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COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE
DEPARTMENT OF PLANNING
COUNCIL ON ENVIRONMENTAL QUALITY

Lawrence Swanson
Chairperson

James Bagg
Chief Environmental Analyst

August 9, 2006, 10:40-a.m.
Rose Caracappa Legislative Auditorium
William Rogers Legislature Building
Veterans Memorial Highway, Smithtown

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2 APPEARANCES:

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4 VIVIAN VILORIA-FISHER

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6 GLORIA G. RUSSO

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8 ENRICO G. NARDONE

9

10 MARY ANN SPENCER

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12 STEVEN BROWN

13

14 JOHN E POTENTE

15

16 MICHAEL KAUFMAN, VICE CHAIR

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18 LARRY SWANSON, CHAIRPERSON

19

20 JAMES BAGG

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22 LAUREN ELIZABETH STILES, ESQ.

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24 DANIEL PICHNEY

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2 APPEARANCES CONTINUED:

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4 RICHARD MARTIN

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6 KARA HAHN

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8 PENNY KOHLER

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THE CHAIRMAN: We will call the meeting to order.

Jim, is there any correspondence you want to call to our attention?

MR. BAGG: I received an e-mail from Legislator Romaine regarding the salt storage facility in Southold yesterday afternoon, and I would recommend that there are certain questions he would like to have an answer to and that the counsel referred to it. We will discuss the project shortly.

THE CHAIRMAN: Thank you. I might just mention a couple of items.

I was invited to a meeting by The Suffolk County Executive's office which was chaired by a gentleman by the name of Brian Galansky, (phonetic) and it had to do with the process of getting appointed to The Suffolk County Board of Commissions. A copy of that slide show is in your packet.

The one thing I was interested in discussing that they didn't want to

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discuss was the issue of conflict of

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interest, so I'm not any clearer on that

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as I was before.

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The other thing that was brought to

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my attention this morning by Lauren was

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that in her packet she received recently,

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as a new member of the CEQ, there was a

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statement apparently implying that we

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could have telephone votes, and she

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informed me, being one of our lawyers,

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that telephone votes are frowned upon

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now, and I would just like to set the

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record straight that as long as I have

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been on CEQ, we have never had telephone

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votes, and I don't think it's included in

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our charter, so Jim is going to try to

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sort that out.

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This is a reminder for the public

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that you are certainly welcome to speak

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on topics as they come up, and we would

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appreciate hearing your comments.

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As a matter of fact, what about the

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recommended type II Action? Jim, do you

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have anything that you want to call to

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our attention?

MR. BAGG: There are continuing, basically, staff recommendations in your packet regarding the list of resolutions that were laid on the table yesterday, August 8, 2006. They are fairly straight forward. Either they are type II Actions, or basically they have been previously reviewed by CEQ in a SEQRA determination issued by the legislator, or they are complete SEQRA determinations based on CEQ's recommendations.

Mr. Chairman, do we have a recommendation accepted?

MR. KAUFMAN: Mr. Chairman, I will make a motion that we will accept staff recommendations regarding the paperwork that is needed.

Mr. Chairman, do we have a second?

MS. VILORIA-FISHER: I second.

THE CHAIRMAN: All in opposed.
Motion carries.

Proposed timber point police Marina existing bulkhead refacing, CP#5377, Town

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of Islip.

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Is there anyone from the county to

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speak on that?

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MR. MCVOY: My name is Christopher

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McVoy, Junior Civil Engineer from The

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SCDPW.

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Basically five years ago, at the

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Timber Point Police Marina, we did a

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project to put aluminum sheet piling in

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front of the existing wood sheeting, and

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the police department would like us now

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to do the rest of the marina with

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fiberglass sheeting. It's just a

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refacing of the existing sheeting that is

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there.

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THE CHAIRMAN: Replacing, did you

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say?

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MR. MCVOY: Refacing.

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MR. KAUFMAN: Basically you are

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saying there was a job previously done to

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part of the marina, that was the

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information submitted to us, and you are

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saying that you want to try to reface the

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bulkhead in the area.

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Is the refaced area, is it
deteriorating in any way, shape or form?

MR. MCVOY: I believe so. There
are pictures of the existing wooden
bulkhead.

MR. KAUFMAN: At this point you are
proposing to put fiberglass in front of
everything?

MR. MCVOY: Yes.

THE CHAIRMAN: I assume you are not
going to try to use pile drivers to put
it in. You are going to try to jet it?

MR. MCVOY: Yes. It would have to
be jettted in.

THE CHAIRMAN: I am looking at the
thickness of the material.

MR. KAUFMAN: You will have to get
a DEC Permit for this.

MR. MCVOY: There is a DEC Permit
for this for five years, so we maybe able
to just amend the permit to further
extend the job.

MR. KAUFMAN: Absolutely. You will
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undertaking a commitment to obtain the proper permits from DEC.

MR. MCVOY: Yes.

THE CHAIRMAN: May I ask given the importance the county is placing on recycling, why you are not using recycled plastic lumber?

MR. MCVOY: That was not something that we actually thought of.

The fiberglass and the vinyl that we looked into seem to be the materials that last the longest and have the least amount of future repair.

THE CHAIRMAN: I would like you to go back and explore using recycled plastic lumber. It's been used quite successfully around the county in the northeast.

If you want to go see a bulkhead that has been in place for probably ten years now with absolutely no sign of deterioration, go over to the Stony Brook Mill Pond. That was specifically put in for permanent purposes. As I recall,

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it's high density polyethylene, and I think you will see it's a wonderful material and would be right in tune with what the county is trying to do with regard to using recycled materials.

MR. KAUFMAN: I have one question. We were given a data sheet with the materials listed on it. It was just handed out. It had on it shore capacity and bulkhead capacity, and it had certain average values in there. Does the plastic wood that you are talking about have anything close to these capacities? I am just curious.

THE CHAIRMAN: I don't know. I don't know, but there is just engineering criteria on all of those materials, and there is a whole range of them, and I think it would be in the spirit of what the county is trying to do.

Are there any other comments?

MR. KAUFMAN: Do we want to table this?

THE CHAIRMAN: I would like to.

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MR. KAUFMAN: I will make a motion to table this matter, and The Department of Works can come back to us with additional information.

THE CHAIRMAN: Do we have a motion?

(A motion was made.)

Do we have a second?

(A motion was made.)

MS. VILORIA-FISHER: Is the motion to just clarify or to seek more information or to investigate the use of recycled material? I would just like to know. I would like the motion to be more specific.

MR. KAUFMAN: I don't have a problem with it being more specific. I think the chairman was indicating that it would be a good idea to look into the availability and the possibility of using recycled plastic materials for this particular job.

MS. VILORIA-FISHER: I am just asking if that should be part of the

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motion.

THE CHAIRMAN: Make that part of the motion.

MR. KAUFMAN: I will make that part of the motion.

THE CHAIRMAN: Do we have a second.

MS. STILES: I will second that.

THE CHAIRMAN: We have a motion that's been seconded.

All opposed. Motion carries. Thank you very much.

I would be more than glad to talk to you about the materials if you want.

MR. MCVOY: Okay.

THE CHAIRMAN: Proposed replacement of the salt storage building, town of Southold.

Are you going to speak on that too?

MR. MCVOY: That's me again.

THE CHAIRMAN: Before you get away, we have to remember there are some very specific questions from Legislator

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Romaine that we need to address.

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MS. VILORIA-FISHER: Do you have

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copies?

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MR. MCVOY: I only made ten copies.

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MR. KAUFMAN: Just share them.

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MR. MCVOY: Christopher McVoy,

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Suffolk County Department of Public

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Works.

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This is a -- as you can see in the

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pictures, I have pictures from four years

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ago and pictures actually I just took

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yesterday of the existing building in the

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maintenance yard in Southold that is

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deteriorating. It's outlived it's life

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span, and we are proposing to just

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putting a new building, remove the old

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building and put a new building in the

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exact same place.

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MR. KAUFMAN: If I may, Mr.

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Chairman.

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Basically I am now just getting a

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copy of the pictures. It looks like

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there is bulging in some of the walls

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that obviously creates a problem.

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Is the new building going to be on a concrete path?

MR. MCVOY: Yes.

MR. KAUFMAN: You are trying to exclude the rock salt and the materials that you are replacing over there to prevent that stuff from getting into ground water tables?

MR. MCVOY: Yes. You can see here we are going to build a 6' high wall on the inside around the whole building, and the concrete slab will be here, so it will all be --

MR. KAUFMAN: So it will be integrated together, so there won't be any leaks?

MR. MCVOY: Right. And this will -- all the concrete on the inside will be all epoxy coated.

MR. KAUFMAN: Is there any chance ever that any rain water can get in there? Obviously you have designed a roof for it. I can see that on the plans, and is that going to have any

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special kind of properties to prevent rain water and filtration, aside from the normal function of a roof?

MR. MCVOY: It's basically a roof with shingles, but it's got a vent on top. It runs off the side.

MR. KAUFMAN: All right.

THE CHAIRMAN: When was this building you are replacing constructed?

MR. MCVOY: I'm not sure myself. I would have to say 25 to 30 years ago, maybe.

THE CHAIRMAN: You say you are replacing it in kind. Are you using the same kind of on construction materials?

MR. MCVOY: No. It's going to be a wooden building. Now, that's what we have been using. The last -- the roof is wood of the existing building. The actual walls are concrete block, I believe, but companies now are using more of a wooden structure all around with a crib wall that withstands machinery that comes in contact with it. It's become a

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better system than what we used to use.

THE CHAIRMAN: There is a state code involving these buildings. Are you intending to follow the state code?

MR. MCVOY: Yes.

THE CHAIRMAN: Are there any other questions?

MS. VILORIA-FISHER: I understand that you received a series of questions from Legislator Romaine. Are those the questions that you are putting on the record? I am certain as the chair of the Environmental Committee, Legislator Romaine will ask me the questions, and I want to make sure I have a clear answer for him.

THE CHAIRMAN: We are going to ask those specific questions, but I think we probably covered some of them, but we will ask very specific questions.

MS. VILORIA-FISHER: Thank you.

MR. BAGG: I was going to say that the questions from Legislator Romaine are number one as follows: Have well tests

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been performed in this area and to the surrounding homes?

MR. MCVOY: No, well tests have not been done in that area. That stretch of area doesn't actually have any homes. It's all businesses along this stretch, however, if we do, in fact, do well tests and are required to do well tests and we find out that there is salt leaching into the ground, this building is going to better that situation.

MR. BAGG: Okay.

Question number two: Is there an impermeable barrier to prevent salt leaching into the ground?

MR. MCVOY: Yes, that's --

THE CHAIRMAN: That would be the epoxy?

MR. MCVOY: Yes, the epoxy and the concrete wall contain salt within the building.

MR. BAGG: Question number three: Is there any evidence of salt leaching into the ground near and around the

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facility?

MR. MCVOY: That would be if and when we do well tests that we would find that evidence. We don't have any thus far.

MR. KAUFMAN: You won't have to actually just do well tests. That would show maybe a perimeter issue. You can do a soil test in the area simply with a spade. Go down a couple of feet, or back hoe or something like that, if you want to check in the immediate area.

MR. MCVOY: We would have to go into the asphalt again.

THE CHAIRMAN: How close is into the existing waste facility in the Town of Southold?

MR. MCVOY: The waste facility?

THE CHAIRMAN: Yes, the transfer space. Is it on the same property?

MR. MCVOY: I don't know. I don't know what waste facility you are --

THE CHAIRMAN: Where garbage is taken.

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MR. MCVOY: I don't know where that

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is.

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THE CHAIRMAN: My question was, if

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you were going to do salt tests and it's

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close to the landfill or where the

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basement is being transferred, how would

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you separate out possible salt from that

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operation as opposed to this operation.

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MR. MCVOY: I don't know.

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MR. BAGG: If I might, basically in

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the past the county and various

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municipalities and highway departments

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had opened salt storage and sand piles

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that was leaching salt into the ground

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water which caused health problems in

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surrounding residences, people with

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cardiac conditions and whatnot. The

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state came out and mandated that all such

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piles for highway usage be covered and

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placed in buildings in order to prevent

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the leaching of salts due to rain water

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and whatnot, that's the whole purpose of

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this particular facility and probably it

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was a little ahead of the times, because

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I don't think the state mandated these buildings probably until about 15 years ago and this building is pre-existing. In essence, they want to replace the existing building to insure that they don't get leaching into the ground water from the salt.

THE CHAIRMAN: Thank you. Are there any other comments?

Then I want to make a motion.

MR. KAUFMAN: This is clearly an unlisted action. Actually, no, it isn't clearly unlisted. This is a little bit of an oddball situation. Jim, what do you think, unlisted or type II?

MR. BAGG: That's really up to counsel. I mean basically it says, "incline on the same site." I assume "incline" means similiar to what was there.

MR. KAUFMAN: It's the same use. It's under 4000 square feet.

MR. BAGG: You can possibly recommend a type II action if you felt it

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was little bit more represented under listed acts like that.

MR. KAUFMAN: I will go out and on a limb. I am making a recommendation that this is a type II action and to use the old terminology with a negative declaration to it, I am saying it's the old terminology. It's a type II action then.

MR. POTENTE: Is that a motion?

MR. KAUFMAN: Yes. Your comment.

MR. POTENTE: I was just going to make a motion that it was an unlisted Neg. Dec.

THE CHAIRMAN: We have a motion that has been made type II. Do we have a second? I will second it. Do we have any further discussion, yes.

MS. VILORIA-FISHER: My question is, when you were mentioning earlier, Jim the state requirements for salt storage, do these require large garage doors to totally seal them to the weather elements, or is that door going to open

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to the weather?

MR. MCVOY: It's actually a roll up water proof fabric closure, that's the same kind of thing that was used at the Commack self-storage building.

THE CHAIRMAN: Do we have a motion in the second?

Are there any other comments?

All in favor of the motion? The motion carries. Thank you.

MS. VILORIA-FISHER: Mr. Chairman, because there was a great deal of discussion actually on the motion, and I am seeing three extensions, I am just curious as to what the problem was with the motion, just so we understand better. We have a number of new people here, and, you know, I think it should be clear.

THE CHAIRMAN: John, do you want to tell us why you were staying.

MR. POTENTE: Technicality, that's all on the basis of the categorization.

MS. STILES: I thought it would be

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more appropriate for it to be an unlisted

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action.

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MS. VILORIA-FISHER: As we spoke

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with everyone that was coming on board, I

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asked for SEQRA knowledge, and I know

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that SEQRA is complicated. I don't

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understand why this is not a lawyer

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question where I know the answer. I am

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really looking for an answer as to why

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there is -- I thought it was a type II,

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because it was a simple replacement, but

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if there is an objection to that, I just

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want to understand why.

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MS. STILES: I just read it to be

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that it wasn't a replacement. It's not

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the exact same type of replacement, and

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also a salt storage facility, in general,

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is something that could have serious

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consequences, so it's nothing major.

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MS. VILORIA-FISHER: Okay. Thank

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you, John.

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MR. POTENTE: It was the same if

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you go by lifetime. It's just how far

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you want to (inaudible microphone not on

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and low speaking voice) ...

I think you heard when I was trying to figure out what it is. I was trying to figure out what this was. I thought it was on the borderline. Is it directly compatible? In my opinion it is 99 percent compatible. Could it have gone unlisted? It's possible that it could have an impact, but it's been there for quite awhile, and it is a straight forward replacement inkind. What swung me toward a type II, to deal with it, I acknowledge fully that there are issues with a possible salt contamination, and it is on an existing concrete slab. As far as I know there has been no reports of any salt contamination in the area. If the legislature wants to push a little further and ask for well tests and other just sampling to see what is in the area to check the DEC records to satisfy themselves further as to the environmental impact of it, that would be the way to go, if you want to go that

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way.

MS. VILORIA-FISHER: Thank you.

THE CHAIRMAN: Would you like to add something?

MR. BAGG: Yes, because I didn't quite understand the defined distinction that was being made between the type II and the unlisted action. It was a straight forward replacement in kind. That would be a type II action, and that would be fine, so perhaps a little bit more discussion from the people that thought it was unlisted would be more worthwhile.

THE CHAIRMAN: Okay.

MS. VILORIA-FISHER: Thank you.

THE CHAIRMAN: Proposed acquisition of land for park land purposes known as the Hertlin Property in the Town of Brookhaven.

MS. FISCHER: I am Laretta Fischer. I am a Principal Environmental Analyst for The Suffolk County Planning Department.

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The first one before you is the Hertlin Property. It's a 6.2 acre lot that we are acquiring in the Hamlet of Centereach, in the town of Brookhaven for park land purposes.

This site to-date has a ranch style residence on it which will be demolished, but there is also a historic frame barn on the property that will be retained.

The Town of Brookhaven has indicated through resolution that they will be a willing partner in the maintenance of the building and the site. Their proposed use will be generally passive in the fact that they might create a small parking lot where the home exists that will be demolished and possibly put in some local trails.

They do own the property to the south. There is a main street here, so they are connected through trails.

At this point there is a fresh water wetland on their property, but it's very close to ours, so we are acquiring

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this hopefully through the multi-faceted

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land and preservation program for park

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land purposes.

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THE CHAIRMAN: Both of the areas

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are marked in red on your --

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MS. FISCHER: Actually one is red,

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the northern one, and, unfortunately, the

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southern one is like a pink, magenta

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color, which you might not be able to

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see. It's hard to delineate, but the

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southern one in magenta, pink, and it is

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at this point owned by The Town of

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Brookhaven at this point.

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The one we are acquiring is in red

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just north of it.

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THE CHAIRMAN: Any questions? Do

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we have a motion?

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MR. PICHNEY: I have a question.

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THE CHAIRMAN: Okay.

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MR. PICHNEY: It says it's a

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historic structure. Is it historic in

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the sense of being linked to local

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history, or is it merely an antique of an

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old barn?

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MS. FISCHER: I did not go out to see the barn itself. Information was given to us by The Town of Brookhaven. I can get some further information, but I can't readily answer your question.

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MR. PICHNEY: Will it be maintained after being restored?

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MS. FISCHER: Yes, by the town in their resolution.

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THE CHAIRMAN: Steve, do you have a question?

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MR. BROWN: I think that The Town of Brookhaven has been looking in areas, especially in the Centereach area, where there is a lack of park planning and open space acquisitions for the purpose of making this an ongoing process with the Town of Brookhaven and the county to insure that the community itself has open space within.

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The town bought the fresh water wetland on it. This only enhances that piece with the county.

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THE CHAIRMAN: Okay.

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MR. KAUFMAN: I am making a motion that this is an unlisted action with a negative declaration on it.

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THE CHAIRMAN: Do we have a second?

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MR. BROWN: I will second it.

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THE CHAIRMAN: We have a motion in the second. All in favor.

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THE CHAIRMAN: Opposed motion carries.

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THE CHAIRMAN: Proposed acquisition of land for open space preservation purposes known as the Forge River Watershed Addition, the Estate of Guccione Property, Town of Brookhaven.

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MS. FISCHER: Do you want me to go ahead?

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THE CHAIRMAN: Yes.

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MS. FISCHER: This is a small quarter acre lot along the Forge River in The Town of Brookhaven east of the Shirley, Mastic area. This is, again, a very important area for acquisition that we are focused on. This is to the west

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side of the river proper, north of
Montauk Highway.

We are looking to acquire well over
150 acres in this area.

It's a small and important part of
that acquisition. This was in our Master
List One.

MR. KAUFMAN: I was about to ask
that. I have -- if you don't mind, Mr.
Chairman.

THE CHAIRMAN: Go ahead.

MR. KAUFMAN: I have a Master List
Two here. You are saying the Master List
One?

MS. FISCHER: Yes.

THE CHAIRMAN: Is this on West Pond
or East Pond?

MS. FISCHER: No.

THE CHAIRMAN: I'm not clear where
this is on your figure.

MS. FISCHER: Let me give you a
bigger map that I have that gives you an
idea of the location, relative to what
you are looking for.

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MR. BROWN: This is an area I know we saw on the news. This area also has environmentally incentive areas that need to be protected. A lot of these parcels that we are talking about purchasing are on buildable lots that are being sold or traded off. That is what has happened in the Town of Brookhaven and the county. We are trying to preserve as much area, land over there because of years of development in the past. I think it's essential that we continue that process.

THE CHAIRMAN: Any other comment?

MS. VILORIA-FISHER: Mr. Chairman, this is directed to Laretta Fischer. We have the map in front of us, but I think the question was, you know, more specifically on that map where this parcel is, because, again, congratulations to the department for the acquisitions that are protecting this area, but it's hard to tell on the map with all the little red boxes where this one is.

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MS. FISCHER: The larger scaled

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map, do you have that?

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MS. VILORIA-FISHER: Yes.

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MS. FISCHER: It's in the north

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west corner of those little lots, in that

7

area. It's right in there.

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MS. VILORIA-FISHER: It's in one of

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those little lots?

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MS. FISCHER: Yes. I am sorry

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about that. We should have identified

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that on a larger map more clearly.

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MS. VILORIA-FISHER: For the EAP

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Committee you don't have to, because we

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have seen too many of these.

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MS. FISCHER: Thank you.

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MS. VILORIA-FISHER: Thank you.

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MS. FISCHER: Your welcome.

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THE CHAIRMAN: Any other comment?

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Do we have a motion?

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MR. POTENTE: I will make a motion,

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unlisted type.

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THE CHAIRMAN: Second?

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MR. KAUFMAN: I will second that

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motion.

2 THE CHAIRMAN: All in favor.

3 Motion carries. All opposed.

4 Proposed acquisition of land for
5 open space preservation purposes known as
6 the Patchogue River Wetlands Addition,
7 Irwin Property in The Town of
8 Brookhaven.

9 MS. FISCHER: Yes, this was on our
10 Master Two List, a water shed area of the
11 Patchogue River. It's one of the western
12 branch areas. I am sorry. It's on the
13 center part of the water shed river
14 corridor (phonetic). I am sorry. I was
15 thinking of something else, north of the
16 County Road 99, and it's a small 0.14
17 acre lot.

18 Again, in part of an effort by the
19 county to acquire a number of parcels
20 within this water shed to protect the
21 stream corridor water quality, there are
22 interspersed wetlands, fresh water
23 wetlands in this area as well, so we are
24 trying to acquire a block of land to
25 protect this water shed in this area.

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MR. KAUFMAN: Just for edification, a long time ago there were several master lists put out by The Suffolk County Department of Planning. I am holding Master List One and Master List Two, land acquisitions in environmentally sensitive wetlands in recreationally important areas, and, for example, the thing that I am looking at right now has maps of all ten towns and has identified various lots and environmentally sensitive areas under the categories I previously stated that the county was looking into purchasing.

For example, on Master List Two looking in the Town of Smithtown, I happened to review it for that particular area, because I come from the Town of Smithtown, and the Master List was very comprehensive and its properties that I would buy if I had the --

MS. VITORIA-FISHER: Money.

MR. KAUFMAN: On behalf of the county, if I had the money, not personally. I believe in buying these

2 lands for parks, okay.

3 MS. VILORIA-FISHER: Sorry.

4 MR. KAUFMAN: Yes, I would love to
5 buy them, most of them, personally.

6 Aside from that, basically there
7 are master lists out there.

8 The county has gone through an
9 extensive process of looking at these
10 properties and that's why we are getting
11 these properties in, and the county wants
12 to list and look that's the rhyme and
13 reason why these properties are coming
14 inspite of the fact that the county has
15 to go through bid and appraisal
16 situations, etcetera, and there is a
17 master list set forth as to why the
18 county wants to deal with this.

19 The Patchogue River is an
20 environmentally sensitive area. It's on
21 the Master List Two that we were
22 providing awhile back.

23 MR. POTENTE: I will make a motion,
24 unlisted neg. dec.

25 MR. KAUFMAN: I will second.

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THE CHAIRMAN: We have a motion that's been seconded. All in favor? All opposed. Thank you.

THE CHAIRMAN: I think we get to do for the fourth or the fifth year in a row as to my part of the agenda as to the discussion, the (inaudible) hearing.

Remember the county received comments after the drop dead date from The Department of Conservation, The New York State Department of Environmental Conservation and also The Environmental Board for The Town of Huntington, and we probably ought to vote on whether we will be willing to accept comments after the fact in getting a final discussion of the (inaudible) plan.

MR. KAUFMAN: Mr. Chairman, I believe that you are entirely correct in raising that point. The county has tried to run a very open process regarding vector control and has so listed public input throughout the entire process, and it has not held firm on any dates or

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anything like that. In other words, in my opinion we should accept certain comments after the public comment period has ended. I will make a motion that we accept the comments that you identified and include them in the public record.

THE CHAIRMAN: Do we have a second?

MR. POTENTE: I will second.

THE CHAIRMAN: We have a motion to accept the comments after the fact. It's been seconded. Any discussion?

I would just like to say that I think it's really imperative that we accept the DEC's comments. I think they are extremely important, because they give a different perspective relative to some of the other comments that we heard. I think voting in favor of this is the right thing to do.

All in favor. Opposed, motion carries.

The next thing that we must do is decide whether or not based on what we

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heard in the public hearing and based on what we saw and the comments as to whether or not we want to make a representation that we move forward with the final environmental impact statement.

Before we take that up, I would like to ask Mr. Dawydiak if you want to make any comments concerning what you have received and how you are responding to the comments.

MR. DAWYDIAK: Thank you.

My name is Walter Dawydiak, Chief Engineer for The Suffolk County Health Department and the wetland management long term plan, joined by Dr. David Tonjes of Cashin Associates to my left and Dominick Nintuagy, Superintendent of Vector Control to my right.

This process began back in 2002 in August when a positive declaration was declared and our contract was finally executed in November, and for two years we have been working on this plan. A lot

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has changed in the plan. The fundamental goals have been refined, but they still remain successive substantially.

In fact to protect public health, again, about two percent of the county received adulticide (phonetic) in a non-emergency response situation. We are looking to continue to further reduce adulticide and reduce larvaciding by 75 percent. We estimate that we will reduce a large percentage of the West Nile Virus as a result of this plan and hundreds of serious illnesses annually.

We want to continue to protect public health, and importantly over a ten year window, we are likely to restore approximately 34 thousand acres or more of wetlands which are routinely larvacided by vector control.

This was first issued for public review in September of 2005, and there had been already robust comments on the revision period to the plan, and we were about to embark on another series of

1
2 revisions in September of 2005 and May of
3 2006. When this plan was presented to
4 the CEQ, there had been major oversites.
5 We want to put new numbers in, so each
6 adult mosquito residing in a mosquito
7 effected population will be sprayed.

8 The most major changes have to do
9 with the wetlands plans that we
10 provided. Wetlands health and the
11 ecosystems are paramount above and beyond
12 any individual vector control
13 consideration.

14 We established a screening
15 committee to review each and every
16 project of potential significance so that
17 none of them will be in a vacuum and
18 isolated. They will be in a series of
19 government agencies and non-for-profits
20 will be reviewing all potential wetlands
21 projects.

22 The idea was that vector control
23 effects a relatively small percent of
24 wetlands over 17 thousand acres. The
25 park lands and wetlands larvacite is

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roughly one fourth.

We acknowledge the need for the management of broader wetlands, so this screening committee for wetlands is a strategy to address all the needs of wetlands over the first three year period. We are planning an implementation every three years. The plan is to keep an update on these committees. It's not an esthetic document. All of these changes were made. This plan was put on the street in May, and for the first two months we received a series of other comments, which were taken very seriously. We want to let you know that we will be clarifying and amending a revised plan over the next couple of months.

In response to these comments with respect to vector control, there is some confusion over adultacizement criteria. We are going to tighten up the issues to address all the concerns with respect to the wetlands.

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The term open market water management is generating too much confusion. It means too many different things to different people. We are calling it integrated marsh management, as a practical matter.

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The county will not be responding anymore, I imagine, for the next three years for planning the implementation by the screening committee. It has been further granted for --

THE CHAIRMAN: Could I interrupt for clarification?

MR. DAWYDIAK: Yes.

THE CHAIRMAN: You just commented you are not going to do anything in the marshes for three years?

MR. DAWYDIAK: Any major integrated marsh management.

THE CHAIRMAN: You are giving up the name open market water management to call it something different? I hope this is not going to be just a change in names, that there is actually going to be

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a change in substance associated with what formerly was considered open market water management. Now, it is not going to be just transferred in total to something that has been labeled, you know, with a different name.

MR. DAWYDIAK: We are going to add a discussion of what historically open market water management has been on Long Island, which has been ditch plumbing, the series of hydrolic (inaudible), which can fall into integrated marsh management. It will be procedural and there will be subtitled terms, in terms of what we are proposing, okay. Again, the screening committee is going to be standard and functioning as (inaudible) values are going to be paramount, and the county will be coming to the screening committee with every significant wetlands restoration project that it proposes, so some changes are more substantive in the plan.

For example, there have been

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concerns expressed about the fact that a minor restoration project under 15 acres in excess will not necessarily go to the screening committee. We are going to seriously look at alternatives to address this, and we are going to make the requirements much more stringent in terms of both what SEQRA and what the screening committee is going to see.

We met with the CEQ Subcommittee to discuss the comments and our approach for addressing them. Our consultant that is incorporating all the comments and the comments I believe the CEQ Committee will be addressing, and we expect within the next two months we will have a draft of the FEIS, if the CEQ deems an FEIS is necessary for the legislature to review. With that, I would like to turn this over, unless there are any questions, to Dr. Tonjes.

We have copies of those. I don't know if the copies of the FEIS have been disputed yet. I will pass them around.

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DR. TONJES: Good morning. Indeed
an FEIS is deemed necessary.

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We have looked at the comments that
have been received on the project and
tried to identify how this FEIS would
proceed. We need to address both the
substantive requirements of SEQRA and
also the requirements of public
acceptance of this project, which means
we have to do more than just meet the
procedural matters that are laid out in
the law. To do this, what we have
presented to you is a draft outline of
the document.

In essence, we would like to review
how we got where we are today, provide as
SEQRA requires, a summary of the comments
that are received and provide the actual
comments that were received in section
three.

What we do is look at what appears
to be the primary focuses of public
concern, which are how human health risks
due to mosquito born disease are

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characterized, etiological impacts associated with the plan and have a very broad discussion of how we propose to do water management, which I think will address the concern the chairman raised.

Section four is a detailed approach to the overall response to comments, and this will be the requirement that is in SEQRA, that substantive comments be discussed and addressed.

The way we have laid this out, there are some problematic issues, and then following the more general outline of mosquito control the integrated pest side management approach going through specific elements of the plan and discussing the comments as they are characterized in terms of that, and then we need to follow-up with the requirements of the environmental issues which further environmental reviews are required and will be laid out.

As part of this approach, we are certainly going to try to mitigate

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concerns that have been raised, and the way we are going to do that is by modifying the plans that provide the substance for the environmental review, in other words, the long term plan itself, the subcomponent, the wetlands management plan and it's further subcomponent. The best management practice manageable for these change manuals will be incorporated into the environmental impact statement as evidence of mitigation in response to concerns and that's what we would like to do or what we think we may have to do if you were to find this a necessary step.

THE CHAIRMAN: Thank you very much.

Do we have any questions from the counsel? None.

MS. VILORIA-FISHER: Actually, yes. This is a proposed outline?

DR. TONJES: Yes.

MS. VILORIA-FISHER: As I am looking at this, a number of these are

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going to be addressed, whether we require FEIS, is that correct?

MR. DAWYDIAK: It's our intent to provide a plan which would address the easier, respective of whether or not an FEIS is required.

MS. VILORIA-FISHER: That was my question, whether or not FEIS is required. There are many subsets of this outline which will be addressed based on some of your comments and in previous meetings?

MR. DAWYDIAK: Yes.

THE CHAIRMAN: Mr. Kaufman.

MR. KAUFMAN: Just for commission edification, the subcommittee which was formed awhile back and the people we met a few weeks ago with the team in front of us, Dominick Nintuagy and David Tonjes, discussed how we were going to approach the public comments. The feeling upon the subcommittee was that there definitely was a need to respond to public comments. The public comments

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brought up a number of issues that we felt need to be dealt with. They were uniformly cogent and indigent and really struck at the issues that we had to look at, and in that sense I felt the public comment period, that is required under SEQRA, was extremely helpful to the entire subcommittee. It really focused on my ideas and some of the other members also. So we have taken a look at a lot of what has been going on.

I would like to move into the real issue here. Under SEQRA at this point in time we are faced with a choice. We can either make a negative declaration and settlement document as it is right now, and in so doing no final comments will be needed or else we can decide today that the county, as the applicant does need to respond to the comments, and we can go do an FEIS stage, an environmental impact statement stage. It's my opinion at this point in time that we probably should go that way. I can't speak for the other

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members of the subcommittee but that's my particular feeling so that's the basic issue that we are faced with right now.

THE CHAIRMAN: I can make a clarification. Mr. Kaufman referred to a subcommittee. Working with the county on this subcommittee has been in place I guess probably a couple of years, and we did, in fact, meet to go over the comments of probably a month ago or close to a month ago, and for the record, the members of the subcommittee were Dr. Perconta, (phonetic) Mr. Kaufman and myself. Lauren Stiles was there. She was there basically to bring her on board as to what was in the document and more as an educational purpose.

Do we have any other comments?

Yes.

MR. BAGG: I have a question. You said that to some extent you are going to shift from an ANWOM (inaudible) into an integrated management program. I would suggest that the FEIS break that down

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into components that would be used to say what integrated marsh management would mean and what the impacts are on those integrated components on the marsh.

MR. DAWYDIAK: We will make every effort to clarify that once and for all.

THE CHAIRMAN: Any other discussion? Do we have any other public comment? Mr. Mr. Atkinson. Please identify yourself.

MR. ATKINSON: I am Matthew Atkinson.

Just in regard to revising to the long term plan and for the wetlands section, I would ask that there be a key so we know what exactly has changed. Instead of receiving a revised document, we receive a revised document that specifically says what was changed with it.

THE CHAIRMAN: Would anyone else like to speak to the audience concerning this plan?

MS. STILES: I just have a few

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questions.

During the meeting, I guess the subcommittee meeting, which I was just attending as a nonvoting member at that time, we had discussed the issue of the -- in your legal section here you have lots of different permaning procedures and things that are going to be discussed. I had asked for an inclusion of a discussion on compliance with the federal Clean Water Act, and you had indicated that you are going to add that in as a subsection, and I am just wondering why it's not there.

MR. DAWYDIAK: I think it's 4.1 litigation regarding the Clean Water Act.

MS. STILES: I wasn't necessarily referring to it in the litigation context or in the future acts. Like, for example, some of restoration efforts might become under nationwide permits. That doesn't seem to be suggested anywhere.

MR. DAWYDIAK: You would like to

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broaden the Clean Water Act umbrella to discussion relevant issues?

MS. STILES: I wasn't trying to refer to litigation when I asked for that. It seems to, if you are talking about SEQRA, and this is obviously a SEQRA document, you are going to have to figure out the type of permits and how the process is going to work out. I think it would be relevant to discuss that in the legal section, which, I guess, is 4.2 legal issues.

THE CHAIRMAN: Okay. We have to decide whether we are going to move forward with a final environmental impact statement.

MR. KAUFMAN: Mr. Chairman, I will make a motion that we proceed with the preparation of a final environmental impact statement.

THE CHAIRMAN: Do we have a second?

MS. VILORIA-FISHER: I have a question on the motion, Mr. Chairman.

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THE CHAIRMAN: Yes.

MS. VILORIA-FISHER: Mr. Kaufman said what his opinion was. That was not the recommendation of the subcommittee. Is there a subcommittee recommendation? The other members of the subcommittee, however, have not made another motion, so are we to assume that the other members of the subcommittee agree with the motion that was just made by Mr. Kaufman?

THE CHAIRMAN: We did not take a vote of the subcommittee. I would say for myself, I think based on the comments that we have been receiving and how they have diverged from the draft, that we would be remiss if we did not move forward with the preparation of the final environmental impact statement.

MS. VILORIA-FISHER: That answered my question. Thank you.

THE CHAIRMAN: All right. Do we have a motion on the table? Do we have a second? We have a second.

Any further discussion?

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There is a point of clarification.
We are only voting on whether we require
a final environmental impact statement.
We are not voting on the outline that has
been presented to us today.

Okay, no other comments or
questions?

I will call a motion. All in favor
of the motion opposed. Motion carries.

MR. POTENTE: There were two groups
of public comments that I thought were
extremely relevant in this. Many times
public comments are grouped and bagged
and summarized, and other times they are
not, and I would like to make a request
that the comments made by Enrico Nardone
and the comments made by the EEA, by The
New York State DEC be included verbatim
in the FEIS.

DR. TONJES: All of the comments
will be included verbatim. What we will
do in addressing particular comments is
we will have tried to group the comments
by topic where particular comments are

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unique. They will be addressed as such where they are consistent with what other people said.

MR. POTENTE: But all public comments then will be included as a package as the FEIS is verbatim?

DR. TONJES: That's a requirement of the law. We are annotating the comments, so you can see exactly how they were classified and grouped so...

MR. POTENTE: Very good.

THE CHAIRMAN: Thank you very much.

MR. DAWYDIAK: Thank you.

THE CHAIRMAN: Before I forget, we have some scheduling problems that we need to consider. The cause of the problems relates to a conflict for this room and the date in question that we currently know about is the scheduled meeting for September 20th. It's next month's meeting and also the meeting that is currently scheduled for November 8th, so we need to pick alternative dates, so

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we can get the proper notifications of the meeting now.

MR. KAUFMAN: Are those dates that you gave, are those morning conflicts or all day conflicts? For example, on September 20th is there a conflict with the legislature or the committee or something like that that meets here in the morning? Would it be possible to meet here in the afternoon?

MR. BAGG: The memorandum from the Legislator Lensey (phonetic) indicates on September 20th there is another meeting in the room during the CEQ scheduled meeting.

Also on the 8th I believe there is a budget meeting that starts at 11:00 a.m. I have no idea how long those meetings will go.

MR. KAUFMAN: Let's pick another day then.

THE CHAIRMAN: Jim, with regard to my personal schedule, I cannot meet the week prior to September 20th.

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MS. VILORIA-FISHER: That wouldn't work anyway, that's committee week, so this room will be used all day.

MR. KAUFMAN: The other choice, to go back to The Planning Department, I understand we won't get verbatim minutes in that situation, but we will be able to take some minutes or some records.

MS. VILORIA-FISHER: That would be nice.

THE CHAIRMAN: We were notified that on September 20th the room will be free after 2:00 p.m. We will be able to meet on September 20th, I would say, at 2 o'clock. Why don't we plan on doing that.

On November 8th, I presume, it was moved to November 8th from the third week because of conflicts with the legislature.

MR. BAGG: That's correct. We tried to avoid legislative committee weeks and, therefore, the CEQ schedule was moved.

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THE CHAIRMAN: So the 15th would be out, and the following week probably is Thanksgiving week so we have to move --

MR. BAGG: The 15th is legislative committee week. The 21st is the legislative meeting. The 22nd is open, that's the day before Thanksgiving.

THE CHAIRMAN: Do we have any suggestions?

MS. VILORIA-FISHER: Mr. Chairman, on Wednesday, the 8th the operating budget meeting doesn't begin until 11:00 a.m. Could we begin at 9:00 and try to be out by 11:00?

THE CHAIRMAN: We certainly could, and if we don't have the mosquito business on the agenda, we could probably get through.

MR. BAGG: I was notified by the legislative staff that they need time to set up for that budget meeting prior to 11 o'clock.

THE CHAIRMAN: How late do those meetings usually run?

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MS. VILORIA-FISHER: One never

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knows.

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THE CHAIRMAN: Okay.

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MS. VILORIA-FISHER: The operating

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budget meeting doesn't usually last long,

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but I can't determine it.

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MR. KAUFMAN: What about going back

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again to the conference room in

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planning?

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THE CHAIRMAN: Any objection? I

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would rather go there myself anyway.

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MS. VILORIA-FISHER: It is a nicer

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place to be, but by resolution, we have

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to have verbatim minutes.

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THE CHAIRMAN: But it says when we

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can't, we can't.

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MR. BAGG: That's correct, but

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since we are not offered verbatim minutes

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by the clerk's office but we refer to the

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CEQ. The minutes can be taped, and if

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necessary, the tapes will be available

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for verbatim transcription.

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THE CHAIRMAN: Is it okay if we go

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back to Jim's office for November 8th?

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All right. We will do that, okay,
Historic Services.

MS. VILORIA-FISHER: That's the day
after election day. That's a big day for
me.

MR. MARTIN: Good morning. Some
new developments, The New Peconic Chapter
of the American Institute of Architects
has established itself, I guess, covering
the north fork and the south fork of
Suffolk County.

There is already a Long Island
chapter of the AIA, but it's just been
over about a year that they have
established themselves, and they have
approached the Parks Department to
possibly set up a center for architecture
and environmental programs at Flander's
(phonetic) and also possible use of the
Smither's (phonetic) property, which is
immediately to the north. Both of these
properties are along the Peconic Bay.

Flanders, we have met with them at
the commerce office, and the ideas they

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have seem to fit. Both of them are historic sites, and they plan to go ahead with the feasibility study that they will present to us and also bring in the CEQ, at that point, of what their plans are for those two sites.

We do have a group of ducks unlisted on site at Smither's property that use one of the cabins, but the other buildings are vacant, and Black Duck Lodge is presently under regulation, and they can also work with us to fully restore the building.

The Parks Department right now is restoring the exterior of that building, so they will be coming to the full CEQ with their feasibility study, and you will be able to comment on it at that point.

Jacalone Architects (phonetic) have been hired to do a basic conditions survey and provide cost estimates for approximately 30 historic buildings within the Suffolk County Parks

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Department. This is a request from The Parks Commissioner, Ronald Foley to provide more information for the department for the restoration of these buildings to your priority list to the building and also to plan for the funds needed to restore these buildings, and this survey will be completed by the end of the year.

MR. KAUFMAN: Rich, just for the record, the chairman has left the room for a couple of minutes as vice chair, I will be running the rest of the meeting.

Any progress on the Blydenburgh Bill situation?

MR. MARTIN: Nothing immediately. We are waiting for the purchase orders to go into place.

We are hiring a plumbing company to de-water the site and to damp it up, so we can get under the building to take a look at it and that's moving forward, but we haven't started the work yet.

MS. VILORIA-FISHER: Is there any

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update on the skullie (phonetic)
property?

MR. MARTIN: We are working
publically on what we can do with the
existing funds, the two million dollar
funds that need to be expanded by the end
of the year, so we are looking to bring
in all the utilities at this point and
work with all caretakers' space on the
second floor, so we can have someone move
onto that site and their meetings and
work programs are going forward right
now, and the department would be the
first project to be completed.

MS. VILORIA-FISHER: Has there been
any further vandalism?

MR. MARTIN: No. We have
completely boarded up the building. At
this point, and there has been no
additional vandalism, and we will take
the boards off as needed, and when a
caretaker moves in, we can take quite a
bit of that off.

MS. VILORIA-FISHER: That's good

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news.

MR. KAUFMAN: Any further questions
for Mr. Martin? Thank you, Rich.

For the record the Chairman has
returned to the meeting. Mr. Chairman.

THE CHAIRMAN: CAC concerns.

All right. Do we have a motion?

MR. KAUFMAN: Motion adjourned.

THE CHAIRMAN: Second? No second?

MS. STILES: Second.

THE CHAIRMAN: Thank you. We are
adjourned. Thank you for coming and
welcome to all the new members.

(Time noted: 10:55 a.m.)

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CERTIFICATION

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

THAT the witness(es) whose testimony is hereinbefore set forth, was duly sworn by me; and

THAT the within transcript is a true record of the testimony given by said witness(es).

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

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

AUDREY VASTI