

ORIGINAL

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LAKE RONKONKOMA

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ADVISORY TASK FORCE

4

William Rogers Legislative Building
Rose Caracappa Auditorium

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725 Veterans Memorial Highway
Smithtown, New York

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7

May 12, 2010
6:30 p.m.

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20 REPORTED BY:

21 THERESA PAPE, Court Reporter/Notary Public

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P R E S E N T :

ALI NAZIR, C.O.S. Legislative Office of
JOHN M. KENNEDY, JR.
12th Legislative District

MARIA BARBARA, Legislative Office of
TOM CILMI
10th Legislative District

KEVIN McEVADDY, the Office of
ASSEMBLYWOMAN GINNY FIELDS

VERONICA KING, Town of Brookhaven

KATHY ALBRECHT, the Office of
Assemblyman Michael Fitzpatrick

GEORGE SCHRAMM
Lake Ronkonkoma Civic Organization

DAWN HOPKINS
Lake Ronkonkoma Civic Organization

KEVIN KANOKOS
Chamber of Commerce of the Greater
Ronkonkomas

KEVIN L. HYMS, Secretary
Chamber of Commerce of the Greater
Ronkonkomas

ROB SCHURZ, the Office of
Senator Bryan X. Foley

EDWIN PEREZ, Director, Community Relations
Office of the County Executive

2 (WHEREUPON, this proceeding
3 convened at 6:30 p.m. Off-the-record
4 discussions ensued, after which the
5 following transpired:)

6 (Time noted: 6:38 p.m.)

7 MR. NAZIR: Good evening, ladies
8 and gentlemen. Welcome to the Lake
9 Ronkonkoma Advisory Board.

10 I would first ask George Schramm to
11 lead us in the Pledge of Allegiance.

12 (Pledge of Allegiance)

13 MR. NAZIR: Due to a couple people
14 having time constraints at this meeting,
15 we're going to put the presentation part
16 toward the end, and we're going to go
17 right to the public portion.

18 Is there anybody that wishes to
19 address the board?

20 (WHEREUPON, there was no response.)

21 MR. NAZIR: All right. Let's move
22 right into the presentation.

23 Our first presenter is George
24 Schramm. He's going to be introducing
25 two organizations; the Lake Ronkonkoma

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2 Watershed Intermunicipal Organization
3 and the Ronkonkoma Lake Association.

4 Take it away, George.

5 MR. SCHRAMM: Thank you.

6 If you recall at the last meeting,
7 Legislator Kennedy had tasked the -- the
8 civic with investigating what was
9 necessary in terms of new entities or
10 organizations to move forward with the
11 process from where it stands now.

12 Now that the lake is included on
13 the list of inland waterways, we're
14 eligible -- the lake is eligible for
15 grant money. So the necessary
16 organizations have to be in place to
17 receive that grant money and to move
18 forward with, you know, other projects
19 within the watershed.

20 So we did research. We looked at
21 other lakes within New York State and
22 the arrangements that they have. These
23 lakes are also included on the list of
24 inland waterways.

25 So what we're proposing is the

2 creation of two new organizations.

3 The first would be essentially a
4 formalization of the -- the advisory
5 board, and would be the Lake Ronkonkoma
6 Watershed Intermunicipal Organization.
7 Basically, this would be created through
8 a Memorandum of Understanding between
9 the three towns; Islip, Smithtown, and
10 Brookhaven; and Suffolk County.

11 What we've done is, based upon this
12 type of organization as exists in other
13 places in New York State, we've created
14 some draft bylaws with the Organization.
15 What I'll do is I'll just read a portion
16 of those bylaws.

17 This is Article II which
18 establishes the objectives and purposes
19 of the Organization:

20 "The Lake Ronkonkoma Watershed
21 Intermunicipal Organization is made up
22 of representatives from the
23 municipalities within the
24 Lake Ronkonkoma Watershed; the County of
25 Suffolk, the Towns of Brookhaven, Islip,

2 and Smithtown. The purpose of the
3 Organization is to develop a
4 Lake Ronkonkoma Watershed Management
5 Plan and oversee and administer it. To
6 this end, the Organization recognizes
7 the interrelatedness of all activities
8 within the watershed, and will
9 collaboratively and collectively work to
10 address issues and problems. The
11 objective is to promote understanding
12 that is vital to maintain and improve
13 the ecological health and beauty of the
14 watershed, along with the building and
15 maintaining a productive economy, and
16 also sustain a healthy social
17 environment for the people of the
18 Lake Ronkonkoma Watershed.

19 "The Organization shall develop a
20 Lake Ronkonkoma Watershed Management
21 Plan, access funding, and oversee and
22 administer the plan."

23 I'll just interject here that, the
24 lake study that was originally created
25 in the 1980s and was updated, I think,

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2 about four or five years ago, would form
3 the basis of this watershed plan.

4 "The Organization shall conduct the
5 following:

6 "Establishing watershed priorities;

7 "Approving an annual work plan and
8 budget;

9 "Approving requests for funding and
10 endorsement of projects consistent with
11 the priorities;

12 "Reviewing technical and feasible
13 summary reports.

14 "The cooperating municipalities
15 shall share a number of common goals,
16 including:

17 "The prevention of non-point source
18 pollution of both surface and
19 groundwaters in the watershed;

20 "The remediation of existing
21 pollution;

22 "The preservation of open space and
23 natural resources;

24 "The expansion of economic
25 activities consistent with the watershed

2 environment;

3 "Developing programs for educating
4 the public and public officials;

5 "Developing compatible components
6 of their comprehensive plans and zoning
7 and natural resource ordinances; and

8 "Exploring mutually beneficial ways
9 of securing and sharing federal, state,
10 and county-agency funding for the
11 programs that accomplish their
12 objectives in the above areas;

13 "The sharing of costs of monitoring
14 compliance and enforcement;

15 "The resolution of disputes
16 regarding development projects with
17 intermunicipal impacts;

18 "The resolution of disputes
19 regarding development projects that
20 impact environmentally sensitive areas;
21 and

22 "Working with federal, state, and
23 county agencies and authorities to
24 assure the activities" -- "that their
25 activities in the watershed are

2 compatible with the plans and programs
3 of the cooperating municipalities."

4 I'll just go into a little bit more
5 detail on the makeup as being -- of the
6 Organization as proposed.

7 There is an Executive Committee
8 that basically runs the -- the
9 Organization.

10 "The Executive Committee consists
11 of nine members; representatives of the
12 four municipalities, and five non-voting
13 appointed Chairs of the Standing
14 Committees.

15 "The Executive Committee shall
16 conduct business on behalf of the
17 membership and the Organization between
18 meetings of the Organization, and shall
19 inform membership periodically of
20 important matters. It is understood
21 that Executive Committee members are
22 appointed to represent their interests
23 of the watershed as a whole, and not the
24 special interests of the represented
25 municipality."

2 So, in essence, it takes what we've
3 been working towards and achieving, to
4 some -- in some respect, currently, and
5 formalize that into an actual
6 Organization that's established through
7 a Memorandum of Understanding.

8 Unfortunately, we've not been able
9 to locate a sample version of an MOU
10 that we could use here, but I'm sure we
11 could probably find one that was --
12 might have been used here at the county
13 for some other type of purpose in
14 working with another municipality.

15 But that's the -- the way to move
16 forward is to develop the MOU, sit down
17 with all the municipalities and -- and
18 work out the details on the bylaws. So
19 this, we feel, is essential to -- to
20 moving forward.

21 I'll now move on to the next
22 organization, and these are two
23 independent organizations.

24 The second organization is the
25 Ronkonkoma Lake Association. And this

2 is created as a 501C3 so that it is
3 eligible to receive certain types of
4 grant monies that the Intermunicipal
5 Organization would not be eligible for.
6 Although these two organizations are
7 independent, they would work together
8 to -- to achieve the goals of the
9 watershed plan.

10 I have taken the draft version of
11 these bylaws and posted them to a
12 Web site, so anyone who's interested can
13 read them at this Web site and also
14 submit comments about the bylaws.

15 That Web site is
16 www.ronkonkomalakeassociation.org

17 I'll briefly read the objectives
18 and purposes of the Lake Association.

19 "The Ronkonkoma Lake Association is
20 a non-profit organization dedicated to
21 enhancing, preserving, and protecting
22 the quality of Lake Ronkonkoma, its
23 adjacent water bodies, and it's
24 surrounding watershed through the
25 promotion of responsible, effective

2 environmental and educational policies.

3 "Our mission is to preserve and
4 protect this regionally unique resource
5 as a pristine legacy for future
6 generations."

7 The purpose for which said
8 Association is formed is:

9 "To strive, to promote, protect,
10 encourage, advance the interests,
11 activities, and projects that will
12 improve the lake and the surrounding
13 areas;

14 "To coordinate and promote
15 corporation between the four
16 municipalities that border the lake:
17 The County of Suffolk, the Towns of
18 Brookhaven, Islip, and Smithtown, and
19 the adjacent private property owners;

20 "To purchase, lease, or otherwise
21 acquire, hold, develop, improve, repair,
22 and maintain land under and adjacent to
23 the waters of Lake Ronkonkoma, and any
24 and all riparian rights or easements in
25 such lands or waters;

2 "To purchase, lease, or otherwise
3 acquire to sell or otherwise dispose of,
4 to lay out, construct, develop,
5 maintain, improve, and operate roadways,
6 walks, gardens, parks, lakes, ponds, or
7 other waters, buildings or portions
8 thereof, wharves, piers, and other
9 structures; and

10 "To affiliate with any other town,
11 county, state, or national organization
12 for such purposes as may be consistent
13 with the objectives and purposes of the
14 Association."

15 So, in essence, the -- these two
16 organizations work together; one as a
17 private cooperation as a 501C3, and the
18 other is an intermunicipal agreement.

19 These draft bylaws are, as I stated
20 before, based on precedence. But it
21 really should not be just the civic
22 who -- who works towards developing
23 these.

24 I guess what I'm requesting for
25 is -- is feedback, and lots of feedback;

2 questions, comments.

3 At some point when we have a more
4 developed draft of at least the
5 Lake Association, what we'll need to do
6 is arrange for public meetings.

7 I think one of the open questions
8 on the Lake Association is membership.
9 Right now it's proposed that membership
10 is restricted to a certain geographic
11 area, although that geographic area is
12 not defined currently. I would propose
13 that the geographic area probably have
14 some correspondence to the actual
15 watershed area around the lake. But
16 once that's established, and we'd have
17 to hold public meetings or gatherings --
18 they wouldn't have to be official public
19 hearings -- but property owners and
20 especially private property owners
21 around the lake should be able to
22 participate in the development of -- of
23 the Association.

24 And that's about it.

25 Questions?

2 MR. PEREZ: Yes.

3 My name is Ed Perez, I'm --

4 Ed Perez, I represent the county
5 executive.

6 These bylaws, I'm guessing that
7 we'd have to get them approved, and I --
8 meaning, I would have to take them back
9 to our county attorney and have them
10 take a look at this for clarification
11 and see what kind of exposure it gives
12 the county.

13 Has this been looked at through
14 legal eyes?

15 MR. SCHRAMM: No, this is the first
16 time it's being presented.

17 The bylaws for the intermunicipal
18 watershed would certainly have to be
19 reviewed by the legal departments of
20 each of the municipalities involved and
21 probably modified in some way. Again,
22 this is a skeleton that's being proposed
23 that could be fleshed out -- would have
24 to be negotiated.

25 The Lake Association, as a 501C3,

2 could be incorporated at any time. In
3 fact, I've prepared the incorporation
4 papers, and we should probably move
5 ahead with that as quickly as possible.

6 We can do the incorporation without
7 the bylaws. So we should create the
8 501C3 and start that process. And then,
9 we can continue to hold public
10 informational hearings about -- and
11 hammer out the bylaws that way.

12 MR. PEREZ: The municipalities have
13 members in each port for the Association
14 and the Intermunicipal Organization?

15 MR. SCHRAMM: Yes. The way it's
16 proposed now, there is a membership
17 class in the Lake Association for
18 municipalities so that they would have a
19 voice within the Association itself.

20 The reverse is somewhat true with
21 the Intermunicipal Organization. If you
22 look at examples of other New York
23 State, like Cayuga and Lake George,
24 they're bordered by a lot of
25 municipalities; many counties, many

2 incorporated villages, many towns. So
3 the bulk of the organization is made up
4 of people that come from -- work for the
5 municipalities and serve on those
6 boards.

7 We don't have that -- that benefit
8 here. I mean, I think the way these
9 bylaws are written is to allow the
10 Intermunicipal Organization to appoint
11 public members, members who do not work
12 for a municipality, to serve as
13 volunteers on the board. Otherwise,
14 I -- I think we'd be asking quite a bit
15 of municipalities to volunteer a number
16 of people to perform all these tasks.
17 That would be quite a bit of a hardship.

18 MR. PEREZ: Just a final one.

19 In terms of vetting the potential
20 members of the board, does that have to
21 be approved by the legislature and/or
22 the county?

23 And I'm only speaking on behalf of
24 the county. I understand maybe the
25 other towns would have to do that as

2 well.

3 MR. SCHRAMM: Well, for the -- the
4 members of the Intermunicipal
5 Organization, they would appoint their
6 own members to the Executive Committee.
7 In terms of public members who want to
8 participate, there would be a membership
9 committee set up.

10 The goal here is to look for a wide
11 variety of expertise within the
12 community. So that maybe somebody who,
13 for instance, has a geotechnical
14 background that -- that works in a
15 private industry, that they're willing
16 to volunteer to serve on the board.
17 That expertise could come in quite
18 handy.

19 So, I think the purpose of the
20 membership committee is to try to
21 identify and track those people within
22 the community that are willing to serve
23 and have a -- you know, a detailed
24 knowledge and expertise that they can
25 bring to the board.

2 MR. PEREZ: Thank you.

3 MR. NAZIR: George, would it be
4 helpful if we had somebody from the
5 county attorney's office represented
6 here to speak on the legalities of this?

7 MR. SCHRAMM: I would suggest at
8 this point that we move forward in
9 trying to draft an MOU, maybe based on
10 something else that the county has done
11 with another municipality. And then,
12 probably, having the --

13 I mean, we're perfectly willing to
14 facilitate and help wherever possible,
15 but it really comes down to the four
16 municipalities getting together in a
17 room, discussing the bylaws and the MOU,
18 and -- and hammering out an -- an
19 agreement.

20 MR. NAZIR: Any other questions?

21 (WHEREUPON, there was no response.)

22 MR. NAZIR: Thank you, George.

23 MR. SCHRAMM: Thank you.

24 MR. NAZIR: All right. Moving on
25 onto the agenda.

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2 I know we have a little space for
3 Mr. Steve Terracciano from the U.S.G.S.
4 I'm really not sure if he's got a
5 presentation or anything, or if he will
6 want to --

7 MR. TERRACCIANO: (Indicating)

8 MR. NAZIR: All right. I'm getting
9 the "no" signal, so --

10 MR. TERRACCIANO: I'd be happy to
11 address the board, identify myself,
12 describe the --

13 MR. NAZIR: Yeah, please. Please.

14 And, please, your name and your
15 organization for -- so we can get it all
16 down on paper.

17 MR. TERRACCIANO: My name is
18 Stephen Terracciano,
19 T-E-R-R-A-C-C-I-A-N-O. I work -- I work
20 with the United States Geological
21 Survey. I'm currently the office chief
22 of the Coram office of the New York
23 Motor Science Center.

24 Okay. The United States Geological
25 Survey works cooperatively here on

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2 Long Island and in Suffolk County,
3 specifically, with the Suffolk County
4 Water Authority and the Suffolk County
5 Department of Health Services to monitor
6 groundwater levels and stream flow.

7 Additionally, we do monitor water
8 quality. We typically enter into
9 cooperative agreement with the federal
10 government who provides some funding,
11 and the local tax-based, typically,
12 agency also provides funding to
13 facilitate this monitoring.

14 In the Lake Ronkonkoma area, we
15 monitor, I think, perhaps, a half a
16 dozen wells. Currently, water levels
17 are the highest we've ever measured.
18 The water levels in -- groundwater
19 levels, specifically, in the
20 Lake Ronkonkoma area go back, I believe,
21 over 60 years with level measurements.

22 The data is archived and publicly
23 available on our Web site; ny.usgs.gov.

24 MR. NAZIR: Does anybody have any
25 questions for Mr. Terracciano?

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2 (WHEREUPON, there was no response.)

3 MR. NAZIR: Thank you, Steve.

4 Thank you for coming out today. I know
5 you kind of found out about this a
6 little late, but we would be happy to
7 have you here on almost a regular basis,
8 if that is all right with you.

9 MR. TERRACCIANO: We're happy --
10 we're happy to help. Myself or others
11 from the office will try to assist the
12 board and the proposed organizations in
13 any way possible.

14 MR. NAZIR: Thank you.

15 Just one thing before -- for
16 George.

17 I'm going to take your bylaws and
18 I'm actually going to forward them
19 myself to the county attorney to just
20 take a glance at. And I would encourage
21 the other municipalities here to do the
22 same with -- especially Islip and --
23 well, everybody who is represented here.

24 And all the bylaws will be e-mailed
25 to everybody here as well, so you guys

2 will all have it.

3 As far as any action -- you know,
4 to be totally honest with you, we have
5 zero elective here. So, you know, maybe
6 we've got to hold off on that for a
7 little while. And we've got to -- we
8 need a few clarifications on the
9 proposed -- I think it's a great idea,
10 but I'm a nobody, so that's fine.

11 All right. Moving on.

12 Is there any new business or
13 announcements that anybody would like to
14 make to the board from the board?

15 (WHEREUPON, there was no response.)

16 MR. NAZIR: If not, I will motion
17 to adjourn.

18 Can I get a second?

19 MR. PEREZ: Second.

20 MR. NAZIR: Meeting adjourned.

21 Thank you.

22 (WHEREUPON, this meeting of the
23 Lake Ronkonkoma Advisory Task Force was
24 adjourned at 8:00 p.m.)

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C E R T I F I C A T E

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6 I, THERESA PAPE, a Shorthand Reporter and
7 Notary Public of the State of New York, do hereby
8 certify:

9 That the foregoing is a true and accurate
10 transcription of the stenographic notes taken
11 herein.

12 I further certify that I am not related to
13 any of the parties to this action by blood or
14 marriage; and that I am in no way interested in the
15 outcome of this matter.

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand this 12th day of May 2010.

18

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20

21



THERESA PAPE

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