DEPARTMENT OF PLANNING

COUNCIL ON ENVIRONMENTAL QUALITY

June 18, 2008
9:30 a.m.

Arthur Kunz Library
H. Lee Dennison Building
Hauppauge, New York

BEFORE:

R. Lawrence Swanson, Chairperson.
James Bagg, Chief Environmental Analyst.

Amy Eberhart
Court Reporter
APPEARANCES:
Michael Kaufman, Vice Chairperson
Eva Growney
Thomas Gulbransen
Richard Machtay
Daniel Pichney
Gloria G. Russo
Mary Ann Spencer
Richard Martin

Speakers:
Lauretta Fischer
Bill Hillman
CHAIRPERSON SWANSON: I'd like to call the meeting to order.

MR. MARTIN: You may.

CHAIRPERSON SWANSON: Any comments on the minutes that were posted?

MR. MACHTAY: Mr. Bagg, any comments on the February minutes, and I presume you checked it out?

MR. BAGG: Chris, comments on the February minutes?

MS. De SALVO: They were put into the minutes, the original minutes.

MR. MACHTAY: They were accurate?

MS. De SALVO: Yes.

MR. MACHTAY: Thank you.

CHAIRPERSON SWANSON: Any other comments?

MR. MACHTAY: I'll move the February minutes.

CHAIRPERSON SWANSON: Motion has been made to approve the
February minutes. Do we have a second?

MS. RUSSO: I second.

CHAIRPERSON SWANSON: We have a second.

Any discussion?

All in favor?
(All Aye.)

Opposed?

Motion carries.

Correspondence, Jim?

MR. BAGG: You will note in your folders there are two letters, one's from Legislator Beedenbender concerning CR 4 and the tabling last month, and there is another letter from Supervisor Petrone, the Town of Huntington, concerning CR 4 thanking the council for sending the committee the information and the opportunity to comment, and he has no comments with respect to the project.
CHAIRPERSON SWANSON: But apparently the County had not contacted them before June 4th; is that correct?

MR. MACHTAY: 14th.

CHAIRPERSON SWANSON: 14th?

MR. MACHTAY: It was logged into his office on June 14th.

CHAIRPERSON SWANSON: Okay.

Very good.

MR. MACHTAY: It does say in his memo that he is concerned that the road be maintained as one lane in either direction and not be expanded to a four-lane road.

VICE CHAIRPERSON KAUFMAN:

May I add something to that?

MR. MACHTAY: Sure.

VICE CHAIRPERSON KAUFMAN: I ran into the engineers who did the Tanger studies on the traffic analysis for Tanger, and they were also familiar with Jerry Wilcox's project over at Pilgrim, and they
both stated -- they stated to me that neither project contemplated expansion of CR 4 to four lanes. They were not looking at it as a relief valve or anything like that. And there were no, shall we say, pushes, or anything like that, in the Town of Babylon or, I guess, Town of Babylon's analysis, and I would guess the Town of Huntington's also. But, again, they were not pushing for four lanes.

MR. MACHTAY: That's fine.

VICE CHAIRPERSON KAUFMAN: Just telling you.

MR. MACHTAY: The fact of the matter is, at last month's meeting, and I have the minutes here, the County representative, I forget what his name was, indicated that yes, in the future it could be made into a four-lane road, okay. And what's indicative
of that is that the shoulders are being made travel-worthy; no. 1. We don't know how wide -- they're not telling us how wide the actual right-of-way is, whether they have to be takings or they can just do it. And, No. 3, they're not putting in curbs, which would be an expense to remove, substantial expense to remove if they were going to make it wider. It's like they're setting it up.

The question is: If they are setting it up for a four-lane road at some point in the future, because of whatever need may come around, whether it's safety, capacity or what have you, okay, shouldn't we know that now? And, as a matter of fact, someplace in the minutes he does say it can be made into a four-lane road, okay. Now, shouldn't we know that now for the purposes of our SEQRA
review?

VICE CHAIRPERSON KAUFMAN:
You're talking essentially
segmentation. I understand where
you're going with that.

MR. MACHTAY: That thing
doesn't pop out at us some, you
know, two years from now, oh, gee,
we forgot and we should have made
it --

VICE CHAIRPERSON KAUFMAN: I
do know the chief engineer of the
county DPW is here and he is going
to be talking about some of this.
We might want to halt a little
bit.

Jim?

MR. BAGG: I just want to
say something. I mean, the
project is being presented because
there is a safety concern on that
road.

MR. MACHTAY: Absolutely.

MR. BAGG: If the County
were to consider expansion because of increased traffic congestion and pressure, that's a ten-year project down the road. You're not talking about they're going to come up to you in two years and say, well, we're going to make it a four-lane highway. That's not doable.

MR. MACHTAY: And, Jim, if it even borders on segmentation, SEQRA is the only thing we should be concerned with, right? If it even borders on segmentation, shouldn't they, for their own protection, okay, use the section of SEQRA that says, yes, you can segment if, and here's the reasons why; am I right?

MR. BAGG: You're absolutely right. The question here is: This project is not -- I don't think anybody contemplates a four-lane road in this section of
Commack Road now or in the future.

Now, if the towns in the future say we have all kinds of traffic congestion, we have to move the traffic, that's a whole new project, Rich, and that's, as I said, ten years in the making. It has nothing to do with this project at all.

MR. MACTAY: Okay.

Well, once again, I'd like to ask him some questions.

CHAIRPERSON SWANSON: Let's move on.

Historic trust update.

MR. MARTIN: Okay.

The housing issue, we have one additional house at Prosser Pines, which is occupied by a county employee at this point, but we still have a number of vacancies and we're still working on the legislative resolution that would change the formula for the
rent and for the people that can
occupy this building. I haven't
seen a lot of movement since last
meeting on that, to be honest.
But that's still in the works.

We also worked with public
works over the past month on a
pilot project from National Grid
to install a new gas
furnace/electric generator in two
of our buildings; the St. James
Store and Isaac Mills House, which
is -- will be put into the
residential program. And this
will, hopefully, reduce the energy
costs at these buildings and also
provide some electric, creation of
electric for use in the buildings
itself. And if you produce
additional electric you can sell
that back to the company.

CHAIRPERSON SWANSON: How
are you going to generate this
electricity?
MR. MARTIN: From a new furnace. We're just learning about it now, DPW got wind of this pilot program. They're only installing three furnaces, and they picked Suffolk County Parks as a place to try this out. And then they'll be monitoring them for, I think, over a course of a year to see how they function and what the benefits are.

The St. James Store we thought was a good one because it's opened year-round, so it will be switched over from oil heat to this gas furnace. And National Grid will pay for all the costs to do the switchover, and same with the Isaac Mills House. We think that will help out in the renting of that facility.

We tried, also, for the house in West Hills, the Smith House, which has high energy
bills, but we were not able, with
the heating system there, to
convert. We're looking for one
more additional house within the
county parks, the housing program,
that can be switched over to this.

And, obviously, if it's
successful we might look to do
some additional buildings. And,
so, this is twofold; this is
energy conservation for the County
and, also, I think it would be
helpful in renting these
facilities, because that's been
one of the problems, high energy
costs, that we have in these
direct buildings.

VICE CHAIRPERSON KAUFMAN:
What kind of boilers are you
talking about?

MR. MARTIN: They're new.
I'd have to have public works step
in, they're actually educating
themselves now. They were looking
to install them this summer, they'll be up and running by September. So, there was a timeframe -- there was a window of opportunity that this program was available. So, we're really learning as we're going. I can learn more about it and report back to you.

MR. BAGG: These boilers serve double-duty, they generate heat as well as electricity?

MR. MARTIN: Yes.

MS. GROWNEY: They're furnaces?

MR. MARTIN: Have you heard anything?

MS. GROWNEY: No, I haven't. Do you know who the manufacturer is?

MR. MARTIN: No, I don't have all the specifics. We brought National Grid on-site. You need to have a gas line close to
the house, they're paying for the
new underground line to the house.
So they surveyed the store and the
Isaac Mills House, those are a
definite go, and we're looking for
one more house.

So, three out of three of
the pilot project will be in the
parks.

MS. GROWNLEY: What about
Hubbard?

MR. MARTIN: There's no gas
-- you'd have to have a gas line
going out, and there's probably
not one in the street at that
location, for this pilot project.

CHAIRPERSON SWANSON:
Anything else, Richard?

MR. MARTIN: Under the
grants, we're still working on
them. We have the Babylon Town
Historic Society contract has been
returned from the county
attorney's office, that's still
being reviewed by the parks.

There's a number of changes that
the county attorney's office put
into that contract.

And we also met with the
county attorney's office and the
Town of Huntington together, to
iron out all the clauses for the
contract that the town is going
in, the parks department, on the
Coindre Boathouse. And this
relates to the $600,000 that the
town has promised to give the
county towards that restoration.

As part of that they plan to go
into contract with parks to manage
that building, run programs from
there, work with Sagamore Rowing
as part of that contract, and they
also asked to, possibly, add the
fishing pier, which is directly
opposite the boathouse, to that
contract. They would like to have
some fishing program available
also. So that's, I think, moving forward now.

There's a lot of confusion as to what this contract was to cover at that site. I think we ironed that out so they can move forward; otherwise, there's no movement with the other contracts that we have in our department.

And I have not heard any updates on Scully Estate Seatuck contract.

CHAIRPERSON SWANSON: Thank you.

Anybody here from the public?

Recommended Type II actions?

MR. BAGG: Basically, in your folder is the June 10, 2008 legislative packet. I've reviewed it in terms of SEQRA classifications and recommendations, nothing stands out. A lot of the items complete
SEQRA that you've already passed on, or at future dates have passed on, and mostly Type II actions.

CHAIRPERSON SWANSON: Okay.

Any questions?

MR. GULBRANSEN: Question on No. 15, Amending the Leads Program, Type II Action. Do you recall what kind of an amendment that is?

MR. BAGG: I don't recall. Simply, I think, they're moving up to the later leads contracts; in other words, what they're going to do is, any renovations of buildings that involve more than a million dollars, they want to confirm to leads as well.

VICE CHAIRPERSON KAUFMAN: They're tightening up the standards basically, and trying to encompass more buildings.

CHAIRPERSON SWANSON: Any other comments?
Motion to accept staff recommendations?

VICE CHAIRPERSON KAUFMAN:

Motion to accept.

CHAIRPERSON SWANSON:

Second?

MR. PICHNEY: Second.

CHAIRPERSON SWANSON: Second by Mr. Pichney.

All in favor?

(All Aye).

All opposed?

Motion carries.

CHAIRPERSON SWANSON: Is there anybody here to speak about County Road 4?

MR. BAGG: Chris, let them know they're up.

CHAIRPERSON SWANSON:

Proposed acquisition for open space.

MS. FISCHER: I have four properties before you today, three of which are in the Overton
Preserve.

You want me to go on?

CHAIRPERSON SWANSON: Yes.

MS. FISCHER: Overton

Preserve area, Coram Town of Brookhaven.

The first one is Beechwood Horseblock Building Corporation property. This is a 16-acre lot situated on the easterly side of the preserve area. The preserve is approximately 400 acres in total. We've been picking up a number of pieces, as well as the Town of Brookhaven.

A piece that's outlined in red is the proposed acquisition before you. Other properties acquired by the County are in green, Town of Brookhaven is in purple and the other two before you are in orange color, that we'll get to in a moment.

It's predominantly oak
forest habitat and undisturbed vegetation.

VICE CHAIRPERSON KAUFMAN:

Lauretta, basically, if I'm looking at this, we're picking up three or four different properties in this area. Apparently, they were owned by Fairfield or contract vendees associated with Fairfield, but we're picking up basically properties in this area, about 70 acres or so, is that about what we're looking at?

MS. FISCHER: Approximately.

VICE CHAIRPERSON KAUFMAN:

They all link together --

MS. FISCHER: This is the first one, this is 16 acres. This is a Beechwood, not a Fairfield.

VICE CHAIRPERSON KAUFMAN:

So I was wrong on that one. But these properties link together in a coherent hole, from what I'm seeing from the --
MS. FISCHER: Well, our intention with the Town of Brookhaven is to acquire this area called Overton Preserve.

As I stated, it's approximately 400 acres in total. Some of it has been developed, but remaining the areas we're trying to pick up. So, this is some significant acreage in this area to move that agenda forward.

VICE CHAIRPERSON KAUFMAN: Is this land mostly cleared, I'm just curious?

MS. FISCHER: No, it's wooded.

VICE CHAIRPERSON KAUFMAN: Can't fully tell from the aerials.

CHAIRPERSON SWANSON: Any other comment?

MS. GROWNEY: Are there trails that are specific to this area?

MS. FISCHER: There are
trails that are in here, but --

MS. GROWNEY: Any county trails?

MS. FISCHER: -- there are no designated trails. At this point they're informal trails used just locally.

MS. GROWNEY: Okay.

MS. FISCHER: Hopefully there will be a trail system created once we connect all the pieces, hopefully.

MR. GULBRANSEN: Was there an attempt to address that long, thin parcel right to the west of it, which was wooded?

MS. FISCHER: Yes. As you can see, all the pieces, either in the crosshatch or the diagonal, are properties that we're looking to acquire --

MR. GULBRANSEN: Okay.

MS. FISCHER: -- as part of this, as part of this whole
acquisition area.

CHAIRPERSON SWANSON: Have a motion?

MS. SPENCER: I have a question.

CHAIRPERSON SWANSON: I'm sorry.

MS. SPENCER: On the northwest top, is that a filed subdivision map, all that yellow grid?

MS. FISCHER: Yes, that's an old filed subdivision; however, it's owned primarily by one owner so we are trying to acquire that as well, that area.

MS. SPENCER: Okay.

MS. FISCHER: Luckily, it's owned by one person.

CHAIRPERSON SWANSON: Motion?

MR. MACHTAY: Unlisted neg. dec.

VICE CHAIRPERSON KAUFMAN:
Second.

CHAIRPERSON SWANSON: We have a second by Mr. Kaufman.

Any other discussion?

All in favor?

(All Aye).

CHAIRPERSON SWANSON:

Opposed?

Abstention?

Motion carries.

MS. FISCHER: The next one before you is Fairfield Coram 112, LLC Property. This property is 23 acres in size and it's located on the westerly side, actually adjacent, the roadway to the west of the property is County Road 112 in Coram.

Again, a wooded piece of property primarily, and it's outlined in red on the westerly side on this map.

VICE CHAIRPERSON KAUFMAN:

Motion unlisted.
MS. RUSSO: I second the motion.

CHAIRPERSON SWANSON: Motion is second.

Any other comments; questions?

All in favor?

(All Aye).

CHAIRPERSON SWANSON: Opposed?

Abstentions?

Motion carries.

MS. FISCHER: Thank you.

And the third piece in the Overton Preserve is the Fairfield Mills Estates LLC Property. This is a 48-acre lot to the north along the northern Mill Road area outlined in red on your third map. It's just directly north of the property that was acquired by the Town of Brookhaven.

VICE CHAIRPERSON KAUFMAN: Motion unlisted neg. dec.
Are there any questions?

MR. GULBRANSEN: Is there anything with -- about that property adjoining it which we need to know about with regard to -- you said there was excavation of some kind?

MS. FISCHER: Yes, but we didn't look at it specifically in any detail.

CHAIRPERSON SWANSON: Do you know what the operation was?

MS. FISCHER: I don't know offhand.

VICE CHAIRPERSON KAUFMAN: I have a little bit of a memory of the property. I believe it was just a sand excavation. I know they scraped off some of the vegetation about 20 years ago or so, I had friend who lived to the west of there. I know that -- it was not an industrial lot excavation in terms of, you know,
just knocking it down 30 feet or
anything like that. There was
some material moved from the area.
I also have a memory that there
was not industrial activities to
any great degree on there.

Again, that's my memory,
but, if I remember correctly,
before we purchase all this land
we have to do an enviro review
anyway.

MR. BAGG: Yes.

MS. FISCHER: And any
encroachments will be dealt with.

MR. BAGG: According to the
County, when you run an assessment
for toxic and hazardous substances
it has to be free and clear of any
contamination and, if anything is
found, it has to be remediated
prior to the County taking it or
we can back out of it.

CHAIRPERSON SWANSON: Okay.

Any other comments?
Have a motion?

MR. BAGG: Unlisted.

CHAIRPERSON SWANSON: We have a second?

MS. RUSSO: I second.

CHAIRPERSON SWANSON: All in favor?

(All Aye).

Opposed?

Abstentions?

Motion carries.

MS. FISCHER: The last one is a property in the Long Pond Greenbelt area, Town of Southampton. This is another piece of the puzzle within this area, a 10-acre, 10.3-acre site consisting of two lots outlined in red. To the west is a large town-owned property, which consists of some, you know, kettle hole, wetland ponds. This area is very well-connected in a very strange topographic formation with
Long Pond to the east, which actually starts in Sag Harbor to the north, and goes all the way down to the Poxapogue (phonetic) Pond near the southern portion of the town and then east as well. This is all within the south fork SGPA, and that is one of the areas we're highlighting to acquire.

CHAIRPERSON SWANSON: Why is it not on the master list?

MS. FISCHER: These were actually considered separately by Legislator Schneiderman, and we helped him actually put this list together. Although it was done after we had completed our master list there were other pieces that we didn't prioritize, but he had indicated wanted to move them forward. There's no reason, other than the fact that we had other ones, that we had prioritized closer to the Long Pond Greenbelt
formation. We had no problem with regard to adding these on as well.

CHAIRPERSON SWANSON: That would meet the criteria of your master list?

MS. FISCHER: Yes.

MS. RUSSO: Lauretta, what are the rectangles that are all clustered together there?

MS. SPENCER: It looks like asphalt.

MS. FISCHER: Oh, that's a -- actually, it's a chicken farm.

MS. RUSSO: Really?

MS. FISCHER: Yes.

CHAIRPERSON SWANSON: What is she talking about?

VICE CHAIRPERSON KAUFMAN: To the south and west.

MS. FISCHER: To the south and west you're looking at, yes.

MR. BAGG: Actually, that was -- is it a chicken farm or is
it a quail --

MS. FISCHER: Chicken or quail, something like that.

MR. BAGG: Quail.

MS. FISCHER: Yeah, it's some fowl.

MR. BAGG: It's actually a quail and pheasants that are produced for hunting clubs and they sell something like 250,000 birds a year.

VICE CHAIRPERSON KAUFMAN: With not many survivors.

MS. FISCHER: Poor things.

VICE CHAIRPERSON KAUFMAN: Don't blame me. I'm a bad shot. I never hit anything.

CHAIRPERSON SWANSON: We have a motion?

VICE CHAIRPERSON KAUFMAN: A motion unlisted make that.

MR. MACHTAY: Second.

CHAIRPERSON SWANSON: Any other discussion?
All in favor?

(All Aye).

CHAIRPERSON SWANSON: Opposed?

Abstentions?

Motion carries.

MS. FISCHER: Thank you.

CHAIRPERSON SWANSON: Now we'll go back to County Road 4 as they relate. Anybody here to make a presentation on that?

MR. HILLMAN: Yes. Bill Hillman, Chief Engineer, Suffolk County DPW.

CHAIRPERSON SWANSON: Yes.

MR. HILLMAN: Okay. I'm going to group my comments into two sections; first, on the roadway job and then on the bridge that's in question.

As was explained last session, the Department intends to construct one 11-foot lane in each direction, with an eight-foot
center median and six to seven-foot shoulders. This will dramatically improve safety. It's been shown that when you improve a center median it reduces the accidents up to 44 percent. The shoulders also will reduce accident dramatically.

In addition, they will provide an area for bicyclists to travel on. So, we have existing right-of-way of 49 and a half feet. I know it was questioned last time, I'm not sure where the comment came from, could we go out to 48 feet, widen the road to 48 feet, and that doesn't provide sufficient right-of-way for us to come back and put a sidewalk in.

So, we did look at that, but it just -- within -- this project is within the existing right-of-way. So we need to come up with a roadway section that
works to improve safety, and also to allow for a sidewalk to be constructed in the future. As far as coordination goes, I've met with Legislator Sterns' office numerous times, I think you probably heard, another meeting with the community that we've had on this project. We've reached out. We've had numerous meetings with the community on this road, other roads, all the developments that's going on in the area. I've been involved personally with PJ Ventures, Tanger, Heartland Industrial Park Expansion, Commack Cinemas, Forest Labs, New York State DOT, Intermodal (phonetic), Heartland Town Center, the Town of Smithtown's desire to increase their properties on County Road 67, rezone them to allow highrises in front of the industrial park.
So, the County is intimately aware, with all the development that is going on in the area, we do not make these decisions in a vacuum. We coordinate with the towns when necessary, but I would like to stress that this is a county road. We make the decision solely with the -- the decisions on how to improve county roads are solely within the rights of the County. We do coordinate with the towns frequently and on numerous occasions, but we cannot, and will not, ask for approval of a project from towns within a county right-of-way. We do coordinate with them, as I said extensively, but --

CHAIRPERSON SWANSON: I think that's all we ask, that you show us some evidence that that was -- we don't need a lecture.

MR. HILLMAN: Okay.
CHAIRPERSON SWANSON: We're doing our job, and one of our jobs is, in fact, to make sure you do that coordination. When it's not evident then it's our job to remind you.

MR. HILLMAN: Well --

CHAIRPERSON SWANSON: Enough said.

You have any other technical comments?

MR. HILLMAN: No, but I'd like to expand upon that, if I could.

We have schedules that we must keep, and when something is delayed --

CHAIRPERSON SWANSON: Part of the schedule is to come to this meeting.

MR. HILLMAN: Correct.

CHAIRPERSON SWANSON: And when you come to this meeting there is a chance that, in fact,
something might not be quite
correct in the view of the
committee, that is something that
you should take into your
planning.

MR. HILLMAN: Without a
doubt we do; however, I have
strong objections to delays from
non-environmental issues,
coordination issues --

CHAIRPERSON SWANSON:
Coordination is environmental.

MR. HILLMAN: How do we
stretch environmental into
coordination?

CHAIRPERSON SWANSON: Very
simply, the towns and the County
are sharing one environment.

MR. HILLMAN: I'd like a
little bit further explanation, if
I could, because I just don't see
the connection.

CHAIRPERSON SWANSON: You
don't see any connection between
the town's view of their town and
the County's view and that there
should be some attempt to try and
come to an agreement, rational
approach?

MR. HILLMAN: I don't

disagree with that, but I don't
see how that the environmental
aspect, particular environmental
aspects of this project lead to
coordination between Suffolk
County and the towns.

VICE CHAIRPERSON KAUFMAN:

There is -- if I may, Mr. Chairman
for a second.

There is, for example, one
area where coordination is
important. For example, the CEA,
this -- part of Commack goes
through critical environmental
area, that's the old multi-town
project, also known as the
Edgewood Brush Plains. You have
to coordinate, sometimes, with
whoever the owner is. I believe it's New York State right now. I believe that DOT has a piece of the action in coordination, et cetera.

These are the kinds of things we need to look at, excluding what Larry was saying, and I'm not saying Larry is wrong. This is an additional area. Coordination has to be done on certain areas. We had specific questions on CEAs and, also, it's well within our purview at CEQ.

And, if you look at the SEQRA regulations themselves, we're allowed to look at traffic impacts and things like that. That forms part of what our job here is today.

MR. HILLMAN: I agree, traffic impacts.

VICE CHAIRPERSON KAUFMAN: We were not seeing all of that.
That is one of the issues that we had at the previous meeting.

MR. HILLMAN: When I read the minutes, it seemed like this body was asking for concurrence from the four towns.

CHAIRPERSON SWANSON: No, just acknowledgement that you, in fact, had been part of the process. They had been part of the process.

Rich?

MR. MACHTAY: As far as environmental issues are concerned, if a road is being improved, and it may contribute to more volume on that road, and you have people's homes which are to the west, and a few to the east, that back up to this road, you have air quality issues, you have traffic issues, there's your environmental issues.

And I think some of the
questions that I asked had to do with, is there a plan here to, sometime in the future, increase the capacity of this road, and I got a non-answer. If you look at the minutes, that was never answered, okay. And except to the extent that somebody said, "Well, you know, maybe."

MR. HILLMAN: That is still in the planning stage.

MR. MACHTAY: It's not an answerable question. I agree with you.

MR. HILLMAN: Correct.

MR. MACHTAY: I agree with you, but the way it's being set up with shoulders that are being paved to the extent of the travel lanes, according to what they said, with no curbs, it almost makes it look like it's imminent.

MR. HILLMAN: No.

MR. MACHTAY: All I asked
was for clarification, and nobody
gave me that answer.

MR. HILLMAN: Well --

MR. PICHNEY: Mr. Chairman?

CHAIRPERSON SWANSON: Yes.

MR. PICHNEY: I just wanted
to make a point.

How many times do towns
require right-of-way in the
process of a subdivision
development or commercial
development for a widening that
never takes place or takes place
30 years in the future?

MR. MACHTAY: Frequently.

MR. PICHNEY: I think this
is a similar issue. That I would
call it good planning if, in fact,
they did something like that and
maybe it will happen, maybe it
won't.

MR. MACHTAY: But the fact
of the matter is, we always
require -- the town required
curbing to contain runoff, to
direct runoff, and here they're
telling us the runoff is just
going to run off the road.

MR. HILLMAN: That's
correct. Because when you --

VICE CHAIRPERSON KAUFMAN:
There's good drainage over there.

MR. HILLMAN: A common
drainage practice is to allow, if
you have good clean sand along the
edge of the road, is to allow the
runoff to go off to the road.
When you put curb in, you now must
put a positive drainage system in,
or a leaching system in, and it
dramatically increases the cost.
Drainage is very expensive. So if
we were to put curb in we're now
forced to put extensive drainage
in and the budget does not allow
that.

MR. MACHTAY: That's a good
explanation, which I did not get
last time. And the fact of the matter is, you have people's homes that either back up or they're on the marginal road to this road and I don't want to see them get flooded out, because the water is going to run off the road into the right-of-way, or what you consider the right-of-way, and then where is it going to go? If it doesn't go down --

MR. HILLMAN: There's 150 foot buffer on the west side, 150 foot buffer. We're not going to be generating sufficient water to travel over 150 feet from that road, I can guarantee that.

MR. MACHTAY: Good explanation.

MR. GULBRANSEN: If I can just extend the runoff conversation.

From your explanation for the need to coordinate or the
spirit of coordination and,
perhaps, the lack of environmental
imperative to that coordination,
that doesn't seem consistent with
the County's permit for storm
water runoff, and each of the
town's permits with the state for
MS4 permits are all about
inter-municipal coordination.

So, it seems to me, and by
the way, it's all about the
conveyance into the roads. But if
you're putting a road in and you
have the autonomy to do this as
you see fit, I don't see how
coordination with all of the towns
wouldn't have to occur anyway and,
therefore, we wouldn't be asking
for some burdensome delay because
I don't think you can do anything
with regard to road operations
unless, and until, you talk to
those connected parties; is that
not true?
MR. HILLMAN: I don't see the connection between the MS4 and that requiring us to coordinate with the town on a specific roadway improvement job.

Again, we need to keep in mind that this is a safety improvement project.

MR. GULBRANSEN: I'm not talking about safety, I'm talking about a road plan, but I would expect to be, de rigueur. It would be common practice for you to check across with those runoff considerations. And, often as you say, if there's no curbs there's going to be a non-issue. But it seems to me there would be a checkpoint where you would touch base with the other adjoining municipalities. If not, then we're into another one of those environmental related things that just happens while you're doing
the safety measure.

MR. HILLMAN: I'm not seeing the -- if we went to -- this section of this road is within the Town of Babylon, or Town of Islip, it's right on the border, it's either Islip or Babylon. If we went to the Town of Islip -- south of the expressway is either Babylon or Islip, but let's assume --

MR. GULBRANSEN: It's Huntington, actually, and Babylon. Doesn't touch Islip at all.

MR. HILLMAN: If we were to go to the Town of Babylon and tell them, we're going to improve this road by putting medians and shoulders on and we're going to allow road runoff to -- without curb and without a positive or without a leaching system, what is their -- I don't see what their responsibility with MS4 is within
our roadway jurisdiction?

MR. GULBRANSEN: You put the two ifs in the preamble, which would make it a non-issue. If and if, then it's a non-issue. If either of those were not met then it would be an issue, and I was just trying to understand why it would seem so foreign of a concept for you to do?

VICE CHAIRPERSON KAUFMAN: I read the MS4 regs and I don't necessarily see that the coordination issue is always required. In certain situations, yeah, it probably is, I don't see it as being an overall imperative where there is a checkpoint system. In that sense, I'm agreeing with Bill, but I --

MR. GULBRANSEN: My question was to understand whether Bill's statement about the environmental issues being someplace else,
because it's a safety matter, it
didn't seem to me that it was that
problematic.

In some cases it will apply
and in other cases it will be
conditions where it no longer
applies. But it does seem like
it's fundamentally part and parcel
at the beginning and then when it
reaches the substantial
clarification that it's no longer
applicable then it goes away. It
doesn't seem like an imposition or
a schedule buster to have to check
into that.

VICE CHAIRPERSON KAUFMAN:

No, but in this sense I see the
situation as being as follows:
Basically, it's a road
improvement. I understand the
shoulders are being hardened, I
understand that there's a concern
about segmentation and a possible
expansion of four lanes, but if
they're fundamentally not changing the drainage, which is what it appears to be in this situation, and if they're fundamentally just doing a couple of safety improvements, I don't see the necessity to check each and every little item.

For example, you create a little island or something like that, put a traffic light, I don't see that as requiring massive coordination and double-checking with each individual municipality in the area. It does happen under law, it's not required under law. And, again, under the MS4s, I'm not seeing that.

MR. GULBRANSEN: Because of this project?

VICE CHAIRPERSON KAUFMAN: Yes.

MR. GULBRANSEN: I'm not talking about this project only.
My question to Bill was along the lines of, generally his statements seem to treat these environment considerations, and there was no statement about runoff as -- apart from safety. And my simple point is: I think it is part of it until you find reasons to say, oh, never mind.

MR. HILLMAN: Can I try to clarify what I mean first?

VICE CHAIRPERSON KAUFMAN: Wait a second.

There's actually a more fundamental issue. You're not on the Board long enough to know this. It used to be that there was never any coordination between DPW and the various towns, and they were very, very independent agencies. Over the years the concerns of CEQ have been made clear to the Department, and they really have become a lot more
responsive and they have done a lot more coordination over the years; everything, again, from the runoff, drainage, et cetera. They really do check this stuff out. I'm not saying necessarily it happened here, or whatever, I'm just saying, as a general rule, they have become much more responsive.

CHAIRPERSON SWANSON: Jim.

MR. BAGG: Over the years, DPW has been coordinating with the towns and all the local governments thoroughly, and one of the problems in the past that CEQ had is that the DPW didn't really point out what had gone before a project. As Bill had mentioned, you know, they talked to people in Tanger, they talked to all kinds of people here with respect to this project and, possibly, a need for expansion in the future. And
this particular project, and other projects, we're starting to get away with, is the CEQ doesn't understand what has gone before and DPW should bring that to the table and say, look, we thoroughly invented this thing and we've been to X, Y and Z to get to this point. It's not like the council is the first stop. CEQ is one of the later stops that is further down the road; however, DPW has to make it clear to the CEQ, as in the past they had, you know, what is gone or transpired to get to this point. It's not a question that you have to go to the town to get their approval, but I think in most projects DPW does try to coordinate and get input from local groups and local civics and everything else, and they've done a very good job. I think you have to point that out here that we're
just not starting form square one, we've already been there.

So, now it's the end of the line. And in the past council has requested further input with respect to the interaction among the different groups so they can be brought up to speed when they get a proposal.

CHAIRPERSON SWANSON: So DPW was not properly prepared to make a presentation last month, that's basically the issue.

Eva.

MS. GROWNEY: My question has to do with creating more hard surfaces that impacts runoff and they're contaminants involved. And that is an environment point.

MR. HILLMAN: Without a doubt.

Let me make a couple of clarifications.

I'm not saying that this
project has no environmental impact, it does. Every project has some environmental impact, without a doubt, and that's a very valid point. My only point I was trying to make was that this is a safety improvement project, not a drainage project. We're putting in spot drainage where necessary.

Getting back to your MS4, let me give you an example where we would coordinate extensively with the town, and we are.

On Montauk Highway in Southampton, the Town recently allowed development, and there's excessive road runoff coming from town roads onto a county road and flooding out homes now, which ten years ago never happened because those developments weren't there. They hardened those surfaces. The water is now coming down the hill and onto the county road. We're
in extensive coordination with them on those drainage issues.

Even on a standard roadway job, if we were to come through, and during the course of our drainage survey we've identified a drainage issue at an intersection with a town road, and it's sort of, is it their's, is it ours, who is going take care of it; well, we would coordinate with the town on those issues.

As we go through the planning process we evaluate the entire scope of the project and coordinate where necessary.

The last point I'd like to make is that, quite often what happens in the legislature is that they discharge without recommendation. The only thing I'm asking for is for some consideration. Instead of tabling a matter, approve it pending we
provide additional information, and then we could provide that; and let me explain why I'm just asking for that consideration.

You might think I have an army of engineers sitting back in DPW; I wish I did, I have don't. I have one, one in-house designer for 1,500 miles of road, one. I have four consultant managers who are engineers. The majority of our work gets done by consultants. So that, when you say, is it such an inconvenience to come back here to CEQ, quite honestly, when I have five people doing roadway design, four of them managing consultants, one doing in-house design, it is. We don't have the staff to continuously come back and forth.

We came, maybe we were slightly unprepared to answer certain questions about
coordination, and maybe in the future that same thing will happen. The only thing I'm asking for is some consideration to say, you've answered all the general environmental questions, looks like it's a good project from an environmental standpoint, because every project has an impact on the environment; however, we just want you to get back to us, make sure you -- we're going to approve this pending you confirm to us that you've coordinated with X, Y and Z. We'd be more than happy to do that.

We've had an excellent working relationship with CEQ for a number of years, we want to continue to have that. We're just looking for a little cooperation on our end.

CHAIRPERSON SWANSON: I think you've had plenty of
cooperation.

MR. MACHTAY: Going back to what Jim Bagg was saying. You've made a very good presentation, okay.

I think what you said, that last week your people were not quite prepared, your consultant was not quite prepared, maybe it's true, maybe it's not.

When I asked the question: Is this improvement being done in conjunction with the major projects that are going on down on Grand Boulevard and on Commack Road they said, "What projects?"

And it was -- it suddenly --

MR. HILLMAN: Sure.

MR. MACHTAY: -- you know, sparks started flying in my mind, right?

MR. HILLMAN: Yep.

MR. MACHTAY: Because everybody knows about what's going
on and what the future holds for other lands down in that area, okay.

So, the answer was -- they should have been better briefed on all the things that you just went through that -- you talked to the consultants, you talked to the towns, you talked to, and so on and so forth.

I think one last thing, Mr. Petrone's letter from Huntington indicated what he thought what his staff had said to him, and I know when I met with him he was concerned that you were contacting the highway department and not the town engineering department or the supervisor's office, okay, and it wasn't until CEQ sent something to the supervisor's office, the engineer's department and the planning department that they were
able to formulate, and that
happened six days before the CEQ
meeting.

So, if they were going to
send some comments in, okay, it
would have taken them a few days
to put that altogether.

So, having said that, I
think someone from his office has
contacted you or contacted DPW?

MR. HILLMAN: Not to my
knowledge. I haven't heard. He
might have spoken to the
commissioner's office.

MR. MACHTAY: And said,
please contact, not the highway
department, but rather the
engineering department and
supervisor's office.

MR. HILLMAN: Sure.

And, again, I'll go back to
my original statement, that we
make decisions on that
coordination on an as-need basis.
If we're going to be doing a job and we feel that the town can provide substantial input and positive input towards our project we'll be more than happy to do that; however, this is a fairly simple project.

We have 49 feet of right-of-way, it's a safety improvement project. And even if we wanted to go to 48 feet and make it a capacity project, we can't. We don't have the right-of-way to do that, and that would take years. Quite honestly, if DEC land is on either side, that's not going to happen.

So, in a normal roadway job where there's consideration for capacity improvements and things like that; County Road 39, County Road 58, I'm sure you've all heard of those on the east end, extensive coordination with
the towns on those matters. This was a fairly cut and dry project. Safety improvement within the existing right-of-way, can't really do much more because we don't have the right-of-way to do it, we're never going to the get the right-of-way to do anything anyway.

Again, the coordination with the towns, to be quite honest, was not all that necessary.

VICE CHAIRPERSON KAUFMAN:
Bill, it may be, to my mind, at any rate, that this was one of those projects that looked relatively innocuous from your standpoint, but to our standpoint, knowing certain things and being aware of certain, shall we say, wider purviews, it looked a bit -- little bit different to us. There were a lot of questions; segmentation, we had the CEA
issues, et cetera. That's why I think lot of the questions started coming out.

Again, it looked like this might be potential expansion of the road from two to four lanes, et cetera. So our questions very, very legitimate. This may be, again, a situation where you saw it one way, we saw it another way.

MR. HILLMAN: Okay.

VICE CHAIRPERSON KAUFMAN:
And in terms of preparation, et cetera, it might be that you guys maybe need to be a little bit aware of that, sometimes we will see certain things. And, you know, you can always call up Jim Bagg beforehand and just see, you know, does everything look okay to his eye, does he see anything out there.

MR. HILLMAN: Sure.

VICE CHAIRPERSON KAUFMAN: I
mean, frankly, that's what I do a day or two days before a meeting, I will call Jim up, I did it yesterday, and I will ask: Is there anything on the agenda that we need to really focus in on? Are there any questions? Are there any issues or anything like that? That sometimes can defuse problems.

MR. MACHTAY: I've only been on this board a little over a year, and it's been my experience that any time the DPW came before this board, okay, they pretty much got what they asked for almost immediately. This is the first time I've ever seen something really get delayed.

You know, I think the Board has a very good relationship with DPW, as you said before. And I think, you know, what you said before about not having -- not
being on good terms with the CEO
and causing you to come back
because you don't have the staff,
this the first time in a year and
a half --

MR. HILLMAN: I'm not
saying we're --

MR. MACHTAY: -- a year and
a couple of months.

MR. HILLMAN: I'm not saying
we're on bad terms. My whole
reason for coming today was to
express my concern about requiring
the county to coordinate, do
extensive coordination with the
towns when we have done so.

Again, if --

MR. MACHTAY: We were not
aware of that.

MR. HILLMAN: But, for
example, if my engineers came back
to me and said, they have concerns
over the road runoff and we're now
hardening the shoulders, as you
said, and it's going to provide additional runoff and how is that going to be addressed, I would have no problem coming back.

My only reason to come here is that, if it's what I consider a non-environmental issue, hardcore -- let's say that -- hardcore environmental issue, then please try and give us the consideration to say, this project seems to meet all the environmental issues that we've discussed; however, we have some concerns that you may not have coordinated with the towns, could you just get back to us on that.

VICE CHAIRPERSON KAUFMAN:
This really comes back to what I said a minute ago. To your eyes it looked one way, to our eyes there was something different about the project.

Let me put it in a different
context. If this was entirely, say, within the Town of Smithtown and there were two industrial developments, say in Commack and then in Smithtown, and you had Jericho Turnpike, which was suddenly going to face overcapacities -- I can't say the word properly -- in a zoning context, just look at it in terms of how a town operates, there would be a lot of questions. And if somebody said, oh, we're just going to keep Jericho Turnpike at four lanes, when it maybe should be six, that would cause a lot of issues, that would cause a lot of the traffic reviews, et cetera.

In terms of a larger area where this is straddling several towns, it looked funny to us, there was something odd about it. And that's why I'm saying, it bore a little bit more review.
Again, you have Tanger, you have Jerry Wilcox up there with 9,000 units, you have Smithtown up there at the four corners by Crooked Hill, et cetera. There potentially could be issues.

I saw the traffic engineers yesterday, I mean, I just ran into them, and they said that those issues have been looked at and they weren't going to be expanding the road, there was no consideration towards that. Fine.

We looked to the issue, we didn't see that. And, given the locations, et cetera, it could look as if something, you know, it needs a little bit more review; is there going to be extra capacity dumped onto that road and stuff like that.

So, this is one of those funny projects where something -- you saw it one way, we saw it a
different way.

MR. HILLMAN: Okay.

VICE CHAIRPERSON KAUFMAN:
And it's not us trying to be an
impediment or anything, we had
legitimate questions.

MR. HILLMAN: Okay.

CHAIRPERSON SWANSON: I
just, in closing, coming before
the CEQ is not a pro forma
operation, and if you are bringing
a project here you should realize
that there is the potential that
there will be questions and that
there could be a delay, and you
should incorporate that into your
planning process.

MR. HILLMAN: We do.

CHAIRPERSON SWANSON: As, I
think Michael suggested, calling
up Jim in advance and saying, do
you see any issues that we should
be concerned about and addressed?

I should also point out, if
I recall correctly, the project dealing with the bridge on this road came before the CEQ in 2000, 2001, and still nothing has gone forward. So, you know, what you bring forward is not always crisis either.

MR. HILLMAN: Without a doubt.

And the previous chief engineer, Bill Shannon -- I'll just give some history on the bridge -- had the desire to remove the bridge due to safety concerns. When he moved forward on that it came to his attention that the bridge was utilized by walking groups, biking groups, and some pedestrians, bicyclists, actively use the bridge. He started the initiative to evaluate that bridge to determine if it could be brought up to modern safety standards so that it could
continue to be a benefit to the community.

Shortly after, I took over, I had a conversation with him and he expressed, you know, what's the harm if that bridge stays if we can bring it up to modern safety standards and protect the motorists on the road, and I agreed with him 100 percent.

So, during that time period, we do move quite slow on certain things, I agree 100 percent. I wish I had more staff to focus on things better, but during that time period we've been evaluating whether we modify that bridge to bring it up to modern safety standards.

Just recently, last year, late last year, it was determined it would cost about $3 million to do that. And what it requires is to lower the road at the bridge by
about three feet. You're now creating a bathtub. We would have to put a positive drainage system in along that, and I think it goes back about a half a mile on either side of the bridge that we would have to start to lower the road and a positive drainage system throughout to protect the abutments, and that totaled about $3 million.

You can build -- we also estimate you can build a pedestrian bridge for about $2 million. So, from a cost standpoint, to rehab that bridge and bring it up to standards doesn't work well.

So, the intent is to remove the bridge, and I'm sure you heard the conversation we just had with the community. We've looked at it numerous way from Sunday to try and make it a -- try and keep the
bridge because it is a goal -- was
a goal of the Department, but
safety has to come first in our
eyes.

So, the game plan, as I see
it, again, I don't make policy and
I don't control the capital
program, but my recommendation for
this project will be to come in
with a safety improvement project,
remove the bridge, do the
shoulders and the medians, leave
room for sidewalks. At some later
date come back, hopefully get
those sidewalks in and -- so that
people can walk down and get to
the park and get to the preserve.
And, also, at some point put a
pedestrian bridge back in.

. I can't make any
commitments to that because I
don't control the budget.

CHAIRPERSON SWANSON: Thank
you.
Rich.

MR. MACHTAY: Just for the purposes of SEQRA, in 2001 CEQ, and I was not here, passed a resolution recommending that the legislature remove the bridge, okay. In 2006 funding for your project was amended to include $100,000 to rehab the bridge. Does that mean that the project -- and Jim has tried to explain this to me and I'm just posing it to you: Does that mean that the project was already funded or was it just in the capital program?

MR. HILLMAN: The -- which project?

MR. MACHTAY: The road improvement project.

MR. HILLMAN: Well, the $100,000 was for, as you indicated, was to improve the bridge. Again, 2001 -- I wasn't with the County at that point
either, but between -- somewhere
in that time period, and just
recently, late 2007, we were in an
evaluation stage. It was not
determined whether the bridge was
going to stay or be removed.

MR. MACHTAY: That's not
what I'm asking.

MR. HILLMAN: But it leads
to the answer.

MR. MACHTAY: Was the road
improvement project already
funded?

MR. HILLMAN: It was always
in the capital program.

MR. MACHTAY: In the capital
program --

MR. HILLMAN: Right.

MR. MACHTAY: -- but it was
not appropriated?

MR. HILLMAN: Correct.

MR. MACHTAY: So the
amendment in 2006 was simply to
amend the capital program; because
I never saw that resolution?

MR. HILLMAN: Yeah, it provided $80,000.

MR. MACHTAY: Because I'm concerned where the SEQRA was done or when the SEQRA was done, because your people came before us last week asking for a recommendation on SEQRA and the thing couldn't be funded without SEQRA.

MR. HILLMAN: I agree; however, if a legislator -- when DPW puts its resolutions in, we always come before SEQRA, always; however, at certain times legislators put their own legislation in and then they put a clause in that it's pursuant to the SEQRA. And I wouldn't -- I don't -- don't want to --

MR. MACHTAY: Don't comment.

MR. HILLMAN: -- comment on that practice, but DPW, when it
puts forward a resolution, DPW always comes before SEQRA.

Needless to say, we did not put forward that resolution. If we had we would have come before SEQRA.

Let me just say that, again, it was in the evaluation stage and the powers that be thought it would be appropriate to acquire a grant from New York State to possibly improve the bridge if it was going to be maintained.

VICE CHAIRPERSON KAUFMAN:
I'm going to make a motion to move this forward.

Let's see. I think this is an unlisted action and I think at this point in time it's a negative declaration, so that's what I'm going to recommend, unlisted neg. dec. for Comnack Road CR 4.

CHAIRPERSON SWANSON:
Second? We have a second?
MR. PICHNEY: Second.

CHAIRPERSON SWANSON: We have any further discussion?

MR. BAGG: Who was the second?

CHAIRPERSON SWANSON: Dan. All in favor of the motion?

(All Aye).

Opposed?

Abstentions?

Motion carries.

MR. HILLMAN: Thank you.

CHAIRPERSON SWANSON: I just want to assure you, we want to work with you, but we also have our own responsibilities that we have to make sure that we feel are done adequately and completely.

MR. HILLMAN: And I fully understand that and I agree with that. My sole purpose to come today was just to try and have this body understand some of the problems that the Department faces
in accomplishing jobs and to just try and explain and open up a dialogue.

Again, I'm not looking to be controversial. I think, as you've indicated, CEQ has been very good to the Department. And I think that's a testament also to our coordination with Jim, prior to every job we do that extensively, but we do intend to come prepared to answer all the questions.

CHAIRPERSON SWANSON: Thank you.

MR. HILLMAN: Thank you.

MR. MACHTAY: Mr. Chairman, May minutes, are we ready to vote on those?

CHAIRPERSON SWANSON: I guess we can.

MR. MACHTAY: I second Mr. Bagg's comments.

CHAIRPERSON SWANSON: You want to tell us what those
comments were?

MR. MACHTAY: There were just a few minor things where Mr. Martin and I were mixed up.

CHAIRPERSON SWANSON: The names were confused?

MR. MACHTAY: Yes. It's happened a couple times, but other than that I would move the minutes for May.

CHAIRPERSON SWANSON: Okay.

We have a motion?

VICE CHAIRPERSON KAUFMAN: Second.

CHAIRPERSON SWANSON: Any further discussion?

All in favor?

(All Aye).

Opposed?

Motion carries.

All right.

We have anything else;

anything with the CAC?

I guess that's it. We have
a motion to --

VICE CHAIRPERSON KAUFMAN:

Motion to adjourn?

MR. PICHNEY: One more

comment I brought up last time

about the trees being removed on

Nicholls Road, and you very

generously offered to write a --

sign a letter, if I wrote a

letter, regarding that issue and

possible civil violations.

Since that time I had some

discussion with people in the

community and I discovered that

the request to remove those trees

was made by the presiding officer

of the legislature. And he,

unfortunately, did not realize

that problems may ensue.

CHAIRPERSON SWANSON: Okay.

MR. PICHNEY: I also found

out that the presiding officer had

offered $10,000 towards replanting

that area, and it was a grant to
the Chamber of Commerce, the
Blueport Chamber of Commerce, and
they're currently evaluating that.
I also put in a call to
Marion Cohen, who is the presiding
officer's, I think, main
assistant, she's also a personal
friend of mine. She didn't return
the call, and I also put in a call
to Mike to explain some of the
issues. This is all, by way, of
saying that I did not write the
letter and I thought that based on
some of these complications or
other issues that I should defer
to higher authorities here.

VICE CHAIRPERSON KAUFMAN:
We're going to put a $10,000
bounty out on you now.

MR. PICHNEY: I know, for
opening my mouth.

CHAIRPERSON SWANSON: You
think it's best that we just move
our heels at this point and --
MR. PICHNEY: Yeah. We can't bring back the trees and there were, you know -- I -- going into it I understand there were safety issues. I thought that they could be addressed by eliminating part of the shrubbery and limbing up the trees, but it went beyond that, unfortunately. It would have meant topping the trees, which is even worse.

CHAIRPERSON SWANSON: But there is a potential replanting plan?

MR. PICHNEY: Yes, there is a potential replanting. You can't do a lot with $10,000, but there is.

CHAIRPERSON SWANSON: Okay.

MR. PICHNEY: There is some existing plantings there that were done either with previous grants or pre-volunteer efforts.

So, maybe the $10,000 will
clean it up a little bit --

CHAIRPERSON SWANSON: Okay.

MR. PICHNEY: -- and everybody will be happy.

CHAIRPERSON SWANSON: Okay.

Good.

MR. PICHNEY: And, thank you.

MS. RUSSO: Even you?

MR. PICHNEY: Believe it or not, even me. You can wave to me when I'm out there with my truck.

CHAIRPERSON SWANSON: Clarify, some years we don't have an August meeting, in recent years I think we have, and it will depend largely upon the agenda and whether or not there are important issues and so forth. But there's a potential that we, at least historically, have not had an August meeting, but we will have one in July.

MR. BAGG: As I pointed out,
Larry, last week, we said we might move the meetings here, but because of potential conflicts with the other conference room and noise issues, we'll continue to meet across the street when we can, because that's a large open forum. They have recorders for the stenographer and other things. So, I think we'll keep the schedule the way it is.

(Continued on following page.)
CHAIRPERSON SWANSON: Okay.

All right.

We have a motion to adjourn?

VICE CHAIRPERSON KAUFMAN:

Motion.

MR. MACHTAY: Second.

CHAIRPERSON SWANSON: All in favor?

(All Aye).

Opposed?

See you in July.

(Hearing concluded at 10:50 a.m.)
CERTIFICATION

I, AMY EBERHART, a Notary Public in and for the State of New York, do hereby certify:

THAT the foregoing is a true and accurate transcript of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of _______, 2008.

Amy Eberhart

__________________________
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Sheet 1

$10,000

$100,000

$2

$3

$600,000

$80,000

1

1,500

10

10-acre

10.3-acre

10.5

100

11-foot

112

14th

15

150

16

16-acre

18

20

200

2001

2006

2007

2008

23

250,000

3

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