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DEPARTMENT OF PLANNING

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COUNCIL ON ENVIRONMENTAL QUALITY

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725 Veterans Memorial Highway

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Hauppauge, New York

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February 20, 2008

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9:30 a.m.

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23 REPORTED BY:

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SHALENA WEBER, Court Reporter

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A P P E A R A N C E S:

R. LAWRENCE SWANSON, Chairperson

MICHAEL KAUFMAN, Vice Chairperson

JAMES BAGG, Chief Environmental Analyst

RICHARD MACHTAY

MARY ANN SPENCER

CHRISTINA ~~DELACY~~ Delisi

EVA GROWNEY

GLORIA G. RUSSO

JOY SQUIRES

RICHARD MARTIN

1 THE CHAIRMAN: Today is the first
2 meeting of 2008. I'd like to wish everybody
3 a Happy New Year. We have minutes that
4 we can review.

5 I know Mr. Machtay has. I'd
6 just thank Rich for being instantaneous
7 to go through all these minutes.

8 Does anybody have any
9 additions or corrections other than
10 Mr. Machtay?

11 MR. KAUFMAN: Yes, Mr. Chairman,
12 I gave Christine a couple of corrections.
13 Also, Rich picked up a bunch of them,
14 too.

15 CHAIRMAN: Very good.

16 Anybody else?

17 (WHEREUPON, there was no
18 response.)

19 CHAIRMAN: Do we have a motion to
20 approve the October minutes?

21 MR. KAUFMAN: Motion.

22 MS. RUSSO: Second.

23 CHAIRMAN: We have a second by
24 Ms. Russo.

25 All in favor?

1 All opposed?

2 Motion carried. Now we have minutes
3 from the 21st of November.

4 MR. KAUFMAN: Motion.

5 MR. CHAIRMAN: Do we have a second?

6 MS. RUSSO: Second.

7 CHAIRMAN: We have a second by Ms.
8 Russo. I'd just like to make a point
9 of clarification in the notes; it says
10 page 132, NOAA. It could very well be
11 that that was meant to be the National
12 Oceanic and Atmospheric Administration.
13 And if so, if it's NOAA -- I just want
14 to check to see if that's correct. So
15 I have a motion and a second. All in
16 favor? Motion carried. And also a
17 December 12, 2007 --

18 MS. SPENCER: Motion.

19 CHAIRMAN: We have a motion. Do we
20 have a second?

21 MR. MACHTAY: Second.

22 CHAIRMAN: Second by Mr. Machtay. Any
23 discussion?

24 (No response).

25 CHAIRMAN: All in favor? Motion

1 carried. Historic Trust. Mary Ann, is
2 there anything that you wanted to start
3 out with?

4 MS. SPENCER: Rich is going to give the
5 report. I'm very pleased that there
6 will be an update at each meeting of
7 these things, such as, the rentals that
8 are ongoing, and I appreciate that.

9 CHAIRMAN: Very good.

10 MR. ~~MACHETAY~~ ^{Martin}: Good morning. The
11 housing situation I'm going to discuss
12 first, and we're still having people
13 move out of the homes and County
14 housing as the rents increase. There's
15 another rent increase plan, at this
16 time, for March 1st. The final
17 increase is September 1st, which will
18 bring all units to the full market
19 rating. At this point, as of today, we
20 have 13 vacancies and 15 of what we
21 call units or apartments, and houses
22 are full out of a total of 28. So
23 we're approaching the half-way mark for
24 the number of vacancies.

25 CHAIRMAN: And it's getting worse.

1 MR. ~~MACHTAY~~^{Martin}: It's getting worse. I
2 checked. To report on, there are two
3 additional vacancies since the last
4 report. And the Commissioner of Parks
5 John Pavacic is very well aware of the
6 situation, and he is discussing it
7 right now with the County's Executive
8 Office to see what can be done about
9 this.

10 CHAIRMAN: Rich, before the meeting we
11 were discussing this issue with Mr.
12 Machtay, and, I think, he had some very
13 good suggestions. And if he doesn't
14 mind, would you share them with us so
15 that, maybe, you can pass them on to
16 the Commission of Parks.

17 MR. ~~MACHTAY~~^{Martin}: Sure.

18 MR. KAUFMAN: Not only the Commissioner
19 of Parks, but the Economic Development.
20 With all the talk today about
21 affordable housing, pricing people out
22 of housing that the County owns, seems
23 a little eschewed. And if they're
24 worried about corruption or conflicts,
25 and they don't want to give it to

1 County employees or relatives of County
2 employees, they can do a lottery
3 through a neutral agency which has been
4 done before and it's been done
5 successfully.

6 And I don't say they should give the
7 housing away for free, but, nevertheless,
8 to keep people in it so it's, sort of,
9 maintained and also to provide a housing
10 opportunity for people who can't afford
11 housing. May be it should be brought to
12 Legislature's attention that they're talking
13 out of both sides of their mouth and they
14 should do something a little more
15 creative.

16 ~~CHAIRMAN:~~ ^{Mr. Martin!} I'll bring the ideas to the
17 Commissioner. I know his point of view
18 is that part of running the County
19 Parks Departments is to have people at
20 these parks, provide for them a sense
21 of security, and he's pushing that
22 point. The Legislative Resolution that
23 we now work under requires that
24 everyone be a County employee, so that
25 would have to be changed.

machley:
MR. MARTIN:

1 I understand that, but you
2 have Jim Morgo in the Executive's
3 Office now. Lisa Brown is in Economic
4 Development. And Lisa used to be my
5 Economic Development Director under my
6 supervision. And I know these people,
7 what they're talking about, and I know
8 what they'd like to accomplish. And
9 here's an opportunity, not only now for
10 the Parks Commissioner to go to the
11 Legislature and for you to go to the
12 Legislature, but for the Economic
13 Development people to go to the
14 Legislature and say "hey, what are we
15 doing?" Here's an opportunity.

16 MS. GROWNEY: Rich, I know you've been
17 working very diligently since I've
18 known you over the past few years on
19 this matter. And I know it's a very
20 sore point because so many of the
21 historic buildings have been brutally
22 vandalized. And I know that we're
23 working with you, the DIA, with the
24 Parks, with the Commissioner.

25 One of the Parks tried to come up

1 with some possible ideas, but what occurs
2 to me is that there must be other
3 partnering that could happen or that, I
4 think, needs to be explored. And these
5 are our treasures, and so many of them --
6 they did take me on a tour, several of
7 them, a couple of years ago. So many of
8 them have been horribly vandalized. So I do
9 think that there needs to be some other
10 dialogue for partnering and other kinds of
11 venues; specifically, the Economic
12 Developing aspect and opening up to other
13 people. I think it has to be looked at
14 first.

15 MS. SPENCER: I think it's important to
16 reiterate that the issue here is of the
17 County owned properties. The ones that
18 are dedicated to the Historic Trust,
19 are the ones that Richard is pointing
20 out now. And the manual stipulates
21 that these properties not be left
22 vacant, that's primary for security.

23 And the problem that's been ongoing,
24 because of the way the Legislature has
25 stipulated this, is that they have to be

1 market rents. And our argument on the
2 Trust, for several years now, has been
3 because of the importance of these
4 properties. That is a mitigating factor
5 because of the importance of security for
6 these properties. We have been asking
7 that this idea of market rent be
8 revisited.

9 MS. SQUIRES: Isn't the core problem
10 that it still has to be County
11 employees? And --

12 MR. MARTIN: I don't see that, to be
13 honest, as a problem.

14 MS. SQUIRES: It's not? Oh --

15 MR. MARTIN: Well, some of these rents
16 are quite high. We have some rents now
17 that are based on \$3,000 --

18 MS. GROWNEY: -- plus utilities.

19 MR. MARTIN: -- and they can only be
20 given to County employees. Most County
21 employees can't afford that.

22 MS. GROWNEY: I think that it's
23 something that needs to be completely
24 looked at again, and there has to be
25 relief there in some capacity. I don't

1 know in what way, but I think that --
2 you know. I live out on the East end,
3 and rates out there, you know -- you
4 kind of expect to see that maybe out
5 there, but not on the rest of the
6 Island.

7 MR. MACHTAY: We do have housing at
8 Cedar Point County Park in East
9 Hampton. And all thought it is market
10 rate, it does relate to the areas the
11 houses are in. And the Parks
12 Department's point of view is that we
13 need a park staff person on site to
14 just take care of the everyday needs
15 that might arise since we don't have
16 regular staff at these parks on a 24
17 hour basis.

18 MS. GROWNEY: I completely support that
19 idea that there's somebody in the
20 buildings, because that's the only way
21 that there is protection. I witnessed
22 it, so I agree with that.

23 CHAIRMAN: Rich, I think you've got the
24 way of the land from this Committee, so I
25 want to move on. But I do want to ask,

1 we have a representative from
2 Legislator Schneiderman here today. Would
3 you say your name.

4 MS. ~~DELAHY~~^{Delisi}: Christina ~~Delacy~~^{Delisi}.

5 CHAIRMAN: Thank you. Christina, would
6 you also bring this to the attention of
7 Legislator Schneiderman so, maybe, he can
8 begin to address the problem in a
9 Legislature's point of view?

10 MS. ~~DELAHY~~^{Delisi}: Yes, and I know he also
11 has a lot of interest in the Workforce
12 Housing or Affordable Housing; so
13 that's one of the things I was going to
14 bring up to him.

15 CHAIRMAN: Okay. Richard, next.

16 MR. MARTIN: The status of the contacts
17 that we've been working on for our
18 Historic Society to move into these
19 sites and start giving towards the
20 programs. The contract for the
21 Farmingville Schoolhouse -- which it is
22 being worked -- the elevation there.
23 The Farmingville Historical Society,
24 that was sent over to the County
25 Attorney's office January 30th for

1 their review.

2 The contract for ^{Brookdale} ~~Brookdale~~ County
3 Park, which the ~~state~~ there would be the
4 Great South Bay Audubon Society, was also
5 sent over to the County Attorney's office
6 January 30th for their review.

7 The Babylon Town Historical Society
8 contract, which is for the Van Bourgondien
9 House in Babylon, was also sent over to
10 the County Attorney's office for their
11 review.

12 So those three contracts have been
13 completed by the Parks Department and our
14 County Attorney's office. The ^{Scully} ~~skully~~
15 ^{Estate} ~~state~~ contracts, which is with the Seatuck
16 Association, there's additional
17 legislative ~~re~~solution that's needed for
18 that contract. That is a unique contract
19 that is for all of our sites to establish
20 an enterprise fund, which will be funds
21 for all the program fees and fundraising
22 from that site, would go into and then be
23 supervised for the County and then be
24 given out for the expenses at that
25 location. So these are the unique

1 situations that a resolution should come
2 up in the legislative review in the end of
3 March.

4 MR. KAUFMAN: Rich, if I may.
5 Regarding Seatuck, do they have a
6 contract in place right now for the
7 group itself?

8 MR. MARTIN: No, this is part of what's
9 needed to finalize and sign the
10 contract to establish this fund. That
11 was part of the enabling resolution
12 that the Legislature passed to approve
13 Seatuck that went into the site.

14 MR. KAUFMAN: Is there any sense of
15 urgency on this one?

16 MR. MARTIN: Yes, I have independent
17 knowledge that Seatuck has been worried
18 about the lack of a contract for quite
19 a long period of time. The last I
20 spoke to Enrico -- and this was months
21 ago -- they were saying where's the
22 contract? Where's the contract? They
23 need a contract. And it's just
24 worrisome that this issue has come up,
25 and also it's worrisome that it

1 couldn't have been handled, maybe, in a
2 separate aspect for the separate
3 contract. But, hopefully, it will get
4 done. Like I said it is a unique
5 contract. And it's been held up for
6 quite some time, and they are very
7 eager to have a contract signed so they
8 can go ahead with their programing and
9 their fundraising on site.

10 CHAIRMAN: Richard, I'd like to bring
11 up a slight variation of those that
12 we've been talking about, and that is
13 maintenance of our properties. I
14 think, in addition to not having people
15 living in all of them, that there's
16 just a plain lack of maintenance,
17 resources to keep properties, that we
18 do have, up. I'm wondering, is there a
19 way that when a property is purchased,
20 that there also be some provisions made
21 that maintenance funds be appropriated
22 to keep them up? In some
23 cases, we're probably buying properties
24 that are already protected in other
25 ways, either through zoning, and so

1 forth. And if that's the case, then
2 it's probably just a waste of County
3 resources. I know we are not supposed
4 to be concerned what it costs to do
5 these things, but if we're concerned
6 with preservation, we need to be first
7 concerned about are the resources truly
8 available to maintain them.

9 MR. MARTIN: That has been discussed in
10 part at our Structural Committee
11 meetings. And it is a concern, as the
12 County continues to buy historic
13 properties, that we do have the funding
14 necessary to maintain. I don't have
15 the answer to that, but it is a growing
16 concern.

17 MS. SPENCER: I think that this is the
18 most pressing issue for these
19 properties. There isn't enough funding
20 or staff for the properties that the
21 County currently owns. The other thing
22 that we need to bear in mind is, very
23 often when one of these properties is
24 acquired, it's acquired in order to
25 save it and it's acquired -- it's not

1 in particularly good shape. Every now
2 and then, our properties acquire that
3 it is in good shape. Even if it's in
4 good shape, the maintenance of a
5 historic property, at the time, is
6 extremely expensive.

7 I couldn't do anything more. I
8 really wish that the County would make
9 that ~~commitment~~^{Commitment} to the properties that they
10 already own -- the historic properties
11 that are already dedicated to the Trust
12 and going forward. You know, the FEDS do
13 that. If the FEDS put some -- if they
14 accept a gift or acquire a historic
15 property, they also put the funding aside
16 to maintain it.

17 CHAIRMAN: So we should seek to do
18 something like that. So when Lauretta
19 comes to us with a proposal for
20 purchase of these properties, there
21 ought to be -- or, maybe, at least the
22 County ought to consider, that they are
23 some add-on that would say -- an early
24 continuing commitment, of a certain
25 percentage, of the cost to maintain it.

1 MR. BAGG: If I may point out, every
2 resolution is supposed to have a
3 Financial Impact Statement with it.
4 And, technically, that Financial Impact
5 Statement should clearly identify the
6 cost of maintenance of those
7 structures because they are buying a
8 piece of property to preserve; in some
9 instances, a historic structure. And
10 the financial impact says no cost to
11 us. That's not really true. If you're
12 going to buy an existing historic
13 structure, then, technically, there
14 will be a maintained cost to ensure
15 that that property stays in a good
16 state. And I think the legislature, up
17 to this point, really hasn't discussed
18 those Financial Impact Statements and
19 what the costs of maintenance are.

20 MS. GROWNEY: Has there been any
21 discussion of a study to see what each
22 property needs?

23 MR. MARTIN: Yes. In the past two
24 years, we've been working on a study
25 that's shown us what -- actually a time

1 period of ten years -- to maintain the
2 buildings in their current state and
3 also to fully resolve them.

4 MR. KAUFMAN: That study, has it been
5 presented to the County Legislature and
6 County Executive?

7 MR. MARTIN: Presented to County
8 Executive's Office. We're actually
9 meeting with them next Tuesday to go
10 over the funding in the report and to
11 explain it further.

12 MR. KAUFMAN: One of the reasons I
13 asked that question, is to the extent
14 that the Legislature is the allocating
15 body, in terms of funds. Once you got
16 this coordinated with the County
17 Executive, it might be an intelligent
18 way to go to bring this kind of stuff
19 before the legislation itself. And,
20 specifically, for example, rather than
21 a letter from CEQ, an apparent sponsor
22 may be head of the Historic Trust; may
23 be sitting right next to you, for all I
24 know.

25 And, you know, someone going into the

1 Parks Trustees and lobbying, somebody
2 appearing before the Parks Committee at
3 the Legislature and lobbying and saying
4 this is what we need done. This is what
5 we need allocated. We can get some
6 support from the Exec, but we also have to
7 carry the ball here. To the extent that
8 we are the Historic Trust of the County of
9 Suffolk; it's within our preview and
10 within our responsibility to try and push
11 these kinds of things. These kinds of
12 issues and whatever conclusions you have.

13 Obviously, you have to respond first
14 to the County Executive -- your
15 Executive branch. But once that's done
16 and once a coherent plan is, possible --
17 established -- I think maybe it would be a
18 good idea to bring some of that back to us
19 and then we can start, maybe, our own
20 lobbying. We've talked about this kind of
21 stuff in the past. The Legislature is the
22 key to all of this, if you will -- or one
23 of two keys, to getting anything done.

24 CHAIRMAN: Rich, is this report going
25 to be presented to the Historic Trust

1 as well?

2 MR. BAGG: I've talked -- well, we've
3 gone over just the buildings that were
4 surveyed with the Structural Committee
5 but they haven't gotten a full report
6 at this time. We have talked with the
7 Commissioner about doing that, and I'll
8 bring also a suggestion of distributing
9 reports of the county legislature.

10 MS. SPENCER: Richard's brought all of
11 this forward at the -- this all started
12 under Commissioner Foley, and has been
13 ongoing for several years. And as each
14 portion of the survey was completed, it
15 came forward to the Trust. Richard
16 also presented to the Trust, the issues
17 as they unfold. And I think all of us
18 are very aware of how deep the need is.
19 It's -- you start to react because
20 another property is purchased, it's in
21 bad shape, and where are you going to
22 get the money for that?

23 But, it goes back to all the
24 dedicated property. The original --
25 correct me if I'm wrong -- ~~Brightonburg~~ ^{Blydenburgh}.

1 And when you look at the needs of that
2 original property -- the very first
3 property in the Trust, the financial needs
4 on that property alone are staggering and
5 are unmet. It has never been restored,
6 it's barely maintained, parts of it are
7 falling down; and that was the first of
8 over the sixty and the County is still
9 buying more property, and some of them are
10 also in terrible shape.

11 So, Michael's right. There's a deep
12 need and we should be helping Richard, and
13 we should figure out how to help Richard.
14 We have a new Parks Commissioner whose
15 both attuned and sympathetic, and he is
16 going to the Executive Office. But, it
17 may well be that a subset of us and myself
18 and Richard -- whatever -- go forward to the
19 Legislature to present some of this.

20 CHAIRMAN: I think it would be good.
21 Also, Mary Ann, I would recommend that
22 some time in the relatively near
23 future, if you and Richard can get Mr.
24 Pavacic to come to a CEQ meeting and we
25 can get -- let him know how serious the

1 CEQ takes its duty and
2 responsibilities with regard to the
3 Historic Trust and try to start a
4 dialogue with him. I think it could be
5 helpful.

6 MS. SPENCER: I have begun that
7 dialogue, and I think John would
8 welcome the opportunity to come up and
9 meet all the rest of you and understand
10 that it's not just Richard and I.

11 MS. SQUIRES: I just wanted to go back
12 to something that you said
13 (indicating). You said there were a
14 lot of things -- of properties we
15 should look at. Where is the
16 maintenance going to come from? And I
17 think Laretta can address it better
18 than I currently can, but that's a
19 problem because the funding is
20 allocated. It is for acquisition, and
21 it is not for maintenance.
22 And that is true in the towns, also. I
23 think -- I only speak for Huntington,
24 but we have the same problem and we
25 have agony over everything we purchase.

1 And as you look at a bond and people
2 say to you "you're buying more, but how
3 are you maintaining?" All you can say
4 is "in my best judgment, if we don't
5 acquire now, it is lost forever". But
6 we almost have to have something
7 separate. Wouldn't it be lovely to
8 have a bond dedicated to the
9 maintenance of what we have purchased.
10 And I think it is very separate. And
11 the money has to come from some place,
12 and I think it's going to be a big
13 chunk of money that comes from a very
14 large place.

15 CHAIRMAN: Thank you, Joy. Jim, you
16 had a comment that I think would be
17 helpful.

18 MR. BAGG: Well, when a Councilman
19 reviews, you know, both acquisitions
20 with Historic Properties and buildings
21 and -- historic structures and
22 properties are considered part of
23 SEQRA's process. And I assume that the
24 Council for the ~~contemplate,~~ ^{completeness}
25 Recommending a Negative Declaration, ~~we~~

1 As part of the Negative Declaration,
2 you could stipulate that you would want
3 these buildings maintained and restored
4 in order to mitigate impact on the
5 environment. Because Historic
6 Structures are considered part of the
7 SEQRA's process and the Environment.

8 MS. SQUIRES: But where is the money
9 going to come from?

10 MR. BAGG: I think that's up to the
11 Legislature and County Executive.

12 CHAIRMAN: So are you saying that we
13 could reject a purchase until
14 maintenance funds have been somehow
15 identified?

16 MR. BAGG: I wouldn't say reject it.
17 Basically, you put in a Negative
18 Declaration. And, you know, these
19 buildings have been maintained -- the
20 structure has to be maintained, and the
21 County should allocate maintenance from
22 over the life of the structure. And
23 that, technically, if the County
24 doesn't do that and they acquire it,
25 then, in essence, they're in violation

1 of the Negative Declaration.

2 I mean, you're simply making a
3 recommendation. The Legislature could
4 chose to ignore that and not put it in
5 when they adopt it. However, at least the
6 conflict goes on record.

7 MR. MACHTAY: Some of these organizations
8 that want contracts with the County to
9 use these properties and other
10 buildings, do they have a
11 responsibility to do the maintenance or
12 to raise money to maintain the
13 structures?

14 MR. MARTIN: Yes, that's part of the
15 contract. Traditionally, it breaks
16 down that the County does maintain the
17 exterior of the building, and heating,
18 air conditioning, electric, plumbing,
19 the basics to run the building. But
20 the organizations raise additional
21 funds to do the interior restoration.

22 Deepwells is a good example. Their
23 contract was signed. They have raised
24 funds and now refinished all the floors in
25 the first floor and are now restoring all

1 the original shutters.

2 MR. MACHTAY: So money could come from
3 the organizations?

4 MR. MARTIN: Oh, definitely. It does
5 on a regular basis. Also, they're
6 eligible for State plans for
7 restoration purposes that the County is
8 not eligible for. The Sagtikos Manor
9 Historic Society has been working with
10 them, around \$250,000 they planned and
11 that they acquired; and while I say,
12 traditionally, the County maintains the
13 exterior, the majority of those funds
14 are going to the exterior of the main
15 house at Sagtikos Manor. It's not that
16 they won't raise funds for the
17 exterior, but that, traditionally, the
18 County at least maintains the exterior.

19 MR. MACHTAY: So then there is another
20 source of funds that we're not talking
21 about here now.

22 MR. MARTIN: Yes, that's, of course,
23 the issue with holding up the contracts
24 for all these sites, because we're
25 actually holding up the restoration

1 funds and the fundraising to be
2 started. And some of these are over a
3 year old and --

4 MR. MACHTAY: And that's another reason
5 to light a fire under the County
6 Attorney's Office and the County
7 Legislature to make these things happen
8 a little quickly.

9 MS. SPENCER: That's why it's a running
10 item on the agenda because of these
11 custodial agreements. Given the
12 quantity of funds and staff, these
13 funds for particular Historic
14 properties are a real boom. They
15 provide security, they ensure use, and
16 in many cases they help fund or restore
17 that property.

18 MR. MARTIN: Just to explain, we do not
19 have any county park staff to open
20 these historic sites to the public.
21 That is all done by the volunteer
22 organization. Our staff all resides at
23 the Timber Point office and we just
24 supervise what the volunteer
25 organizations do at the County Historic

1 Sites, but we do not provide the tours
2 or the programming at these Historic
3 Sites. We rely on these volunteer
4 organizations to do that.

5 CHAIRMAN: Thank you, Rich. Can you give
6 us a brief status report on the Bavarian
7 Inn?

8 MR. MARTIN: I don't know the status.
9 Maybe Laretta can speak to that.

10 CHAIRMAN: We'll move on. Just to
11 remind everybody that it is a public
12 meeting and if anybody is here that
13 would like to speak, they should let us
14 know and they're certainly welcome to
15 do so.

16 Jim, what do you have for us under
17 the Recommended TYPE II Action?

18 MR. BAGGS: Basically, the list -- the two
19 packets before you -- one of January 2,
20 2008 and February 5, 2008. They're all
21 either Type II Actions or SEQRA --
22 instantaneously completed and the
23 projects are on the way.

24 CHAIRMAN: Do we have any questions for
25 Jim? Do we have a motion to accept

1 staff recommendations?

2 MR. KAUFMAN: I'll make a
3 recommendation to accept staff
4 recommendations.

5 MR. MACHTAY: Second.

6 CHAIRMAN: Any further discussions?
7 All in favor? Motion carried.

8 Unlisted Actions, proposed
9 acquisition for open preservation purposes
10 known as the Carlls River County Park
11 addition. Laretta, Happy New Year.

12 MS. FISCHER: I have one acquisition
13 before you today. The Carlls River
14 County Park Addition and the Napoli
15 Construction Property. It's two
16 parcels consisting of approximately a
17 third of an acre to the west of the
18 headwaters, actually, of the Carlls
19 River and the hamlet of Deer Park and
20 the Town of Babylon.

21 As you can see we're trying to
22 acquire a number of low-lying wetland
23 parcels in this watershed and Masterlists,
24 too. However, these two were put in by
25 separate resolution, by a local

1 legislator, Horsley. And I'm before you
2 to review this and wish your acceptance or
3 rejection.

4 CHAIRMAN: Any questions?

5 MR. KAUFMAN: Laretta, first off, good
6 morning.

7 MS. FISCHER: Good morning.

8 MR. KAUFMAN: The corridor seems to
9 appear on there on the north-south
10 axis, that's the headwaters itself?

11 MS. FISCHER: Yes.

12 MR. KAUFMAN: And they stop right at
13 the -- whatever road that is over
14 there.

15 MS. FISCHER: Pretty much. It's
16 intermittent wetland along that north
17 south property that's outlined in
18 green.

19 MS. RUSSO: Good morning, Laretta.

20 MS. FISCHER: Good morning.

21 MS. RUSSO: On the photo, it looks like
22 a very small parcel outlined in grey
23 has structures on it?

24 MS. FISCHER: It doesn't have
25 structures, it's just a little off. If

1 you pole the boundaries of the yellow
2 lines -- just a little south -- it will
3 show that it doesn't include the
4 structures.

5 MS. RUSSO: And then the long corridor
6 wooded area that runs parallel to the
7 long axis, that, I'm assuming, is like
8 a PAPER ^{Road} ~~ROLL~~ 2344.

9 MS. FISCHER: Yes, so once we acquire
10 this and we own the properties on the
11 other side, to the East, then we can
12 merge that and abandon the road.

13 CHAIRMAN: My question is should we be
14 buying properties that aren't
15 identified on Masterlists two? And my
16 second question is, since this was
17 owned by an apparent -- a construction
18 company, what was it used for and what
19 was the environmental conditions that
20 may be a problem on the property?

21 MS. FISCHER: It's a vacant wooded lot
22 at this time, so as to uses in the past,
23 you know -- I don't know how far back
24 we want to go -- but, obviously, the
25 woodland has been there at least 20 to

1 30 years. I would imagine that it was
2 disturbed some time before that. I
3 wouldn't know, specifically when that
4 had occurred, but it is a low lying
5 area. And I'm sure that there are
6 issues with its development -- I don't
7 know what they are, particularly, with
8 this specific site, but it's low lying
9 and wet enough that it would be part of
10 this watershed.

11 My recommendation would be to acquire
12 it so that we don't see any further
13 development in these watersheds. We do
14 have issues with other watersheds and
15 flooding of residential homes near and
16 around those watersheds, so it is part and
17 parcel of our effort to protect this
18 watershed as best we can. And, obviously,
19 we have sites in and around here that
20 we're trying to acquire as well. So it
21 fits into our goals to protect this
22 watershed, this specific property.

23 CHAIRMAN: I don't want to belabor the
24 point too much, but I find it very
25 interesting that that piece of property

1 was excluded from the Masterlists; but
2 yet if you go to the north and the east
3 -- in the area that's outlined in
4 yellow -- there is a smaller place and
5 the fact is. So I'm curious as to why
6 the fact is and this isn't.

7 MS. FISCHER: Actually, that's a
8 problem that we've come across when we
9 put the list together. Subsequently,
10 they develop and they'll be taken off our
11 acquisition list. That's part and
12 parcel of what we do when we do our
13 initial review of the property.
14 Obviously, that property would be
15 omitted from further acquisition.

16 MS. GROWNEY: The question I have has
17 to do with test holes; are test holes
18 ever done on these properties to see
19 what there might be?

20 MS. FISCHER: Not that I'm aware of.
21 It could be part of our environmental
22 assessments, but I don't know if it was
23 actually, specifically done on this
24 site.

25 MS. GROWNEY: I think it's something to

1 be considered.

2 CHAIRMAN: Certainly, I think we have
3 a series of environmental reviews on some
4 properties. I'm not sure we've ever
5 gone through the extent of having to
6 drill, but Jim feels that, I think,
7 that this property has not been
8 disturbed in quite some time, so it's
9 probably problematic.

10 MR. BAGG: I reviewed the assessment.
11 And, basically, when the Environmental
12 Assessment for potential contamination
13 and toxic and hazardous substances comes
14 in, properties get reviewed and evaluated.
15 There is a 50-year aerial photograph
16 reconnaissance. Technically, if any - what
17 is termed - environmental conditions are noted
18 at the site that is when you go to a phase two
19 for something of that nature. But just looking
20 at this particular site, wetness of this site,
21 and the proximity to the, you know, river or
22 whatever, stream and it hasn't been

24

25

1 developed probably because it is
2 constrained from the wetlands point of
3 view and, technically, couldn't be
4 developed. And it's probably been in
5 that state for forever. I don't know
6 how some construction company came
7 to own it, but that's not ours to
8 reason why. It's clearly in a
9 residential section, so, therefore,
10 being owned by a construction company
11 doesn't necessarily mean they're going
12 to develop it for commercial or any
13 other reason.

14 MR. KAUFMAN: Just to let you know, the
15 name of a corporation usually doesn't
16 mean anything. I've dealt with a
17 number of corporations, and I've got
18 crazy names on properties that are
19 owned by these corporations. You know,
20 you can name a corporation anything you
21 want to. If somebody has a
22 construction business and sees a piece
23 of property that they want to buy and
24 just hold on to for a while, they'll
25 often use the corporate entity that's

1 out there and maybe later on they'll
2 change the name or form a separate
3 entity beyond that to preserve or
4 perform certain corporate purposes.

5 CHAIRMAN: Any other questions? Any
6 motions?

7 MR. KAUFMAN: Motion.

8 MR. MACHTAY: Second.

9 CHAIRMAN: Second by Mr. Machtay. All
10 in favor? Opposed.

11 CHAIRMAN: You have a comment on the
12 Bavarian Inn status?

13 MS. FISCHER: I believe it was approved
14 by the Legislature as an override to
15 County Executive Levy's veto of last
16 year. That indicates that we can move
17 forward doing appraisals and reaching
18 out to see if we have a willing seller.
19 So, it's in the process.

20 CHAIRMAN: This piece of property, I
21 think illustrates extremely well the
22 concerns that we have been talking
23 about earlier in the program.
24 Apparently the basement is under water,
25 for all practical purposes, and the

1 question is how are we going to deal
2 with it? Are we going to tear it down?

3 MS. FISCHER: Well, our recommendation
4 to the Legislature was to acquire this,
5 actually, as a restoration site. And
6 what we suggested is that the buildings
7 be demolished, and the cost of the
8 demolition of those buildings would be
9 part of the cost of the property. So,
10 that will be taken into consideration
11 with the value of the -- and the offer
12 to the owner.

13 MR. KAUFMAN: Just to add on to
14 something that Laretta was talking
15 about. Legislator Kennedy has been
16 talking about, I think, forming some
17 sort of task force or looking into the
18 planning process to do exactly what
19 you're talking about, Laretta, in a
20 little more detail. I know there's a
21 lot of specific interest in the area in
22 terms of restoring it possibly to a more
23 natural condition.

24 MS. FISCHER: That's what we suggested
25 to them, and they supported that.

1 Initially they were thinking of using
2 the building for some community center.
3 We felt that was not appropriate based
4 on the condition of those buildings and
5 the cost associated with that, and
6 because of its strategic location
7 between the extensive wetland to the
8 north of the lake and its location
9 directly on the lake and adjacent to
10 all the County properties, we felt that
11 restoring the structure to a more
12 natural state was the best
13 recommendation we can make for that
14 property.

15 MR. KAUFMAN: One further question:
16 Has anyone done any recognizance over
17 there to see what might be on the
18 property?

19 MS. FISCHER: I mean, yes, we've gone
20 over there with the Parks Department,
21 with the Department of Public Works,
22 and with the Health Department.

23 MR. KAUFMAN: Have you seen
24 environmental issues in terms of clean
25 up or anything like that? Obviously,

1 there's septic systems on the property?

2 MS. FISCHER: Yes, there are two septic
3 systems there. They will have to be
4 addressed and remedied. And we'll have
5 our Department of Health Services
6 overseeing that. We've had them
7 involved -- already involved in
8 assessing the property and if we move
9 forward -- first, we have to see if we
10 have a willing seller. So, if we don't
11 have a moving seller, then we're not
12 moving forward. If we do have a
13 willing seller and this process moves
14 forward, they will become part and
15 parcel of the review of this as well as
16 doing our phase one and, most probably,
17 a phase two of our process of the
18 property.

19 MR. SWANSON: This is one of those
20 properties where you definitely want to
21 see some sort of toxic and hazardous
22 materials review. Issues with the
23 septic systems -- you know, they
24 probably use degreasers and all sorts
25 of things like that.

1 MS. FISCHER: Yes.

2 MR. SWANSON: So it could be a
3 potential hazard, I would suspect.

4 MS. FISCHER: Yes, we're aware of one
5 of their septic systems deals with the
6 kitchen waste, specifically. So those
7 issues are already on our radar.

8 MR. SWANSON: Thank you.

9 MS. FISCHER: Thank you.

10 CHAIRMAN: Now, moving on to other
11 business. We were supposed to have
12 elections of officers last month. That
13 was postponed because of the meeting.
14 Those were postponed or cancelled, so
15 if you'd like to speak, we'll do it
16 now. Do we have any motions for
17 officers this year? Anybody want to --
18 desire to run?

19 MS. RUSSO: I would like to make a
20 motion to nominate Larry for Chairman,
21 again, and Mr. Kaufman for Vice
22 Chairman.

23 MR. KAUFMAN: I second that.

24 MR. CHAIRMAN: Anybody else that wants
25 to take nominations? All in favor?

1 Motion carried. Thank you for your
2 vote of confidence.

3 Jim, do you want to comment on what
4 we've been talking about where you were
5 appreciating some of our past members?

6 MR. BAGG: Well, you have discussed
7 with me possibly getting a certificate
8 of appreciation for the people that
9 have served on the Council for many,
10 many years. Two of them; Terry
11 Elkowitz who was Chairperson for the
12 CEQ for over 10 years; Thomas Cramer
13 has been around, again, for over 15
14 years. And when we check the records,
15 Nancy Manfrandonia was on the CEQ for
16 many, many years -- probably for as
17 long as Tom. So, we'll bring it before
18 the CEQ -- if it's what you desire to have --
19 the necessary Certificates of
20 Appreciation drawn up, and you can,
21 possibly, invite these people to the
22 CEQ to present them their certificates.

23 MS. SPENCER: That's a good idea.

24 CHAIRMAN: Any other discussions? I
25 might have to say, having served on the

1 Board with all three of these people
2 for a number of years, they were
3 completely devoted to the CEQ. They
4 did an outstanding job, and -- you
5 know, with the County's loss. And in
6 fact, they all decided that their time
7 had come to leave the Board. So I
8 formally believe we owe them gratitude.
9 Do we have a motion to --

10 MR. KAUFMAN: I'll make a motion.

11 MR. MACHTAY: Second.

12 CHAIRMAN: We have a second. All in
13 favor? All opposed? Motion carried.

14 Now this is probably a record. I
15 forgot Joy.

16 MS. SQUIRES: I don't really have
17 anything to say, but interesting enough
18 Nancy Manfredonia is now Chair of Islip
19 Conservation Board. So, she could, in
20 fact, if we can talk her into it, come
21 back and sit here. I don't think she
22 will, but -- unless it happens to
23 involve something regarding Islip. But
24 -- no, I don't have anything specific.

25 CHAIRMAN: We have a motion to adjourn?

1 Do we have a second? All in favor?

2 Meeting is adjourned.

3 (Whereupon the meeting was
4 concluded at 10:37 a.m.)

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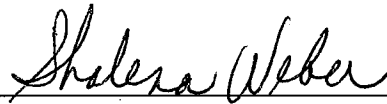
C E R T I F I C A T I O N

I, SHALENA WEBER, Court Reporter and
Notary Public of the State of New York, do hereby
certify:

That the within transcript was prepared by me
and is a true and accurate record of this hearing, to the
best of my ability.

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

IN WITNESS WHEREOF, I have hereunto set my hand
this 14th day of March, 2008.

A handwritten signature in cursive script, reading "Shalena Weber", is written over a horizontal line.

SHALENA WEBER