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DEPARTMENT OF PLANNING

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COUNCIL on ENVIRONMENTAL QUALITY

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A regular meeting of the Council on

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Environmental Equality was held in the

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auditorium of Williams H. Rogers Suffolk

8

County Legislature Building, 725 Veterans

9

Memorial Highway, Smithtown, New York on

10

November 18, 2009 at 10:30 A.M.

11

12

Appearances:

13

Michael Kaufman, Vice Chairman, CEQ

14

Gloria G. Russo, CEQ

15

Thomas Gulbransen, CEQ

16

Daniel Pichney, CEQ

17

Eva Growney, CEQ

18

Richard Machtay, CEQ

19

Mary Ann Spencer, CEQ

20

Christine Desalvo, CEQ Staff

21

James Bagg, Chief Environmental Analyst

22

Joy Squires, CAC Representative

23

Richard Martin, Historic Society

24

Lauretta Fisher, Department of Public Works

25

Nick Gibbons, SC Parks Department

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2 Dominick Ninivaggi, Department of Public Works

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1 CEQ 11/18/09

2 [The meeting was called to order at 10:36 A.M.]

3 MR. KAUFMAN: Okay. Hello,
4 everybody. My name is Mike Kaufman.
5 I am Vice Chairman of the QEC. Our
6 Chairperson, Larry Swanson, is not
7 with us today, so I will be
8 starting the meeting. I'm calling
9 it to order.

10 Let's see. We all have a
11 revised agenda in our packets, and
12 I'll guess we'll start off, to make
13 Jim happy, properly and in order,
14 we'll deal with the minutes. Has
15 anyone checked the minutes from last
16 month?

17 MR. MACHTAY: There were no
18 minutes.

19 MR. KAUFMAN: Okay. The month
20 before?

21 MR. MACHTAY: Before that, there
22 were no minutes put up yet, either.

23 MR. KAUFMAN: Okay. I guess --
24 have you been monitoring the website
25 with any frequency? I just looked

1 CEQ 11/18/09
2 at it yesterday. September, October
3 minutes were not put up yet, so we
4 can't vote on them, so we'll skip
5 that item on the agenda. Jim, is
6 there any correspondence out there
7 that we should be made aware of?

8 MR. BAGG: No, not at this point
9 in time.

10 MR. KAUFMAN: That's easy. The
11 public portion will delay for a
12 little while, if that's okay with
13 you. Let's go to Project Reviews
14 and Recommended Type 2 actions. We
15 have the Legislative packet for
16 resos laid on the table yesterday.

17 Just as a personal aside, Reso
18 1959, Naming the new 4th precinct
19 building after Cyril J. Donnelly;
20 Mr. Donnelly was the former police
21 chief of the Town of Smithtown prior
22 to the amalgamation of the town
23 police forces into the County force
24 in 1960. He's a historic figure
25 from around the 1930's up through

1 CEQ 11/18/09
2 the 1970's in the Town of Smithtown,
3 and I think it's a very, very
4 appropriate thing to do, and I hope
5 the bill goes through.

6 I see 1972 is in there,
7 Approving the vector control plan of
8 DPW, which was presented to us a
9 month or so ago. SEQRA's complete
10 on that one. Do any members have
11 any comments on any resos?

12 [No response]

13 Not hearing any, I will call for
14 a motion to accept, staff
15 recommendations?

16 MR. MACHTAY: [Raises hand]

17 MR. KAUFMAN: Motion by Richard
18 Machtay. Do I have a second?

19 MS. GROWNEY: [Raises hand]

20 MR. KAUFMAN: A second by Eva.

21 All in favor? Vote is unanimous.

22 Okay. Oh, my favorite subject.
23 The next one is Proposed establishment of a
24 dog run at Robinson Duck Farm County
25 Park, Yaphank, of all towns, Town of

1 CEQ 11/18/09

2 Brookhaven. Is there anyone here to
3 present on that?

4 MR. GIBBONS: Yes.

5 MR. KAUFMAN: By the way, sir,
6 could you identify yourself for the
7 record?

8 MR. GIBBONS: Good morning.
9 Nick Gibbons, Suffolk County Parks
10 Department. The proposal is for a
11 -- the establishment of a five-acre
12 dog run at Robinson Duck Farm, if
13 you're familiar of where that is;
14 I'll orient you a little bit.

15 As part of the attachments to
16 the correspondence is an aerial
17 photograph. I think that's probably
18 the easiest way to describe it. The
19 dog run -- proposed dog run's area
20 is indicated on the aerial. It's on
21 the south side of Montauk Highway.
22 Just to the north of Montauk, you
23 can see Sunrise Highway. They
24 almost meet in that spot. It's east
25 of the Wertheim Refuge, which

1 CEQ 11/18/09

2 surrounds the property on both the
3 west and the south, although to the
4 south, it's bi-sectored by the LIRR.
5 Then to the east, far east, by the
6 Carmans River, the habitat of this
7 area is an old field, former
8 agricultural land, that has since
9 grown over. The County Parks
10 Department maintains it in an old
11 field state by mowing once every one
12 to two years. The community type is
13 a mix of both invasive species and
14 native grasses. A native grass
15 restoration project was completed
16 about six or seven years ago to the
17 south of this site.

18 The area that's proposed for the
19 dog run is predominantly mugwort, an
20 invasive Asian species. There's a
21 proposed parking area of
22 approximately 15 to 20 vehicles.
23 It's located in the central part of
24 the property along to the north
25 there, and we proposed to maintain

1 CEQ 11/18/09

2 an existing roughly 20 to 30 foot
3 buffer along Montauk highway.

4 MR. KAUFMAN: Do any of members
5 have any questions? Eva.

6 MS. GROWNEY: In the past, what
7 has been the most recent activities
8 on the property aside from the
9 mowing? Is there anything else
10 that's gone on there?

11 MR. GIBBONS: There's several
12 structures to the east. You'll see
13 those on the aerial. There's three
14 county residences and a couple
15 additional commercial buildings,
16 routine maintenance. We're actually
17 forward with demolition of one of
18 the commercial structures. It's
19 just simply unsafe at this point but
20 aside from the mowing, that's the
21 extent of management activities that
22 Parks has undertaken.

23 MS. GROWNEY: There's no other
24 activities from the local residents
25 happening on the property?

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2 MR. GIBBONS: We do have an
3 issue there with unauthorized access
4 for bow-hunting purposes, but it's
5 not a sanctioned use by the County
6 Parks Department through public
7 access to the site.

8 MS. GROWNEY: Might that somehow
9 be a conflict? Will something have
10 to be done about the bow activity?

11 MR. GIBBONS: It wouldn't be the
12 field area, anyway. There's some
13 wooded area that surrounds the
14 structures. It provides additional
15 protection to the property and
16 enforcement, so, no, I don't see any
17 conflict there.

18 MR. KAUFMAN: Nick, one quick
19 comment: You said it's mugwart up
20 there, which is an invasive species?

21 MR. GIBBONS: Yes.

22 MR. KAUFMAN: Okay. And that
23 covers the entire area of the dog
24 run itself?

25 MR. GIBBONS: The mugwart is

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2 probably about 70 percent of this
3 site.

4 MR. KAUFMAN: So, essentially,
5 you're using the dogs to control the
6 mugwart for all intensive purposes?
7 Can you train dogs to eat this
8 stuff?

9 MR. GIBBONS: [Inaudible
10 response]

11 MR. KAUFMAN: Ignoring the rest
12 of it, I have one comment on it.
13 I'm not sure this is a Type 2 action
14 under the designation that you gave.
15 The snow fencing and the previous
16 parking area probably are minor
17 temporary usages, but we're
18 establishing a five-acre dog run.
19 Those uses are never temporary.
20 Once they're in there, they are
21 there forever, and that's really the
22 use that's being placed here.

23 I think this is an unlisted
24 action more likely, or possibly a
25 Type 2. It's going to get a negdec

1 CEQ 11/18/09
2 most likely if it's unlisted. There
3 may be another section under Type 2
4 but I don't have the regulations in
5 front of me. It's over 4,000 square
6 feet; that much, I know. Does
7 anyone have the SEQRA regs in front
8 of them?

9 MR. GIBBONS: I'll just point
10 out, for your consideration, are two
11 points. Number one, we've done
12 these in a couple of sites at this
13 point. You guys have seen one or
14 two in the past. The difference
15 here is, number one, this makes use
16 of entirely of an existing cleared
17 area, which the others didn't.

18 The other is the fencing in this
19 case is truly temporary in the sense
20 that it's -- if not replaced every
21 three to four years, say, it
22 deteriorates over time and it will
23 have to be replaced, whereas we've
24 expended capital funding for chain
25 link fences for more permanent

1 CEQ 11/18/09
2 facilities in other places.

3 MR. KAUFMAN: Yeah, but that's
4 really focusing upon the improvement
5 as opposed to the primary use, which
6 is what I'm focusing on and what
7 SEQRA would focus on. Again, I'll
8 defer to anyone who remembers the
9 Type 2 regulations. I really think
10 this is an unlisted, though, and,
11 again, that's not going to make a
12 difference. We have enough
13 documentation to make a call on it
14 today.

15 MR. GIBBONS: Before you -- I'm
16 sorry -- before you -- I just want
17 to discuss the other attachment,
18 which were photos taken within the
19 past week of the site, so that gives
20 you an idea of the habitat involved.
21 This is -- this mote area is all
22 within the existing proposed dog run
23 area. There were some flags held --
24 hung up to delineate that, but they
25 don't show up in the photo. But

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2 this is just south of Montauk
3 highway.

4 MR. KAUFMAN: Dan, you had
5 raised your hand. Do you have a
6 question?

7 MR. PICHNEY: Since today was
8 supposed to be invasive plant day,
9 for the remainder of the site, are
10 there any efforts to control
11 mugwort?

12 MR. GIBBONS: We did undertake a
13 grassland or warm season grassland,
14 native grassland restoration at this
15 site about six or eight years ago.
16 It unfortunately was not maintained.
17 There was good initial response. It
18 was seeded through a grant through
19 the USDA that the Parks Department
20 received. We did this on a number
21 of sites at the time. This site has
22 also been burned in the past to
23 maintain grass on habitat, but
24 unfortunately, the mugwort -- we're
25 looking for an effective means that

1 CEQ 11/18/09

2 doesn't involve herbicide at this
3 point. I'm not sure there are any.
4 The entire --

5 MR. PICHNEY: I don't -- yeah.

6 MR. GIBBONS: The entire site, I
7 should mention, is the subject of a
8 feasibility study for restoration.
9 It's being headed up by the Planning
10 Department. However, the primary
11 focus in terms of restoration is the
12 Carmans River wetland quarter, and a
13 secondary goal is native grass and
14 restoration within the field area as
15 well as.

16 MR. PICHNEY: Thank you.

17 MR. KAUFMAN: Jim, you have a
18 comment?

19 MR. BAGG: Yeah, I have a
20 question. Nick, does this project
21 go before the Legislature, or is
22 this strictly determined by the
23 Commissioner at this point in time?

24 MR. GIBBONS: In this case, this
25 is a project that won't go beyond

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2 the department in the sense that it
3 does not require a capital
4 appropriation. Some of our others,
5 which I brought you in the past, did
6 require -- through our capital
7 program, we have a project of
8 establishment of dog runs in county
9 parks. However, because of the
10 inexpensive nature of the material
11 being proposed at this site, it
12 doesn't require capital
13 appropriation.

14 MR. KAUFMAN: Given the fact
15 that it's a dog run, and again, the
16 usages are not necessarily
17 temporary, I think the review is
18 proper and that's what we're doing
19 here right now. I think it's an
20 unlisted action, and if there's no
21 other comments, I'd entertain a
22 motion.

23 MS. SPENCER: [Raised hand].

24 MR. KAUFMAN: I have a motion by
25 Mary Ann.

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2 MS. SPENCER: No, I have a
3 comment.

4 MR. KAUFMAN: Oh, you have a
5 comment.

6 MS. SPENCER: I have a comment.
7 Nick, is there a possibility of
8 moving the dog run to the west so
9 that it's in the west corner? It
10 would not be completely cleared but
11 it would be further away from the
12 residences. Also, that's a busy
13 road. I mean, access on and off
14 that road into the parking lot, no
15 matter where you put it, may be
16 problematic.

17 MR. GIBBONS: Are you talking
18 about the residences on the north
19 side of Montauk highway?

20 MS. SPENCER: No, I'm talking
21 about the residences on the east
22 side -- the --

23 MR. GIBBONS: Oh, the Bush Farm
24 there?

25 MS. SPENCER: -- to the Bush

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2 Farm and the County property.

3 MR. GIBBONS: The reason why
4 it's centrally located, there's a
5 couple reasons how we wound up here.
6 At one point in time, we were
7 proposing it to the extreme south of
8 the field, but for a number of
9 reasons, not the least of which,
10 ecologically, it, makes more sense.
11 It's less of a fragmenting feature
12 of the old field grassland if it's
13 up by Montauk Highway where the most
14 impact from traffic noise, what have
15 you -- the reason it's centrally
16 located, equidistant roughly between
17 the Wertheim boundary and the Bush
18 Farm, which is to the east there, is
19 to maintain, to the best of our
20 ability, a buffer between us and the
21 Wertheim Refuge.

22 That request came from Wertheim
23 itself, from the U.S. Fish and
24 Wildlife Service. So in this way,
25 we're ensuring -- and I should also

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2 explain that we will not mow that
3 area as frequently. We'll continue
4 the mow it to keep it in a grassland
5 state, but we'll leave everything
6 else un-mowed that's outside of the
7 dog run area to continue to keep
8 that buffer established between us
9 and the private holdings to the east
10 there and also to maintain an
11 ecological vegetative buffer between
12 us and the Wertheim Refuge to the
13 west.

14 As for the access off of Montauk
15 Highway, you've been there, so
16 you'll know the existing access is
17 an extremely dangerous situation,
18 and at one point, we contemplated
19 using that existing access for the
20 general public. It's just simply
21 not appropriate. We've been working
22 with DPW to take a look at what's
23 most important off of Montauk
24 Highway, but the proposed access is
25 certainly an improvement to the

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2 existing conditions, and it
3 significantly increases site lines,
4 both east and west on Montauk.

5 And finally, the reason we are
6 -- this is a balance of a lot of
7 different conditions, but in this
8 case, we are roughly opposite the
9 last residence to the north on
10 Montauk. We're looking not to
11 impact the residences to the north
12 by establishing an entrance right in
13 front of any one of those, so
14 actually this could be revised a
15 little bit if -- where it says
16 Montauk Highway there, the proposed
17 entrance is actually south of the
18 word Montauk, roughly. It's a
19 little bit to the east of where it's
20 shown on this but still within the
21 existing dog run area, as proposed.

22 MS. SPENCER: Nick, what was the
23 Wertheim National Refuge, what was
24 that rationale for a buffer?

25 MR. GIBBONS: The reason this is

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2 snow fence and not chain link and
3 more formal than some of our other
4 sites are -- there's several
5 reasons. We don't have existing
6 utilities on the site. Some of our
7 other dog runs, our formal dog runs,
8 have water run to them. We don't
9 have any such infrastructure
10 proposed here.

11 But more importantly, the fact
12 that we don't have chain link, this
13 is -- the concept here is a natural
14 borders dog run. This is
15 legislation that was subsequent to
16 the previous resolution that
17 directed parks to establish five dog
18 runs. There was a follow-up
19 resolution to that said we would
20 take a harder look at establishing
21 natural border dog runs. I'm still
22 not clear on what that is. However,
23 at least for now, we feel as if a
24 snow fence is roughly -- is a
25 natural border, for lack of a better

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2 term, in that it's somewhat
3 temporary in nature. The site could
4 be moved around, subject, again, to
5 the CEQ's review.

6 I understand Mike's point in
7 terms of once it's established, it's
8 kind of hard to -- and that's true
9 of any of our recreational
10 opportunities that we establish in
11 Parks. But the idea is to get the
12 public used to the idea that that is
13 the designated area and,
14 theoretically, we could take the
15 snow fence down and the vegetation
16 that's grown up around the perimeter
17 of this established dog run area
18 would serve as enough of a natural
19 border for the public's use.

20 What I don't understand clearly
21 is how that benefits the public's
22 use of the site, how that changes
23 what the natural border park offers
24 that the conventional border park
25 does not.

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2 MR. KAUFMAN: A better view for
3 the dog's, Nick. You remember that
4 argument.

5 MR. GIBBONS: Wertheim's concern
6 is that the dogs don't know where
7 the end of the dog run is, and that
8 they will eventually venture out
9 onto their property.

10 MS. SPENCER: Which would argue
11 that there would also be some kind
12 of a barrier, right?

13 MR. GIBBONS: Yes.

14 MS. SPENCER: And going back the
15 Mike's point about the view for the
16 dogs, which we've had --

17 MR. KAUFMAN: Believe it or not,
18 that's a really serious subject.

19 MS. SPENCER: Yes, well, this is
20 a totally cleared area. If you were
21 to move this to the west towards the
22 Wertheim, leave the parking where it
23 is. Move your square to the west so
24 that you include that forested area.
25 There's a little variety for the

1 CEQ 11/18/09

2 dogs, it's not just a cleared field.

3 MR. GIBBONS: We could take that
4 under consideration. I'm not sure
5 it changes the SEQRA designation
6 necessarily, but we'll definitely
7 take it under advisement. Your
8 primary concern, just to be clear,
9 is a buffer between us and the farm;
10 is that correct?

11 MS. SPENCER: Yes, that's my
12 primary concern. And given that the
13 Wertheim is a permanent -- that's
14 not going to become housing?

15 MR. GIBBONS: No.

16 MS. SPENCER: So moving it
17 closer to Wertheim does buffer the
18 properties on the east a little
19 better.

20 MR. GIBBONS: It gives us --
21 yes.

22 MS. SPENCER: And gives the dogs
23 some trees to run in.

24 MR. GIBBONS: It gets closer
25 into being truly opposite the

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2 residents on Montauk.

3 MS. SPENCER: But you're
4 providing a buffer and the highway.

5 MR. GIBBONS: Yes.

6 MS. SPENCER: And you could
7 leave the parking where it is. I
8 mean, your access wouldn't change.
9 So the parking, instead of being in
10 the middle of the dog run, would be
11 on the edge of the dog run.

12 MR. GIBBONS: Right. I didn't
13 want to get into this much detail,
14 but as long as it's come up, the
15 reason I have the parking centrally
16 located is, the thought is from an
17 operational standpoint and based on
18 our experience at these other
19 locations, we would -- if you could
20 approximate a line through the
21 middle of this dog run area and
22 thereby dividing it in half so we
23 have an A side and a B side, four to
24 six months out of the year, only one
25 side would be open providing the

1 CEQ 11/18/09
2 other area an opportunity to
3 reestablish some vegetation, as has
4 been our experience at West Hills
5 and Blydenburgh. In a very short
6 amount of time, the dogs entirely
7 denuded the site of any vegetation.

8 MR. KAUFMAN: That's why I made
9 that comment about the mugwart
10 possibly being controlled by the
11 dogs.

12 MR. GIBBONS: Well, that's true,
13 but everything will be controlled.
14 They are not very selective in terms
15 of where they step.

16 So the only issue in terms of
17 planning this thing is then that the
18 parking should be really centrally
19 located in that if we had it to the
20 extreme west of this site then the
21 public would have to park in one
22 area, avoid using that half that's
23 fallow, for lack of a better term,
24 temporarily while they get to the
25 other side, if that makes sense. I

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2 was going to show that on there, but
3 I thought it would be just too
4 confusing -- I didn't know that --
5 but as long as you asked, I want to
6 explain it. That's operationally
7 where we think -- how we're going to
8 run this site.

9 MR. KAUFMAN: Tom, you had a
10 question?

11 MR. GULBRANSEN: Good morning.

12 MR. GIBBONS: Good morning.

13 MR. GULBRANSEN: In the fore
14 program that the DEC has underway
15 with municipalities is now being
16 upgraded and driven in part by the
17 pathogen issues that a lot of the
18 abatements are facing. I'm not
19 familiar with the dog run
20 operations. How do you think this
21 is going to effect the pathogens
22 that are heading out into the
23 waterways? Do they have
24 pooper-scooper receptacles and is it
25 no net gain; do we know?

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2 MR. GIBBONS: This site has no
3 impact on water quality given its
4 proximity to the nearest body of
5 water. We do offer amenities such
6 as those at our formal dog run
7 sites. That will not be the case
8 here. This will be a carry in/out
9 facility.

10 Our experience has been if you
11 provide receptacles at an area like
12 this where there's no staff to speak
13 of, they become a dumping ground for
14 everything that people want to get
15 out of their garages but are hard to
16 get rid of, and that just becomes an
17 operational headache for us.

18 We did recently establish a dog
19 run down at Roe Avenue in East
20 Patchogue similar to this; again,
21 snow fencing, a natural borders
22 concept. It's truly a natural
23 border in the sense that it fronts
24 Great South Bay. In that case,
25 there's really no place to go other

1 CEQ 11/18/09
2 than up to the shoreline there.
3 That's on a former dredge spoil
4 site. Again, it's in East
5 Patchogue. That's a site where we
6 don't offer, for the same reason,
7 receptacles.

8 We have that in a lot of our
9 passive parks where there is no
10 facilities to speak of, and every
11 time we add a receptacle to one of
12 these seats, we're dividing the
13 existing staffs time by yet another
14 factor and it's not as if we're
15 adding additional staff to the
16 department to run this; we're not.
17 So that being said, there could be
18 some unanticipated results here and
19 then we'll have to adjust
20 accordingly.

21 MR. GULBRANSEN: That was what I
22 wanted to close with. The pathogen
23 loads that were looked at by EPA and
24 DEC are calling for productions on
25 the level of 95 percent reduction,

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2 and a lot of it seems to be driven
3 by pet loads unless a better source
4 can be determined in the future.
5 So, just so you know, if a
6 municipality in the area comes
7 knocking on the door, we might
8 actually go back and help them
9 mitigate against something if they
10 find that's going to help decrease
11 their load, maybe.

12 MR. GIBBONS: More often than
13 not, that's road runoff. That's how
14 pet waste contributes to those
15 issues, and in this case where you
16 have 70-acre basically intact
17 property with no pervious surfaces
18 -- or impervious, rather, there is
19 plenty of filtration on the site.

20 MR. KAUFMAN: Eva, you had a
21 question?

22 MS. GROWNEY: Yes, just for a
23 little more clarification because
24 that was along the lines of one of
25 the questions I had. The other --

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2 so does that mean they'll be
3 providing some sort of plastic bags
4 for people to -- there's no
5 provisions whatsoever.

6 MR. GIBBONS: No, our experience
7 is that unless you provide those a
8 receptacle, all those serve to do is
9 to wind up in the -- elsewhere in
10 the park; that is, they're used and
11 then they're tossed onsite,
12 unfortunately.

13 MS. GROWNEY: All right. The
14 other part of my question is to get
15 to -- to address the buffer issue a
16 little bit. What if is this square,
17 the red part of the square, was
18 pushed down the southern aspect of
19 the green parking square so that
20 you're providing a little more road
21 buffer? Maybe that would help
22 address somewhat the issues that
23 might come up with the housing being
24 across the street.

25 MR. GIBBONS: Oh, less frontage

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2 along Montauk; deeper rather than
3 wider?

4 MS. GROWNEY: More frontage --

5 MR. GIBBONS: Less frontage on
6 Montauk, I meant --

7 MS. GROWNEY: Pushing the square
8 -- keeping it perpendicular --
9 keeping the red square perpendicular
10 to the green square, pushing the red
11 square to the south so that the
12 parking is outside of the red square
13 instead of inside the red square.

14 MR. GIBBONS: Oh, I see. Yes,
15 that certainly could be done. We
16 could take a look at that, sure.

17 MS. GROWNEY: Okay. Thanks.

18 MR. KAUFMAN: Any other
19 questions? Dan.

20 MR. PICHNEY: I just have
21 another ancillary question again,
22 not germane to that specifically.
23 In terms of policy, is there any
24 reason why the department is
25 maintaining that that field is a

1 CEQ 11/18/09
2 field, an ecological region, rather
3 than letting it revert back to
4 forestland?

5 MR. GIBBONS: Yes, there is.
6 This is one of the rare habitats, as
7 much of this property is largely
8 invasive species and impacted by
9 those species, it still offers
10 structurally grassland habitat
11 that's utilized, if not to a lesser
12 extent than a native grassland would
13 be, in my -- and this is a program
14 that's run out of our unit where we
15 have six or eight sites such as this
16 that we continue to maintain, as I
17 said, maybe once -- one to three
18 years, say, in this state just
19 because this is the, really, rarest
20 of community types and it speaks to
21 the agricultural past of the County,
22 and it's sites such as this that
23 we've lost to natural succession.

24 So we recognize that this is an
25 artifact of past use, but that does

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2 not necessarily mean it's any less
3 important. So this is on a
4 rotation, and I have several sites
5 we treat in a similar way.

6 MR. KAUFMAN: Dan, we do this
7 with -- I think United Artists is on
8 that list also, of trying to
9 preserve certain types of ecological
10 niches that have disappeared.

11 MR. GIBBONS: That's right.

12 MR. KAUFMAN: Yeah, United
13 Artists property.

14 MR. GIBBONS: That's in
15 Eastport, County Road 51 by the
16 Stargazer.

17 MR. KAUFMAN: And there are
18 additional sites. Field habitat
19 like this is relatively rare. We
20 don't have that much in the system.
21 We usually buy -- well, the County
22 usually buys pine barrens lands or
23 water quality lands, things like
24 that. It's unusual to have this
25 kind of a situation.

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2 MS. SPENCER: Another question.

3 So you say that in this particular
4 instance, there will no bags, no
5 garbage can, no maintenance, it
6 could be an issue for groundwater
7 runoff. Are these dog runs -- will
8 this be a permanent dog run, A, and,
9 B, is the thinking within the County
10 that these -- that there could be,
11 like, friends groups established who
12 would be responsible for keeping
13 them policed and clean, and that if
14 a friends group were to take that
15 responsibility and then they were
16 negligent, the dog run would
17 disappear?

18 MR. GIBBONS: Yes. That's the
19 case over at Roe Avenue in East
20 Patchogue where that's truly deemed
21 the pilot program, and it's -- but I
22 can't explain to you what the
23 difference is between that site and
24 this except to say that if this
25 proves to be problematic in ways we

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2 don't anticipate, then Parks will
3 reevaluate and there's nothing to
4 stop us from removing us from the
5 site, which speaks to the argument I
6 was making in the submittal is that
7 what makes this temporary as opposed
8 to Blydenburgh, which is, I don't
9 know, \$60,000 or \$80,000 worth of
10 improvements, that's a lot less
11 temporary. It would be a major
12 impact to the department to have to
13 remove said improvements as opposed
14 to here where we're just rolling up
15 the snow fence and walking away.

16 The problems I would anticipate
17 here, besides, you know, really not
18 following the rules, and, yes, there
19 are friends groups and there are --
20 there is a code of conduct that
21 these groups profess and explain to
22 new members, but that's not to say
23 everybody that uses this will be
24 part of these groups. I doubt that
25 is the case.

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2 But the other thing that could
3 go on here is this parking lot. If
4 this is open all the time, which we
5 anticipate it will be, at least
6 initially, and the hours will be
7 dawn to dusk as they typically are
8 in other passive sites, this could
9 be an area where we wake up in the
10 morning to find there's a boat left
11 in the parking lot or some other
12 appliance or other debris. If that
13 becomes an issue, then Parks will
14 have to reevaluate that because,
15 again, every time we install a
16 receptacle, every time we throw a
17 gate up with a lock on it, somebody
18 has got to be there to open and
19 close that gate.

20 We experience those growing
21 pains in a lot of different places
22 where we try to establish passive
23 uses and don't have the staff to
24 maintain or supervise those sites.

25 MR. KAUFMAN: I'll make a final

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2 comment then I will ask for a motion
3 on this. I don't know if anybody
4 saw this in Newsday, but there were
5 two people sitting on a bench with
6 Coindre Hall framed in the
7 background and also with two dogs
8 over there, and I don't know if --
9 has a dog run been established over
10 there?

11 MR. GIBBONS: You saw a photo
12 with dogs at Coindre Hall?

13 MR. KAUFMAN: Yeah, one dog was
14 kissing the other dog. That's the
15 caption. I was shocked.

16 (LAUGHTER)

17 MR. GIBBONS: That is shocking.
18 Coindre Hall is not an authorized
19 dog run site.

20 MR. KAUFMAN: You don't have to
21 go any further. Don't worry about
22 it. I just that it was apropos.

23 MR. GIBBONS: The dog run is
24 something that's come to this
25 council in the past, the approved

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2 dog run area. It has not been
3 constructed.

4 MR. KAUFMAN: Please, someone,
5 make a motion.

6 MS. GROWNEY: I make a motion
7 that we pass this application in its
8 form.

9 MR. MACHTAY: You have to
10 classify it and then make a
11 recommendation.

12 MS. GROWNEY: As an unlisted
13 action.

14 MR. KAUFMAN: Do I hear a
15 second?

16 MR. PICHNEY: Second.

17 MR. KAUFMAN: I have a second
18 from Mr. Pichney. Calling the vote.
19 All in favor? Abstentions? Okay.
20 Motion passes.

21 The next action is a proposed
22 acquisition for open space
23 preservation purposed known as the
24 North Fork Knolls, LLC, formerly
25 Hubbard Duck Farm, Town of

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2 Riverhead. Laretta, could you
3 identify yourself for the record?

4 MS. FISHER: Yes, good morning.

5 Laretta Fisher, Principal
6 Environmental Analyst with the
7 Department of Planning.

8 Before you today, we have one
9 acquisition, the Hubbard Duck Farm,
10 former Hubbard Duck Farm. It's a
11 77.5-acre parcel that's actually
12 sandwiched in between two other
13 major county parklands properties:
14 The Indian Island County Park to the
15 east and the Indian Island County
16 Golf Course to the southwest. The
17 Long Island Rail Road is the
18 northern boundary of the property.

19 It is situated along Saw Mill
20 Creek, a tributary that flows into
21 Peconic River in its -- near
22 Riverhead near its beginnings, and
23 it has freshwater wetlands
24 associated with it along the creek.
25 There is mostly wooded with, now, a

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2 grassland where a former farm field
3 existed just south of the railroad
4 tracks.

5 MR. KAUFMAN: You're not going
6 to put a dog run in there, are you?

7 MS. FISHER: I hope not. It is
8 a -- it was used as a duck farm.
9 There were significant structures, a
10 number of structures on the
11 property. It's taken over a year
12 for the property to be cleared and
13 approved. A Phase I was completed
14 and all the requirements that were
15 identified in the Phase I have been
16 addressed and either removed or
17 completed.

18 The only remaining structure on
19 the property is a small concrete
20 slab in the northwest corner of the
21 property. It's a flat slab that
22 exists, and it was determined that
23 instead of -- actually it exists
24 within a wooded area now, and it was
25 felt that removing it would create

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2 more of a disturbance and loss of
3 vegetation than actually, you know,
4 having it there. So it was
5 determined that at this point it
6 would be left there and that is the
7 only structure on the property at
8 this time. So the property has been
9 cleared, and we are looking to
10 acquire this as a 50/50 match with
11 the Town of Riverhead and add to our
12 significant holdings in this area,
13 so this is a large piece for us and
14 a significant piece that we feel in
15 this watershed.

16 MR. KAUFMAN: Laretta, I have
17 two quick questions and then I'll
18 open it the other members. I have a
19 memory that we were dealing with a
20 property nearby just recently, an
21 acquisition, and we were looking on
22 the shoreline or something.

23 MS. FISHER: Yes. If you look
24 at the map before you, there's small
25 properties outlined in purple and

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2 then small properties outlined in
3 green to the south of that. It
4 doesn't show, but it's in Peconic
5 River. That was the Riverside
6 acquisition. The Town of Riverhead
7 bought the purple and the County
8 bought the green parcels that are
9 situated, actually, along the
10 Peconic River shoreline to the south
11 of there, so that was a recent
12 acquisition, I believe, last year or
13 a year and a half ago.

14 MR. KAUFMAN: The other question
15 I have is you were talking about
16 remediation of the property. Was
17 there ever a manure problem in the
18 area, or has that been cleaned up or
19 sealed or whatever?

20 MS. FISHER: With regard to the
21 duck waste?

22 MR. KAUFMAN: Yes.

23 MS. FISHER: It wasn't
24 identified as a problem on this
25 site.

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2 MR. BAGG: If I might respond to
3 that. Basically, you can see that
4 orange area on the map. That was
5 where the sewage disposal facility
6 for the duck farm was and also the
7 sewer disposal for the field, so
8 they're not on this particular site.

9 MR. KAUFMAN: Any questions by
10 members? Tom.

11 MR. GULBRANSEN: Good morning,
12 Laretta.

13 MS. FISHER: Good morning.

14 MR. GULBRANSEN: The resolution
15 calls for cooperation with the Town
16 regarding the management of the
17 acquisition or the management of the
18 property. Is there any detail about
19 what the management and ongoing cost
20 might be?

21 MS. FISHER: At this point, it
22 will be left in its natural state as
23 a passive recreational area. The
24 details of any kind of use at this
25 point has not been prepared yet, but

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2 it will be a passive recreational
3 use, very minimal use with trails
4 possibly, but we're not foreseeing
5 anything beyond that.

6 If the Town, with the County's
7 approval, County Park Department's
8 approval -- any management agreement
9 would be reviewed and approved by
10 our Parks Department, and that, if
11 at that point, if there is any
12 formal -- formality to its use, it
13 would come back here for a review.

14 MR. KAUFMAN: Any other
15 questions by members? If not, I'll
16 entertain a motion.

17 MR. MACHTAY: Motion --

18 MR. BAGG: If I might point out,
19 we revised the suggested
20 classification since this lies
21 adjacent to two existing park
22 facilities. The threshold of 100
23 acres with Type 1 action drops to
24 25. Therefore, this becomes a Type
25 1 action.

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2 MR. KAUFMAN: Okay. Well, I
3 heard Mr. Machtay make a motion a
4 second ago that it was a Type 1
5 negdec. Do I have a second on that
6 one?

7 MR. GULBRANSEN: Second.

8 MR. KAUFMAN: Second by Tom.
9 Calling the vote. All in favor?
10 Opposed? Any abstentions? Motion
11 passes.

12 Going on to the next item on the
13 agenda, Historic Trust Docket. I
14 guess that's up to you -- where's
15 Rich? There he is. I guess we're
16 looking at updates on housing
17 programs and custodial agreements
18 and anything else we need to know
19 about.

20 MR. MARTIN: Good morning. The
21 Suffolk County Parks' housing
22 program, the committee that reviews
23 the rents of these houses, has
24 finished with all the current
25 available buildings and that review

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2 was put into a resolution going
3 forward to the Suffolk County
4 Legislature for approval. We did
5 adjust some of the rents, and once
6 that is approved by the Legislature,
7 there will be a countywide Suffolk
8 County employee memo by the Parks
9 Department announcing what vacancies
10 and houses are available.

11 We do have four vacancies at
12 this time, two at West Hills County
13 Park, one at Timber Point and the
14 apartment within the main house at
15 Coindre Hall. So we're hoping, of
16 course, early next year to get
17 interest in those properties and to
18 fill those vacancies.

19 We will have a Suffolk County
20 park policeman moving into the Isaac
21 Mills House in Saint James come
22 January 1st. We're still doing some
23 restoration work on that building
24 before he can move in. We're
25 putting a new roof on it right now,

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2 So things are moving forward. The
3 community, like I said before, has
4 been very helpful in adjusting the
5 rents so we can occupy them.

6 MR. KAUFMAN: Anything else?

7 MR. MARTIN: With our contracts,
8 we are in the final stages of
9 negotiations with the Town of
10 Huntington. We're looking within
11 the next two weeks to have a
12 contract signed, which would provide
13 them space on the first floor of the
14 Coindre Hall Boathouse for their
15 kayak program and also a large
16 classroom on the second floor of the
17 main house for our recreational
18 programs and educational programs,
19 and after that contract's been
20 signed, the agreement is that the
21 Town would provide the County with
22 \$600,000 towards the restoration of
23 the Coindre Hall Boathouse, which
24 we're looking to start early next
25 year.

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2 MR. KAUFMAN: Quick question:

3 What is the condition of the
4 Boathouse right now? Obviously, it
5 needs work with 600,000 coming in,
6 but is it safe to use right now?

7 MR. MARTIN: Half of the
8 building has been deemed safe where
9 they store the large sculls from the
10 rowing club. The other half of the
11 building has been closed up the by
12 the County architect. So after this
13 project, that's the space we're
14 looking to open up for the Town to
15 use. So there's a lot of structural
16 problems especially with the tower
17 in the center of that building that
18 have to be taken care of before the
19 public can access that half of the
20 building.

21 MR. KAUFMAN: Okay. Thank you.
22 Any comments by members? Tom.

23 MR. GULBRANSEN: A while ago, we
24 talked about getting sufficient
25 candidates to occupy these

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2 residences. At that time, there was
3 mention about perhaps reaching out
4 to a broader community. I remember
5 the firefighter/EMS community as
6 another candidate group. Did that
7 get considered or is there
8 sufficient population from just
9 County employees to get what you
10 need?

11 MR. MARTIN: I'll say that and
12 other ideas haven't been considered
13 yet. We are waiting -- has taken
14 time to get the committee to review
15 all the housing to adjust the rents.
16 I'm hoping that would allow us to
17 rent them, and so that resolution,
18 like I said, is just going to the
19 Legislature now and then a new
20 countywide memo will go around with
21 those adjusted rents, and we're
22 hoping that will allow us to fill
23 them. If it doesn't, then, yes,
24 those kinds of suggestions -- this
25 program now does allow us to go

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2 outside of the department and the
3 County employ to find tenants.

4 MR. KAUFMAN: Joy, you had a
5 question?

6 MS. SQUIRES: It's really just a
7 comment. In order for this
8 construction to go on, someplace has
9 to be found to take the sculls while
10 work is being done, and sculls are
11 very large, and they need to be near
12 the water. It's an interesting
13 problem that you don't necessarily
14 think about when you do a
15 restoration.

16 MR. MACHTAY: That's true, and
17 Suffolk County Parks Department is
18 meeting with the Town of Huntington
19 and Sagamore rowing and the high
20 school groups that also use the
21 boathouse to try to find within the
22 town, on a waterway, a suitable spot
23 where they can store the sculls and
24 continue their program. We figure
25 this will be at least a year where

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2 they have to be offsite, possibly
3 two. But we're working -- we just
4 had a meeting with the Town. We're
5 really working with the Sagamore
6 rowing department to find alternate
7 spots. They might have to split up,
8 actually, and put the storage on a
9 few locations. We're very engaged
10 with the group to find them
11 alternate spots.

12 MR. KAUFMAN: Just as an aside,
13 Rich, the Stony Brook crew stores
14 its boat at Long Beach in
15 Nissequogue out in the open. They
16 have tarps over them, and they have
17 racks out there but they are out in
18 the open. They have one small
19 building where they keep some of the
20 oars and some of the ancillary
21 equipment, but it is possible to
22 store them outside.

23 MR. MACHTAY: Right, and it's
24 just security issues, and we are
25 working with the Town to see where

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2 the safest spots would be for that
3 possibility also.

4 MR. KAUFMAN: Any other
5 questions by members?

6 [No response]

7 Okay. We'll move on then. Is
8 there anybody here to update us on
9 County Parks?

10 [No response]

11 Nobody is here. We'll go on to
12 other business. Oh -- Nick Gibbons
13 to present us with updates on County
14 Parks.

15 MR. GIBBONS: I'm just waiting
16 for -- there were two specific
17 sites, and one of the two, I'm just
18 waiting for something to come
19 through, and I'll have that
20 momentarily. Larry had asked me
21 specifically two questions, and then
22 I'll kind of open it up if there's
23 any additional inquiries from the
24 council.

25 One had to do with our

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2 concessionaire, Rusty Lever, Deep
3 Hollow Ranch at Theodore Roosevelt
4 County Park, Montauk. As many of
5 you know, he's been a concessionary
6 with us for many years. The final
7 term of his existing contract
8 expires December 31 of 2012 at which
9 point the proposal and our people
10 have to go out to public bid. He
11 has no longer any additional option
12 years on his contract.

13 In a lot of different ways, his
14 contract is unique compared to
15 others, and in once instance, if
16 this is the case, is the fact that
17 each year by the end of October, he
18 can decide whether or not he wants
19 to continue the contract. That's
20 different from a lot of other
21 agreements we have. Each year
22 brings another -- an additional
23 layer of reporting that's required
24 and additional County requirements
25 that are opposed on all of our

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2 concessionaires including Deep
3 Hollow Ranch, so it's always at his
4 option that he can walk from the
5 contract on any given year. That
6 being said, the longest this can
7 continue is two more years before
8 its has to go out to RFP, and that
9 was a question Larry had specific to
10 Theodore Roosevelt.

11 The other site that Larry had
12 asked about was -- I believe he
13 referred to Black Duck Lodge
14 specifically, but collectively, we
15 call the entire park Hubbard County
16 Park. It includes both the Smithers
17 property, which you guys have been
18 more familiar with over the past
19 year, and Black Duck Lodge as well.
20 They are all included within the
21 collective assemblage of properties
22 that collectively are Hubbard County
23 Park. We recently received a grant
24 through Assemblyman Englebright's
25 office, and I wanted to break down

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2 for you how that grant was broken up
3 in terms of the budget that's been
4 allocated for each of the aspects of
5 this project.

6 The restoration of the existing,
7 what we call the clubhouse building,
8 the main building within the
9 Smithers assemblage of buildings,
10 \$375,000 is earmarked for the
11 renovation and restoration for that
12 building. That probably is not
13 going to cover everything that's
14 required of the building, but it
15 will certainly stabilize -- won't go
16 to more than stabilizing the
17 building and restoring a significant
18 portion, primarily the exterior of
19 the building, and then I'll defer to
20 Rich after I get through this list
21 to provide additional updates on
22 that, if you're interested. Another
23 \$5,000 will go towards the
24 development of a sign plan for the
25 entire site and actual fabrication

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2 of those signs, the materials as
3 well. Whether or not we could
4 fabricate them inhouse or not, we
5 certainly have the ability to do so,
6 but an overall sign plan that
7 interprets the complexity of these
8 properties is certainly in order.

9 An additional \$40,000 will be
10 going towards trail improvements at
11 the site. Those of you that are
12 familiar with the site, it has
13 extensive wetlands, some far more
14 sensitive than others, and being
15 able to get responsible access for
16 the general public to these sites
17 can often require boardwalks,
18 platforms, what have you, and
19 construction wetlands such as that
20 has are expensive propositions, so
21 this \$40,000 is earmarked towards
22 satisfying that goal.

23 And finally \$130,000 is set
24 aside for the development of a
25 master plan that will take a more

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2 comprehensive look at the entire
3 property and come up with a --
4 develop a phase set of goals that
5 the Parks Department will then at
6 some point in time -- it's envision
7 is to establish a capital project of
8 implementation of that master plan,
9 similar to what we have done at
10 other sites. That master plan will
11 certainly come back to the council
12 for review and will go on to the
13 full Legislature for approval.

14 So that -- those grant monies
15 are currently with New York State,
16 and Parks is working closely with
17 New York State to begin that
18 project.

19 MR. KAUFMAN: Are those funds
20 actually allocated; in other words,
21 they are turned over, so they're not
22 --

23 MR. GIBBONS: Yes, they are
24 already committed, and we have no
25 reason to believe that they are

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2 jeopardized by any of the current
3 events in Albany or here in the
4 County.

5 MR. KAUFMAN: The second
6 question -- I'll get to you in a
7 second, Eva. The second question I
8 have is this is a unique site, as we
9 all know, and it has a number of
10 very, very sensitive environmental
11 features. Any master plan that you
12 develop and that eventually comes to
13 us or is developed in cooperation
14 with us has to take that into
15 account, I think you know; I'm just
16 sort of putting it on the record and
17 reemphasizing it.

18 This park has to be protected.
19 This is one of the jewels of the
20 system. It's one of, if you will,
21 one of the 10 most important sites
22 on the entire inventory that the
23 County has, so just obviously, be
24 very, very careful. I know that's
25 your intent. You and I have

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2 discussed this over the past year,
3 so we have to be very, very careful.

4 MR. GIBBONS: This is certainly
5 not a traditional master plan in the
6 sense of a Smith Point master plan,
7 which I brought to you guys a month
8 or two ago --

9 MR. KAUFMAN: This is not a
10 heavy usage plan.

11 MR. GIBBONS: No, and there's
12 already protections in place that
13 ensure that Hubbard is going to look
14 the same way it does now many years
15 into the future. It's within the
16 core preservation of the area of the
17 central pine barrens. It's
18 regulated by a number of different
19 DEC regulatory programs, Freshwater
20 Wetlands Act as well. Those two
21 programs alone encompass a large
22 portion of the property and impact
23 what activities can occur.

24 And finally, the way in which
25 the County acquired these properties

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2 also binds us to, if not outright
3 dedicated to the nature preserve, to
4 treat them as if they were.

5 MR. KAUFMAN: Eva, you had a
6 question.

7 MS. GROWNEY: I have, I guess,
8 some question and some comments.
9 Obviously, Nick, you know I'm
10 compelled to say something about the
11 study that was done by the American
12 Institute of Architects. The
13 national grant that I had received
14 to work through the Peconic chapter
15 for two years on the park and our
16 study, which we concur with you,
17 should be kept -- the park should be
18 kept in its natural state as much as
19 possible with minimum impact.

20 The comment has to do with
21 availing. I hope you guys will
22 avail yourselves of the study we did
23 do. There is a publication. I'm
24 not sure what stage it's at. I know
25 it's electronically published. I'm

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2 not sure it's been printed, which we
3 certainly, we'd like to make sure
4 you have. The office may already
5 have a copy electronically.

6 MR. GIBBONS: Yes, I believe so.

7 MS. GROWNEY: Okay. Great. The
8 other thing is I'm also compelled to
9 say, because of the study, I very
10 strongly stress and hope that you
11 guys will pursue the implementation
12 of energy systems that are not going
13 to effect the environment because,
14 as you know now, the heating system
15 is antiquated beyond belief and I
16 hope you guys will work with
17 potential {Ceretherm} or other
18 aspects, wind and/or solar, and in a
19 way that's sensitive to the property
20 because I know, historically,
21 there's a lot of things that need to
22 be kept, maintained the way it is,
23 so I hope they will look creatively
24 at that.

25 And I'm certainly -- I will

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2 avail myself if you want in any
3 capacity I can. But I think that
4 that's a really important factor to
5 maintaining the sensitivity of the
6 environment as it is now.

7 MR. GIBBONS: The department has
8 no objections to exploring those
9 provided they're in accordance with
10 the historical and environmental
11 regulations already afore to this
12 site. Absolutely. And the council
13 -- both the council and the Historic
14 Trust Review Committee will also
15 have ample opportunity to review the
16 document and provide input prior to
17 it's completion, certainly.

18 MS. GROWNEY: Thank you for
19 that.

20 MR. KAUFMAN: Any other
21 questions? If not, thank you very
22 much, Nick.

23 MR. GIBBONS: Thank you.

24 MR. KAUFMAN: Okay. I guess now
25 we'll move on to the highlight of

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2 the meeting, the presentation on the
3 Wertheim Wetlands Project by
4 Dominick Ninivaggi, Superintendant
5 of the Division Of Vector Control of
6 Suffolk County DPW. Just identify
7 yourselves for the record.

8 [Whereupon, a discussion was held off the
9 record where panel members agreed that
10 presentations would be held off the record.]

11 MR. MACHTAY: If you can just
12 add that the PowerPoint presentation
13 is being given by Mr. Ninivaggi on
14 the Wertheim Estate, and we can just
15 attach the pictures to the back of
16 the minutes, that would be fine.

17 [Continuation of meeting held off the
18 record]

19 MR. KAUFMAN: Now, I'm going to
20 exercise dictatorial powers as vice
21 chairman. Unless there's anything
22 else anybody wants to talk about,
23 we're adjourned.

24 [Meeting adjourned at 1:03 P.M.]

25 {} Indicates phonetic spelling

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CERTIFICATION

I, GABRIELLE SKOLOM, a Notary Public
for and within 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 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 18th day of November,
2009.


GABRIELLE SKOLOM

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