

COUNCIL ON ENVIRONMENTAL QUALITY

Minutes

A regular meeting of the Suffolk County Council on Environmental Quality was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Wednesday April 19, 2006.

MEMBERS PRESENT:

Dr. Larry Swanson, Chairman
Dr. John E. Potente
J. Lance Mallamo
J. Lee Snead

ALSO IN ATTENDANCE:

James Bagg, Chief Environmental Analyst/Department of Planning
Richard Martin, Historic Services
Steve Brown, CAC Brookhaven
Ralph Borkowski, Suffolk County Department of Public Works
Leon Jaworski, Cashin Associates
Paul McMahan, SCDPW
Walter Bundy, Town of Southampton
Emerson Hasbrouck
Nick Gibbons, Parks Department
Lauretta Fischer, Planning Department
Brian Beedenbender, County Executive Aide
Russ Mackey, SCDPW
Michael Lamberts, SCDPW
Victor Keneiby, SCDPW
Matthew Atkinson, General Counsel for Peconic Baykeeper
Virginia Suhr, Aide to Leg. Vilorio-Fisher
Rick Brand, Newsday
Kim Shaw, Principal Environmental Analyst
Mark Ceppelo, Cornell Extension
Lorne Brusseau, Cornell Extension
Matthew Sclafani, Cornell Extension
Joanna Corey, Cornell Extension

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING COMMENCED AT 9:44 AM)

CHAIRMAN SWANSON:

I'm going to call the meeting to order. Did Jim disappear on us? Oh, there he is. There were no minutes in my packet. I don't know if any of the rest of you have any. All right, so we'll move right along.

I would just like to mention that I received copies of letters of resignation to the -- as members of the CEQ from Terry Elkowitz and John Wagner and Tom Cramer. And I just want to say a few things about them. Tom was our longest serving member. I believe his membership went back to 1984. And he was an extremely valuable member; not only did he know SEQRA inside and out, but he was also a landscaper -- is a landscape architect and was extremely knowledgeable about the environment and I'm sorry to see that he has resigned because I think we will certainly miss his professional wisdom and judgement.

Terry, I believe, joined the CEQ in 1990 and served as the Chairwoman from 1996 until the end of 2005. And she certainly knew SEQRA far better than I think probably most of us ever will know it. And she also was an extremely knowledgeable person dealing with the environment. And her wisdom and counsel will also be sorely missed, I think, by all of us and by the County as well.

John was a new member; relatively new member. He was appointed last year. But he, in the very short time that he was here, I think, quietly had a tremendous impact on the Council. And in fact we will be reviewing some recommendations that he left with us last month for -- that was to help the Council and guide the Council in how we dealt with the public.

So I think all these people are going to be missed. And I certainly will miss their advice and counsel that they have given over the years. And I believe in the long-term that the County has lost some very, very valuable people that were willing to assist them at no cost. So that being said we'll move on.

We have some correspondence. I have a letter to the Suffolk County Legislature. This doesn't require action by us yet because it is the Suffolk County Legislature, but it's from Jim {Regano} and he is writing with respect to the Long Island Jet Francis Gabreski Airport. I won't read it because it's a very long letter, but I do recommend that the members of the Council review it because eventually I believe the Legislature will be sending this back to us to look at in some detail.

MR. BAGG:

I have something to add to that, Larry.

CHAIRMAN SWANSON:

Okay.

MR. BAGG:

We did receive just the other day a letter in the office from Legislator Lindsay referring Long Island Jet back to the CEQ for reconsideration of the recommendation. I would recommend that the two letters received from {CAP} as well as Mr. {Regano} be referred back to the Department of Economic Development by the CEQ and ask them to respond to the concerns raised in the two letters. And when we get the answer back from Economic Development we can put it back on the agenda for reconsideration if that's the Council's wishes.

CHAIRMAN SWANSON:

Okay. But Jim, since we don't have the package in from the Legislature at this time, it seems like it would be premature to do that.

MR. BAGG:

We do. I didn't bring the letter with me because I was out of the office yesterday. But it has been sent. It's just a letter from, you know, Mr. Lindsay, the Presiding Officer regarding these letters and referring it back to the CEQ.

CHAIRMAN SWANSON:

Okay. But I would like to put it on the May agenda.

MR. BAGG:

Okay. All right.

CHAIRMAN SWANSON:

Just a reminder that this -- we do have a public portion to our meeting. All of you in the audience that wish to speak to any issue are certainly welcome to do so. And I recommend that we perhaps do that as we follow down through the agenda rather than have a big open forum either now or at the end of the meeting. So if that's okay, that's the way we will handle it.

Let's see. Now moving onto the recommended Type II Actions, there were no ratification of staff recommendations for legislations in our packets. Jim was not able to get to it this month because of other things on his schedule.

So we will move on to item number two, **Proposed Improvements to Normandy Manor (Construction), CP #7430, Town of Huntington.** Good morning.

While the microphone's being worked on, let me just mention we just got a few pages called Master Plan Study that was relevant to this particular action.

MR. BORKOWSKI:

Okay, here we go. My name is Ralph Borkowski, Landscape Architect, Suffolk County Department of Public Works.

We submitted -- previously you have approved planning for Normandy Manor projects, I believe, last year. And now we're coming back for construction approval. This project's pretty straightforward. The Normandy Manor is not handicapped accessible. So a portion of this project we'd like to construct a ramp to make it compliant with ADA requirements. And also two bathrooms on the first floor, we'd like to make those handicapped accessible also. You'll see a plan. We submitted an EAF. You will see a plan on the back of the EAF that identifies the two toilets towards the rear of the building and the handicapped ramp on the side of the building.

The rest of the project is pretty much utilities, upgrade of HVAC, plumbing, telephone, electrical, and there is also a removal of an existing oil tank that we are going to remove and dispose of because the building has now been converted to gas -- gas service. This is in compliance with the master plan for the Vanderbilt Museum and compliance with the American Disabilities Act.

CHAIRMAN SWANSON:

Okay. Lance, do you have any comments that you'd like to make about this?

MR. MALLAMO:

No, I think what Ralph said is accurate.

CHAIRMAN SWANSON:

Okay. Any comments or questions?

DR. POTENTE:

Does this involve any accessory structures?

MR. BORKOWSKI:

No new structures. This is an existing building. We're basically constructing a ramp, handicap ramp, to the side entrance. Nearby to that entrance is the handicapped accessible bathrooms we're proposing. This is for the public.

CHAIRMAN SWANSON:

Is this on the national register or the State register and will it impact the historic character of the building?

MR. BORKOWSKI:

I believe Lance might be able to answer that better.

MR. MALLAMO:

I can answer that. The museum is on the national register. This site is not. But it would be eligible and we intend to have it listed.

CHAIRMAN SWANSON:

Okay. So this won't in any way in your estimation impact that process?

MR. MALLAMO:

No. I think if you see where the ramp is going, it is behind a hedge so it is not going to be visible from the exterior. And the room that the two bathrooms are going in, which I think is listed on the master plan drawing is a den, has already been remodeled. As you can see there is a tile floor that was put in about six years ago when this was a private residence. That's already been remodeled.

CHAIRMAN SWANSON:

Okay. Thank you. Do I have a motion?

MR. SNEAD:

Mr. Chairman, at this time I'd move for a Type II designation with a recommendation for a negative declaration.

DR. POTENTE:

I'll second it.

MR. BAGG:

Type II means no -- further SEQRA required. Negative declaration means --

DR. POTENTE:

Then Type II.

MR. BAGG:

All right. So Type II.

CHAIRMAN SWANSON:

We have a second. All in favor? Motion passes.

MR. MALLAMO:

Abstain.

CHAIRMAN SWANSON:

Yes, make sure we have that abstention. All right. **Proposed Acquisition of Land for Open Space Purposes Known as Mud Creek County Park - Richard Norton Property in the Town of Brookhaven.** Laretta, how are you?

MS. FISCHER:

Good morning. I just would like to hand out some revised maps. The first application before you is a small piece of property, approximately a quarter acre, along Mud Creek in the Mud Creek watershed owned by Richard Norton.

On the new map that I just handed out, the property -- this property as well as the next two applications are highlighted in the blue outline in the pink color. This is part of our Mud Creek watershed area that is identified as the east branch going in a northeast direction just south of these particular properties. We have been looking to acquire all of the properties in green highlighted color and also in the green outlined parcels are those that we're proposing to acquire as well. So this is another step in completing our acquisition in this watershed.

CHAIRMAN SWANSON:

Just out of curiosity. The sort of pea green areas where you have little plots, are those already purchased?

MS. FISCHER:

Yes. Those are all -- all in the shaded green area?

CHAIRMAN SWANSON:

Uh-huh.

MS. FISHER:

Are already County owned properties.

CHAIRMAN SWANSON:

Okay. And the orange, if I read this correctly --

MS. FISCHER:

Is town.

CHAIRMAN SWANSON:

Is the Town of Brookhaven.

MS. FISCHER:

Correct.

CHAIRMAN SWANSON:

So you're well on your way to getting --

MS. FISCHER:

Yes.

CHAIRMAN SWANSON:

-- this whole watershed protected.

MS. FISCHER:

Yes.

MR. SNEAD:

Ms. Fischer, I know this is for a quarter acre. Can you tell me what the purchase price is?

MS. FISCHER:
Yes, \$46,000.

CHAIRMAN SWANSON:
For a quarter acre.

MS. FISCHER:
Yes.

CHAIRMAN SWANSON:
I know we're not to be concerned with this, but I was also curious as to why we did not get the package that we typically have gotten that's described the County resolution and the price, etcetera.

MS. FISCHER:
It should have been. Mine was attached, so I don't know what happened.

MR. SNEAD:
Yeah, I noticed it. Actually Director Isles apparently sent it over with the resolution, so.

CHAIRMAN SWANSON:
I think we would like to see those in the future if that's okay.

MS. FISCHER:
Oh, sure. It should have been and I'm sorry if it was omitted.

CHAIRMAN SWANSON:
Okay. I don't think any of them were today for whatever reason.

MS. FISCHER:
If you need copies I certainly can make them for you.

CHAIRMAN SWANSON:
Okay. We'll probably have the same question on all of them. Do we have a motion?

DR. POTENTE:
I'll make a motion. Type II --

MR. MALLAMO:
No.

CHAIRMAN SWANSON:
Unlisted neg dec.

DR. POTENTE:
Unlisted neg dec.

CHAIRMAN SWANSON:
Motion made unlisted neg dec.

MR. SNEAD:
Second.

CHAIRMAN SWANSON:

Second by Mr. Snead. All in favor? Opposed? Motion carries.

MS. FISCHER:

Thank you.

CHAIRMAN SWANSON:

I think the next one is -- is it Howard Norton on Mud Creek?

Proposed Acquisition of Land for Open Space Purposes Known as Mud Creek County Park - Howard Norton Property in the Town of Brookhaven.

MS. FISCHER:

This acquisition includes six lots within this area that's outlined on your map. These are owned by Howard Norton and the same information applies.

CHAIRMAN SWANSON:

Which six are these?

MS. FISCHER:

These are six of the lots shown here.

CHAIRMAN SWANSON:

In purple?

MS. FISCHER:

Mm-hmm.

CHAIRMAN SWANSON:

Okay.

MR. SNEAD:

And the price?

MS. FISCHER:

Two hundred and thirty-five thousand.

CHAIRMAN SWANSON:

For 1.1 and a quarter acres.

MS. FISCHER:

Actually it's 1.5. There was an error there as well.

MR. SNEAD:

Okay.

CHAIRMAN SWANSON:

One point five acres. Okay. Any questions?

DR. POTENTE:

I have one question. There are Patchogue senior apartments just north of that area. Is there a sewerage system for that -- for those senior apartments?

MS. FISCHER:

Yes, there is. It's located, I believe, on the -- directly to the east, if you go directly to the east of the proposed acquisitions. There's that little blot. I believe that's the sewage treatment plant.

CHAIRMAN SWANSON:

Right in the marsh?

MS. FISCHER:

Yes.

CHAIRMAN SWANSON:

Is that Suffolk County Planning?

MS. FISCHER:

No.

CHAIRMAN SWANSON:

Do we have a motion?

DR. POTENTE:

I'll make a motion, unlisted neg dec.

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

All in favor? Motion passes.

MS. FISCHER:

Thank you.

CHAIRMAN SWANSON:

Still Mud Creek. **Proposed Acquisition of Land for Open Space Purposes Known as Mud Creek County Park - Jerome Norton Property in the Town of Brookhaven.**

MS. FISCHER:

These properties -- there are five lots in this acquisition. These properties are owned by Jerome Norton and, again, the same area as identified.

MR. SNEAD:

I'm a little bit confused. I'm seeing ten -- all these Norton lots, these are the ten lots?

MS. FISCHER:

No -- all together, yes. There is five, 12 -- actually, I'm sorry.

MR. SNEAD:

So the first purchase was for one lot only. And then there were five lots and now this is four?

CHAIRMAN SWANSON:

They are quarter acre, right? So this has got to be five.

MS. FISCHER:

I'm sorry, there are five on here.

MR. SNEAD:

Yeah, but the last one was six, right?

CHAIRMAN SWANSON:

Yeah.

MR. SNEAD:

And then we had one before that.

MS. FISCHER:

It should be 12 so -- actually, let me look at my other map. I'm sorry. This was just handed to me this morning. I'm sorry.

MR. SNEAD:

These are all contiguous lots?

MS. FISCHER:

Yes.

CHAIRMAN SWANSON:

We can move on.

MS. FISCHER:

It's -- it is six. Unfortunately it either wasn't marked on your map properly, but they are all in the same area. They are all within this area.

MR. SNEAD:

So this is six lots totalling 1.25 or is this --

MS. FISCHER:

This is five lots.

MR. SNEAD:

This is five lots.

MS. FISCHER:

The one previous was six and the one before that was one.

MR. SNEAD:

Was one lot, okay.

MS. FISCHER:

I'm sorry for the confusion.

CHAIRMAN SWANSON:

Okay. Do we have any questions?

MR. SNEAD:

Price.

CHAIRMAN SWANSON:

Price again.

MS. FISCHER:

Hold on. Two-hundred and thirty thousand.

CHAIRMAN SWANSON:

Any other questions for Laretta on this one?

MR. SNEAD:
No.

CHAIRMAN SWANSON:
A motion?

DR. POTENTE:
I'll make a motion as an unlisted neg dec.

MR. MALLAMO:
Second.

CHAIRMAN SWANSON:
We have a second by Mr. Mallamo. All in favor? Opposed? Okay. Motion passes. All right. Lauretta, what's next?

Proposed Acquisition of Land for Open Space Purposes Known as the Orowoc Creek County Park Addition - Vilardi Property in the Town of Islip.

MS. FISCHER:
The next proposed acquisition is the Vilardi property along Orowoc Creek in the Town of Islip. This is a .675 acre lot along the stream corridor north of Sunrise Highway. As you can see, this is part of, again, another stream corridor that flows into Great South Bay where we're trying to acquire parcels along that corridor. The County has acquired parcels just south and north of this property in the past and we're trying to complete a string of Town of Islip and County properties along this entire watershed.

CHAIRMAN SWANSON:
In the -- on the map that you have provided us it says proposed acquisition. Is the proposed space just one of the two --

MS. FISCHER:
Yes.

CHAIRMAN SWANSON:
It is the westerly most.

MS. FISCHER:
Correct, and the other one, just for your information, is Zanghi, which is also very much along in the process of being acquired as well.

CHAIRMAN SWANSON:
Okay. Can you give us a price on this one?

MS. FISCHER:
Yes. One-hundred and seventy thousand.

DR. POTENTE:
Lauretta, is there wetlands in this area?

MS. FISCHER:
Yes, there are, significant. If you -- the stream itself follows the easterly boundary and moves all the way up beyond that property into the more northerly property all along that easterly boundary.

DR. POTENTE:

I'm assuming there's a culvert under that road?

MS. FISCHER:

Yes, absolutely. Then it flows south, it picks up south of the Sunrise and flows south into Great South Bay.

CHAIRMAN SWANSON:

Motion?

MR. SNEAD:

Unlisted, negative declaration.

DR. POTENTE:

Second.

CHAIRMAN SWANSON:

All in favor? Motion carries.

MS. FISCHER:

Thank you.

CHAIRMAN SWANSON:

I think the next one is McGee/Sains property.

Proposed Acquisition of Land for Open Space Purposes Known as the Sagaponack Greenbelt County Park Addition - McGee n/k/a Sains Property in the Town of Southampton.

MS. FISCHER:

Yes. This property is within the Town of Southampton. It's in our Sagaponack Greenbelt area where the County, again, has been acquiring property. This area is also within the South Fork SGPA and a part of, again, a number of parcels that we are attempting to acquire along with the Town of Southampton in this area.

CHAIRMAN SWANSON:

So are you telling us that this is a cost sharing in this property?

MS. FISCHER:

No, not on this property per se, but they -- the town has been buying other lots on their own in this immediate area. If you look at the map they acquired the property outlined in red nearby. And there are other properties in the light green that the County owns and we're picking up the piece that's highlighted and outlined in green near Merchants Path.

CHAIRMAN SWANSON:

The dark green outline.

MS. FISCHER:

Correct.

CHAIRMAN SWANSON:

Right next to the road.

MS. FISCHER:

Exactly.

CHAIRMAN SWANSON:

Okay. And this is a half -- roughly a half acre and what's the price?

MS. FISCHER:

Four-hundred and forty thousand dollars.

CHAIRMAN SWANSON:

Prices go up as you move east?

MS. FISCHER:

Mm-hmm.

MR. SNEAD:

Lauretta, is that a paper road right to the east of it, excuse me, to the west of that?

MS. FISCHER:

Yes.

MR. SNEAD:

Is that a separate tax lot or is it a --

MS. FISCHER:

It's a paper street which has not been developed.

MR. SNEAD:

Was this part of a subdivision?

MS. FISCHER:

Correct.

CHAIRMAN SWANSON:

What happens to that property?

MS. FISCHER:

The paper road?

CHAIRMAN SWANSON:

The paper road.

MS. FISCHER:

Well, if the County is successful in acquiring all the other parcels along that road then we can abandon that road. If not, we have to leave that road available to any other of the lots that are adjacent to that roadway.

MR. SNEAD:

Does that road just feed the properties along its apparent boundaries or does it feed the property to the north?

MS. FISCHER:

I believe it also feeds to the north, but I'm not 100% sure.

CHAIRMAN SWANSON:

It looks like it stops just before it goes off the page.

MS. FISCHER:

Yes. But I'm not sure as --

MR. SNEAD:

I'm just curious as to whether it's a road to that northern parcel. Do we have plans as a County to try to obtain that northern parcel?

MS. FISCHER:

Oh, yes. We're trying to obtain all the other pieces north of the proposed acquisition that are not County owned at this time.

CHAIRMAN SWANSON:

Any other questions?

DR. POTENTE:

I'll make a motion, unlisted neg dec.

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

All in favor? Motion passes.

MS. FISCHER:

Thank you.

Proposed Acquisition of Land for Open Space Purposes Known as the Dwarf Pine Plains County Park - Walsh Property in the Town of Southampton.

The final one is the Walsh property. This is located in the Town of Southampton in the Dwarf Pine Plains County Park area to the west of the airport. Quite west of the airport, but we include this entire stretch that if you remember correctly was part of the fires of '95 I believe it was, and we call this entire area the Dwarf Pine Plains area.

We have been trying and we have successfully acquired approximately 80 to 90 percent of the lots within this area and we are continuing to move in that direction to complete our efforts to acquire this sensitive habitat area. This is a .092 acre lot and the purchase price is \$7,950.

CHAIRMAN SWANSON:

Just out of curiosity, one could build on a lot that size in that area?

MS. FISCHER:

I'm not sure of that particularly.

MR. BAGG:

Mr. Chairman. Pursuant to Planning Law, if it's a single and separate lot that was previously subdivided, technically it is developable if the person were to build all the roads in to that particular area. This is also in the Pine Barrens core area as well.

CHAIRMAN SWANSON:

Okay. And what's the purchase price here?

MS. FISCHER:

Seven thousand, nine-hundred and fifty dollars.

CHAIRMAN SWANSON:

Questions?

MR. BROWN:
I have a question.

CHAIRMAN SWANSON:
Yes.

MR. BROWN:
The Central Pine Barrens, have they requested that we purchase this or are they looking to purchase these areas?

MS. FISCHER:
It was identified in the Pine Barrens Comprehensive Plan that this area be acquired, yes.

MR. BROWN:
Is this going to be part of a land bank program?

MS. FISCHER:
No.

MR. BROWN:
From the County?

MS. FISCHER:
No.

MR. BROWN:
Okay.

CHAIRMAN SWANSON:
We have a motion.

DR. POTENTE:
I'll make a motion, unlisted neg dec.

MR. MALLAMO:
Second.

CHAIRMAN SWANSON:
All in favor? Opposed? Motion passes.

MS. FISCHER:
Thank you.

CHAIRMAN SWANSON:
Thank you. **Proposed Additional Parking Facilities Located at Fire Rescue Emergency Building in Yaphank (F.R.E.S.) as Part of Rehabilitation of Parking Lots, Drives, and Curbs at Various County Facilities, CP #1678, Town of Brookhaven.** Do you have somebody to speak to that?

MR. LAMBERTI:
Michael Lamberti, Suffolk County Department of Public Works.

CHAIRMAN SWANSON:
Could you repeat your name, please?

MR. LAMBERTI:

Michael Lamberti. I would also like to note that on page four of the EAF form the distance to the freshwater wetlands was 25,000 feet. That was an error. It is 6,500 feet, which is still a mile and a quarter.

What you have in front of you is pretty straightforward. It's just additional parking facilities at the Fire, Rescue, Emergency Services building located in Yaphank in the Town of Brookhaven. And currently the capacities of the existing parking facilities are insufficient for the amount of vehicles attempting to park and the purpose of this project is to alleviate the parking congestion within the existing parking facilities.

Attached to is the preliminary plan as well as what's on the easel in front of you. Basically we're just constructing approximately 50 additional parking spaces, with three of them being handicapped, as well as construction of ADA sidewalk ramps and additional sidewalk to allow accessibility to the building.

CHAIRMAN SWANSON:

I have a question. On your aerial photograph there's, I guess it's to the north, it says future parking. So you're going to be coming back again to expand this parking lot?

MR. LAMBERTI:

Well, we're just going to clear that and we're going to throw a leaching basin in the back and have a natural drainage channel so in case they ever wanted to expand the parking it would already be graded or cleared.

CHAIRMAN SWANSON:

So is that clearing described in here now?

MR. LAMBERTI:

Yes, it is.

MR. SNEAD:

I'm looking at the squared-off area that's remainder of woods. Is that all going to be cleared as well? You're roughly creating a square here, and within that square there is a chunk of woods northeast of some buildings. Is that area going to be cleared as well?

MR. LAMBERTI:

Northeast.

MR. MALLAMO:

I think he is talking about the hole in the donut.

MR. SNEAD:

Yeah.

MR. MALLAMO:

Where the tower is. Around the tower there is some woods.

MR. LAMBERTI:

We're basically clearing up to the red line.

MR. MALLAMO:

You're clearing within the red line, nothing else.

MR. LAMBERTI:

That's it.

MR. SNEAD:

Is there any building going to be done within that area?

MR. LAMBERTI:

No.

MR. SNEAD:

That's a fall zone for the tower?

MR. LAMBERTI:

No, there is no building within that area.

CHAIRMAN SWANSON:

So what is the nature of the area that's to be cleared now? Is this treed or?

MR. LAMBERTI:

Lightly wooded. There are some trees along the rear to the east if you could see. But other than that it's basically just brush.

DR. POTENTE:

Are there plans for expansion of the facility itself?

MR. LAMBERTI:

Not that I know of at this time.

MR. BROWN:

I have a question. Why couldn't you tuck that parking in and leave the tree area alone if you're not doing anything with that squared area that we spoke about.

MR. LAMBERTI:

Well, if you could see right in the middle that's all heavily wooded and brush, too. Right east of the tower, that little square.

MR. BROWN:

I don't see any trees. I'm seeing field type material, correct?

MR. LAMBERTI:

Yes.

MR. BROWN:

So what you are actually doing is you're cutting into the trees on the far -- I guess it's the south side?

MR. LAMBERTI:

This is what we coordinated with the Fire, Rescue and Emergency Services.

MR. SNEAD:

So north would be to the bottom of the aerial photo, is that correct?

MR. LAMBERTI:

North would be to the top.

MR. SNEAD:

North is to the top.

MR. MALLAMO:

No, I don't think so.

MR. LAMBERTI:

I believe on the plan that's on the easel -- I think it shows County Road 21 which runs north and south.

CHAIRMAN SWANSON:

Show us which way is north.

MR. LAMBERTI:

We didn't have enough room in the smaller area.

MR. SNEAD:

All right, so County Road 21 is over here.

MR. LAMBERTI:

County Road 21 would be to the right of your page.

MR. SNEAD:

If I'm correct I think Steve's question is that in the area to the northeast of the tower, which looks like light woods or open field, we can't really tell, why could you not move the parking into that area.

MR. LAMBERTI:

I believe that would be the fall area for the tower.

CHAIRMAN SWANSON:

This is going to be an asphalted parking lot?

MR. LAMBERTI:

Yes, it is.

CHAIRMAN SWANSON:

And describe the drainage.

MR. LAMBERTI:

We're going to build a swale behind the parking and it's --

CHAIRMAN SWANSON:

Adjacent to the woods.

MR. LAMBERTI:

Adjacent to the woods. There's going to be a dirt swale and we're going to have -- drop a couple of leaching basins in to the northeast corner. Where it says the radius equals 70 feet? Right there.

CHAIRMAN SWANSON:

Do you have any plans to in some way beautify this, revegetate the parking lot?

MR. LAMBERTI:

Yeah, we'll probably do topsoil and seed and whatever the Fire, Rescue Emergency Services would like in terms of trees.

CHAIRMAN SWANSON:

What would be your pleasure? We can make a recommendation.

MR. MALLAMO:

It looks like half a dozen trees are being taken down, so if we could have half a dozen replanted along the route -- County Road 21 side.

CHAIRMAN SWANSON:

Okay.

MR. LAMBERTI:

I don't see why that would be a problem. We have \$250,000 for this.

MR. MALLAMO:

We can find a few trees somewhere.

CHAIRMAN SWANSON:

And when do you plan to expand the parking lot to the north?

MR. LAMBERTI:

Currently we do not have any plans.

CHAIRMAN SWANSON:

Okay.

MR. MALLAMO:

Are you lighting this proposed lot?

MR. LAMBERTI:

Yes. We are going to be putting in some street lighting.

MR. MALLAMO:

Can you tell us what kind of lighting? Is that in here?

MR. LAMBERTI:

No. The lighting would probably be right in front of the sidewalk on the east and probably just your basic --

MR. MALLAMO:

If we can make that compliant with dark skies, down lighting, not light that is going to escape the site.

MR. LAMBERTI:

Can you repeat that again? I'm sorry.

MR. MALLAMO:

Have lighting that's compliant with dark skies. I don't know -- is there lighting in the existing lot?

MR. LAMBERTI:

Yes, there is, right to the west where the sidewalk meets the pavement. Do you see them next to --

MR. MALLAMO:

Right. Is that lighting going to be replaced?

MR. LAMBERTI:

No, that is not going to be touched.

MR. BROWN:

Has someone done a survey saying that you need an additional 50 parking spaces in that area?

MR. LAMBERTI:

Yes.

MR. BROWN:

Is that survey in the packet?

MR. LAMBERTI:

Oh, you mean like a -- no. This was just requested by Fire, Rescue Emergency Services. They said --

MR. BROWN:

So the County hasn't done an official survey saying that you need an additional 50 parking spaces for the future.

MR. LAMBERTI:

No.

MR. BROWN:

Personally, I think that, you know, cutting trees out for parking, an additional 50 parking spaces, when you can move the parking lot in, would be more sufficient. That's my own personal opinion, and I'm from the Brookhaven section.

CHAIRMAN SWANSON:

I think you are allowed to vote on this one, right?

MR. BROWN:

Not to mention, you know, personally I'd like to see a survey. I'd like to see the County do a survey saying that, you know, this area is in the growth pattern, that it needs an additional 50 parking spaces. You know, we start cutting in parking lots and they are underutilized and what happens is the overgrowth starts growing on them and they you got to repave them anyway, so. I'm looking --

MR. LAMBERTI:

Well, I don't know if you are aware, this is one of the only fire training centers in Suffolk County.

MR. BROWN:

I'm looking over to the left of my screen, which would probably be the south section, I guess the parking lot itself, and it's half empty. Now, I'm not sure when this aerial was taken --

MR. LAMBERTI:

We don't know when these aerial photographs were taken.

MR. BROWN:

And that's part of what I'm saying, is that I don't think there's enough information that this board could really vote on saying that we need to do this and the impact to the environment in doing it.

MR. SNEAD:

That's a big parking lot right to the east -- to the west of it as it is, isn't it?

MR. LAMBERTI:

Yes.

MR. BROWN:

I think it would be important to know whether it's absolutely necessary.

MR. MALLAMO:

Isn't it true, though, that this lot that we're talking about now is shared with other buildings that are around this area.

MR. LAMBERTI:

Yes, it is. The DWI facility is behind it as well as a couple of other County owned buildings.

CHAIRMAN SWANSON:

So there does seem to be a question as to what is the motivation behind construction this parking lot.

MR. LAMBERTI:

It was passed down to me that there was insufficient parking.

CHAIRMAN SWANSON:

Well, I -- at my building at the university feel there is insufficient parking if I can't get within 25 feet of the door, too, but that doesn't mean that the request is legitimate. So it seems to me that it might be prudent to table this particular request and to get a little more information on the absolute requirement for this parking lot. When were you planning to start construction? I think -- was it August?

MR. LAMBERTI:

Yes.

CHAIRMAN SWANSON:

If it's delayed a month to get more information including the survey as to why this is needed, is that going to hinder you?

MR. LAMBERTI:

I don't think so. Would photographs be sufficient or an actual study.

CHAIRMAN SWANSON:

Well, ideally we would like to see a survey as to why it was really needed, you know, what is the traffic flow that requires this, when is this parking lot used. When is it, for example, if it's used primarily on weekends when the parking lot to the west is not in use, why can't they use the parking lot to the west. I think there are, you know, a number of issues that have been raised that should be satisfactorily answered before we go ahead and approve it.

MR. LAMBERTI:

Is that okay if we re-present it next month if we have a survey?

CHAIRMAN SWANSON:

Yes, but we ought to take a vote here to see if --

MR. SNEAD:

Motion to table.

MR. BROWN:

Second.

CHAIRMAN SWANSON:

I have a motion to table and Mr. Brown seconds that motion. All in favor? Opposed? Motion passes. Thank you very much.

Proposed Construction of CR 67, LI Motor Pkway., from I-495, LIE (exit 55) to CR 17, Wheeler Rd., CP #5172, Ph IV, Town of Islip. Good morning.

MR. McMAHON:

Good morning, members of the Council. My name is Paul McMahon. I'm a Senior Civil Engineer with Suffolk DPW. I'm going to present the Motor Parkway project. I'm going to read from testimony I prepared if that's okay with you because it's a pretty lengthy project and I want to cover it in a couple of different categories.

The main purpose of this project is to improve the existing features of the corridor along Motor Parkway from Exit 55, Calebs Path, you know, just south of the Expressway, and it's going to continue east to just past CR 17, Wheeler Road. This is a federally funded project and the County is eligible to be reimbursed up to 80 percent of construction, design, right of way, after first instance funding. So I just went over where the project is located.

The existing conditions are -- along Motor Parkway it's currently a four lane roadway from the LIE South Service Road to the vicinity of Calebs Path. From Calebs Path to Route 111 there is one lane in each direction. From 111 to CR 17 it exists as a two lane roadway with the center turn lane and right turn lanes at Route 111 and CR 17.

The main problems that were identified along this corridor are as follows. A, the corridor currently lacks curb shoulders and a closed, positive drainage system with recharge basins. As a result, the corridor experiences roadway flooding that extends into the travel lanes during rain events. B, the corridor currently has non-standard lateral {off sets} and does not have ADA compliant handicapped ramps and bus shelters. The corridor also lacks a continuous sidewalk. C, there currently exists high accident rates and congestion along the corridor. This is due to the lack of turning lanes for left turn vehicles and non-coordinated traffic signals.

The main objective of this project is to upgrade Motor Parkway along the corridor to accommodate future traffic volumes to an acceptable level of service projected for a minimum of 20 years after completion or construction.

Additional project goals are to upgrade the existing pavement, construct a positive drainage system, and to increase vehicular and pedestrian safety through the installation of new traffic control devices as well as updating existing signals, providing sidewalks. We're requested by the local community providing continuous shoulders and landscaping along the corridor also to improve the aesthetics of the area.

We've reached out to the public on a few occasions here. We had -- in April of 2003 we had meetings with elected officials. Also, we had two public information meetings, one in May of 2003 and another one in October of 2003. This input helped us formulate the final preferred alternative. The preferred alternative is as follows.

This scheme proposes to reconstruct CR 67 to a continuous three lane roadway, one lane in each direction and a center turn lane within the corridor. Between Route 111 and CR 17 a flush center median will be added for left turning vehicles. Right turn lanes will also be added at the major intersections along with curbing and shoulder throughout the corridor. Sidewalks along with handicap ramps that meet ADA standards will be installed as per recommendations from the public.

The positive drainage system is also going to be installed, which is going to include the development of two recharge basins. One recharge basin is going to be constructed on land

currently owned by the County and the second recharge basin is going to utilize an existing Town of Islip facility which we've already had contact with the town regarding use of this basin. What we're going to do is expand the capacity to accept the County portion of the runoff. This improvement is also going to be compatible with the bridge and road improvements scheduled for the bridge reconstruction on Motor Parkway at Exit 55.

So to summarize the environmental impacts on this project, there are no impacts to buildings or roadways of historical, cultural significance. As part of the Federal Aid Design Report we had to reach out and research the historical register. They have documentation from two separate design reports submitted to FHWA that have acknowledged that there is no impacts to surface waters or wetlands. There is no negative impacts to pedestrian access. In fact, this project is going to enhance that and bring it up to current ADA standards. And there is also no impacts to parks or preservation areas.

There's going to be, you know, some clearing, you know, for the construction of the road project and also the recharge basins. That's going to pretty much involve, you know, removing of some lightly wooded scrub areas. This is all going to be replaced -- all disturbed areas will be replaced. It is going to be relandscaped. Our landscaping plans will be designed and approved by a registered landscape architect. And existing woodlands are also going to be incorporated into the buffer so it's not going to be visually unappealing.

The overall project benefits, to summarize, will be improving the drainage and highway infrastructure. Also improving the intersection capacity, the overall corridor capacity, reducing congestion and improving operational efficiency and safety while reducing accidents.

If there is any detailed questions, I brought along Leon Jaworski from Cashin Associates to help out with that. They are the consultant on-board that will be participating in design. Any questions on this job?

MR. MALLAMO:

I have several questions. I'm aware that the portion north of the Long Island Expressway had been realigned, but I'm not aware that the south portion has. It says here this is not the original alignment. Where is the original alignment? Do you know?

MR. McMAHON:

What page of the EAF are you referring to?

MR. MALLAMO:

Where you indicate it's not an historic section of roadway. Page 5, question 14. It says New York State Department of Transportation of Regional Historic and Cultural Coordinator indicated this section of Motor Parkway is not part of the original alignment for the road.

MR. JAWORSKI:

I'm Leon Jaworski with Cashin Associates. The portion directly south of the LIE where it intersects, the road was relocated many years ago, probably back in the 30's I believe, and so part of the alignment is not the original alignment of Motor Parkway. But most of -- most of the alignment that we're improving is the original alignment of the road.

MR. MALLAMO:

It is the original.

MR. JAWORSKI:

With the exception of the portion from south of the LIE to Calebs Path. That was realigned, I guess, back when the LIE was built.

MR. MALLAMO:

I don't believe it was all the way to Calebs Path. I think if we know where the bridge is currently over the Expressway, if you go back to the west, there is a road on the north and south of the Expressway that parallels the current bridge, and that's the original alignment. That meets up -- that meets up very early on, almost at the beginning of this project.

MR. McMAHON:

I think that's Old Calebs Path.

MR. MALLAMO:

I think it is the portion that is called Highland Avenue on your map. Do you see on the map Highland Avenue?

MR. JAWORSKI:

Yeah, that's the --

MR. MALLAMO:

I'm not trying to slow you up here but I really do have concerns about this, that we are maybe dealing with an intact original segment. Can you tell me who at DOT said that this was not the original alignment? Do you have the letter?

MR. JAWORSKI:

I cannot tell you who at DOT made that statement.

MR. MALLAMO:

Okay. Is there a timing problem here? When are you looking to get under construction?

MR. JAWORSKI:

We are looking to get under construction -- I believe it's in there --

MR. McMAHON:

Let me interject something here. This is a federal aid project. The timing involved is we have to go to a public hearing and in order to meet that requirement we have to complete SEQRA.

MR. MALLAMO:

Right.

MR. McMAHON:

So this part of the road we're working on has been rehabilitated probably since the 50's or 60's. I'd have to look on original construction plans. But we've done a lot of work here. It's been resurfaced.

MR. MALLAMO:

Are you -- I guess my question comes down to then --

MR. McMAHON:

We're not really disturbing any old abandoned sections.

MR. MALLAMO:

That, I guess, is my question. Are you doing any pavement excavation here? If you are putting in new curbs, are you taking out any original pavement?

MR. McMAHON:

We're not taking out any original pavement. What we may be doing is some building of asphalt, you know, to meet grading lines. Also, we might be expanding on the -- our own right-of-way to create a sidewalk section where we have to increase turning lane capacity.

MR. MALLAMO:

Can we go back to the grading for a minute? Are you actually regrading? I know the original Motor Parkway is well known for that --

MR. McMAHON:

Just to meet existing. Just to meet existing, we're not creating a new profile. What we're probably going to be -- what we are going to be doing is resurfacing. The actual grading plan hasn't been developed yet because we're not in final design.

MR. MALLAMO:

Yeah, but you're not taking out --

MR. McMAHON:

We're not excavating. No, we're not removing sections.

MR. MALLAMO:

The road originally had lateral curbs and banked curbs. You're not touching any of that?

MR. McMAHON:

Absolutely not. If anything, we'd be resurfacing, but it -- at some points to have a smooth transition of where we're meeting existing we would have to -- we might have to do some milling of pavement so we don't create drainage problems. And that's really going to be pinpointed at very final design.

MR. MALLAMO:

But you are talking the asphalt payment.

MR. McMAHON:

Asphalt, exactly.

MR. JAWORSKI:

There is no concrete.

MR. MALLAMO:

No, but there was concrete on the original road that may be below the asphalt. That's my concern.

MR. JAWORSKI:

That was not evident in the extensive borings that we took.

MR. McMAHON:

We did borings and there were no concrete panels.

MR. JAWORSKI:

There were close to 30 soil borings. There were none.

CHAIRMAN SWANSON:

Any other questions?

MR. SNEAD:

Yes. I note you say you are going to be acquiring 3.34 acres. This is on page three up at the top, B1-b. Are you going to be acquiring that through direct purchase or is that going to be through condemnation?

MR. McMAHON:

This is going to be condemnation proceedings.

MR. SNEAD:

All right. So is the -- has the Legislature authorized that condemnation at this point?

MR. McMAHON:

We have to proceed through with this process first due to the fact that this is a federal aid project. What happens with the federal aid job, we have to complete SEQRA, then we will be authorized to hold a combined eminent domain public hearing combined with the design public hearing. We do it at one hearing.

MR. SNEAD:

All right, but there is a SEQRA compliance portion in an eminent domain proceeding. Are you telling us that our decision here is going to be part of that, or are you going to be doing a separate SEQRA determination -- is the Legislature going to be doing a separate SEQRA determination that we're going to have to re-visit this thing again.

MR. McMAHON:

No, I think -- no. This, I guess, Jim could further clarify that.

MR. SNEAD:

Let me ask my question again because I asked in two parts and that was my problem. Are we -- is this SEQRA determination that we're making now going to be the sole SEQRA determination for that condemnation proceeding?

MR. McMAHON:

Jim, can I pass this to you?

MR. BAGG:

Yes, the County's procedures are is when a road project comes before the County and the CEQ, County completes the SEQRA process including the areas for taking, all right. And then once that process is completed then it's part of the eminent domain procedure. The County SEQRA process is brought before the hearing process and a decision is made taking into account the SEQRA that has been passed by the Legislature.

MR. SNEAD:

Okay. Are any of the areas that are going to be -- are the areas that are to be condemned identified within this document? Where would they be?

MR. McMAHON:

Under preliminary plans. We submitted to you preliminary plans and the taking areas are called out. These areas are strictly for expansion of turning lanes. If you go to the preliminary plans -- the last attachment.

MR. SNEAD:

All right.

MR. McMAHON:

Just bear with me a moment. Go to sheet four of the alignment plan. These are the {eleven by seven pins} at the end of EAF which was distributed.

MR. SNEAD:

Sheet 407?

DR. POTENTE:

Paul, the proposed recharge basin, is that a taking or does the County already own that land?

MR. McMAHON:

The County currently owns that land and then we're also coordinating with the Town of Islip to utilize one of their facilities.

MR. BROWN:

Who's going to maintain the Islip one that you are going partners with.

MR. McMAHON:

Leon, you want to take this one? You've had more contact.

MR. JAWORSKI:

The Town of Islip will maintain the existing recharge basin. We asked if we could utilize their facility in exchange for actually grooming it, initially making it a little bit deeper and they have agreed to such.

MR. BROWN:

Is there a maintenance program with that?

MR. JAWORSKI:

I'm sorry?

MR. BROWN:

Is there a maintenance program with that, preventive maintenance program?

MR. JAWORSKI:

Well, typically the recharge basin should be maintained, but it will fall back to the Town of Islip. They are just graciously allowing the County to add some additional water into their recharge basin.

MR. BROWN:

You're putting some money into their recharge basin also, right?

MR. JAWORSKI:

I'm sorry?

MR. BROWN:

You are improving their recharge basin, correct?

MR. JAWORSKI:

That's correct, but the other alternative was to construct another recharge basin that the County would have had to purchase wooded land directly across the street. So this was the best of two options as well as it had been discussed with the public during the public information meetings.

CHAIRMAN SWANSON:

Seems to me ordinarily with projects like this that we get some justification. I understand the flooding parts issue you want to deal with -- but, you know, you alluded in the beginning of your presentation increased traffic volume, yet we don't really see anything here. We also hear that there are a number of -- so many accidents at such and such a location on a highway but there is none of that in here to really justify the expansion of the road. And as you know, if you build a road the cars will come. So, you know, without justification it's difficult for me to understand why we're encouraging increasing automobile traffic.

MR. McMAHON:

We had prepared an expanded project proposal and also as this is a federal aid project we have to perform capacity analysis to demonstrate failing levels of service, low levels of service, that

would indicate capacity problems. We also do a thorough analysis of accidents. This is all documented in the federal design report which ultimately is reviewed by New York State DOT and then the Federal Highway Administration.

CHAIRMAN SWANSON:

It would have been good for us to be able to review that as well.

MR. McMAHON:

This can be provided to you. This is the first I've ever heard that the Council is reviewing our traffic studies.

CHAIRMAN SWANSON:

Well, I guess I've been around since '88 or something like that and we've reviewed a lot of them. So, you know, I would like to see it.

MR. McMAHON:

This can be provided to you.

CHAIRMAN SWANSON:

Okay.

MR. MALLAMO:

Are you providing the bus shelters as part of this?

MR. McMAHON:

This will be incorporated into the design.

MR. MALLAMO:

Okay, so that is going to be done as part of this.

MR. McMAHON:

This will be an item of construction in the project.

MR. MALLAMO:

Okay. Will we see that, that design for those and the landscaping plan? Will that come back?

MR. McMAHON:

When they're developed, yes. This is very preliminary design. We have not been approved yet to go to final design.

MR. MALLAMO:

Okay, because I would like to see those final designs for the landscaping and the structural elements that are going to be added to the roadway.

MR. McMAHON:

When we proceed to final design we can provide you with this, any items that we're saying we're going to provide. But we have not been approved to go. The department has not been approved to progress. It's kind of one of these situations, what comes first, the chicken or the egg.

CHAIRMAN SWANSON:

If we delay this until next month, what does that do to your scheme of things?

MR. McMAHON:

It delays planning for the public hearing, and a lot of the items you're asking about, what particular would you like to see? I mean, we could provide you with the traffic report, but I mean

by delaying it, it's going to delay the proceedings to move on with design approval.

MR. BROWN:

Let me just clarify something. I understand about the federal grant money and that you have of to come up with a design and have it approved by DOT, the concept of the design, not necessarily the nitty-gritty stuff that we're talking about. And once that's approved you can go forward with a project of design which would have to come back to the CEQ, if I'm not correct.

MR. McMAHON:

With the federal aid the SEQRA has to be approved.

MR. BROWN:

Right, I understand what you are saying. You need to get approval from the DOT to get the eighty percent match is what we're talk about.

MR. McMAHON:

Yes, that's -- and we have to have SEQRA taken care of ahead of the time for that.

MR. BROWN:

And what I think we're looking at here is that there are certain pieces here -- I mean, you have an approval through the DOT which is separate from what we're looking at. We're looking at basically the landscape design. A lot of DOT stuff is just basically the road work and now --

MR. McMAHON:

They comment on the landscaping also.

MR. BROWN:

And I think what we're doing is we're getting a little bit deeper saying that, you know, these are our communities, okay, and we want to see different things in this packet before we vote on it. And, unfortunately, you are in a rush situation where you need to get that eighty percent match approved.

MR. McMAHON:

What the basic problem is in order for us to receive the federal funding to go ahead with the public hearing, it sounds like you're asking for final design first before we even get design approval. So it puts us in a difficult situation.

MR. BROWN:

Here's my question, then, just understand. If this is not final design approval, are you going to come back to CEQ for final design approval?

MR. McMAHON:

Jim, how has this been handled with other federal aid projects in the past?

MR. BAGG:

In the past they have not come back once the projects, you know, have gone through and SEQRA is complete they have not come back. They have gone through the federal process and then the monies are awarded to the County in terms of grants receivable from the federal government, you know, and the State regarding projects.

MR. MALLAMO:

Well, how can we approve the design without knowing what the design is?

MR. SNEAD:

And I've got a more practical question. If you are going to be going to condemnation, you will

have to have all of your SEQRA determination done before you approve that action. Right now I don't know that --

MR. McMAHON:

As is your policy at this time, yes.

MR. SNEAD:

Well, it's not my policy at the --

MR. McMAHON:

The Council's policy.

MR. SNEAD:

It's State law because there is a SEQRA component to a condemnation. I don't know whether the town -- whether the Legislature has made that determination that's where they want to go, even though I recognize that often that happens. So my further question would be has the County reached out to any of the people, and there are eight areas of condemnation, potential takings here. Has the County reached out to those folks to see whether or not they're willing sellers at this point.

MR. McMAHON:

Again, I'm not going to speak on behalf of the Real -- the Condemnation Unit. They would -- a lot of this would be covered at the public hearing. What we have showed them is the preliminary plans, what the preliminary taking lines on the plans at these public meetings, but in terms of formal negotiations, none of that really commences until after the public hearing.

MR. BAGG:

With respect to that, I mean, when the County goes to eminent domain or even the State for that matter, it says that the proposed takings are in the public interest to the benefit of the public at large. Ultimately if the municipal entity can come to an agreement with the property owner in terms of price, that's great. If not, then basically it's resorted and aggrieved in the court system and ultimately a price, a fair market price based on the use of the property, is awarded. That is really an economic issue and not an environmental issue per se at that point.

So that's taken into account after the environmental review is done and as part of eminent domain procedure. Eminent domain says yes, you have to have an environmental impact statement which the County uses their SEQRA statement to be put into the record for consideration. However, the price is really determined as part of the eminent domain procedure law, okay, and what ultimately is paid is determined by that process.

CHAIRMAN SWANSON:

If I can summarize. I think we would like to see for next month a summary of your traffic analysis including the accident report, some idea of what the bus shelters are going to be like and any clarification that might be needed with regard to the historic character of the roadway. It sounded to me like that may have been resolved but certainly these other issues, I think, are very much up in the air as far as we're concerned.

MR. McMAHON:

All right. So, in summary, you want us to present capacity analysis, traffic analysis. That's contained in the report.

CHAIRMAN SWANSON:

Yes, a summary of it.

MR. McMAHON:

We can do a summary on that. Also, a synopsis of the accident history?

CHAIRMAN SWANSON:
Right.

MR. McMAHON:
Okay. That's, again, documented in this report. And then in terms of the historical, what would you like to see on that?

MR. MALLAMO:
Well, I'll take care of that.

MR. McMAHON:
Okay.

MR. MALLAMO:
I'll look into that and I'm going to personally go out and look at this on-site. I know it's a bit of a delay here, but I think for a few week delay we can save all of us a lot of aggravation by not doing this the proper way. So if we could --

MR. McMAHON:
All right. So we're not going to look into any further correspondence with the State.

MR. MALLAMO:
No. If you can at least let me know who you have corresponded with.

MR. McMAHON:
We could get you a contact.

MR. MALLAMO:
That would be great, that would be great. And if we could see the landscape plan and maybe if you have -- are you adding --

MR. McMAHON:
You know what we can do is show you some examples of a typical bus shelter, you know, some of treatments we could do. You know, there's many different manufacturers.

MR. MALLAMO:
Is this the kind of bus shelter that's going to have advertising on it?

MR. McMAHON:
I can't speak for what someone is going to do after we construct it.

MR. MALLAMO:
Who is going to administer this bus shelter? Who owns it, Suffolk County?

MR. McMAHON:
The County owns it. It is going to be on County right-of-way, so unless some other department is going to lease it out for advertising, that's beyond our control.

MR. MALLAMO:
Depending on what the design is, in place of advertising, we might recommend a plaque talking about the historical nature of the roadway. This is the first roadway built for automobiles in the world, and I think it deserves a little closer look because every day it gets more and more like every other road in America. And if we can start bringing out the unique aspects of the road, I

think it would behoove us to do that. So I'm going to look into that a little closer.

If you are thinking of adding guardrails or anything, I mean, I'd love to know what kind of materials you are using. Are you doing any lighting?

MR. McMAHON:

The grading at this point in time doesn't indicate any need for guardrail.

MR. MALLAMO:

No lighting.

MR. JAWORSKI:

No lighting.

MR. MALLAMO:

You are adding curbing, though.

MR. McMAHON:

In areas where it's inconsistent, where it doesn't exist. It's very discontinuous. We want to have a continuous curb line to promote proper drainage.

MR. MALLAMO:

The curbs are on the map so I'll be able to -- when I go out I'll be able to see that.

MR. JAWORSKI:

The whole project will be curbed.

MR. MALLAMO:

Everything is going to be curbed.

MR. McMAHON:

Throughout, yes. We need to have a curb.

MR. MALLAMO:

I'm not a traffic expert and I don't claim to be or a highway design expert, but I'm just a little concerned because I remember when they put curbs in years ago in a section of Motor Parkway in the Dix Hills area where there were no curbs, and then a week after they were in somebody hit one and was killed in a head-on collision and the claim was that the curb contributed to the -- now created an unsafe situation. And then there was a call to pull them out. I don't know how that was ever resolved, but I'd prefer not to repeat that again with another of section of road. If we really need the curbs we should have them. If we don't need them it would be better not to have them.

MR. McMAHON:

Well, what's happening here, there's areas -- you'll have a curb in one section where a site plan was approved and then you might go a few hundred feet, there is no curb. It makes it discontinuous. We want to have continuous, consistent curb.

MR. JAWORSKI:

And there will be safety shoulders as well. So the possibility that someone will runoff the road of the lane, the travel lane and hit the curb is somewhat remote because you will have the stay within the -- both the edge stripe as well the center line stripe.

MR. SNEAD:

Mr. -- Larry, I don't mean to harp on this again, but this is again more of a procedural question.

Do you have appraisals for the pieces of property that you're planning to acquire at this time?

MR. McMAHON:

Again, the condemnation unit would be responsible for making economic -- they generally do an economic impact analysis, a very preliminary --

MR. SNEAD:

Understand where I'm trying to go here. I don't think anybody here thinks this isn't a public purpose. I'm trying to make sure that it doesn't come back here for us to authorize you to go ahead and purchase these properties. I'm suggesting that if you can get the appraisals within the next 30 days, and if they are in our packet when we finally pass upon it, then you will have had your environmental review necessary for the purchase of those properties if it's an arm's length transaction, or to substantiate a condemnation proceeding. Because if you go to condemnation you are going to have to have appraisals anyway.

If you go to arm's length transaction, you are going to have to have appraisals because the County can only pass certain amount over market market value. If that were to happen it would have to come back here under a resolution much like we do with land acquisitions for public parks.

So I think if you can get those appraisals within the next 30 days and if we can pass on them when we finally pass on them, we won't have to see that again. That's why I raised the issue.

MR. McMAHON:

I can't speak for the Condemnation Unit, but we could come back when we have their economic impact analysis.

MR. SNEAD:

It's a suggestion because I think that if you don't do that it's going to ultimately come back to us when you buy a piece of property from somebody. That's all I'm saying.

MR. McMAHON:

Again, Jim, to reiterate, when have we done economic impact analysis during the CEQ proceeding? Generally this is handled after the public hearing.

MR. BAGG:

I mean, basically economics do not play a part in SEQRA in terms of a final determination. I think that basically you should say that your design has all those parcels in it that you are going to be acquiring. What the price is depends upon the eminent domain procedure, but that's part and parcel of this review. It has identified those pieces of property and the County will acquire them through eminent domain and the question is what is the environmental impact of, you know, those properties.

If you choose to later on acquire additional properties on this project that are not included in this -- in these design plans, then basically you would have to come back because the acquisition of land is a SEQRAable process and if it isn't covered in these design reports it would have to be covered at a later date.

CHAIRMAN SWANSON:

Okay. We need a motion to --

MR. MALLAMO:

Could I just add one thing, Larry? Not to beat a dead horse, but can I just go back to these core drillings one more time. If you could just check one more time, you know, you are sitting here and you don't have them with you. And --

MR. JAWORSKI:

I do have them with me.

MR. MALLAMO:

You do.

MR. JAWORSKI:

Yes, I do. I have them. I have the whole -- you have to realize as part the project because it's federal aid you go through a substantial investigation process so that the Feds can justify their participation in the program.

MR. MALLAMO:

Okay.

MR. JAWORSKI:

As a result of which we have a four volume document that documents the justification both from a traffic and accident as well as an environmental review that is done to justify to the Feds that the project is worthy of the expenditure of their funds. Not all that documentation had been submitted to you. We tried to incapsulate it in the EAF document, but there is a document that does in effect summarize all of your concerns relative to the soil borings that we did, relative to the environmental reviews that were done to substantiate that this project at least as it relates to the natural -- the NEPA portion of the environmental investigation. There is quite a volumus amount of data that can be provided. So it just becomes a question --

MR. MALLAMO:

When you tell me you did a core drilling under the road and there was no concrete, only asphalt --

MR. JAWORSKI:

That's correct. We went down three feet.

MR. MALLAMO:

Okay. I'm just -- you know, I'm --

MR. JAWORSKI:

And I understand your concern.

MR. MALLAMO:

You are speaking on the record so I just want to make that clear, that you did not unearth that, so, okay.

CHAIRMAN SWANSON:

It seems like sort of the flavor here a little bit is, you know, we had to do all this for the federal government and what we do for them is a little bit more all encompassing, a little bit more thorough and, you know, you guys at the County level are, you know, just accept the fact that we did it for the Feds and it will be okay. I don't think we want to do that. We're equally as concerned, perhaps even more concerned than the federal government, which is 300 miles away, about the character of the County, so we're interested in some of these details. So we need a motion.

MR. MALLAMO:

Motion to table.

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

Motion to table. Now Mr. Snead seconded. All in favor? Opposed? Motion carries.

Thank you. Are you staying on for the next one? **Tabled project. Proposed Construction of Sidewalks on CR 10, Elwood Road from CR 11, Pulaski Road to the LIRR, CP #5497, Town of Huntington.**

MR. LAMBERTI:

Hello again. Michael Lamberti, Suffolk County Department of Public Works.

CHAIRMAN SWANSON:

Welcome back.

MR. LAMBERTI:

Thank you. You can recall this was presented last month contingent to the Town of Huntington speaking with the Courthouse Commons, if they had any plans. And I haven't gotten any feedback that they had any plans.

CHAIRMAN SWANSON:

We -- I have not received anything from the Town of Huntington.

MR. BAGG:

Basically I contacted Margo Miles, who is the Acting Director of the Huntington Environmental and Planning Department roughly two weeks ago and asked if they had comments would they please submit them to the CEQ so I can place them in the members files. Basically I have not heard anything back.

CHAIRMAN SWANSON:

Okay. So I think our discussion last month was that if we didn't hear anything then we would move forward with this project. So do we have a motion?

MR. MALLAMO:

Motion, unlisted neg dec.

CHAIRMAN SWANSON:

Motion of unlisted neg dec. I have a second by Mr. Snead. All in favor? Opposed? Motion carries.

MR. McMAHON:

Thank you.

Proposed Reconstruction of CR 58, Old Country Rd., at Pulaski Rd. - CP #5543, Ph II, Town of Riverhead.

MR. McMAHON:

This project we submitted -- can everyone hear me? I don't even think I need a microphone with my voice. But anyway, we submitted this project last November and it was originally -- it was a capacity problem at that said intersection, CR 58 at Pulaski.

CHAIRMAN SWANSON:

Right.

MR. McMAHON:

Tom Cramer introduced a couple of questions which resulted in the project being tabled. One of

his concerns was how are we affecting the amount of water that goes into the said wetlands area. Number two, will we be cutting off flow from the north basin to the south basin, and number three, currently there is water flowing into the south basin which is also considered a wetlands unabated, untreated.

What we -- we did further analysis and we've addressed Mr. Cramer's question. As a matter of fact, we met with him a few weeks ago to go over what our findings were. So I have with me here Russ Mackey, he is a Civil Engineer with DPW. If there are any detailed questions you could refer to him.

But the first issuance was will there be any net effect on the overall watershed. It will increase by 40 cubic yards, which is a minimal amount. That's due to constructing some new pavement, you know, the realignment of Pulaski Road. Is it a negligible overall effect of the watershed. This recharge basin system was constructed originally in 1979 by Suffolk DPW. I would have brought a plan showing that but we had technical difficulties with our scanning and plotting equipment, so I cannot provide that for you today. But we can -- as soon as we're up and running I'll bring a few prints of that for the Council.

Originally it was constructed as two recharge basins, one in the wetlands area. The recharge basin to the north has a pipe connecting to the south basin. We will not be changing that. It's an overflow structure with discharge into that south basin.

What we're proposing in the positive drainage is to treat all the water prior to discharging into the north basin. It will be run through a series of leaching basins and ultimately through a vortex system, a base saver, storm water treatment unit, prior to discharge into the north basin which then it will settle into the north basin prior to reaching the rim elevation for overflow into the south basin. So we will be eliminating the direct discharge, the water that's currently flowing into the south basin wetlands untreated and it will be filtered three different means -- the leaching basins, the bay saver unit and then ultimately it will be in the settling basin, so to speak, prior to discharge.

These were the points brought up in November and this is what we discussed with Mr. Cramer and Mr. Bagg a couple of weeks ago.

CHAIRMAN SWANSON:

I congratulate you on the effort that the County's putting in to trying to clean up this flow situation. It sounds very good.

MR. McMAHON:

Thank you.

CHAIRMAN SWANSON:

Do we have any questions? Do I have a motion?

MR. SNEAD:

Unlisted neg dec.

DR. POTENTE:

Second.

CHAIRMAN SWANSON:

We have a second by Dr. Potente. All in favor? Opposed? Motion carries. Thank you very much.

MR. McMAHON:

Thank you.

CHAIRMAN SWANSON:

All right.

MR. SNEAD:

Larry, could we move the mosquito issue until the last again?

MR. CHAIRMAN:

We have nothing on the mosquito issue.

MR. SNEAD:

Not to control Wetlands Management Long-Term --

MR. BAGG:

It's not ready yet. That's the comment.

CHAIRMAN SWANSON:

You are not going to like the May agenda because it's supposedly there with all this other stuff we postponed.

Let me just remind everybody that with Tom Cramer's resignation that the Vice Chair position is open and we really do need a Vice Chair because I might not be here at every meeting. So I would like to put that on the agenda for May as well, to elect a Vice Chair.

Let's see. I think in talking to Jim that we'd have nothing new on the Yaphank Scavenger Waste Treatment Facility as of yet.

One of the things that we do want to begin discussing is the proposed policy regarding communications by CEQ members and staff persons. Mr. Wagner had prepared this and put it in our -- or handed it out at the last meeting for us to discuss but I think everybody wanted to have the opportunity to read through it and see if there was any concerns or additions of worth and whether it's a policy that you want to formally adopt. We're under no obligation to adopt any policy at all, but you might want to use it as just a general guidance. So I'd like to open the discussion on the proposed policy concerning communications.

MR. SNEAD:

Well, unfortunately I wasn't here at the meeting which, I guess, spawned this memorandum.

CHAIRMAN SWANSON:

Maybe you were lucky.

MR. SNEAD:

I think so. But I got to say, from what I understand about it I think it was a reaction, and an ill considered reaction, to questions raised by one of our members to various other municipal employees or other agency officials.

Quite frankly, having reviewed it I don't know what the purpose of this memorandum serves. If it is to assist us in obtaining information that is unbiased I think it's ridiculous. In fact, if you look at section three, which states that we're supposed to in any communication with an official or person where the CEQ member or staff person believes that knowledge of the member's CEQ affiliation might affect the substance or candor of that official or person's statements, that the CEQ member should disclose his or her CEQ membership at the outset.

It strikes me that if you are asking anybody their opinion on a project, whether it be scientific, technical, policy or otherwise, and you think that their knowledge that you're on CEQ might affect their response to you, by identifying yourself to them as such, you're inviting them to be

less than candid with you about the project. In fact, you are inviting them to -- with your knowledge of -- with their knowledge of your affiliation, to possibly color your ultimate decision. So I don't know what the purpose of this memorandum serves.

Secondly, I don't know of any policy that I've ever seen that suggests that a member of an independent advisory body can't go out and speak with a member of the public or of government and has to disclose the fact that he is a member of some kind of advisory body. I find it bizarre in the extreme that we're even discussing this.

CHAIRMAN SWANSON:

Okay. Let me just clarify. I think the major concern at the time was that a member of an agency was contacted by a CEQ member asking that agency member to essentially give a professional opinion or a policy that short-circuited the more formal process of actually getting the agency head's approval. And, you know, I think we don't want to ever be in a position of trying to short-circuit the more formal thing when it's required.

However, in the particular instance that was called into question, it turned out that the member of the agency was in actuality a formally designated person, so therefore was authorized to speak to the policies and the decision that the agency had made. That's just my understanding of a clarification. Does anybody else have any comments that they want to make about the proposed memo or policy?

DR. POTENTE:

I have one comment. It seems that the flavor of this memorandum is that if a CEQ member is looking to ascertain information from another agency, that the member should state that this is not the opinion of the rest of the review board. And this is pretty much a -- the CEQ is a board that's set to obtain information, to make judicious decisions, and the opinion is really not expressed until the voted is taken and then that pretty much establishes the opinion of the board.

So it should be self-evident that the opinion is not when someone contacts another agency as a member, inherently he is not or she is not expressing an opinion of a board. That opinion is established upon a vote.

MR. MALLAMO:

Larry, I'll just add that I think what was a little disturbing here is we've -- I believe our charge is that we're impartial until the vote is taken. And we're reacting to the information that is presented to us by the project sponsor. I think some members were taken aback when information was provided laterally through the Council and we were concerned it wasn't in an official capacity, but was directed as if it was an official capacity. So I think we do have to think about this.

Unfortunately, I have another commitment and I had told Larry earlier I have to leave at 11:15. Can we take this up next month as well? I know we have a heavy agenda next month.

CHAIRMAN SWANSON:

We could. Although I would like to suggest that following Lee's comments that maybe we read the memo, consider the content and how we as professionals in the business should respond and react with our colleagues and other departments and so forth and not necessarily go the next step of making this any policy of the CEQ because I think it would be very restricting. I would just as soon get it off the table.

MR. SNEAD:

I would go further. I'd move that we reject adoption of this memorandum in any way, shape or form.

CHAIRMAN SWANSON:

Well, if you want to make a --

MR. SNEAD:

I made a formal motion.

CHAIRMAN SWANSON:

Okay. Do you have a second?

DR. POTENTE:

Second.

CHAIRMAN SWANSON:

All in favor? I'll abstain.

MR. MALLAMO:

I'll abstain as well.

CHAIRMAN SWANSON:

All right. Thank you, Lance.

MR. SNEAD:

Mr. Chairman, can I bring a request, I guess, at this point? I have been made aware that there is an opinion of the Suffolk County Ethics Commission that touches on CEQ membership and potential employment activity that may come before any Suffolk County agency or board. And it's my further knowledge that this document has not been widely disseminated and, in fact, touches on the ability of every member of this board to potentially obtain outside employment that might have a -- might require representing somebody who needs a Suffolk County permit of some form.

I'd like to request formally of the County Executive and the Department of Law and the Ethics Commission that each member of this board be provided with that opinion. The opinion recently came down -- actually the advisory opinion number is 09-2006.

CHAIRMAN SWANSON:

Okay. Jim, could you see that we are provided with this? I think it is the intent of the County Exec's Office to make sure that we do see that, but just call up and ask, make sure that we do get it.

MR. SNEAD:

I'd also further suggest that each member be provided with a copy of Article 30 of the County Administrative Code which deals with the Code of Ethics so they can review the Code of Ethics as it pertains to that decision.

CHAIRMAN SWANSON:

Okay.

MR. BAGG:

What was the number on that opinion? Say it again, please.

MR. SNEAD:

09 of 2006, advisory opinion.

CHAIRMAN SWANSON:

Emerson, are you still here?

MR. HASBROUCK:

Yes.

CHAIRMAN SWANSON:

Suffolk County Storm Water Management Program annual report.

MR. HASBROUCK:

As part of the permit requirements for Suffolk County's Phase II Storm Water Program, the County has to hold a public hearing on it's Storm Water Management Program Annual Report to receive public comments. I want to thank the CEQ and I want to thank Chairman Swanson for allowing us to again this year use the CEQ meeting as a forum for our public hearing on our Storm Water Annual Report.

I'm with the Cornell Cooperative Extension Marine Program and the Cornell Cooperative Extension is under contract with Suffolk County DPW to implement the Storm Water Management Plan for all of Suffolk County.

A copy of the report has been distributed and we have a couple of extra copies if anybody needs one. We also have some souvenirs for you today and that is what our staff is handing out. These are some of the products that we've developed as part of this program.

I'd also like to introduce the rest of my staff here today who has been working on the storm water project. Mark Cappellino is our storm water educator, Lorne Brousseau is helping to head up and coordinate the program. Matt Scalfani is also helping to help coordinate the project, and Joanna Corey is our storm water specialist. And I'd also like to recognize today Victor Keneiby from Suffolk County DPW who's our primary contact with Department of Public Works.

Also with us today is our unnamed duck. As part of the project we've developed a logo for the program. It's our duck logo for the Suffolk County Storm Water Management Program -- don't duck your responsibilities, be the solution to storm water pollution.

CHAIRMAN SWANSON:

I just have to comment on your duck. You know, many of the things you're trying to resolve, such as pathogens in our coastal waters, are significantly contributed to by your duck.

MR. HASBROUCK:

That's right. And we spent a fair amount of time, actually, trying to come up with a logo and what to use as a logo. A fish, a starfish, bay scallops, oysters, a whole range of different things. And just through a whole process, yeah, we came up with a duck.

And you are right, and that was some of the thought process that went into it, was ducks and water fowl are a contributor to bacterial contamination in our waters. And one of the things we specifically didn't do was make it a white Peking duck because we didn't want to single out, you know, the duck industry. Even though they have contributed to pollution problems over the years, we didn't want the focus to be that. But anyhow, that's our duck in his rain gear for our -- as our logo. So I hope you like it.

We actually have as part of the project and part of the logo a name the duck contest. That's why I said our unnamed duck so far. It's a contest for kids, so any of you who have children or grandchildren or nephews or nieces and they might have a good catchy name for our duck, we're having a contest and you can access that through the website. There's instructions on how to enter the Name the Duck Contest on the website.

MR. SNEAD:

Do you have to be a kid?

MR. HASBROUCK:

Yes, you have to be a kid. Well, you have to be a kid to enter. The kids can get some help from adults.

MR. SNEAD:

I like Chuck.

MR. HASBROUCK:

Do we have that one? Do we have Chuck? One of the ones we have is, what was it, Zach? Mac? Mac because it rhymes with quack. But we've gotten about 110 responses so far for the Name the Duck Contest.

I would like to just quickly run through a summary and a highlight of our annual report if I could. The Storm Water Management Program is divided up into six minimum control measures that the EPA and the DEC have mandated that each municipality implement. So I'm just going to highlight our activities for the past year by each of the minimum control measures.

Minimum control measure one is public education and outreach. As part of that we've developed a website with a lot of storm water information, public meeting notices, a kids page, best management practices, and a lot of other information on that website. You can get to the website a couple of different ways. It's a link off of the Suffolk County website. If you look at the brochure, on the back of the brochure -- on the back on the bottom is the website address that will get you there. You can also get there through -- Suffolkstormwater.com will also get you to the website.

We've developed and implemented storm water education programs for children in schools. Collectively during the past year we've reached over 3,000 children with storm water programs through school and camp programs, direct contact and direct education for over 3,000 children. We have been giving talks to civic groups and other adult groups and we've reached about 200 adults through civic service organizations.

As I mentioned, we have developed our mascot and we currently have a Name the Duck Contest underway. And we have developed educational materials for adults and this brochure is one of those. And we've also developed some or printed educational material for children that we use in our school programs and that's what this kids page is. That's a summary of what we have done under public education and outreach.

The next minimum control measure is public participation and involvement. During the past year we created a Storm Water Citizen Advisory Committee in order to garner public input on all aspects of the County Storm Water Management Program. The CAC meets quarterly. It consists of citizens with varied backgrounds. They've assisted with the website development, designing our logo, as well as all the other things that we're doing in this program. If any of you are interested or know somebody who may be interested in participating in the CAC please contact us. New members are always welcome.

We also have printed 7,000 curb markers. That is one of the souvenirs that you've been given, the those round curb markers. They say, "No Dumping Drains to Bay" or "No Dumping Drains to Lake" for areas where, you round, around Lake Ronkonkoma for instance, and some of the other freshwater lakes that we have. These are going to be placed on all storm drains on all County roads. We have initiated that process and over the next couple of years, again, every storm drain on every County road and every County facility is going to have one of those markers.

We've also developed a system for the public to report storm water pollution and that's through the website. And then the other part of the public participation involvement is this CEQ meeting for our annual report comment.

The next item is elicit discharge detection and elimination. Through that a GIS database has been designed and is under development to display the location of all storm water outfalls from County owned properties and roads. That's all County properties where there's buildings on them or whether they're undeveloped vacant properties and all County roads. This is done in an effort to determine where elicit connections may be located.

Field information is being gathered and outflows are screened for dry weather flow on an ongoing basis for this effort. To date, about 75% of all outflows on County owned roads and about 35 percent of all outflows on County owned parcels have been integrated into our GIS system with photographs and descriptions of each structure.

We've also developed and proposed a new article of Suffolk County Sanitary Code and we're working with DPW and Suffolk County Department of Health Services on that. And this new article in the Sanitary Code will outlaw elicit discharges to the County's storm water conveyant system.

The next minimum control measure is construction site storm water runoff control, post construction storm water management. Suffolk County DPW construction bid specifications are currently being reviewed to ensure that they require contractors to fulfill all necessary construction and post construction components of the Phase II Storm Water Management regulations. DPW staff and contractors are currently trained to thoroughly inspect sites for storm water pollution and implement PMP's per the New York Contractors Erosion and Sediment Control Field Notebook.

And then the final minimum control measure is pollution prevention and good housekeeping. And during the past year the activities under that have been -- the County already has many good pollution prevention and good housekeeping practices that they have developed over the years. These are now formally part of this Storm Water Management Program. They include many highway projects underway or planned that will implement best management practices to reduce storm water pollutant loadings; banning pesticide use on all County properties; over 100 lane miles of Suffolk County roads are cleaned through the County Adopt A Highway Program; requiring the use of pump out facilities at all County owned marinas and efforts to upgrade existing facilities and purchase new equipment to minimize storm water pollution.

Also, the following priorities have been set this past year and strategies to achieve each priority will be determined in the upcoming permit year. These include incorporate existing street and catch basin cleaning and maintenance schedules on all the County owned roads into a GIS database; reduce bacteria loadings from County maintained facilities; prevent the release of storm water pollutants from County owned properties; to insure all salt for winter de-icing is stored indoors at all the County maintained facilities; and recommend the recycling program be implemented for all County owned facilities.

Also, Dr. Swanson, you've commented the past couple of years relative to our storm water program in terms of reducing the amount of fresh water going into our creeks and bays. We've incorporated into this year's report a statement that says the intent of these projects and of Phase II storm water regulations is not to reduce natural storm water runoff, but to effectively remove pollutants from storm water runoff before it reaches Suffolk County's surface waters.

So we're not actually reducing the total amount of water going into the bays. We're trying to either remove the pollutants or prevent the pollutants from getting in there in the first place, or infiltrating the water into groundwater thereby having that -- the freshwater input continue into the bays through groundwater flow. So hopefully that will help to address another concern that you've had over the past couple of years.

CHAIRMAN SWANSON:

I'm impressed that you remembered. I also remembered, and if you hadn't raised it I was going to ask you. From a year ago, that's pretty good for us guys.

MR. HASBROUCK:

Well, that's the formal part of the report this year, so we've taken your comments and fully incorporated them.

CHAIRMAN SWANSON:

Thank you.

MR. HASBROUCK:

I hope that helps to satisfy your concerns on this.

CHAIRMAN SWANSON:

Do we have any questions?

MR. SNEAD:

Just a quick question.

MR. HASBROUCK:

Yes.

MR. SNEAD:

I'm looking at page 29 and it speaks about capital funding to convert salt storage facilities.

MR. HASBROUCK:

Yes.

MR. SNEAD:

And it says a request has been made to DPW and upgrades are pending funding approval. Do you know where they sit at this point?

MR. HASBROUCK:

I do not. Victor, I don't mean to put you on the spot, but --

MR. KENEIBY:

I don't know the answer to that either.

CHAIRMAN SWANSON:

You mentioned, one of the last things that you said, that you're encouraging Suffolk County to recycle and I was wondering how did you -- what does that mean in the context of storm water?

MR. HASBROUCK:

It's one of the things that's mandated through the EPA and then through the DEC to try to incorporate recycling programs. It has to do with a couple of things. One is to try to reduce the amount of just trash that is around. A lot of the trash is plastics and/or paper and cardboard. Most of those items can be recycled. The other part of it is, well, and this has a lot more to do really with homeowners because on the regulations Suffolk County Parks and DPW and so forth have specific regulations. But in terms of recycling things like used motor oil, antifreeze, household cleaners and detergents, and most of the towns have a Stop Program and we're going to, you know, coordinate with the towns relative to the Stop Programs for that as well.

CHAIRMAN SWANSON:

So this is to keep things basically out of the streets.

MR. HASBROUCK:

Yes.

CHAIRMAN SWANSON:

Anti-litter -- of course oils and litter but -- okay, I understand now. And how is the -- other than in the County buildings which the County has jurisdiction over, does the County have any authority to do this or is this -- are you going to have to work with the towns? Because they are the ones that really implement our recycling programs, you know, in the context of people.

MR. HASBROUCK:

Yes. For homeowners it's really just coordinating with the towns because you're exactly right. It's the town's that have the Stop Programs. It's the towns that have the curbside pick up for recycled material, so it's coordinating with them.

CHAIRMAN SWANSON:

Emerson, you have an outstanding public outreach program and while we're on recycling, I'd like to get your assistance. One of the things that strikes me here on Long Island is that our public schools are not recycling. They are required to by State law, but they're not.

MR. HASBROUCK:

Okay.

CHAIRMAN SWANSON:

And their concern, of course, is that administratively it's very difficult to implement. They have to work out issues with janitorial unions and so forth. In addition to that, they are feeling the pinch of the budget so we're told. On the other hand, it seems to me that if we're going to really work to improve our environment that our school kids are, you know, the ones that really should be educated and taking that message home to all of us.

And if there is anything that you can do as part of this program to reach out to the public schools, well, all schools, to reinforce the notion that the schools should be implementing recycling programs, it would, I think, be very beneficial. And when I say implementing, I mean more than just, you know, doing it at face value. We know that some of the schools that the teachers are, in fact, recycling in the classroom and then unfortunately the stuff is taken out and just commingled with all the other trash.

So if you could assist in that with your outstanding public outreach program, I think it would be a huge benefit.

MR. HASBROUCK:

Okay. I think that -- Mark, I'm going to talk somewhat on your behalf. Mark is our storm water educator. I think we can incorporate in our school programs, you know, a message about recycling. In fact, you may be doing that already.

MR. CAPPELLINO:

Do you want me to interject?

MR. HASBROUCK:

Sure. Yeah.

MR. CAPPELLINO:

My name is Mark Capellino, Cornell Cooperative Extension. We are doing an assembly type program where the students are involved in creating skits through a play and I act out two different characters, as a storm water detective and the movie director. And one of the little skits that we do is where the students have some litter items with them, a plastic bottle and paper or whatever, and then they just drop it accidentally and then we talk about that issue. So it's more of on a personal level, but not as you mentioned as a school level. But certainly we

can look into that.

MR. HASBROUCK:

Yes, I think we can expand that segment and include not just litter type things but also recycling, you know, your paper at school and your lunch bag and so forth at school. And then as part of coordination on recycling, maybe we can put together a flyer that we can leave with each teacher and each school administrator when we are in the school. So I think there's things that we can work out. Yes?

DR. POTENTE:

This is great to see. I mean, it's something where attention needs to be taken and I'm very happy to see this happening.

MR. HASBROUCK:

Thank you.

DR. POTENTE:

There's a couple of points I'd just like to bring out, this is as good a time as any.

MR. HASBROUCK:

Yes, please.

DR. POTENTE:

In terms of controlling the amount of runoff that gets into our surface waters, I'm even including recharge basins which will actually ultimately go back into the groundwater, so the surface water and the groundwater. I mean, we can prevent the larger materials with -- right within the storm drains themselves. As a matter of fact, is there a program now where we're looking to replace some of these storm drains where they are actually catching a lot of the debris that goes into the open waters?

MR. HASBROUCK:

Yes. In fact, if you look at the last part of the annual report it lists several of the projects that Suffolk County DPW is implementing in terms of storm water remediation. So it's things that include infiltration, there is some, you know, technical advances where companies have developed modified catch basins, if you will, that will separate out grease and oils and other pollutants and things like that and implementing those types of structures.

DR. POTENTE:

I mean, I would think that they would be most effective in the larger debris. When you start getting into chemicals or solvents that are getting into the water it is going to become progressively more difficult, and this is where your public education program comes into play.

One problem I see is when people -- people will put paper out to be recycled and it's collected in front of their house, and then also now cans and glass, which people seem to cooperate with pretty well. When it comes to the solvents and the oil based pollutants, paint cans, oil cans, things like that, I know at least in the Town of Islip they are asked to come down periodically and actually bring them to the site themselves.

I don't know how economically feasible it is and I don't know how much we should expect to be served by having collection come to our house or how much responsibility we should assume upon ourselves to actually bring it to the sites. But it might be something to evaluate. I don't know if it's economically feasible or not, but this might be another way to look into actually removing these -- the pollutants that are actually incorporated as part of the liquid phase of the --

MR. HASBROUCK:

Do you mean expanding -- either expanding the number of collection sites that the towns have or doing curbside pick up of these Stop items?

DR. POTENTE:

If it's economically feasible. I realize that, you know, it would be less frequent, but it may be just something to consider or look into.

MR. HASBROUCK:

Okay. We can try to do at least a preliminary assessment of some of that, but it's somewhat outside of the purview of what we can do as part of the Storm Water Management Program for the County.

DR. POTENTE:

Although it does fall within your confines because -- in a sense because it is something that is going into the groundwater and into the surface waters.

MR. HASBROUCK:

Yes it is, but it is controlled by the towns.

DR. POTENTE:

I realize that. I realize that. But maybe there is some cooperation that could take place.

MR. HASBROUCK:

Most definitely we'll look into that, yes.

DR. POTENTE:

And finally, one last point I'd like to bring up. I know in some of the areas, especially the south shore areas, there is -- a lot of the storm water is diverted directly into either marshlands or through marshlands into the Great South Bay. And you might want to start taking a look at some of these areas of concern where the road runoff actually is conveyed right into ditches called mosquito ditches, which are actually functioning as both runoff with no treatment at all, with no collection and with no salvaging of any of the debris.

MR. HASBROUCK:

Yes. In fact, Suffolk County DPW is looking at remediating those problem areas but they are significant in number. And there's -- you know, there's really only a limited number of projects that the County -- that Suffolk County DPW can do each year.

DR. POTENTE:

I realize that.

MR. HASBROUCK:

But every year they do have plans to implement storm water remediation projects in a lot of these areas.

DR. POTENTE:

I'd just like to see it put into the area of concerns.

MR. HASBROUCK:

Okay.

DR. POTENTE:

That's all I'm asking.

MR. HASBROUCK:

Okay, yes. And again, the last part of this report has identified those areas where the County

has implemented storm water remediation during the past year, where their plans are for the upcoming year and every year the County is systematically trying to address all of these issues. And then some of that also is going to be -- are the information to help the County find as well as address the specific sites. It has to do with us going out and physically looking at all roads and all County parcels to identify direct discharges to surface waters.

DR. POTENTE:

Yeah. I'm sure some of the aerial photographs that are already available can probably help you out on some of those issues, save you some legwork.

MR. HASBROUCK:

Yes. And DPW specifically has a program to -- and, Victor, I don't mean to speak for DPW so jump in here whenever you want. But they're in the process of trying to identify and remediate these problem sites.

MR. KENEIBY:

Yes, we do have programs. We get funding through the Bond Act Projects that we work around to remediate the storm water for getting into surface waters. We have a few number of projects that we -- that we put out for construction.

MR. HASBROUCK:

Thank you for the comment.

MR. SNEAD:

One quick question.

MR. HASBROUCK:

Yes.

MR. SNEAD:

These little stickers, apparently I guess these are attached to the drains. Is that correct?

MR. HASBROUCK:

Yes. They go right alongside the drain, either on the drain itself or right on the curb next to the drain.

MR. SNEAD:

Do you presently have a large supply of these things?

MR. HASBROUCK:

Yes, we do.

MR. SNEAD:

I'm a Village Trustee in Bellport and I'm in charge of DPW there, so could I get about 200 of these and the adhesive?

MR. HASBROUCK:

I have got to talk to Victor about that.

MR. SNEAD:

I'd be happy to put them on if you can supply them to me.

MR. KENEIBY:

I don't see any problem with that.

MR. HASBROUCK:

Okay. Sure. How many did you need did you say?

MR. SNEAD:

I think 200 probably would be fine.

MR. HASBROUCK:

Two-hundred plus the adhesive. Another thing that we're working on relative to that is the County -- the County DPW has been working with their supplier who does the castings for --

MR. KENEIBY:

Yes, the inserts.

MR. HASBROUCK:

Right.

MR. KENEIBY:

These are filters. We insert them into the catch basins to collect all the pollutants. So we actually are in the process of testing these right now and shortly will implement them in County recharge basins -- - excuse me, catch basins.

MR. HASBROUCK:

The other thing I was going to mention as well is that for the catch basins and the curb cut inlets, the cast iron part, as the County fixes and replaces old ones or installs new ones, the casting now is going to have that logo and that information cast right into the cast iron of the curb inlet. So that logo and do not dumb drains to bay and so forth is going to be cast right in there on new ones.

MR. BROWN:

Emerson, on your report, on the back portion of the first page it has impaired waters and the names.

MR. HASBROUCK:

Yes.

MR. BROWN:

Would you add Stony Brook Creek to that? It comes off a piece of --

MR. HASBROUCK:

Well, I think these are the three or 3D list areas that are developed by the State of New York as part of their compliance to the EPA. I believe that Stony Brook -- Stony Brook Harbor at West Meadow Creek includes Stony Brook Creek. I believe so. Joanna, do you know offhand?

MS. COREY:

I don't know offhand if Stony Brook Creek is impaired --

MS. KRAUS:

I can't hear her.

MR. HASBROUCK:

She said that what's listed here are the impaired 303 water bodies and she's not sure if Stony Brook Creek is an impaired water body or not under the 303D listing. But we will --

MR. BROWN:

Review that for me?

MR. HASBROUCK:

We will review that for you, yes.

MR. BROWN:

And Mt. Sinai Harbor also?

MR. HASBROUCK:

We'll review that as well, yes.

CHAIRMAN SWANSON:

Stony Brook Creek should be in the impaired list. It's certainly closed to shellfishing.

MR. HASBROUCK:

Then it probably is.

CHAIRMAN SWANSON:

And the County has a drain that runs right into it.

MR. HASBROUCK:

Okay. Is that the drain you were talking to me about earlier today?

MR. BROWN:

Yes.

MR. HASBROUCK:

I asked Joanna about that and she doesn't have her GPS -- our GIS coverage with her, but we are going to check into that as well to so if we've field surveyed that site, if we have that discharge pipe on our GIS coverage. If not, we will be visiting that site and delineating it.

CHAIRMAN SWANSON:

I think there are several roads that -- or several drains off that down by Hercules. All right.

MR. HASBROUCK:

Yes, there are several discharges over by Hercules. I don't know if they're coming off of a County road, though, or not.

MR. BROWN:

It's County property.

CHAIRMAN SWANSON:

It's County park.

MR. HASBROUCK:

Right. Yes. I know what -- it's kinds of a -- well, I don't know if it is a unique situation, but it's --

CHAIRMAN SWANSON:

We don't want you to do anything that you are not supposed to do.

MR. HASBROUCK:

Well, actually by surveying that property, I mean, you can't miss those big discharge pipes there by Hercules. But they are tied into 25A and in fact go partway or all the way up the hill back towards SUNY Stony Brook. I think all those catch basins along that road there are tied into that discharge pipe there.

MR. BROWN:

Yeah, I know. Actually those discharge pipes go to Stony Brook Mill Pond. We're talking about

Stony Brook Creek, which is by the Hercules property.

MR. HASBROUCK:
Okay, all right. Yes.

MR. BROWN:
That's a County owned property with discharge pipes that do come out.

MR. HASBROUCK:
Okay. All right. We'll check into that.

CHAIRMAN SWANSON:
Thank you for, again, a wonderful report and outstanding job I think that the County is doing to mitigate storm water issues.

MR. HASBROUCK:
Thank you again for the opportunity to present our annual report.

CHAIRMAN SWANSON:
Yes, Mr. Atkinson.

MR. ATKINSON:
If this is a public hearing on this report may I just make one comment?

MR. HASBROUCK:
Yes, please.

MR. ATKINSON:
I'm with Peconic Baykeeper and I haven't read this report yet so I'm going to pose this as question. But in response to the earlier comment about the mosquito control ditches being used as storm water systems, and that you are looking at some of these, is there a mandate only to look at these when they're connected to County roads or also to town streets?

MR. HASBROUCK:
Well, for this specific project we're looking at County roads and County facilities. However, having said that, the Phase II program is mandated by the EPA for all municipalities that meet a certain threshold for population density. And here in Suffolk County all municipalities except for the Towns of Southold, Shelter Island and East Hampton meet those thresholds for population density.

So this program that we're reporting on today is specifically for County roads, County facilities. Each of the towns within Suffolk County also have to carry out a Phase II program and they will be responsible for issues relative to their town roads.

MR. ATKINSON:
I'm aware of that, that's why I brought it up, because this does kind of fall through the cracks. What we have is a County maintained ditch and operates so it's -- that's the County facility, is the actual ditch, whereas the street is a town street. So they -- the town itself would have no particular jurisdiction to go in and change a County operated ditch as far as I can make out.

MR. HASBROUCK:
No, but they have responsibility for the storm water that's coming off of their road.

MR. KENEIBY:
If it's County maintained, the County is responsible for it.

MR. HASBROUCK:

Yes.

CHAIRMAN SWANSON:

Thank you. I guess you're off the hot seat.

MR. HASBROUCK:

Thank you very much.

CHAIRMAN SWANSON:

Thank you. All right. Historic Services.

MR. MARTIN:

The Parks Department is continuing our planning at the Scully Estate to create the environmental center there. Part of that planning process is to have the architect, Peter Caradonna, set up a charette at the site which will be an all day meeting this Monday, April 24th -- Monday coming up Monday, April 24th, between nine and two o'clock.

At this point all parks employees that have issues of the work to be done on the site can give their input and also any County representation, anyone from the CEQ will be welcome to come, Lance Mallamo. The Chairman of the County Historic Trust Committee will be attending that meeting, and I think a few other Historic Trust members will attend that. At this point we can bring all our concerns related to the historic integrity of the building and how that relates to the use on-site as an environmental center.

CHAIRMAN SWANSON:

That's it?

MR. MARTIN:

That's it.

CHAIRMAN SWANSON:

Okay. Do we have any other business. CAC? Okay. Do I have a motion to adjourn?

DR. POTENTE:

I'll make a motion to adjourn.

MR. SNEAD:

Second.

CHAIRMAN SWANSON:

All in favor? Meeting's adjourned. Look forward to seeing you in May, although I'm not looking forward to the agenda in May.

(THE MEETING WAS ADJOURNED AT 10:58 AM)

{ } DENOTES SPELLED PHONETICALLY