
18 elevated with soil and some elevated with cement retaining walls.
19 These systems would be considerably less expensive than those and
20 probably much more efficient at treating the wastewater, so I think
21 where those systems are currently mandated by the Health Department
22 certainly I think there would be widespread acceptance going to one
23 of these systems.

10:59AM

24
25 **MR. SCULLY:**

26 I think that point is well taken and it is a point that staff has
27 been making to the public about these new systems being a more cost
28 effective alternative to more conventional systems requiring costly
29 retaining walls. So your point is well taken.

11:00AM

30
31 **LEG. KRUPSKI:**

32 Thank you.

33
34 **CHAIRPERSON HAHN:**

35 Legislator Trotta.

36
37 **LEG. TROTТА:**

38 Have any of these been approved yet?

39
40 **MR. SCULLY:**

41 Four technologies have been provisionally approved for use in
42 Suffolk County. Any homeowner could go to the Health Department
43 and seek approval or get a permit to install these systems. And,
44 in fact, homeowners are before the Health Department now who are
45 engaged in installation of these systems.

46
47 **LEG. TROTТА:**

48 Are any of those made in America?

49
50 **MR. SCULLY:**

51 I think all of the ones that are approved for use here are made in
52 the United States.

53
54 **LEG. TROTТА:**

55 Okay. Two other things. How do you -- I mean, that chart with,
56 you know, where you got where the pollution of the nitrogen comes

1 from, how do you figure that out, like 69% percent came from -- I
2 mean, I just don't --

3
4 **MR. SCULLY:**

5 I'm not the scientist, but I checked with the folks at School of
6 Marine Atmospheric Sciences and asked what the basis for that was
7 and they sent three different studies. Walt, can you speak to it?

8
9 **MR. DAWYDIAK:**

11:01AM 10 That study was basically based on a primarily a Valiela analysis.
11 Valiela is a scientist, a PhD in New England, who's done a lot of
12 regional nitrogen loading work. Back in the 1970's in the 20A
13 study the assumption was that fertilizer was a higher relative
14 percentage of nitrogen loading than septic. Based on a lot of the
15 environmental work, and some of this is empirical observation and
16 measurement in groundwater and correlating it with land use, some
17 of it is mathematical modeling, but basically there is partition
18 being associated with different nitrogen sources and that which
19 actually reaches groundwater. And we were a little surprised that
11:01AM 20 the numbers were that high. I mean, 70% -- the rule of thumb in
21 the old days was about 50/50 for residential fertilizer and
22 residential septic, and median density areas like Great South Bay
23 that number is about 70% septic.

24
25 **MR. SCULLY:**

26 I can -- I'm happy to -- I raised the question with folks at SoMas,
27 just because it's not really our expertise, and I knew that the
28 initial study being cited was of the Great South Bay, but Dr. Chris
29 Gobler sent me three additional studies which he said supported the
11:02AM 30 same conclusion, and I'm happy to forward those to you.

31
32 **LEG. TROTТА:**

33 Okay. There is 400 people this is going to affect this year?

34
35 **MR. SCULLY:**

36 We're hoping that the initial phase of the program will fund
37 improvements at 400 parcels over two years.

38
39 **LEG. TROTТА:**

11:02AM 40 Okay. So the thing that caught my eye was four staff members. How
41 much are they going to make?

42
43 **MR. SCULLY:**

44 How much are the staff members going to make?

45
46 **LEG. TROTТА:**

47 You're hiring four people, you know, to -- it's only a \$2 million
48 project. So, you know, that's going to take up substantial -- 10,
49 20, 30% of the money we have to do this.

11:03AM 50
51 **MR. SCULLY:**

52 No, the funding sources are separate. We'll be using State grant
53 funds to pay the salaries of the staff.

54
55 **LEG. TROTТА:**

56 It's still taxpayer money. Do we have anybody in the house that --

1 what's their function?

2

3 **MR. SCULLY:**

4 Well, we envision an Account Clerk to do the grant management, two
5 Sanitarians to do the in-house evaluations and fieldwork associated
6 with the installations, and an advocate to help --

7

8 **LEG. TROTТА:**

11:03AM

9 Go back to the second. What did you just say? What are they going
10 to do?

11

12 **MR. SCULLY:**

13 Sanitarians. They'll do the technical reviews and field
14 inspections. They're people who work with septic infrastructure.

15

16 **LEG. TROTТА:**

17 So don't you have an area where you want these to go in regardless?
18 I mean, the target area I'm assuming is near the water. Why do we
19 need people to tell us that they need to go there?

11:03AM

20

21 **MR. SCULLY:**

22 If I didn't communicate clearly I apologize, but the purpose of
23 that staff would not be to tell us where the systems need to go,
24 but to evaluate applications as they come in the door.

25

26 **LEG. TROTТА:**

27 And what does that entail?

28

29 **MR. SCULLY:**

11:04AM

30 I'll defer to staff.

31

32 **MR. DAWYDIAK:**

33 So there are two basic Sanitarian functions involved. One is plan
34 review, then the other is site inspection. So plan review means
35 that you look at the nuts and bolts of a proposal, everything from
36 separation distances, design, depth to groundwater, hydraulics.
37 All of these things need to conform with the County and State
38 Sanitary Code. New York has got a very aggressive program in terms
39 of ensuring that engineered units are submitted by a design
40 professional and the detail --

11:04AM

41

42 **LEG. TROTТА:**

43 You already said they were approved. You have four that are
44 approved.

45

46 **MR. DAWYDIAK:**

47 They're approved for use, but for every individual site we need to
48 make sure that they're designed to the proper size and that they're
49 located properly given site constraints.

11:04AM

50

51 **LEG. TROTТА:**

52 Give me specific examples of what would be different from one house
53 to another.

54

55 **MR. DAWYDIAK:**

56 Depth to groundwater. So if you had a --

1 **LEG. TROTТА:**

2 Backup. You're already picking your locations where these are
3 going to be approved, so site to groundwater doesn't mean anything.
4

5 **MR. DAWYDIAK:**

6 It does for an individual site because a homeowner has no idea
7 whether he's got two feet or four feet to groundwater.
8

9 **LEG. TROTТА:**

11:05AM 10 But what's the difference?
11

12 **MR. DAWYDIAK:**

13 The difference is how the system is laid out in terms of elevation.
14 Some of them may require supplemental fill, some of them may be
15 required to be moved to a site which is more amenable to this
16 system to meet separations.
17

18 **LEG. TROTТА:**

19 So the people selling this won't know this?
20

11:05AM

21 **MR. DAWYDIAK:**

22 The engineer that designs it will know it. The people that are
23 selling it have a good idea of how and where these need to be done,
24 but in New York State a licensed, professional engineer or
25 architect is ultimately responsible for site specific design and
26 layout.
27

28 **LEG. TROTТА:**

29 If it's going in a house, I mean, how many different places could
30 it go?
31

11:05AM

32 **MR. DAWYDIAK:**

33 You'd be surprised. There are often many, many degrees of freedom
34 as to where and how to locate and site these, and it requires a
35 good amount of experience and judgement to come up with an
36 optimized design. For example, the pressurized shallow drain field
37 is one solution that a lot of folks locally don't have a lot of
38 experience with. We're fortunate to have Justin Jobin, who's
39 looked at hundreds of these in Rhode Island over a decade and does
40 have that kind of experience, to work with educating the community
41 moving forward.
42

11:06AM

43 **LEG. TROTТА:**

44 But what are the options? Let's say I live the near the water and
45 I want to put this in. I want to know why I'm paying somebody to
46 tell me to design it. It seems to me the systems are
47 self-contained and they're all basically the same -- each type is
48 the same.
49

50 **MR. SCULLY:**

51 Your basic concern, I think, is a legitimate one but it's outside
52 the control of the County or the Legislature because it's New York
53 State Law that requires that a licensed design professional oversee
54 and certify the installation. We don't have any control over that.
55 It's not required in other states that we've been working with, but
56 it's a reality here.

1 **MR. DAWYDIAK:**

2 If I could add to that. I mean, just a short year ago your only
3 option was to put a big, ugly concrete retaining wall and mound the
4 thing way up and put a shallow five pool system. Now you have a
5 lot of degrees of freedom. With the advanced treatment you need
6 less leaching area, you need less separation to groundwater, you
7 can disperse your effluent so that it will fit better on a site and
8 it will treat the wastewater better. And this is a bit of an art.
9 This is why you need a professional designer to size up a site and
10 see what the best way to move the wastewater around is.

11:07AM

11
12 **CHAIRPERSON HAHN:**

13 Okay. Presiding Officer Gregory, did you have a question?

14
15 **P.O. GREGORY:**

16 Yeah. I was just trying to wrap my head around the cost. I saw
17 the, as best we can, the different -- the comparisons, the
18 different type systems, but just all the cost. And you had
19 mentioned, Peter, like a -- I think you said \$300 to \$500 -- or
20 \$300 yearly maintenance fee, that if you took the loan it was \$54 I
21 think you said. And you kind of said there's an electric cost,
22 too. Do we have an estimate of what that is? You know, all that
23 wrapped into one, what's the, you know, the comparison to I guess
24 the standard system that most people have today.

11:07AM

25
26 **MR. SCULLY:**

27 Okay. So I think I'm going to defer to staff on the range of --
28 range of maintenance cost and energy usage, because they do vary by
29 technology and we'll try to get to that, all numbers wrapped up
30 into one piece for you.

11:08AM

31
32 I would note that in some places in Suffolk County, my community is
33 one of them, we, like other homeowners, face certain expenses to
34 own and operate a home that are typical, including electrical usage
35 and fuel and property taxes and water supply, but in communities
36 like mine which are not served by sewer, we may not face any cost
37 whatsoever for wastewater. I have lived in the same home since
38 1986 and have never had to, you know, invest in my system at all at
39 this point. It continues to function and operate properly.

40
41 Some people would point out that some folks on the South Shore are
42 not so lucky. Some of them, particularly in communities like
43 Oakdale, are faced with the need to pump their systems three or
44 four times a year at a significant cost. So you have very diverse
45 experience here in Suffolk County, even among those property owners
46 who are not served by sewer.

47
48 So anything, Justin, on the range of maintenance cost and then the
49 range of energy use, and then for the Legislator's benefit try to
50 wrap that up into a single annual cost that includes a grant and
51 loan scenario, a maintenance scenario and then energy cost.

11:09AM

52
53 **MR. JOBIN:**

54 So one thing to mention is there are operation and maintenance
55 costs. These systems are not -- they're active systems. They're
56 not just set and forget mentality anymore. Out of the four

1 provisionally approved systems, all of them, the average costs do
2 not -- or the operation maintenance costs do not exceed \$300 a
3 year. County Sanitary Code requires that the first three years is
4 built into the sale of the system, so there is no expense in
5 operation and maintenance for the first three years. After that it
6 does become the homeowner's responsibility, like they would pay for
7 oil burner maintenance or vehicle oil changes or things of that
8 nature.

11:10AM

9
10 Operation is a different story. Each system has a different
11 component that utilizes electricity. We're seeing that the cost
12 range on these systems, based on our currently electrical rates, is
13 between \$2 and \$20 a month, and that's technology specific.

14
15 **MR. DAWYDIAK:**

16 If I could just add in a nutshell. These costs are less than half
17 of what someone would expect to see -- to spend for a sewer use fee
18 if you had collection and treatment. And the capital cost of these
19 things, again, when you're talking about 17, \$18,000 per household
20 versus estimates that we're getting for sewerage that are in the 50
21 to \$100,000 range per household or more, the cost effectiveness on
22 a per pound nitrogen basis is hugely superior than sewerage them.
23 And, again, the homeowner cost, \$300 a year plus on the order of
24 ten bucks a month for electrical is modest.

25
26 **P.O. GREGORY:**

27 Okay. Thank you.

28
29 **CHAIRPERSON HAHN:**

30 Legislator Fleming.

11:11AM

31
32 **LEG. FLEMING:**

33 Good morning, everyone, and thank you so much for all your efforts
34 to date. Really very impressive effort. I just have a couple of
35 questions with respect to the costs. Could you talk a little bit
36 about what your expectations are regarding cost moving forward? I
37 think, Justin, you may be able to address it from your experience
38 in Rhode Island or even from the experience at the level of
39 interest that you've seen from the industry in the second round of
40 pilots. You know, now people are hearing there are 360,000 units
41 that need to be replaced. What is that doing to the industry in
42 terms of their willingness to come up with these solutions with a
43 lower price tag?

11:12AM

44
45 **MR. JOBIN:**

46 Absolutely. So we have a market here. It's the largest market of
47 septic systems in the US. We're the most densely populated area,
48 and what we've seen from interest, I mean, we've already seen local
49 or manufacturers set up a local distribution network. Two of the
50 technologies are being manufactured here in Suffolk County. So
51 there is that network.

11:12AM

52
53 My experience in Rhode Island was initially we had one technology
54 that was the major system going in the ground and the costs were
55 around \$30,000. And then over a decade later multiple technologies
56 came in and the cost dropped and ended up averaging around \$20,000.

1 What we're seeing here is the average cost, because there's
 2 multiple technologies already approved for use and there's a local
 3 distribution network and a huge demand and a lot of systems, that
 4 we're seeing the average cost around \$18,000. So obviously as more
 5 systems come into the marketplace -- and when you do have 360,000
 6 systems there's incentives for manufacturers to continue their
 7 research and development and ultimately come up with a better
 8 product that's less expensive. So I think that's just normal free
 9 market and that should ultimately stabilize the cost. But right
 10 now we're seeing around \$18,000.

11:13AM

11
 12 **LEG. FLEMING:**

13 This might be for you, Peter. In terms of driving the market, what
 14 role does the grant and loan program play? And if you could just
 15 address also what the funding source is and how this is consistent
 16 or not consistent with the purposes for that funding source.

17
 18 **MR. SCULLY:**

19 Excuse me. Sure. So as I indicated earlier in my comments, there
 20 was a Charter amendment approved by the voters in 2014. The same
 21 language was initially part of a 2011 local law that was challenged
 22 and unfortunately there was an adverse court decision.
 23 Subsequently there was a settlement between the County and the
 24 plaintiffs, which resulted in a referendum in 2014 incorporating
 25 the same language and I cited it in the presentation. I think it
 26 says something like no less than \$2 million a year will be made
 27 available for the installation of commercial and residential
 28 nitrogen reducing systems.

11:14AM

29
 30 With regard to the question of controlling the market, we've been
 31 working quite closely with states in the northeast. Legislator
 32 Hahn was one of the brave souls who took part in a septic tour of
 33 four states in three days, and we've benefited from the experiences
 34 in all of those states, both positive and negative, in trying to
 35 craft this program. And in working with the State of Maryland, we
 36 know that in order to provide predictability and consistency on
 37 price and to avoid situations in which, you know, a third party
 38 could be involved in a transaction driving up cost, what the State
 39 of Maryland did was to issue a procurement document to
 40 manufacturers and to explain to the manufactures that the State of
 41 Maryland would be implementing a -- kind of a broad IA system
 42 installation program under its Bay Restoration Program, and that it
 43 wanted from the manufactures fixed pricing for system installation,
 44 soup to nuts, including, you know, installation, you know, supply,
 45 installation, all labor and related services at a fixed price so
 46 that they could post those prices for the benefit of consumers.
 47 Consumers knew what they would pay and could select a vendor, and
 48 we're engaged in that process right now in Suffolk County.

11:14AM

11:15AM

49
 50 We generated a procurement document and met with the industry and
 51 are receiving proposals from the industry on May 18th, which is
 52 going to tell us with more certainty what folks can expect with
 53 respect to pricing. There's a difference between our program and
 54 Maryland's. In Maryland residents already had in place, you know,
 55 drainage structures that could be utilized as part of these new
 56 systems. In Suffolk County -- leaching fields those are called.

11:15AM

1 Suffolk County that's not the case. Maryland decided to include
2 just the basic treatment units in their program, which made it
3 somewhat simple. We're going to go past that and provide drainage
4 as well. So we're going to address that in the procurement process
5 by offering a variety of scenarios for the manufacturers to put
6 price points on as part of the procurement. We're anxious to see
7 what those numbers look like when they come in on the 18th.

8
9 **LEG. FLEMING:**

10 Thank you. Thank you, Madam Chair.

11
12 **CHAIRPERSON HAHN:**

13 Thank you. Any other questions? I have a question about speed of
14 approval upon failure of the systems. Do we have a process yet
15 established so that when someone's system fails, their current
16 cesspool or septic system fails, that we can have a new system
17 installed if we so choose regardless of priority area?

18
19 **MR. DAWYDIAK:**

20 Legislator Hahn, there's a couple of different issues involved
21 here. One of them are Article 6 code changes, which involves a
22 regulatory review process on failure. This is one of several
23 policy options that are separate from this particular program. The
24 goal is to go live with that sort of a proposal and program as of
25 January 1st of next year, and the Health Department is ramping up
26 with the process wherein there will obviously be an expedited,
27 accelerated design installation and review process, maybe a third
28 party engineer validating it with follow-up inspection just to make
29 sure that everything was done properly. That clearly would need to
30 be expedited.

31
32 In terms of this particular program, given the dedicated
33 Sanitarians, Clerk and Consumer Advocate, anything that comes in
34 with available funding is clearly going to be on the top of the
35 pile. And the goal is to accelerate review approval and
36 installation to within roughly a four to six week process because
37 New York State requires plan review and approval in advance of
38 these engineered systems. It can't be an overnight thing, but it
39 will be an accelerated, expedited process.

40
41 **CHAIRPERSON HAHN:**

42 Thank you. Any other questions? Legislator Trotta.

43
44 **LEG. TROTТА:**

45 So if my cesspool goes tonight I couldn't get one of these in
46 tomorrow? If I wanted to pay for it myself, could I --

47
48 **MR. SCULLY:**

49 It would require a permit. You need to go through a permitting
50 process.

51
52 **LEG. TROTТА:**

53 So it would take four to six weeks.

54
55 **MR. SCULLY:**

56 I think Mr. Dawydiak was talking about a scenario under which

1 somebody came forward for a grant application and --

2
3 **LEG. TROTТА:**

4 Today I go home and my basement's flooded. I want to put one of
5 these systems in. Could I have it put in tomorrow?

6
7 **MR. DAWYDIAK:**

8 Currently the state of the regulation is that you could not. You
9 would need to --

11:19AM

10
11 **LEG. TROTТА:**

12 Okay. What says I cannot? Because that's a big problem.

13
14 **MR. DAWYDIAK:**

15 Public Health Law advanced treatment units require --

16
17 **LEG. TROTТА:**

18 I could put regular cesspools in that would pollute my groundwater
19 to no end, no problem, I can do it?

11:19AM

20
21 **MR. DAWYDIAK:**

22 This is an anomaly which has not escaped our attention.

23
24 **LEG. TROTТА:**

25 Well, this is the most important thing of the whole thing, because
26 if we did this -- if there's some wealthy people out there who say
27 I want to do this, and I want to do this tomorrow, why can't we do
28 it? And how do we get this so it's done? Because we're just
29 wasting time here. This is the most important factor right now,
30 what we're talking about, way more than the 400 with the borrowing
31 the money. We need the ability to do this tomorrow. So who -- is
32 it the State law that says this?

11:19AM

33
34 **MR. DAWYDIAK:**

35 Correct. This would require some changes at the State level.

36
37 **LEG. TROTТА:**

38 Specifically what is the law that says we can't do this?

39
40 **MR. DAWYDIAK:**

41 State Sanitary Code.

42
43 **LEG. TROTТА:**

44 And it says what?

45
46 **MR. DAWYDIAK:**

47 Advance treatment units require a design professional to design and
48 propose them and they need to be approved either by the State or
49 local Health Department.

11:20AM

50
51 **LEG. TROTТА:**

52 Is that -- say that again. By the State or the local Health
53 Department.

54
55 **MR. DAWYDIAK:**

56 In our case we have a full service local Health Department, so

1 we're the agent of the State. In some counties the State reviews
2 and approves these directly.

3
4 **LEG. TROTТА:**

5 Okay. So Mr. Scully just said a minute ago that we're waiting for
6 a unique price, 17, 18, \$15,000, whatever it is. Clearly that's
7 going to be a cookie cutter system that goes in boom. So my
8 question to you, now you said we have a Health Department that we
9 could say if my cesspool went tonight, there's a cookie cutter for
10 \$17,000 that I could have put in tomorrow. So does the County have
11 the ability to make that decision that tomorrow it could be put in.

12
13 **MR. DAWYDIAK:**

14 Currently for an advanced treatment unit that ability does not
15 exist.

16
17 **LEG. TROTТА:**

18 Why not? You just said it's the County -- we have our own County
19 Health Department.

20
21 **MR. DAWYDIAK:**

22 State Sanitary Code requires an engineering plan preparation and
23 submission by a design professional.

24
25 **LEG. TROTТА:**

26 Okay. So if the cookie cutter system that we're going to be for
27 \$18,000 is designed and it's a generic design, can we -- I mean, in
28 Rhode Island, to the gentleman from Rhode Island, does that happen
29 in Rhode Island?

30
31 **MR. JOBIN:**

32 No, it does not. Rhode Island is very similar to New York where a
33 design professional is required to do a site plan and submit it to
34 the State for review and permitting. The thought process is in
35 protection of public health, that the Health Department or local
36 State jurisdiction needs to look at the plan, make sure you're
37 meeting the setbacks to groundwater in other areas and then
38 sign-off.

39
40 **LEG. TROTТА:**

41 You know how ridiculous this is, because you're telling me I can
42 put in a cesspool tomorrow and pollute everything, but I can't put
43 the thing in.

44
45 **MR. JOBIN:**

46 I'm not arguing with --

47
48 **LEG. TROTТА:**

49 So how do we change -- you're saying now that the County Health
50 Department does not have the ability to say here's a design, it's a
51 cookie cutter, it's going to go into a neighborhood. Let's say
52 it's in Commack, it's not near the groundwater. We still can't do
53 that?

54
55 **MR. DAWYDIAK:**

56 Legislator Trotta, you're correct. We would love the ability on

1 simpler sites to have this more streamlined. This is a
2 conversation that we are having with the State Health Department --

3
4 **LEG. TROTТА:**

5 But you just said -- you said the State Health Department, I don't
6 know if you used the work defers, but defers to the County Health
7 Department.

8
9 **MR. DAWYDIAK:**

10 To implement its regulations. We can't change their regulations.
11 We're a subordinate governmental entity with delegated authority.
12 We can't be any less stringent than they are without their
13 permission.

14
15 **LEG. TROTТА:**

16 So how do you get their permission?

17
18 **MR. DAWYDIAK:**

19 We would have to have a change in the State Sanitary Code. It's
20 basically State Public Health Law and the associated sanitary --

21
22 **LEG. TROTТА:**

23 Is that done through the -- is that something administratively
24 done?

25
26 **MR. DAWYDIAK:**

27 Potentially through the State Health Department or potentially
28 through State Legislation. It could be either.

29
30 **MR. SCULLY:**

31 So just to summarize, to make sure we're clear. So we're
32 constrained. That's a constraint on us.

33
34 **LEG. TROTТА:**

35 How do you get rid of the constraint?

36
37 **MR. SCULLY:**

38 So it's either by rule making, rule making would be done by the
39 State Health Department as an agency, or it could be done
40 Legislatively by the Legislative body on the State level.

41
42 **LEG. TROTТА:**

43 It seems to me that this is absurd that, you know, right now as
44 we're sitting here these cesspools are being put in all over Long
45 Island and with a stroke of a pen someone can --

46
47 **CHAIRPERSON HAHN:**

48 Point of information.

49
50 **LEG. FLEMING:**

51 I just wanted to make a point about, you know, the Health
52 Department is also leading a revision group on Article 5 and 6 of
53 the Sanitary Code, and one of the things that that group is looking
54 at is eliminating cesspools, that you would never be able to
55 replace a cesspool with a cesspool. So you would always have to
56 then at least meet standard. I don't know, Peter, if you want to

11:22AM

11:23AM

1 address that.

2
3 **MR. SCULLY:**

4 No, I think that that description is accurate and I know Legislator
5 Trotta himself has dedicated some time to that process and offered
6 an opinion, but his observation about the benefits of having a
7 streamline system on the State level that will allow us to move
8 more quickly on these, that's not lost on us. That's something
9 that's worthy of further discussion.

11:24AM

10
11 **LEG. TROTТА:**

12 It should be the number one thing because you're missing
13 opportunities every single day. You're talking about 400. I'm
14 talking about 4,000 that could be done. Because, you know, there's
15 some people who can afford to do it who would do it, but they
16 can't. It's like, you know, you're counting pennies when you're
17 missing the dollars.

18
19 **CHAIRPERSON HAHN:**

20 Legislator Anker.

11:24AM

21
22 **LEG. ANKER:**

23 You know, I understand where you're coming from, Legislator Trotta,
24 but I think this is the process. Unfortunately sometimes it takes
25 a lot longer, and I think there has to be a certain amount of
26 vetting, because we don't want the wrong systems at the wrong
27 places. So, again, I appreciate all of the work, and I think
28 Suffolk County, from what I understand, you are leading this. You
29 are leading the ability for our water to be cleaner, at least in
30 the future. We have a lot of remediation that we're working on as
31 we speak, whether they're Superfund sites or illegal dumping. And,
32 again, I'm very happy and proud that, you know, our staff, and you
33 guys are here to make sure that our water will remain safe.

11:25AM

34
35 **CHAIRPERSON HAHN:**

36 Actually I brought it up and I made the observation, and Legislator
37 Trotta left, but I think, you know, he clearly has State
38 representatives who could be very influential. Rob, you clearly
39 have State representatives who could be very influential in the
40 process, so we welcome, you know, your assistance as we move
41 forward to try to streamline this. Because I made the observation
42 and that I've always pointed out that, you know, making sure that
43 when a system fails we lose -- it's 30 years we lose potentially,
44 because what's going in the ground we could lose 30 years of better
45 treatment. And so, you know, just making sure that each turnover
46 opportunity is maximized is very important to us because people --
47 most people don't think about their waste or those with cesspools
48 and septic don't think about it until it fails and won't think
49 about it until it fails despite our best efforts unless we mandate
50 in certain zones. But, you know, certainly finding a way to
51 streamline and properly investing in staff to being able to
52 streamline and making that possible will be very important as we
53 move forward, but we need the assistance of the State Government
54 and we will welcome your efforts to help us.

11:26AM

1 **LEG. TROTТА:**

2 It sounded like it didn't need to be legislative, it could be just
3 the Health Commissioner of the State of New York State says we're
4 changing this. Is that true?

5
6 **CHAIRPERSON HAHN:**

7 Either or.

8
9 **MR. SCULLY:**

10 It sounds to me like if it's in regulation that's what we call a
11 rule making. It's more involved than a simple executive decision
12 by an administrator, because the State Procedures Act lays out a
13 process by which they have to go through rule making, which is a
14 little bit complicated.

15
16 **CHAIRPERSON HAHN:**

17 And very lengthy.

18
19 **MR. SCULLY:**

20 But, you know, it's worth having a conversation with folks on the
21 State level do see what if they can do, and then it's important to
22 provide context. In most states this is State Government that's
23 doing the work that we're doing here today, right. This is an
24 unusual situation in which Suffolk County finds itself, you know,
25 bearing the brunt and doing all the work to get this job done. So
26 getting State folks more involved in the policy pieces that can
27 make this more effective I think is a good idea.

28
29 **LEG. TROTТА:**

30 Maybe the State could just give us the ability to make that
31 decision.

32
33 **MR. SCULLY:**

34 That's an interesting suggestion.

35
36 **CHAIRPERSON HAHN:**

37 You said it. Presiding Officer Gregory.

38
39 **P.O. GREGORY:**

40 Okay, again, back to the cost. I had asked you that question about
41 cost. You just mentioned in your conversation to Legislator Trotta
42 you have to get a design professional because there has to be a
43 permit now. So in my mind I'm hearing all right, you've got to get
44 a permit, so you got to get an engineer, you have to get plans, you
45 know. I met a woman who she had to pay \$5,000 just to get an
46 expeditor to get a permit through the town. To me that's just, you
47 know, potentially thousands of dollars, or certainly hundreds of
48 dollars, just -- I mean, so what are we -- I mean, we have to be
49 upfront and honest with these people.

50
51 There should be some type of pamphlet that says this is your
52 anticipated monthly cost for electricity, this is your yearly
53 anticipated cost for maintenance, you are going to need a permit,
54 \$500 or \$250 with the town to get the permit. You got to get the
55 plans, they're generally \$500. An engineer or an expeditor to go
56 through the town, that may be \$7,000. I mean, we got to, you know,

1 we got to be laying out as plain and simple as possible because
 2 people come to us, *you're being dishonest, you put this system on*
 3 *me, I don't know, I'd rather have my old system, I'd rather pay*
 4 *\$300 or \$500 every six months to get it pumped out again than deal*
 5 *with the cost of putting this new system in place.*
 6

7 People are frustrated with costs. I think everyone is concerned
 8 about the environment, but I think everyone is pinching pennies,
 9 and if they had to make a decision whether to protect the
 10 environment or protect their pockets, they'll probably protect
 11 their pockets before they're concerned with protecting the
 12 environment. So we shall lay these costs out as much as possible,
 13 be as straightforward as possible, you know, or this is going to
 14 become a nightmare.
 15

16 **MR. SCULLY:**

17 I think every point that you just made is one that we've been
 18 discussing over the past six months, and the importance of doing
 19 just what you suggested is critical. If we're not able to do that
 20 the program won't be successful and people will recoil away from
 21 the use of these systems, so we can't afford not to do that.
 22

23 So let's go back to the opening part of your comments about the
 24 additional costs that are part of the process. Those are all
 25 considered in what staff is now offering as their best estimate of
 26 the cost of an installation. And your concern about permitting
 27 cost and design cost I think are legitimate. So unlike in other
 28 states, we're required to have a licensed design professional, and
 29 part of the procurement that we're doing now is going to be asking,
 30 you know, engineers to provide us with six -- fixed cost for folks
 31 so that they're not subject to the whims of the market in terms of
 32 design. And we certainly want to provide the type of precise
 33 information that you're suggesting we should to potential
 34 applicants, recognizing that even though this is a voluntarily
 35 program, there needs to be predictability and consistency on price.
 36 We can't have folks going out into the market and finding that they
 37 face expenses that are far in excess of what has been forecast or
 38 the program won't be successful. Those concerns are legitimate
 39 concerns.
 40

41 **LEG. TROTТА:**

42 Just some quick numbers. The most important thing in this whole
 43 system is being able to put it in quick, because I just did a two
 44 percent of them fail a year, cesspools, a year. That's 7200
 45 cesspools. So you're talking about doing 400. So I would stop
 46 what you're doing, everything to do with this whole 400 house plan,
 47 and work on getting a generic system put in where we can offer it
 48 to every citizen in this County where, hey, if you want to do this,
 49 you can have it done tomorrow. Because when my cesspool went five
 50 years ago, in an hour they were digging a new one. You need that
 51 flexibility or this will never work. You should stop doing this
 52 whole 400 house plan and continue this. Two percent is 7200
 53 houses. You're talking about 400.
 54

55 **CHAIRPERSON HAHN:**

56 Do you know how many of the two percent are in the critical --

1 priority critical areas?

2

3 **LEG. TROTТА:**

4 At least 400 would be.

5

6 **CHAIRPERSON HAHN:**

7 Do you know?

8

9 **LEG. TROTТА:**

11:32AM 10 That's a generic 2%.

11

12 **CHAIRPERSON HAHN:**

13 Okay. I'm asking the question.

14

15 **MR. SCULLY:**

16 I don't think anybody here could guess. Obviously we're looking --
17 we're in a situation now where the current regulations don't
18 regulate replacements in kind and in place. We don't require
19 permits, we're not really -- we can't -- we don't have good,
11:32AM 20 accurate data about replacements because they don't regulate that
21 activity. We can work with the industry and get estimates about
22 how many systems are replaced. It all speaks to moving away from a
23 system that doesn't really give us a lot of knowledge and control
24 over what's going on out there other than realizing that these
25 systems are not having a very good effect on the environment
26 towards a more regimented system. You can't avoid that and get the
27 same job done at the same time.

28

29 And to the extent that Legislator Trotta has fixed on an issue that
11:32AM 30 really needs to be addressed about the potential to streamline the
31 process, I think that it's a good thing to focus on how you might
32 get that done, but to suggest that we should stop everything that
33 we're doing and focus on that when we don't have the unilateral
34 ability to make that change. It has to be made at the State level.

35

36 **LEG. TROTТА:**

37 If you stopped focusing on the 400, and to answer Kara's question,
38 7200 -- I don't know that 2% go a year, but if 2% do go a year,
39 probably the ones that are going are in the low groundwater areas.
11:33AM 40 So I would say the most important thing for what your organization
41 does --

42

43 **CHAIRPERSON HAHN:**

44 I prefer to work with facts.

45

46 **LEG. TROTТА:**

47 The fact of the matter is --

48

49 **CHAIRPERSON HAHN:**

11:33AM 50 So let's not just pull numbers --

51

52 **LEG. TROTТА:**

53 You're counting pennies when you should be collecting dollars. And
54 the way to do this is to give the ability to the people to work
55 fast and get this done quick. We're missing it.

56

1 **CHAIRPERSON HAHN:**

2 And part of that is ramping up this whole industry, this whole
3 government, you know, operation that has to help make it happen.
4 And so, you know, making sure that we're getting this done in a
5 very strategic and thought through way in order to get to a place
6 where we can have 7200 new systems going in a year we need to, you
7 know, do the 400 first and make sure we're doing the 400 properly.
8 The last thing we want is to have 7200 trying to get done and it
9 being a complete disaster because we can't handle it. So there
10 certainly, you know, a sense of getting going slowly to this as
11 well.

11:34AM

12
13 **MR. SCULLY:**

14 Right. Well, I mean I think that you need to keep in mind what
15 we're talking about here is a voluntarily program. We -- reserving
16 that 7200 systems might fail a year and maybe they should be
17 replaced, I think that's a good discussion to have. In the context
18 of the Article 5 and 6 working group we've been impressed by
19 Legislator Trotta's appetite for increased regulation of the
20 situation and we look forward to discussions of, you know, changes
21 to Article 6, but as things stand right now there's no regulation
22 in place that would require any of those 7200 theoretical
23 homeowners to replace their system with an IA. We might get there,
24 but we won't get there without the support of the Legislature.

11:34AM

25
26 **CHAIRPERSON HAHN:**

27 Legislator Fleming.

28
29 **LEG. FLEMING:**

30 I just wanted to just suggest that I agree 100% that we need to
31 move the systems -- the permitting process more quickly and I think
32 that's a goal that everyone recognizes. I'd like to work together
33 with you, Rob, on getting the State to get rid of this engineer
34 certification. I mean, I think a bipartisan approach to our State
35 representatives might be more successful and would serve the
36 purpose not just for this particular effort, but for moving
37 forward. It's just one more sort of band-aid on our government
38 that is costing us money, costing our constituents money, costing
39 our constituents time, doesn't make any sense. It was enacted by
40 someone far away. And if you want to work with it -- with me on
41 it, let's do a bipartisan effort and try to get them to change it.

11:35AM

42
43 **LEG. TROTТА:**

44 Absolutely. I think you should take the word permit out of it. It
45 should be a generic cookie cutter for most of these systems. I'm
46 sure there's some specific locations where it might be different,
47 but we're missing opportunities every single day we're not doing
48 this.

49
50 **LEG. FLEMING:**

51 Well, that I'm going to -- I have to disagree with you on because
52 if there's no permit -- if there's no oversight at all, these
53 aren't set and forget systems as Mr. Jobin said. These are systems
54 with mechanics in them, and if they fail we're in worse situation
55 than we were before.

1 Hold on one second. I just want to applaud the effort that's been
2 made by the Health Department to date to pilot the programs, to
3 make sure they work. We don't want to just rush into something
4 with all the best intentions and end up with a worse situation than
5 we have. One of the reasons why we have the situation we do is
6 because the County Health Department has turned a blind eye, no
7 offense, from time to time to systems that are polluting our water
8 and we're in a crisis now, so we've got to move forward.

9
10 **LEG. TROTTA:**

11 Things have been out there for 25, 30 years.

12
13 **CHAIRPERSON HAHN:**

14 To the point of the electricity and the system being complicated
15 and electric. I have a resident at home, listening in from home,
16 yes, people do do that, asking what happens when the power goes
17 out.

18
19 **MR. JOBIN:**

11:37AM 20 That's a great question. For power outages four of the -- three of
21 the four approved technologies will flow through by gravity. They
22 won't provide treatment, but they will function in times of power
23 outage. One of the other systems does have a pump in it, so we've
24 been allowing gravity bypasses during -- for the event of power
25 outages.

26
27 The other thing is the systems have a two to three day surge
28 capacity, so if there is a power outage they can handle that flow
29 for two to three days. But we have been following up with between
11:37AM 30 looking at generator transfer switches and gravity bypasses for
31 those, but most of the systems are straight flow through. The
32 treatment will go away. You won't have treatment for the two or
33 three days that you're without power, but the water will
34 hydraulically move through the system.

35
36 **CHAIRPERSON HAHN:**

37 But we're approving the ones that don't?

38
39 **MR. JOBIN:**

11:38AM 40 We're approving them with gravity bypass or generator transfer
41 switch.

42
43 **CHAIRPERSON HAHN:**

44 Okay. Thank you.

45
46 **MR. DAWYDIAK:**

47 Just for the interest of full disclosure, Legislator Hahn. There
48 may be some small universe that will not flow in the event of an
49 extended power outage. Justin mentioned a generator connection. A
11:38AM 50 homeowner can opt to install a generator for those. You're looking
51 at solar or battery operated lift pumps for short-term surges.
52 Again, the great majority of these are being directly engineered so
53 that they won't fail in the event of an extended power outage. An
54 engineer would advise a resident in situations and options where
55 that may not be possible.

1 **CHAIRPERSON HAHN:**

2 And do we have a requirement for notification of a homeowner for
3 the ones that don't provide that gravity flow? Like so that they
4 know when they're purchasing it that that is possible?

5
6 **MR. JOBIN:**

7 They are required to register the systems upon approval from the
8 Health Department, so we would notify them as to that. I just want
9 to say all the systems that have gone in the ground as part of the
10 demo program have required to have a gravity bypass or a generator
11 hookup, and the homeowners are aware of that so we anticipate that
12 continuing moving forward.

13
14 **CHAIRPERSON HAHN:**

15 I just want to make sure that there's a homeowner notification of
16 those that don't -- doesn't come with it and that it's required.

17
18 **MR. JOBIN:**

19 Yes. That would be in their annual operation and maintenance
20 contract. It would be there and it would be notified with the
21 registration upon approval of the system. The manufacturer under
22 our Article 19, the manufacturer is required to give the homeowner
23 a packet upon installation that goes through the do's and don'ts,
24 the operation and some of the key points.

25
26 **CHAIRPERSON HAHN:**

27 It might be something that they need to initial.

28
29 **MR. JOBIN:**

30 Absolutely. They have to sign-off on that contract.

31
32 **CHAIRPERSON HAHN:**

33 I mean that specific point, that there's a little box and that they
34 understand that in case of a power outage, you know, da da da. I
35 just think that that's significant enough that we might need to go
36 to an extra step. We can talk later about how we would do that,
37 legally requiring that in the contract process.

38
39 Any other questions? Okay. Thank you very much for your
40 presentation. The amount of work that this department has
41 completed in the last five and a half years has been, you know,
42 extraordinary, and it's because of the efforts of all four of you
43 plus so many others behind you, you know, to make it happen, and we
44 all want to thank you for that.

45
46 **LEG. FLEMING:**

47 Madam Chair, can I make a motion to take out of order 1262?

48
49 **CHAIRPERSON HAHN:**

50 Sure thing. I'll second. All those in favor? Opposed?
51 Abstentions? 1262 is before us. ***IR 1262 - Adopting Local Law No.***
52 ***-2017, A Local Law to establish a grant assistance program for the***
53 ***installation of Innovative and Alternative Onsite Wastewater***
54 ***Treatment Systems (Co. Exec.).***

55
56 I'll make a motion to approve. Seconded by Legislator Fleming.

1 Anyone on the motion? All those in favor? Opposed? Abstentions?
2 1262 is approved. (VOTE: 6-0-0-0). Thank you.

3
4 **TABLED RESOLUTIONS**

5
6 Now we are on to Tabled Resolutions. *Introductory Resolution 1003*
7 *- Authorizing appraisal of land under the Suffolk County Drinking*
8 *Water Protection Program, as amended by Local Law No. 24-2007,*
9 *North Fork United Methodist Church Town of Southold (SCTM No.*
10 *1000-025.00-02.00-023.002) (Krupski).*

11
12 **LEG. KRUPSKI:**
13 Motion to table.

14
15 **CHAIRPERSON HAHN:**
16 Motion to table by Legislator Krupski; seconded by myself. All
17 those in favor? Opposed? Abstentions? 1003 is tabled. (VOTE:
18 **6-0-0-0**)

19
20 **INTRODUCTORY RESOLUTIONS**

21
22 *Introductory Resolution 1272 - Authorizing an appraisal for the*
23 *Purchase of Development Rights of Farmland under the Suffolk County*
24 *Drinking Water Protection Program, as amended by Local Law No.*
25 *24-2007 - Rottkamp's Farm Property - Town of Riverhead (SCTM No.*
26 *0600-061.00-02.00-007.001p/o) (Krupski).*

27
28 **LEG. KRUPSKI:**
29 So moved.

30
31 **CHAIRPERSON HAHN:**
32 Motion by Legislator Krupski; seconded by myself. On the motion.
33 Director Lansdale, welcome back.

34
35 **DIRECTOR LANSDALE:**
36 The farm property is located in the Hamlet of Calverton, Town of
37 Riverhead. It's 21.3 acres in size, of which 19.5 acres is
38 proposed for the purchase of development rights. Property is
39 currently planted in food crops including corn, tomatoes, melons,
40 asparagus, pumpkins and squash. The property received a rating of
41 18.25 out of 25 points. A score of ten or higher is used as the
42 standard minimum threshold for recommendation for inclusion in the
43 County's PDR Program. It received points for location adjacent to
44 a farm PDR, long road frontage, prime soils and it's also located
45 within an agricultural district. This property was reviewed by the
46 Farmland Committee at the March 16th meeting and was recommended
47 for your consideration.

48
49 Oh, there's also a proposed cutout of 1.8 acres located in the
50 southern portion of the property. The entire property is zoned
51 agriculture protection zone with a minimum lot size of two acres.

52
53 **CHAIRPERSON HAHN:**
54 Any questions? We have a motion and a second. All those in favor?
55 Opposed? Abstentions? 1272 is approved. (VOTE: 6-0-0-0)

1 We did 1274 earlier.

2
3 **1291 - Authorizing the acquisition of land under the New Suffolk**
4 **County Drinking Water Protection Program (effective December 1,**
5 **2007) - open space component - for the Bradt property - Hauppauge**
6 **Springs - Town of Smithtown - (SCTM Nos. 0800-154.00-05.00-015.000**
7 **and 0800-154.00-05.00-017.000) (Co. Exec.).**
8

9 **LEG. KRUPSKI:**

10 So moved.

11
12 **CHAIRPERSON HAHN:**

13 Motion by Legislator Trotta; seconded by Legislator Krupski. On
14 the motion, Director Lansdale.

15
16 **DIRECTOR LANSDALE:**

17 Great. These two parcels are located on the south side of Veterans
18 Memorial Highway east of Old Willetts Path in the Hamlet of
19 Hauppauge, Town of Smithtown. Lot 15 is 4 point acres in size, lot
20 17 is 1.8 acres in size. So the total possible acquisition is 6.6
21 acres. The parcels that have numbers associated with them are the
22 two parcels in question that are closest to Veterans Memorial
23 Highway. It is part of an assemblage area known as Hauppauge
24 Springs that was listed in our Master List. It has received 47
25 points for freshwater wetlands buffer area, a freshwater pond,
26 habitat diversity, location adjacent to County and town parkland.
27 That's my report.

28
29 **CHAIRPERSON HAHN:**

30 Excellent. Legislator Krupski.

31
32 **LEG. KRUPSKI:**

33 Thank you. So as far as the funding goes, there was money for some
34 of the towns under the 12-5D and 12-5E Program. Does this -- is
35 there any money out of those programs that would?
36

37 **DIRECTOR LANSDALE:**

38 So Smithtown, this is in the Town of Smithtown, and there's no
39 money available through that program. The Town of Smithtown was
40 quick to act when the funding was available and has used all of its
41 funding.
42

43 **LEG. KRUPSKI:**

44 Okay. Thank you. And also is there any, now that you have a
45 larger assemblage of open space, and there's an awful lot of
46 development certainly around here, any proposal to do a trail
47 system through this because it is -- it looks like high quality
48 swampland.
49

50 **LEG. TROTТА:**

51 It's a swamp.

52
53 **LEG. KRUPSKI:**

54 But, I mean, you could use it for ice skating, certainly, you could
55 catch frogs, whatever. You know, I mean, is there -- you know,
56 people are looking for open space and most open space is used by

1 people who live adjacent to or near walking distance to it and this
2 seems like an ideal place where public land could be, you know,
3 people could have a path through the woods.

4
5 **MS. FISCHER:**

6 Yes, actually there are some trails existing at the present time
7 that you can walk through the property, also near to the ponds.
8 They're beautiful ponds, actually, amazingly so in the high traffic
9 area that it exists. And it's -- would be for passive recreation
10 and certainly trails and passive uses would be in line with
11 acquisition.

12
13 **LEG. KRUPSKI:**

14 That's great. Thank you.

15
16 **CHAIRPERSON HAHN:**

17 Any other questions? Okay. We have a motion and a second. All
18 those in favor? Opposed? Abstentions? 1291 is approved. (VOTE:
19 **6-0-0-0**)

20
21 ***Introductory Resolution 1322 - Making a SEQRA determination in***
22 ***connection with the proposed Suffolk County Sewer District No. 1,***
23 ***Port Jefferson, Pump Station Force Main, (CP 8122), Village of Port***
24 ***Jefferson and Town of Brookhaven(Pres. Off.).*** Motion by myself;
25 second by Legislator Anker. All those in favor? Opposed?
26 Abstentions? 1322 is approved. (VOTE: **6-0-0-0**)

27
28 ***Introductory Resolution 1323 - Making a SEQRA determination in***
29 ***connection with the proposed Suffolk County Sewer District No. 5,***
30 ***Strathmore Huntington, Lagoon Remediation, (CP 8115), Town of***
31 ***Huntington (Pres. Off.).*** I'll make a motion; seconded by
32 Legislator Krupski. All those in favor? Opposed? Abstentions?
33 It is approved. (VOTE: **6-0-0-0**)

34
35 ***Introductory Resolution 1324 - Making a SEQRA determination in***
36 ***connection with the proposed Suffolk County Sewer District No. 6,***
37 ***Kings Park, Rerouting and Pump Station Expansion, (CP 8144), Town***
38 ***of Smithtown (Pres. Off.).*** I'll make a motion -- motion by
39 Legislator Trotta for this SEQRA in Kings Park. Motion by
40 Legislator Trotta; seconded by Legislator Krupski. All those in
41 favor? Opposed? Abstentions? 1324 is approved. (VOTE: **6-0-0-0**)

42
43 ***Introductory Resolution 1325 - Making a SEQRA determination in***
44 ***connection with the proposed Suffolk County Sewer District No. 20,***
45 ***William Floyd, Improvement and Expansion, (CP 8148), Town of***
46 ***Brookhaven. (Pres. Off.).*** Motion by Legislator Muratore; second by
47 Legislator Krupski. All those in favor? Opposed? Abstentions?
48 1325 is approved. (VOTE: **6-0-0-0**)

49
50 ***Introductory Resolution 1361 - Accepting United States Department***
51 ***of Agriculture Natural Resources Conservation Service Regional***
52 ***Conservation Partnership Program (RCPP) funds, and appropriating***
53 ***funds in connection with the Reclaim Our Water Agricultural***
54 ***Stewardship in the Peconic Estuary Watershed Project(Co. Exec.).***
55 Motion by Legislator Krupski; seconded by Legislator Fleming. On
56 the motion. Does anybody want to describe a little bit? I mean,

1 it sounded terrific from what Rob Carpenter had said and we're
2 really excited about it.

3
4 **LEG. KRUPSKI:**

5 If we could just have Corey Humphrey and Auggie to come up here
6 just to give a brief description. I think it's a program that they
7 worked an awfully long time on. And it was one of those programs
8 that when it came through everybody was pleased and surprised. It
9 just continues with the, you know, the commitment of the County to
11:49AM 10 work with the ag community to keep improving their use of
11 nutrients. It's just an ongoing effort. There's a lot of partners
12 involved and it just keeps moving the ball forward as far as
13 nutrient management in agriculture.

14
15 **DIRECTOR LANSDALE:**

16 So I want to thank all of the partners who are with us here today,
17 and especially Auggie Ruckdeschel as well as Corey and the Farm
18 Bureau for working together. Just to give you a brief description,
19 this is the Regional Conservation Partnership Program. It's a
11:49AM 20 United States Department of Agriculture Natural Resources
21 Conservation driven program that offers opportunities for
22 conservation partners as well as agricultural producers to work
23 together to expand that conservation mission and demonstrate the
24 value of voluntary private lands conservation.

25
26 So the partners worked very closely in coming up with the scope of
27 this. We are accepting -- the resolution before you today is
28 accepting \$1.2 million in grant funding. Four-hundred and
29 forty-seven thousand will be used to provide technical assistance,
11:50AM 30 and that's what's specifically described in this accepting
31 resolution today. And that will provide technical assistance to
32 agricultural producers within the Peconic Estuary Watershed,
33 specifically to develop and certify nutrient management and
34 integrated pest management plans.

35
36 **CHAIRPERSON HAHN:**

37 And I know that those had been -- I mean, clearly this Sustainable
38 Agricultural Management Program, I mean, I know we were working on
39 it when Vivian was a Legislator and I was working in her office,
11:51AM 40 2004, 2005 and even, you know, earlier than that, and so these are
41 tremendous -- well, that might be a big word. I don't want to use
42 the word huge, either. But it's a big cost for these plans and
43 maybe one of the barriers to full participation by the agriculture
44 community. So I think that this is a real win to be able to help
45 fund those plans which are incredibly important to this success of
46 this program.

47
48 **DIRECTOR LANSDALE:**

49 And in addition, this is consistent. This work program as proposed
11:51AM 50 today is consistent with a resolution that was unanimously adopted
51 by this Legislature a year or two ago adopting the agricultural
52 stewardship plan that was a resolution introduced by Legislator
53 Krupski.

54
55 And I just also want to just briefly mention all of the partners
56 who are involved in this project that's before you today. In

1 addition to the Suffolk County Department of Economic Development
2 and Planning, there is also the Department of Health Services that
3 are -- that's involved as well as the USDA, the Soil and Water
4 Conservation District, Cornell Cooperative Extension, the Peconic
5 Estuary, United States Geological survey, Long Island Farm Bureau
6 as well American Farmland Trust. This is really a partnership.

7
8 **CHAIRPERSON HAHN:**

9 Yeah, and I know -- I have taken some of the farmland tours that
10 Cornell has done as well about their integrated pest management
11 practices, their delayed release fertilizer demonstration projects,
12 pheromone, you know, all kinds of things that Cornell -- will
13 farmers be able to utilize a lot of those, the results of all that
14 research that Cornell has done, we'll be able to continue to
15 implement and even, you know, more aggressively implement now?

16
17 **DIRECTOR LANSDALE:**

18 Yes. This will build upon the existing great work of these
19 organizations and leverage that. And what's unique about this is
20 that you'll be able to then -- farmers will be able to access
21 funding towards the implementation of some of these plans.

22
23 **CHAIRPERSON HAHN:**

24 Excellent. Great. Any other questions? Terrific. We have a
25 motion and a second. All those in favor? Opposed? Abstentions?
26 And I'd like to co-sponsor. So that one's approved. Thank you.
27 **(VOTE: 6-0-0-0)**

28
29 Seeing that we have no more business before the committee, we are
30 adjourned.

31
32 **(*The meeting concluded at 11:53 a.m.*)**
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