NOTICE OF PUBLIC MEETING

Notice is hereby given that the Council of Environmental Quality will convene a regular public meeting at 9:30 a.m. on Wednesday, November 17th, 2010 in the Arthur Kunz Library, H. Lee Dennison Building, Fourth Floor, Veterans Memorial Highway, Hauppauge, NY 11788. Pursuant to the Citizens Public Participation Act, all citizens are invited to submit testimony, either orally or in writing at the meeting. Written comments can also be submitted prior to the meeting to the attention of:

Michael P. Mulé  
Council on Environmental Quality  
Suffolk County Planning Department  
P.O. Box 6100  
Hauppauge, NY 11788

Council of Environmental Quality  
R. Lawrence Swanson, Chairperson
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

R. Lawrence Swanson
CHAIRPERSON

Michael P. Mulé
SENIOR PLANNER

AGENDA

MEETING NOTIFICATION

Wednesday, November 17, 2010 9:30 a.m.
Arthur Kunz Library
H. Lee Dennison Bldg. - 4th Floor
Veterans Memorial Highway, Hauppauge

Call to Order:

Minutes: check the web at
http://www.co.suffolk.ny.us/departments/planning/minutes.aspx#eq
May minutes available on line for review and approval

Correspondence:

Public Portion:

Historic Trust Docket:

Director’s Report:
Updates on Housing Program for Historic Trust Sites
Updates on Historic Trust Custodial Agreements
Updates on EDF plaque for Stony Brook Post Office

LOCATION
H. LEE DENNISON BLDG. – 4TH FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

(631) 853-5191
fax (631) 853-4044
Project Review:

Recommended TYPE I Actions:

A. Proposed Acquisition for Open Space Preservation Purposes Known as Forge River Watershed Addition – Beechwood Moriches Building Corp. property, Town of Brookhaven.

Recommended TYPE II Actions:

A. Ratification of Recommendations for Legislative Resolutions Laid on the Table November 3, 2010.

Recommended Unlisted Actions:

A. Proposed Declaration of 95.3 acres of Industrial/Commercial Zoned Property surplus/offer for sale, Town of Brookhaven. Tabled from October 20th, 2010.


Other Business:

CAC Concerns:

*CAC MEMBERS: The above information has been forwarded to your local Legislators, Supervisors and DEC personnel. Please check with them prior to the meeting to see if they have any comments or concerns regarding these projects that they would like brought to the CEQ’s attention.

**CEQ MEMBERS: PLEASE NOTIFY THIS OFFICE AS SOON AS POSSIBLE IF YOU WILL BE UNABLE TO ATTEND.

***FOLLOWING THE MEETING PLEASE LEAVE BEHIND ALL PROJECT MATERIAL THAT YOU DO NOT WANT OR NEED AS WE CAN RECYCLE THESE MATERIALS LATER ON.
SUFFOLK COUNTY DEPARTMENT OF PLANNING

COUNCIL ON ENVIRONMENTAL QUALITY

100 Veterans Memorial Highway
Hauppauge, New York
November 17, 2010
9:33 a.m.

MEMBERS PRESENT:

R. LAWRENCE SWANSON, Chairman
MICHAEL KAUFMAN, Vice Chairman
HON. VIVIAN VILORIA-FISHER
EVA GROWNEY
RICHARD MACHTAY
GLORIA G. RUSSO
MARY ANN SPENCER
DANIEL PICHNEY
JAMES BAGG
JOY SQUIRES, CAC Representative
RICHARD MARTIN, Historic Society Representative
THOMAS A. ISLES, Director of Planning
LAURETTA FISCHER, Principal Environmental Analyst
MICHAEL MULE, CEQ staff
CHRISTINE DeSALVO, CEQ staff
LINDA SPAHR, ESQ., Ass't County Attorney

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11/17/10 CEQ meeting

THE CHAIRMAN: I would like to first off welcome our old friend Jim Bagg. Nice to have you aboard as a voting member.

MR. BAGG: Thank you very much. It's a pleasure to be here.

THE CHAIRMAN: Anybody check the minutes? We had this issue with the May minutes; I don't know what we do with it now.

MR. MACHTAY: I was not here for May.

MS. DeSALVO: Mary Ann sent in a few comments on a letter that she had written. There were a few words that were omitted. Otherwise, she approved her section.

THE CHAIRMAN: Anybody want to make a motion?

LEG. VILORIA-FISHER: I'll second that.

MS. SPENCER: I'll move.

THE CHAIRMAN: Any further discussion? All in? Favor. Opposed?

MR. MACHTAY: Abstain.

MR. BAGG: Abstain.

THE CHAIRMAN: I would like to review, if we can, the issue of the minutes because clearly, all of us do not read them because they are so extensive seeing as
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they're stenographic records. I wonder if there isn't a
more efficient way that we can review them. For
example, would it be possible for staff to review them,
and if there are major glitches, call them to our
attention?

MR. MULE: Sure.

THE CHAIRMAN: I think it is sort of a sham
the way we are doing it now. If we can do that, I think
that would be helpful to the overall process.

MR. MULE: Sure.

THE CHAIRMAN: Secondly, since Legislator
Viloria-Fisher is here, Vivian, is it possible that we
could review the business of having to have stenographic
records for this?

LEG. VILORIA-FISHER: We would save money.

This was on the insistance of a former legislator. I
would be happy to go back and take a second look at
that. When I had been on CEQ in 1999, 2000, 2001 and
2002, we didn't have verbatim minutes. It seemed to be
easier for us to review that because it wasn't as
extensive. I think it's up to the body also to see how
they feel about it. Although came in handy when we had
the vector control issue.

THE CHAIRMAN: We could call, as staff and
people felt it was necessary, for example, when we had vector control, or perhaps doing Legacy Village or something like, that we could maybe foresee when we might need a stenographer. I don't know, what do the rest of you think?

MS. SPENCER: I know this is really old-fashioned. Couldn't we get a tape recorder, and that way if there was something that we needed to look at again, there would be a verbatim record.

THE CHAIRMAN: That is good suggestion.

MR. BAGG: In the past, the CEQ staff taped the meetings and they had a verbatim record if necessary. If the county attorney required it, those were typed up for review and a record.

If you go to Robert's Rules of Order, it says minutes are a summary of business transacted, not every word that is uttered. In essence, verbatim minutes doesn't conform to the original intent.

MR. MULE: Article 1 of the Suffolk County Charter, Environmental Bill of Rights, Section C-1-4 D. "Council on Environmental Quality shall maintain verbatim minutes of all council on environmental quality meetings, i.e. regular meetings, special meetings, committee meetings, and subcommittee meetings of the
counsel on environmental quality and provide copies of such verbatim minutes to the county legislature within thirty days after each such proceeding or meeting has concluded."

LEG. VILORIA-FISHER: In '99, why didn't we have a stenographer here? They were taped.

MR. BAGG: That was passed by Legislator Fields. That is when the change was made, 2002.

LEG. VILORIA-FISHER: That is the change in the charter.

THE CHAIRMAN: We can change back.

MR. GROWNEY: I like the idea of doing it by tape. It's certainly an easy thing to do and not terribly expensive to have it taped. For me, I think there is value in hearing, being able to review something intensely if need be.

MR. KAUFMAN: In the past when there have been tapes and I listened to a few of them, the taping quality was not that good. We need to have several microphones here to really have an efficient record kept. So, verbatim taping, unless we are at the ledge with mics, is a little bit of a problem.

Second off, I don't know, when I got here in '92, I think it was we were having minutes taken by Gail
and Terry at that time, who were former personnel here and dearly missed. They used to capture the essence of the discussions that were going on. That also would obviously record the votes and things like that. It is a little bit of a burden upon staff, basically, to do this beyond Mike, for example, just listening to what is going on and helping guide us. That may place a burden upon, for example, Christine, who would be the obvious person to take some of these notes.

While I personally advocate that, I found those synopsis to be very useful. Sometimes, I will admit that some of the discussions and some of the intricacies were lost in doing all of that and you had to have a pretty good memory. So there is good and bad to all of it. I think I would probably myself come down on the side of continuing the way we are at this point in time, unless we can be assured that the minutes with the recording would be accurate and that we would have some way of looking back. Sometimes you have to look back a couple of years to see things. It's an issue.

LEG. VILORIA-FISHER: Technology has come a long way since even a few years ago when we were doing the taping. My office was keeping minutes, but my aide was keeping minutes at one of my task forces. What she
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did was we had the tape recorder that you could just
connect to your computer and it sent the digital message
and we had the minutes on the computer. And if we
wanted to refer to it, we could.

THE CHAIRMAN: You will look into it?

LEG. VILORIA-FISHER: All I would have to do
is introduce a change to the charter. But I would like
to know how the rest of everybody feels about going back
to where we were before 2002.

MS. SPENCER: We tape the historic trust committee.

It was probably a twenty dollar tape recorder, it works.

THE CHAIRMAN: Everybody in favor of going
back to the old style minutes, raise their hands.

Opposed? I think what bothers me most of all now is
that I would venture to guess, well, in this case,
probably one person read the minutes and we all voted to
approve it. That is inappropriate. So, I think this
would be a good change. Yes?

MS. JOHNSON: Mary Ann Johnson, President of
APCO. One of the purposes of having the minutes taken
here is to create transparency for the public so that
the public can see what the conversations were. You may
not remember them as they had been, but the public, not
having been here, has the opportunity, with verbatim
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minutes, to know what transpired, and that is probably
the reason for having them in the first place.

THE CHAIRMAN: They're not minutes, it's a
transcript. Minutes is a summary of the meeting.

MS. JOHNSON: Verbatim.

DIRECTOR ISLES: From the department's
standpoint, I think we would want to confirm that we
have the ability to do it in-house. I think we do. I
would like to go over that with Michael and Christine to
get a sense of how much extra time it will take for
Christine to do. If there is any problem, I will let
you know.

THE CHAIRMAN: If you need a lap top, we
would certainly save very quickly the amount of a
stenographer.

LEG. VILORIA-FISHER: I think that
Ms. Johnson's comment was a very important comment and I
don't want to pass over it quickly because that was a
very important piece. When we were looking at vector
control, looking at the plan, as you remember, there
were people that wanted to be be able to see the
minutes. That is why I'm suggesting that we use a
recording device that has the digital capacity so we can
put it on the Web or have a record of it. So that we
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can corroborate who said what on what basis, did we make
a vote.

The county has been trying to be as
transparent in all of our deliberations as we possibly
can. Ms. Johnson's point is very important, but I think
we can fulfill that by having the right type of taping.

MS. JOHNSON: You can use technology to do
it?

LEG. VILORIA-FISHER: We as a body would just
need actual minutes and not verbatim minutes to take a
look at it and I agree this is what happened at the
meeting and the salient points. I think that would
cover both pieces.

THE CHAIRMAN: Correspondence. We all should
have received by e-mail, Vector Control Pesticide
Management Committee Annual Report.

MR. KAUFMAN: I was asked by the committee
to speak on this. This is an outgrowth of the vector
control and management plan that was adopted by the
county back in 2006 and '07. As part of that plan, a
yearly report was to be prepared dealing with
pesticides. And frankly, also, there is a yearly report
on marshes. We sort of split everything in two. They
have the vector control pesticide management committee.
It's composed of people from E and E, Health, some outside team people, some non-government people, myself, and Carrie Gallagher is the chairperson.

We meet four times a year and go over all of the issues that have come up regarding vector control and chemicals that are being used and larvicides, adulticides, whatever is out there. We look at emerging literature, for example, dealing with methoprene. We look at a number of control factors, how effectively some of the chemicals are. Are they losing effectiveness. We look at new chemicals that might be coming out. The chemicals that are used of the adulticides, one of them may be phased out that the county uses now as part of the EIS; that may be phased out in the next year or so, and some new adulticides may come in.

You basically have the background of it, who is on it. We tried to do some research proposals to look at the various chemicals being used. We also do literature reviews. We looked at issues for future consideration, summaries, conclusions, things like that.

In essence, what we have found so far is the conclusions regarding the chemicals used in larviciding and adulticiding are pretty much in line with the 2006
plan conclusions. Nothing has really changed. We have not seen any, I think the proper word is *teratogenic* effects, massive effects akin to say DDT. We are not seeing it anyplace. We are not seeing major damage to the environment, we are not seeing build-ups of chemicals in the groundwater or soils.

We have gotten a research proposal out and funded with the U.S. Geological Survey to do further reporting on chemicals in -- or chemical detects in both groundwater and in the marshes, and we are not coming up with anything frightening. The literature itself, also to this point, indicates we are essentially doing it about the best we can. Again, I emphasize for the fourth time now we are not seeing any giant impacts, even at the lower order of species from the grass shrimp on down to the other arthropods out there.

This is prepared every year. There is a separate component of this. The triannual report I don't think has been presented to CEQ just yet. That is updating the entire vector control and marsh management side of things. Just to let everyone know, the wetlands research component is well under way to developing a marsh management plan. That is sort of separate from what we are being presented with here today. And
basically we are looking at everything about four times a year and everything is in line with what we are supposed to be doing under the EIS.

If nothing else, this was presented to us for informational purposes. No vote is required on any of this at this point in time.

MR. BAGG: I have a question. I assume that the Department of Vector Control will be submitting the 2011 vector control plan to the CEQ that requires SEQRA review.

MR. KAUFMAN: That was done last month.

MR. PICHNEY: Mr. Chairman, may we go off the record.

THE CHAIRMAN: Off the record.

(Discussion off the record.)

MR. MACHTAY: I think one of the most interesting things, they're still finding derivatives of DDT in the soil when they do the testing. It's thirty years, almost thirty years since it's been banned. It's really a very persistent chemical. You don't know what we will find thirty years from now from the stuff we're putting on now.

MR. KAUFMAN: Doing the same types of test and trying to look at chromosomal components, as far as
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I understand, no one has ever seen that kind of impact. DDT was, shall we say, in a class by itself. The chemicals that are being used right now seem, and I emphasize seem not to have that kind of impact deep inside the cell.

MR. MACHTAY: The last thing, the farmers for many years used arsenic to keep the weeds down, and you go out to a new development that was farmland and test the soil, the Health Department has all kinds of problems with that sort of thing because there is arsenic in it in the first six inches, no matter how many years ago it was put in.

MR. KAUFMAN: The County Health Department, a couple of years ago, came out with a massive report and it was showing massive amounts of chemicals that the farmers used, especially on the East End, and also very heavily on the West End and it was getting into the well fields. Basically, the groundwater you can literally detect a lot of that stuff. It is a problem. No one is denying that in any way, shape or form. That is what we are trying to avoid. So far, we haven't seen those effects. We are praying we don't.

THE CHAIRMAN: It took thirty to forty years for people to realize the impacts from PCB's. The
chemical started out to be a good chemical and it turned
out to be terrible. Now its bisphenol A, what is that
doing. That was not used as a pesticide, it was used in
our cups. The truth is, we don't know what the impacts
of chemicals are. It's important to keep a very close
eye on long-term effects.

MR. KAUFMAN: That has been some of the
research proposals we are trying to get funded through
the county.


MR. MARTIN: Good morning. With our housing
program in Suffolk County Parks we have four vacancies,
two -- long, actually one longstanding vacancy at
West Hills County Park known as the Stimpson House. We
have not been able to rent that since the program had,
as you know, a number of years ago gone to market rate.
We have since modified the rate due to the cost of the
utilities here, but we have not gotten anyone
interested.

Also, another house, similar size and time
period is the Oakley House, also in West Hills County
Park. The tenant has moved out and we have not been
able to rent that building. The Parks Department has
decided we need to take a take a second look at these
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houses in Huntington, so we will be calling another
housing committee meeting. That notice is just going
out now. It was just decided yesterday.

MR. MACHTAY: Mr. Chairman, question. You
say they have modified the rent. What is the rent? Are
we talking about a thousand dollars a month?

MR. MARTIN: Two thousand, plus utilities on
top of that.

MR. KAUFMAN: The utilities are horrible.

Those houses are unheatable. No insulation in the walls.

MR. MACHTAY: Two thousand dollars a month is
high.

MR. MARTIN: The point of the program is to
get them rented. We can also go to private rentership.
We only canvassed county employees. We can make the
decision to do that again or start to advertise this
locally to get that rented. We are allowed to do that.

I would suggest contacting historic societies in
Huntington and other groups. Maybe their membership has
someone who would appreciate the historic structure.

LEG. VILORIA-FISHER: Richard I don't think
you were here to try to introduce legislation to try to
make it more affordable. Having someone from the
historical society would give us points to help lower it
more. There are a number of criteria. The intrusion, the lack of privacy, security issues.

MR. MACHTAY: I don't know if you were here when I said about the rentals where the county, so as to encourage affordable housing, they take a unit and make it two or three thousand dollars a month. That is not very affordable for a young couple or one single or retired person, especially if it's in a public place where you have all kinds of strangers walking by, and have to put up with all kinds of God knows what. It's sort of the antithesis of what the county is trying to promote.

LEG. VILORIA-FISHER: Richard has to walk the fine line between gifting county property because of favoritism or whatever; all of the allegations that were made. That is why we developed a grid to show what the different criteria were that would allow us to give discounts. An important thing is we are securing county property.

MR. MACHTAY: No question about it.

LEG. VILORIA-FISHER: Two thousand is not cheap.

MR. MACHTAY: As long as we understand one another.
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LEG. VILORIA-FISHER: We are on the same page.

MR. MARTIN: Those would be given a second look. The two houses at Robinson Duck Farm are also vacant. That is due to the parks warden hadn't finish the work in order to rent them. Both of those buildings, the tenants had done a lot of damage to the buildings and they need to be fixed up. That is in the works right now. Those rents, we haven't advertised those too. We need to get them finished and advertise them.

We are hoping, at this point, have the committee take a look and then by the first of the year put another mailing out to county employees.

MS. GROWNEY: I have a question about the damage. Are there security deposits involved that are put towards the damage?

MR. MARTIN: There is not a security deposit at this time. The committee could take a look at that point. What we found, and what the priority of the program is to have a county employee rent these, and we find that works better for us. We're not a real estate company. Their rent comes out of their checks automatically and we feel we have a little more control
over the units when they are county employees.

Those two units at the duck farm were private individuals that rented. We feel we have more control when they are a county employee and tied into the program. We need to screen, if we bring private individuals in, to screen them better, and it's possible a security deposit would be placed on them.

LEG. VILORIA-FISHER: I think that would be worthwhile to take a look at that, or some sort of clause.

MR. MARTIN: You can definitely ask for them to pay for the damages. In the one case, though we had to evict the tenant, they didn't go willingly and left the state, and sometimes people leave and don't pay the rent. We have had that issue also. We have incidents where we had to go to the court, but we are not usually successful.

MS. GROWNEY: I think it's worth looking at, putting in something to give greater protection.

THE CHAIRMAN: Anything else?

MR. MARTIN: That is all I have on the housing. For the custodial agreement report, I sent out requests for the historic trust and CEQ to approve the new contracts that the Parks Department is developing
with these two organizations. The first I would like to
discuss is the Long Island Maritime Museum. I sent just
a cover letter with some information, which is actually
from our Website on the museum activities.

The Maritime Museum has been been with the
Parks Department since the beginning of the Parks
Department. This museum site, which we had a number of
visits over the years with the historic trust committee,
is located at West Sayville County Golf Course, which is
officially known as Charles R. Dominy County Park. It's
within some of the estate buildings dedicated to the
Suffolk County Historic Trust, and it's approximately a
fourteen acre parcel at the southeast corner of the
property.

The museum was organized and established in
1966 at the site. They had worked with the Hart family
to establish the museum site there before the county
purchased. So we have been working with them for a
number of decades. They have an active program there
especially for the restoration of the boats and maritime
history, and we are looking to just renew their contract
at this time.

Since they were established before the CEQ
existed, we never had a CEQ review to approve their
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custodianship at that site. We do have eight historic
trust buildings that they are involved with and that
they use.

MR. KAUFMAN: We reviewed a number of
projects that came out of this thing. I remember the
marine railway. Was that ever completed?

MR. MARTIN: No, that has not been
completed. They have a grant to create a boathouse,
which is tied into the railway completion. That also
came forward here. The final plans are being worked on
now by an architect and they will be coming to you in
January for final review.

MR. KAUFMAN: I have been down there a few
times. The condition of the buildings under the
stewardship for this particular group, have you found
that to be proper?

MR. MARTIN: Yes. Again, like our other
historic sites, the county takes care of a majority of
the exterior work, painting, anything that is needed for
the utilities, furnaces, electric. It's a similar
arrangement that we have with our other historic sites.
They have gone forward and done some of the work
themselves with getting grants. The oyster house, they
got a grant to restore that building and also one of the
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storage sheds they got a grant to restore that building. They have been good partners with us to keep the buildings intact.

MR. KAUFMAN: They hold a number of festivals down there. So they were bringing people down there to be part of the historic experience in that area; is that correct?

MR. MARTIN: Yes. They have had a contract with us. Because this had been done so early, we never formally came before the CEQ to get approval that this is the right organization.

MR. KAUFMAN: Have they been good stewards of the property?

MR. MARTIN: Yes.

THE CHAIRMAN: Any other comments? Do you want to get approval of the committee to move forward with this agreement?

MR. MARTIN: Yes.

MR. KAUFMAN: Make a motion to approve the proposed custodial license agreement for the Long Island Maritime Museum.

MR. BAGG: You have to make it a type two action.

MR. KAUFMAN: I would also classify this as a Type II action.
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MS. GROWNEY: Second.


MR. MARTIN: Second one today.

LEG. VILORIA-FISHER: I'm sorry to interrupt, I have a question. The Mills House, how is that going? I thought it's being divided.

MR. MARTIN: The Mills Isaac House in Saint James, we do have a tenant in the west wing of the house. It's a park police person, so the building is secured. We have put a new roof on the building, worked on landscaping around it, but we do not have any tenants for the east part of the house, which is the larger part of the building, and we still need to upgrade that facility for public use.

I can move another resident in there. I can use it for the existing use, but I cannot put in an office space, which is what we planned.

LEG. VILORIA-FISHER: That park police officer was there when we had our meeting. How much is the rent going to be there on the bigger side, the east part of the house?

MR. MARTIN: What we are hoping is to get an organization with a custodial agreement. I can't go
forward until I have funding for that site. The funding
for the roof, which needed to be done, did come from the
hotel-motel tax fund. As everybody understands, that
has been cut back, so I do not have the funds to do the
upgrading and renovations to the buildings at this
time.

THE CHAIRMAN: I thought the proposal was
that you wouldn't get anything.

MR. MARTIN: Division of Historic Services in
Suffolk County is completely funded by the Suffolk
County hotel-motel tax. That has diminished the funds
available for restoration work.

MS. SPENCER: It's a significant cut to their
budget.

LEG. VILORIA-FISHER: It's not illegal, but
it really does go counter to the legislative intent of
the increase of the hotel-motel tax. That was supposed
to be above and beyond the personnel cost and general
fund budget of the Parks Department.

Unfortunately, what it was used for was to
offset general fund expenditures so that influx of funds
that was supposed to come in for the restoration of the
homes, moving forward with the plans for all of the
historic buildings, has been stymied because it's now
gone into personnel and just running the division.

THE CHAIRMAN: Can that be corrected?

MR. KAUFMAN: Twelve votes.

LEG. VILORIA-FISHER: No, not twelve votes.

We corrected it in other areas where it was more
critical, no offense. But the 477 Account was being
raided. The other parts of that was being raided. But
we didn't really have the -- well, last year I tried to
get the money back out there. There wasn't anybody
really to really represent the Parks Department at the
top, telling legislators that they had to keep the money
there.

So my colleagues, when I tried to -- because
we talked to people, Mary Ann, last year said well, that
is what people are doing, taking care of the houses, so
the money should go there. You remember the argument.
So I was unsuccessful in convincing my colleagues to
leave the money in its original legislative intent
because they felt it was serving the same purpose by
going to personnel and routine maintenance of the
homes. So we lost that -- not lost it, but it was
diverted. And these are tough economic times, just to
be fair.

MR. BAGG: If I recollect, I think that
Commissioner Foley came in and said they were hiring additional carpenters in the Parks Department that were going to handle routine maintenance. Did that ever take place?

MR. MARTIN: I don't know all the vacancies department has right now, but I think there are approximately seventeen vacancies in the Parks Department and some of them are in the maintenance division. I would have to check.

MR. BAGG: He said that that money was being used to hire those individuals to handle the maintenance of the county historic buildings.

MR. MARTIN: Yes.

LEG. VILORIA-FISHER: But they have to be filed.

MR. BAGG: People left because of the incentive. Did that ever take place?

MR. MARTIN: My memory relating to that when we took the housing program, the funds from that, when we cancelled the Friends of Long Island Heritage contract and they were maintaining a number of the rental units and took the rent money, then it was put into the general fund. I think at that time Commissioner Foley said the idea was that it would come
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back to the department as additional hiring to maintain funds and hiring to maintain staff to maintain these historic residences. That is what I remember.

MS. SPENCER: Which did not happen.

MR. MARTIN: That is what I remember.

MS. SPENCER: That's right.

MR. MARTIN: That conversation occurred at that time when those funds from the rent were put towards the general fund.

MR. BAGG: Has anybody done a review to determine how much money is coming from the rent and how much money is being spent by the Parks Department to do this work?

MR. MARTIN: I don't know if there was a formal review.

MR. BAGG: It appears like a nutshell game. As the rents go in, it goes to the general budget. And they want to use the hotel-motel tax, which was for restoration. The Department of Historic Buildings is being shortchanged dramatically.

MS. SPENCER: Can we go off the record?

MS. SPAHR: No, I don't think we can.

MR. ISLES: Unless it's an executive session.
THE CHAIRMAN: Do you want to wait?

MS. SPENCER: No, this is very important.

With all due respect, I think that something has been put forward here that needs to be clarified. That is that the enabling legislation, the hotel-motel tax was for structures that were open to the public. That is what it's for. Last year, when the county executive put the entire historic services line out of Planning into hotel-motel, I think that a legal opinion is needed because that line pays salaries, and it pays for materials and services for structures that are owned by the county that are not open to the public.

So, it's not clear to me that this move is legal. What is even more important is it's a significant reduction in this line. It used to be that there was a line under Parks for historic services, and as the enabling legislation provided, then there were additional funds for important historic structures that were open to the public.

Last year, we did work together. You worked very hard, and I will always be grateful for the effort you made to correct that. As I recall, the problem was that in order to move it back out of hotel-motel and into Parks where it belongs, you had to find somewhere
to offset it, and the legislature wouldn't go along with the way that you found to offset it. I did not have the sense that the Suffolk County Legislature was opposed to the idea. I had the feeling that you and your colleagues would have liked very much to find a way to fix it, and times were tough and times are even tougher this year, but I think it's important for the record that it be understood what went on then and what is being perpetuated today.

THE CHAIRMAN: So you are requesting a legal opinion; is that correct?

MS. SPENCER: No, because this is a legal --

I wanted to go off the record because I didn't want to risk offending Vivian in any way.

LEG. VILORIA-FISHER: No offense taken because I put what you said on the record last year.

MS. SPENCER: That was on the record last year and I'm repeating it this year. I want there to be no misunderstanding of what has been done by the county executive and perpetuated by the legislature and the effects that it has on the historic structures in Suffolk County.

MR. KAUFMAN: We should go back to 2003 when the promises were made by Commissioner Foley to hire
more staff to take care of the buildings. I'm not sure that the buildings, frankly, have been kept up to that standard.

MS. SPENCER: That one is stickier because if you look at the rents that come in for the historic properties and then the amounts of money that the county spends on those historic properties, it's not at all clear to me that there is a huge difference there.

I'm far less concerned about that issue personally. I understand what Foley was doing and he was doing it because the historic trust committee pushed him to do it. I understand what he was trying to do.

That one is not so clear to me.

MR. KAUFMAN: I've seen different numbers and it's a little bit clearer to me.

LEG. VILORIA-FISHER: I agree with Mary Ann that that is not as clear. When we had the Friends operating this, they were bringing in money and spending money so there was kind of a lockbox situation. When the county collects money, it goes into the general fund, so you don't have that very clear conduit of funds coming in and going back out.

With the enabling legislation, you're absolutely right, Mary Ann, and I didn't go as far as
you did because I didn't want to get political about it. But you have to remember that one legislator can state an opinion, but you need the vote of a majority to make a change. So I don't take offense at all.

MS. SPENCER: Thank you.

LEG. VILORIA-FISHER: Because I presented the case and I just didn't have the votes. However, the case here is the enabling legislation directs the use of the funds. This is why this last budget I was able to convince my colleagues, even though it's harder this year when there was even a greater raid of the hotel-motel tax, to use that hotel-motel tax for three salaried positions in Economic Development. I said we have to draw a line in the sand. Otherwise, we are perpetuating a public lie that we told people that they would have an increase in hotel-motel tax and it would be used for that purpose and it's not being used for that purpose.

This year we did put those three salaries back into the general fund and didn't allow to continue to raid the hotel-motel tax. Last year, I guess because it was the first time with the hotel-motel tax and it seemed to be flush, people weren't as willing to do it. This year it became clearer that we can't continue to
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raided that. We had the same problem with 477 year after year. You know how many Parks personnel are paid for out of 477.

This year we drew a line in the sand. There were six positions being taken out of 477. I brought them out of the working group and we put them back into the general fund. Last year I couldn't convince my colleagues and I need the twelve votes.

THE CHAIRMAN: Where do we go from here? It seems there has been a need identified for a little accountability. But I don't know that asking the Parks Department of the executive part of Suffolk County government to do that it will solve the issue, and CEQ does not have a lawyer, and our past experience, I think is we have not been particularly well represented by Suffolk County legal counsel on a couple of issues.

What can we do, Vivian?

LEG. VILORIA-FISHER: We do have a lawyer because you're part of the county. We can ask our county attorney to opine on this, for an opinion regarding the enabling legislation, and we can also ask legislative counsel for his opinion because you are a -- you do work in giving recommendations to the legislature. So, I think I would like to make a motion
that we ask both Christine Malafi, our county attorney, and George Nolan, attorney for the legislature, for a written opinion regarding the use of hotel-motel tax vis-a-vis its enabling legislation, and whether or not the use of those funds for Parks Department functions --

MS. SPENCER: For historic services.

LEG. VILORIA-FISHER: Is appropriate.

MS. SPENCER: I second that one.

THE CHAIRMAN: Any further discussion? All in favor? (Show of hands)

MR. MARTIN: To finish, the other contract we are working on is for the Cedar Point lighthouse. There is with the Long Island Chapter of the U.S. Lighthouse Society. And we had initiated some work with them seven years ago, with just a Parks Department agreement. They were very eager to start programs on the site, which basically just involved tours, walking tours out to the lighthouse.

We told them the first request we had to help us would be to get the lighthouse placed on the National Register of Historic Places, which we didn't have all the historic information needed for that. They did proceed doing that research, wrote the nomination themselves and submitted that and the building is now
listed on the National Register of Historic Places, it's a great help. If there are grant moneys in the future available, it would now be eligible.

The organization now would like to have some new members and they really are interested to start the restoration of the lighthouse itself. The first phase of that would be to put a new roof on the building.

The lighthouse did have a fire after the county purchase, so the interior is gutted. The Parks Department put a roof on it at that time, but it's in need of replacement with a more historically accurate design. They are looking to campaign and fully fund that at this time.

I do not have any county funds to back up their efforts at this point. I would like to support their effort. This is going forward with the county land agreement, which is a more formal agreement to have that group be able to raise funds and go ahead with the restoration.

MR. KAUFMAN: First off, didn't we just review a master plan for the lighthouse that was for the parks?

MR. MARTIN: For the record, it's called Cedar Point County Park.
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MR. KAUFMAN: What you have was about three months ago. I'm all in favor of this. Don't misunderstand the questions that I will ask. A lot of groups formed in the past to preserve lighthouses. You have any idea how successful some of these groups have been?

MR. MARTIN: Yes, there are a few groups on Long Island. The county only owns one lighthouse, so I don't have the experience on that issue. To be honest, that is why we were reluctant to run ahead with a formal group in the beginning. We wanted to see what they were able to accomplish.

I think at this time we realize they're serious and probably will be able to fundraise. They have a hired architect who they were paying for to start the design of the roof. We had another group that started maybe twenty years ago that did not stay active. I think this group will stay active, and they're also tied in with the national organization which is the U.S. Lighthouse Society, so they have that backing. They're not just out there on their own to get experience from the other members. We are confident that they will be successful.

MR. KAUFMAN: The reason I ask that is because
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some of the lighthouses on the North Shore you had
groups formed. They got some fund work done and the
funds dry up and they disband, and they are not able to
do the work that they wanted to do.

There are so many lighthouses on the North
Shore, something like sixteen, that has had interest.
From the Huntington lighthouse to Execution Rocks off
of Port Washington. The groups only get so far and
because the costs become daunting, I don't want to see
the structure fall apart, and it's in terrible condition
right now.

MR. MARTIN: I appreciate your point. They
realize the county's financial situation. That is why
they are willing to go ahead with the replacement of the
roof. Normally would be the county's responsibility. We
do not promise them anything. We don't have a capital
line on the lighthouse. They understand that and are
willing to go ahead. In better times, the county
appropriated fund for projects.

MR. KAUFMAN: You think these people are
serious?

MR. MARTIN: They took the suggestion
seriously when they met with Parks. It was like okay,
you realize we don't have funds right now. The priority
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would be the roof. You can't go inside and start
rebuilding the interior. They agreed. We met with
Public Works, so they understand the guidelines they're
under when they put the job out to bid. They understand
those points.

I have a professional architect that can stamp
the plans. That is why we are willing to go ahead with
the contract.

MS. GROWNEY: Have they mapped out, after the
roof, what their plans are? Do they have a list what
they are trying to address?

MR. MARTIN: In basic concept. Some of the
points are on their Website. They're hopeful of, I
guess, of a complete restoration of the interior. That
is going to take a lot. They can also, which I call
Plan B, is maybe create a staircase and platform for
viewing inside the lighthouse and just restore the
structure itself, the granite walls.

I think there are different options to work
with them. There goal is full restoration. They feel
once they get the word out on the East End, they will
garner that support. Hopefully, the county can back up
with some funding.

MR. GROWNEY: Are there tours there at the
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moment?

MR. MARTIN: Yes. They have what they call lighthouse challenge or something like that, where they organize a tour on Long Island where people visit all the lighthouses on the weekend. They get a passport and their hand gets stamped.

MS. JOHNSON: The Cedar Point Lighthouse happens to be a lighthouse very close to my heart. I was probably one of the last people to be in it before it was burned down by the welder. It is a special place. It's not just people on the East End that love the lighthouse. I come from Babylon and travel the full seventy miles and walk out there were my border collie.

I would be happy to lend the auspices of APCO to do what we need to do to lend efforts to do what we need to do to help restore that lighthouse.

THE CHAIRMAN: Richard, would you follow-up on that kind offer?

MR. MARTIN: Yes.

THE CHAIRMAN: We need a motion to approve.

MR. KAUFMAN: Motion. I believe that would be a Type II action. This is not a historic trust property, if I remember correctly.

MR. MARTIN: Yes. Definitely it is.
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MR. KAUFMAN: So if also has to be an approval of the Historic Trust for the custodial agreement. That is my motion.

MR. GROWNEY: Second.

THE CHAIRMAN: Any further discussion? All in favor? (Show of hands) Motion carries.

MR. MARTIN: That is all I have today.

MR. ISLES: Larry, did you intend to skip the public portion?

THE CHAIRMAN: What do you mean? We had the public --

MR. ISLES: I'm making the point, maybe there were some general statements. I wasn't sure if it was your intention or not.

THE CHAIRMAN: No. Christine, gave me a letter today to sign for or to go to Gloria Rocco requesting that we put a plaque on the Stony Brook post office commemorating the formation of EDF and banning of DDT, so we will get that out.

THE CHAIRMAN: Recommended Type I action, proposed acquisition for open space known as Forge River Watershed Addition, Beechwood Moriches Building Corp., Town of Brookhaven. Welcome, Lauretta.

MS. FISCHER: Good morning. I have before
you the Forge River Watershed Addition, Beechwood Moriches Building, Corp. property is a multi-step acquisition. It will be a fifty-fifty acquisition with the Town of Brookhaven, for a total of a hundred fifty acres approximately in four different groups of acquisitions that we have identified as Exhibits A through D in the resolution for acquisition.

The first, Exhibit A, is the properties that are presently owned by the Beechwood Moriches Building Corporation, which totals seventy-two point two six acres, plus or minus, and they're identified in red outlined on your map. The second portion of this are properties outlined in yellow, and listed in Exhibit B, as those properties that are to be condemned for this acquisition by the Town of Brookhaven in working with the Beechwood Moriches Building Corporation.

That totals four point eight eight acres at this point in time. The town has moved forward in their condemnation procedure through town resolution. Exhibit C identifies properties presently owned by the Town of Brookhaven totaling forty-nine point three eight acres, outlined in purple on your map. And those properties were primarily transferred to the town, via the Beechwood Moriches Corporation subsequent to this
There are also two parcels owned by the County of Suffolk, totaling point five five acres that will also be part of this acquisition that we took in the past by tax lien. So, how this will be combined is through acquisition and transfer of properties from the town and the county through a fifty-fifty ownership of all properties outlined, for a total of a hundred forty-nine point four five acres.

I just want to make two points for you with regard to the resolution. There was an error in the 13th resolved. It should read as a Type I action. It's unlisted, but it's a Type I and we will make that correction in the resolution.

THE CHAIRMAN: That is because it's more than a hundred acres.

MS. FISCHER: Yes. Mike Mule sent out a letter for coordinated review. We got a response back from New York State. They were are also partnered in this. They will be contributing approximately a million dollars to the acquisition as well. They signed off for lead agency to the county. We are still waiting for the town's response, but we don't see any problem with that. We will reach out to them before this is laid out on the
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table. If there are any issues, we will bring it back to you.

THE CHAIRMAN: Any comments?

MR. KAUFMAN: Okay. This actually would be directed towards you, Mr. Chairman. This is inside the watershed, I believe, of the Forge River. I'm looking at maps and it looks like it comes close, but I can't detect any streams in there. Is this still in the groundwater contributing area?

THE CHAIRMAN: It looks like it, yes.

MS. VILORIA-FISHER: Does show on the map.

You see the blue outline of the DEC fresh water wetlands. That is the headwaters of the river corridor.

MR. KAUFMAN: It comes close but doesn't actually touch the water.

MS. FISCHER: It's a watershed area; in other words, the surface water contributing area of that river is located here and incorporates this acquisition area.

MR. KAUFMAN: One other question. I think you said something about the purple on that particular map, proposed acquisition. You said the Town of Brookhaven has acquired it?
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MS. FISCHER: Yes, they have. As part of the proposed acquisition. We will be taking fifty percent of the ownership of those as well. In regard to the county, the town will also get fifty percent of our existing county owned properties.

MR. KAUFMAN: It's sort of an interest sharing.

MS. VILORIA-FISHER: An interest sharing situation.

THE CHAIRMAN: Any other comments?

MR. BAGG: Because this is a Type I action, I assume the resolution is going to have to be changed to incorporate that the County of Suffolk is a SEQRA lead agency.

MS. FISCHER: We will put that in. Thanks, Jim.

MR. BAGG: On the EAF in the back, on the last page, it says "involved agencies." It says that the town, and it quotes, "that it's passive active;" however, the proposal is for acquisition with no development. Therefore, maybe "active" should be stricken.

MS. FISCHER: What page is that, Jim? I'm sorry.
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MR. BAGG: Page 9. You will notice it says the Town of Brookhaven involvement, existing passive active park.

MS. FISCHER: Okay, that was a typo.

MR. KAUFMAN: I think Page 19 too, preservation of open space and creation of a public recreation area.

MS. FISCHER: We can make those changes.

MS. GROWNEY: I just have a couple of quick questions. The part of this area, as you go down towards where most of the red area is concentrated, that was a sand pit. It says "sand pit."

MS. FISCHER: Yes, in the center area.

MR. GROWNEY: How long ago was that actively mined?

MS. FISCHER: In the ESA, I believe it was around twenty years ago, it was active. I can double check that that. I believe they estimated the time of use as twenty plus years.

MS. GROWNEY: Since that activity, nothing else has really be going on there?

MS. FISCHER: No, it's been quiet since then.

MR. KAUFMAN: It's still a pit, it's not been filled in with C and D or anything like that?
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MS. FISCHER: No, it's a sandy area. It's starting to infill with pitch pine vegetation, but you can see on the aerials that it's primarily a sandy soil.

MS. GROWNEY: I didn't look at the soil testing. Are there any clay lenses of any kind? In other words, is there any pooling of water that happens?

MS. FISCHER: Not that we are aware of. There wasn't any indication on the soil survey information that indicated that. I don't think it was identified anywhere. It's a pretty sandy soil area. It's part of the Pine Barrens. It's a Pine Barrens habitat and it's pretty sandy soil, so the infiltrating is pretty quick. I'm not aware of any kind of clay lenses in the area.

MS. GROWNEY: The new access to this potential recreational, passive recreational area will be along that roadway?

MS. FISCHER: That is the service road of Sunrise Highway, also the access on the northern piece. Middle Island-Moriches Road can also be accessed from that point on the north side as well.

MS. GROWNEY: Is that planned that there will
be two accesses?

MS. FISCHER: There hadn't been a
determination at this point. That will come further
down the line for some very small parking area for
access to connect into the trails. We are also
acquiring property to the east on the southeast corner
here. We picked up quite a few old filed map parcels
there and we might be able to connect in better from
that avenue as well.

Depending on how this all plays out in the
next few years, it will give us a better feel for how
best to provide access to the site.

THE CHAIRMAN: Lauretta, is any of this
property former duck farms?

MS. FISCHER: No. The closest duck farm is
this property to the east of the river north of the
Sunrise Highway. That is the Shultz property. We are
not moving forward on that acquisition at this time.
This was identified on the master list to acquire but we
required further Phase 2 evaluation of the property, and
the owner refused to give us access, so we stopped
moving that forward, that acquisition.

THE CHAIRMAN: We don't have to worry about
contaminated soil as a consequence.
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MS. FISCHER: Not on that property.

MR. KAUFMAN: Is this inside the Pine Barrens core or is this compatible growth?

MS. FISCHER: Compatible growth.

MR. SWANSON: Any other questions?

MS. JOHNSON: I came in particular because I started the battle to save the Mastic Woods. We don't call it Beechwood because it's always been known as Mastic Woods to my community. I live less than a hundred feet away. This is a view of my block from Mastic Woods. It does tend to have, in rainy weather, pooling of water. It has a mile long swale that runs from a latitude of approximately thirty-five feet to eighty feet and then down and then up again, so it does provide the drainage for the waterway, the Forge River. We have always looked at it as a public recreation area, so I'm pleased to see it going forward. The original fifty-four acres on the northern end was deeded as part of Beechwood's zone change that was transferred by the Order of Judge Costello in a prose lawsuit that I filed to save this land. So I'm very pleased to see this has finally been heard and we're moving forward. I can't thank you enough. This is a piece very close to my heart. Thank you.
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THE CHAIRMAN: Do we have a motion?

MR. KAUFMAN: Motion, Type I, Negative

Declaration as amended.

MS. GROWNEY: Second.

THE CHAIRMAN: Any other discussion? All in favor? Opposed? Motion carries.

MS. VILORIA-FISHER: I will make the changes and get that back out to you.

THE CHAIRMAN: Recommended Type II action.

Any recommendations that we ought to particularly look at?

MR. MULE: It's pretty straightforward, nothing major. You will see in one of them that the Foley Nursing Home was reintroduced and it was just a time that the resolution was going to expire, but they had to reintroduced it.

MR. KAUFMAN: Just as you said that, something hit me. Last month when we were talking about the Legacy Village project, one of the issues that came up was that the land had not been partitioned, ninety-five acres that Legislator Kennedy was talking about, and that land did not exist as a separate lot. That process was going forward, but it had not actually been finished.
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It was recommended to us by Chris Kent, Deputy County Executive, as an important point preventing us from voting on this particular project. I remember when we were talking about the sale of John J. Foley that we were presented with an outline map, and there had been no partition done with that. I have no idea why that suddenly hit me. But I do remember that.

We did not have a partition, we just had a map with dotted lines. We were approving fifteen acres. There was no deed description or anything like that. I'm suddenly a little bit puzzled by the difference between the two. I know we did vote on this a while back. I think I'm the one that made the motion that it was an Unlisted Neg Dec.

I'm suddenly seeing the juxtaposition on this extra piece of paper. Suddenly, it's bothering me, put it that way.

MR. BAGG: If I might address that, Michael. The description of action included partitioning of the property. It was included in the description of the property as part and parcel of the project. It didn't exist, but the project included the partitioning of the property.

MR. KAUFMAN: This is the Foley?
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MR. BAGG: Yes.

MR. KAUFMAN: In which case, my objection is withdrawn.

THE CHAIRMAN: Do we have a motion to accept staff recommendations?

MR. KAUFMAN: Motion to accept staff recommendations.

MR. MACHTAY: Second.

THE CHAIRMAN: All in favor? Motion carries.

Ms. Johnson, would you care to make any other comments or anyone else in the audience that would like to comment?

MS. JOHNSON: The Shaw Nursery also happens to be a parcel that I advocated for in the Forge River, and we would like very much to see it moved forward. We understand it had some soil issues as it had been farmland. It's close to the surface waters, especially since the March 8th storm when the river actually diverted its path from the culvert that runs under Sunrise Highway, and so there is water that stands there to this day.

THE CHAIRMAN: Peaking my interest, since I did a little research out there. You're saying that there is something wrong with the culvert that goes
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underneath?

MS. JOHNSON: For whatever reason, the volume of water coming down from the northern end, which is significantly higher than the elevation at the southern end, where the headwaters are, it had a tendency to flood, sometimes in the backyard at this neighbor's house, Barnes Road and Sunrise Highway Service Road opposite Shaw. The March 8th storm, the river just diverted itself, completely flooded his entire backyard, picnic table and everything marching away, and to this day we have standing water and the river has literally changed its course.

It extended its boundary into the parcel owned by this neighbor. I don't know if that's the parcel she was talking about. But no one wants to live in that house any more.

THE CHAIRMAN: Does that eventually feed into East or West Pond?

MS. JOHNSON: It feeds into West Pond.

LEG. VILORIA-FISHER: Are you talking about Shultz or Shaw?

MS. JOHNSON: Shaw is opposite, diagonally across the street from this parcel. Shaw is a good acquisition as well in the watershed.
THE CHAIRMAN: Any other comments?

Recommended Unlisted Action, proposed restoration of ninety-three point five acres of industrial-commercial zoned property surplus, offer for sale. Town of Brookhaven. This was tabled last month. Anybody here to speak to the issue today?

MS. JOHNSON: We consider that as part of the Carmans River Coalition. We consider this sale separate from the Pos Dec that was issued on the Legacy Village project, the segmentation of that project. We want to put that on the record we believe this would be segmentation, and that your charge was to review the possible negative impacts or environmental impacts of the entire project that was presented by the county executive, and segmenting this off, as a secondary aside is that the L-1 zoning category in Brookhaven doesn't have anything specific to solar arrays or zero carbon footprints. Whatever you put in L-1 you can put on this site, and that is something that the board needs to consider when it makes its determinations.

THE CHAIRMAN: Do we have any guidance, Mike, on the issue that we raised last month concerning the fact about the property boundaries?

MR. MULE: We reached out to Legislature
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Kennedy's office and received no further information on this resolution.

THE CHAIRMAN: Where do we go from here?

MR. MULE: Table it.

THE CHAIRMAN: There is no nobody here to speak on it. It will stay tabled. Proposed acquisition for open space preservation purposes know as Forge River Watershed Addition, Shaw Property, Town of Brookhaven.

LEG. VILORIA-FISHER: I made the motion to table last time. I spoke to Paul at Soil and Water and they don't have any problems with us going forward with this at this point. Jim, did you have different information?

MR. BAGG: I have a point that the assessment was received and there were certain points at the end of the assessment that should be done when the county acquires. It seems it might be right for them to read the Neg Dec. Do you want to read those, Michael?

MR. MULE: Recommendations from Phase II should be determined if the stained soils in the area of the former irrigation pump were disposed of in an appropriate facility as recommended in the prior limited Phase 2 ESA prepared on the subject property.

Irrigation pump should be removed and all
wells on the property be closed pursuant to Health Department and New York State DEC standards.

Drums, liquids propane gas tanks and two hundred seventy-five gallon former diesel fuel tank that are on the property should be removed and properly disposed of.

If any of the on-site buildings are to undergo major renovations or demolition, an asbestos survey should be conducted. Confirmed asbestos containing material must be removed prior to demolition in accordance with New York State DEC Department of Labor Industrial Code 56.

Assorted trash, wood chips, mulch boat and farm equipment should be removed from the subject property and disposed of or stored at an appropriate facility.

THE CHAIRMAN: That is proposed to be done before acquisition. Do we have an agreement to do that?

MS. VILORIA-FISHER: It's contingent.

THE CHAIRMAN: Anyone want to question Lauretta on this particular piece?

MR. BAGG: CEQ has said in the past when a property is to be acquired and has been developed in the
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past, that technically the Phase 1 and Phase 2 should be considered and anything that would be required to remediate should be incorporated in environmental review.

MS. FISCHER: If I could just add the soil requirements on Number 1 in the letter. Maybe you might want to reiterate those requirements as well. Soil samples collected from the barn -- none were found.

MR. MULE: That just states that nothing exceeded action levels inside the barn, which triggered the Phase II.

THE CHAIRMAN: We have this proposal. Do we have a motion?

MR. KAUFMAN: Motion Unlisted Neg Dec, contingent upon the issues that Mr. Mule wrote out or incorporated into the recommendation.

MS. GROWNEY: Second.


MS. FISCHER: Larry, just to reiterate, I did go back on my notes of Beechwood. There are two acres of muck soils in that swale area. I am sorry, I didn't point that out before. That is two acres of muck soil.

LEG. VILORIA-FISHER: I never realized that
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"muck" is a technical term; official

MS. FISCHER: It's actually a technical soil classification. I'm sorry I didn't bring that up before, but I did mention it and identify it in the long form EAF. I want to correct myself on that.

THE CHAIRMAN: Any other business? Any CAC concerns? Do we have a motion to adjourn?

MR. MACHTAY: I'll make a motion to adjourn.

MS. GROWNEY: Second.

THE CHAIRMAN: All in favor?

(Time noted: 11:00 a.m.)
CERTIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

I, JUDI GALLOP, a Stenotype Reporter and Notary Public for the State of New York, do hereby certify:

THAT this is a true and accurate transcription of the Suffolk County Council on Environmental Planning meeting held on November 17, 2010.

I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

I am in no way interested in the outcome of this matter.

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

JUDI GALLOP