

Long Island Regional Planning Council Summary Minutes

November 13th, 2019 Meeting
Farmingdale Village Hall

LIPRC Members Present

John D. Cameron, Jr., Chair
Michael White, Vice Chair
Jeffrey Kraut, Treasurer
Elizabeth Custodio
Barbara Donno
Nancy Englehardt
Laura Gillen
Jeff Guillot
Robert Kennedy
Ralph Scordino

Staff and Guests Present

Richard V. Guardino, Jr.
Elizabeth Cole
Missy Leder
Kyle Rabin

Eric Alexander – Vision Long Island
Randall Bauer – PFM
Lisa Broughton – SCEDP
Mary Byrne – NYMTC
Nicolas Calderon – Nature Conservancy
Rob Crafa – OB/CSH Protection
Mayor Ralph Ekstrand
Daniel Fucci – Nassau County
Jim Green – Epoch5
Tatyana Golihora – NYSDOT
Katherine Heaviside – Epoch5
Mark Hopkinson – Aqua Vectors
Mark Kennedy – NYS (Senator Kevin Thomas)
Maureen Murphy – CCE
Joanie Omeste – Senator John Brooks
Cheryl Parisi – Trustee – Farmingdale
Walter Priestly – Trustee – Farmingdale
Sean Sallie – NCDPW Planning
Mayor Larry Schmidlapp
Eric Swenson – HHPC
Monhinder Singh Taneja – SVAM

Meeting Commenced:

- John D. Cameron, Jr., opened the meeting at approximately 10:15AM with a welcome
- Pledge of Allegiance

John Cameron: First, I would like to thank Mayor Ekstrand and the Village of Farmingdale for hosting us today. Rich, will you please do the roll call.

Rich Guardino: Roll Call

John Cameron – Present, Michael White – Present, Jeff Kraut – Present, Elizabeth Custodio – Present, Barbara Donno – Present, Nancy Englehardt – Present, Supervisor Laura Gillen – Present, Jeffrey Guillot – Present, Mayor Robert Kennedy – Present, Mayor Ralph Scordino – Present. We have a quorum Mr. Chairman.

John Cameron: The first order of business is the adoption of the Minutes from our July 11th meeting. For those that were unable to make the meeting, we had a couple of interesting presentations. James Lima and Associates about the HIA project where they are developing a Long Island Workforce Center for which the Council has voted to provide funding. Second, we had a presentation from the Nassau County Comptroller on Demographic Trends on Long Island.

July 11, 2019 minutes. All in favor.

Motion to Accept: Jeff Kraut

Seconded: Ralph Scordino

All in Favor: 10

Opposed: 0

So Moved.

John Cameron: The next order of business is a Presentation on the Renaissance of Farmingdale Village. We have Mayor Ekstrand and Village Trustees Walter Priestly and Sean Parisi. Farmingdale has provided true leadership in the revitalization of the downtown and creation of affordable housing for our next gen and empty nesters.

PRESENTATION: Renaissance of the Incorporated Village of Farmingdale

Walter Priestly

Thank you for the introduction. My name is Walter Priestly. I have been a chiropractor for 32 years and was elected as a Village Trustee in 2016. I am very proud to share with you what has been going on in Farmingdale. I will share with you some of the steps that have gotten us to where we are today.

If you look at what was going on 10-15 years ago, the entire country was in an economic recession. Farmingdale was no exception. In addition, while most of the country and other parts of Long Island were seeing an increase in population, Farmingdale was losing population. There was specifically a loss of the young professionals because of the lack of reasonable housing options. Let's face it - a house on Long Island is expensive. Retail was also suffering with competition from the beginning of Amazon and internet shopping. There were no new

businesses coming to town. Signage was poor and inconsistent which gave the Village a tired look. Parking fields were outdated, the lighting was poor and drainage was a problem. Parking was designed for more compact cars and not for the SUVs and Crossovers that people use today. The sidewalks needed repair, property values were down and people for one reason or another needed to move to find work but couldn't sell their homes because they were worth less than their mortgages. Clearly, there was a need for some sort of revitalization.

It started in 2006. The Revitalization plan began with a visualization process which included Village residents, small business owners and volunteer groups. There was a Revitalization Committee and Architectural Review Board. We hired professional consultants and engineers and there were endless community meetings. There were walking tours and public workshops which involved over 200 people. We also had help from Vision Long Island. After many years, in 2010 we completed the Farmingdale Village master plan which I will pass around. It is also available on our website.

The goal of the plan was to coordinate a long-range approach to downtown Farmingdale, diversify the economy to be more competitive, make it more a vibrant and unique destination, increase the mix of uses and make Farmingdale more attractive to resident shoppers and employees. For someone who lives and works here, it's nice to know that you can stop in a diner on the way to work, you can go have a nice lunch meeting with your employees at a number of different restaurants and on Thursday and Friday nights there are a number of happy hours you can go to.

Some of the goals were to increase social amenities such as open space areas, provide workforce housing in Downtown Farmingdale, enhance the connection between the train station and Main Street and improve the efficiency of transportation and parking. One of the key elements to accomplish this was to modify building codes in the Downtown Mix Use area. That is called the DMU. It's the red area on this map. Considering traffic, parking, schools and most importantly maintaining the same character of the community, the study that we did indicated that we should build an additional 375 units in the hopes of attracting some of the young professionals to stay in our community. It turns out it was more than just the young people. Empty nesters and single people also took advantage of the increased number of apartments. We also conducted another study in 2013 that I have here that said the rest of the Village outside of the DMU could take 170 units. This makes a potential total of 545 new units without putting a stress on the infrastructure. Since we began some of this revitalization in 2016, we have 266 new units in the DMU and 84 in the rest of the Village, so we have an additional 350 new units.

Let's take a look at what these units look like. We like to call it transit-oriented housing because it's a very short walk from the train. We have 150 units at the Jefferson which is right outside of the train station. When you walk outside you can see the platform. There is another building across from the train station also. We have 2 properties. This one is just about ¼ of a mile and then this one is just to the east. All are easy walkability to the train station. These are outside of the DMU. They are a mile or a mile and a half away. Theoretically, you could walk or ride a bike if you wanted to. What's interesting about this particular property is that its on a highway, Route 109. These are rentals and with all these properties there is a component of affordable housing. So, we have more than likely 61 new workforce housing units that Ralph will talk

about on Route 109. We think it's a good location to match up to the train tracks on the back and the state road in the front. On the side, there is an office building and a few homes. We plan on putting nice buffering and fencing and we think it's a good addition to the community to provide housing to a multitude of people.

So once the developers came, small businesses became interested in Farmingdale. We have a plethora of new businesses coming in. I am going to give you some examples, so you get a sense of what is coming in and what is not coming in. A lot of services are coming in. There is a spa that gives facials, a Mexican restaurant, Goldfish is a swim school for kids, Lithology is craft beers. There is a nail salon and Striking 101 is a mixed martial arts studio. Of course, you know Starbucks. Taste of Asia is a nice Asian fusion restaurant, Vintage Wine Bar does appetizers, Vespa is very trendy, busy, high-end restaurant. Charlie's Speakeasy is on top of an ice cream and yogurt place. When the owners bought the ice cream spot, they had no intention of creating a Speakeasy on the bottom. They went down, saw high ceilings, asked some questions and found out there had originally been a speakeasy in the 20s and 30s. They brought it back to life and it has become very busy on Friday and Saturday nights and they also rent it out for weddings and other catering events. If you get a chance, you can go by there and Nick will give you the history of the place. The Meatball Place is a restaurant with live music. There is gourmet coffee, an environmentally clean cleaners, a contractor, a dermatologist, and a sports bar. All of these are new in the last couple of years. There is another Speakeasy and there is a sister restaurant to Vespa. An old run-down service station has become a nice convenience station. There is a very popular Acai bowl spot and you can see kids waiting in line for them. There is another convenience store by the train station and a nice restaurant, 317 Main, where the chef was a Chopped champion and they just did a nice interview with him for Thanksgiving. Over here, there is a structure that was old and run-down. We were able to buy it very inexpensively and were able to build a pass through to access parking in the back. At the same time, it turned out that the space became popular for outdoor dining and the area is always very busy in the nice weather. With all the restaurants, we needed a gym, so we built that. Some places grew into bigger spaces. We did get some new retail business, but you can notice that out of the 25 new businesses only 4 are retail. So, it is a tough environment, but these retail guys are giving it a shot. We have a beautiful gift shop and a jeweler that has been in business for a long time. We still have things planned and expect to see things continue to expand and grow.

So, how has this Revitalization affected the Village of Farmingdale? Of course, many new businesses have come and vacancies on Main Street are down. I don't think there is any available space right now. Young professionals are returning. Population grew 50% from 2010 to 2015. The Downtown looks more attractive. There are new signs, flower pots, benches, and a lot of activity. Businesses are returning. You need a reservation to eat on Friday and Saturday nights in town. There are employment opportunities. There are plenty of opportunities for kids coming home from college to work in a restaurant. There are increased housing options for different lifestyles. There are options for empty nesters, couples without children, singles. These 350 units that are paying into the taxes and treasuries are not really putting kids into the school district. I have spoken to the Superintendent and out of the 350 units, there are only 12 new kids in the schools. The new units are not stressing the schools.

In summary, there is a better connection between the train and the Downtown with lots of good press. News 12 was in my office last week asking us about the business improvement district. Property values are up and homes are selling very fast. If you want to look at a comparison between 2016 and 2018, you can see that in 2016 homes in the Village of Farmingdale sold for \$293K, and two years later they are selling for \$471K. Typically, the homes outside of the downtown area of Farmingdale would sell for more because they are newer and larger. The houses in the Village built in the 20s and 30s are smaller and older. Now, in 2018, the homes in the Village are selling for more than the homes in greater Farmingdale, despite the fact that they are older and smaller. We can only attribute that to people wanting to go where the action is. People want to go where there are things to do.

We have made a number of infrastructure improvements. We changed the lights to LED lights, which saves about \$30,000 in energy efficiency each year. Because of this, we were given a grant for \$50,000 from the State as a green community and we are going to parlay that money into putting new solar panels on our new DPW building which we will be working on in the very near future.

Of course, we always have to be concerned with water. The water pressure wasn't reaching the sprinkler heads and second floors on some of the higher elevations in the Village, so we put in a high-pressure zone. We subcontracted vendors in an effort to save money. We put up back-up generators in the event of uncertainty. We plan on replacing the water tower. It is a similar cost to replace or rebuild and the new materials are less corrosive and will last longer so that is the plan. Our water levels are all safe according to Nassau County, New York State and the Federal government right now. Long Island has plenty of road surface issues with heat in the summer and cold in the winter and lots of congestion. The Village does a great job maintaining the roads and we do a little every year, so we don't get to the point that we are dealing with a huge project.

You can expect that when you have 25 new businesses come to town and population growth, parking might become a problem. To combat that, we purchased new land and repurposed it for parking and also worked out close proximity agreements with private property owners. These images show some examples of the new parking areas. People are discovering the new areas and are using them. We resurfaced 3 lots and plan to do one more next year. One of the features of these lots is LED lighting for pedestrian safety. I think in the past the contractors just popped lights up. As trustees, we decided to bring professionals in to really think about the amount and location of lighting and it makes a difference. When you are in these lots, it feels safe. People aren't tripping and drivers can see you. We also put trees in as well as 8-foot arborvitaes which provide a sound barrier as well as beautification. There is also irrigation for the hanging plants and they look great in the summer. We worked with the municipalities to share parking and road access. There was unused school parking that we decided could be helpful so we talked to the Superintendent and for \$1 per year, we now have the ability to use this space and all liabilities will be on the Village and not the schools if anything were to happen. It's much cheaper than buying land for parking that isn't available. This image shows another new area that we will be using and it's an example of a situation where we will maintain the property while we have access to it and are using it for a period of time.

This is a cute little service that we introduced. Say you want to go into town, you can order it like an Uber. They are waiting in town and will come to your house, pick you up, take you to town and bring you home and its free. It's paid for by sponsors and all you have to do is tip the driver. The driver has been the same for six months. He is a local kid who goes to Farmingdale. He knows every street and most of the people he picks up. People can trust him.

With the increased activity in the Village we needed to increase police presence and improve infrastructure and the County was nice enough to work with us. We bought new equipment including a couple of fire trucks. We bought a washer and dryer to take care of the trucks ourselves to save some money. We completed all these infrastructure projects, invested in new equipment, rehabilitated the parking lots, improved the real estate and we did it without ever having to pierce the tax cap. I have to give the Mayor and Board members credit because they worked very hard to watch the money that was being spent. We have a board member who was an accountant and he doesn't let us spend money unless we really need to. The trustees have been successful in securing us grants and we have a very high bond rating.

Although it came with a little pushback from some, we created a Business Improvement District (BID) that will be established in the near future. We organized it so that the offices would pay less, the retail more and the restaurants even more. It's not a big sum. For the offices it's about \$250 a year and collectively with 100 businesses it's about \$30,000. It is not a lot of money, but it can be used well for collective marketing and security at events. Once the BID is officially in place, we can apply for grants to state agencies and local agencies.

Just to keep in touch with the merchants, we put together a survey and although we put a lot of work into it, we only got back about 20%. In this age of digital technology, there is no reason we can't get information out to the public. We use a website and Constant Contact and email. We have Facebook and Instagram pages. We do robocalls and quarterly newsletters. We have open Board meetings and work sessions and we use a professional marketing guy who organizes all the information and gets it out and does press releases. The Board members and Trustees make a great effort to build relationships with the State, different agencies, the school district, the utilities and the Chamber of Commerce. Together we can do a lot more working for one another.

We had some other municipal improvements I would like to share. The MTA redid our train station. The station is on the national historic register. It was renovated and hours were extended. Security was improved. It was multi-million-dollar renovation. We have a portable library which is a nice little service where people can borrow and return or donate books.

The schools invested \$30 million in a sports complex and fields. This could have been built at the high school, but the sentiment of the Board and Administration of the schools is that they wanted it to be where the action was so that if people attend a big event, they can walk into town and use the amenities in town. There is a football stadium, a baseball stadium and a softball stadium.

So, it's great that the budget is sound, homes are selling and business is good, but really what makes this Village special is the social connections we have. People have been here for many generations. There are a lot of youth organizations, but also Village events that keep people

getting together and out of the house. We were voted Best Village three years in a row. We have a St. Patrick's Day Parade and with nice weather, we get 6,000 people. We do an Easter event, a lecture series, craft field festival. On Sundays we have a farmers' market, a Memorial Day parade, a restaurant week, a Medieval day, a spring street fair. Wednesdays we have Pops. Sunday mornings we do a community boot camp. We have movie nights with free popcorn and sponsors bring ice cream. This is Music on Main. It is a smashing success. There are 4-5 bands set up, we have tables outside. We have 6-8,000 people. We have never had an incident. Nassau County and New York State police help. We have crossing guards and our own security. It is a great event and at 9pm, everything shuts down. Main street mile, cultural arts day, Columbus Day Fair, a Halloween parade with a costume contest with a petting zoo and pony rides. We just had a Veteran's Day celebration, the Historical Society does walks around town and we do a Holiday parade, small business Saturdays, two tree lightnings, a gingerbread house contest, a winter wonderland with things like and ice rink.

In the near future, we are establishing the BID. We are looking at the feasibility of removing the utility poles on Main Street, the addition of video surveillance, maybe opening an Arts Center, the Ryder Cup, workforce housing, improved lighting on Main Street.

Mayor Ekstrand: We are going to play a very cool montage now. It is played before every movie night and Pops nights. People love to see if they are in it. Walter put this together for us.

I will just give a plug for workforce housing. Farmingdale has always been forward thinking. We have implemented great initiatives that are first in Nassau County. We have the Quick Ride which brings people around. It originated in Patchogue and is in five Suffolk County Villages, but we are first in Nassau. This leads into workforce housing. Anyone who reads Newsday or any regional planning data, knows there is a shortage of housing on Long Island and we are losing our youth. A developer came into the Village and said, "I would like to develop that property" and the Board said, "You can, but it has to be 100% affordable, workforce housing." There will be 61 units. It will be the first workforce housing zone in Nassau County. We are looking forward to its development and having a lottery. We expect to see in the vicinity of \$2,000-2,500 applicants for the 61 units. To qualify for the housing, you must have a job and a solid credit rating. People who are not educated in workforce housing do not see it as a positive. We see it as bringing in a mixed bag of people. We will have the people earning \$50,000 with those earning \$85,000. We believe it will help keep youth on Long Island. To give you a comparison in pricing, the typical rents are between \$2,200 and \$2,500 for a single bedroom unit and these workforce housing units are brand new and nice and will be \$1,000. Depending on your income you may pay a little more. We think it will be great for keeping the youth on Long Island, especially those coming home from college. We spend so much to educate the children on Long Island and then to see them go to another State is disheartening.

While we have been doing some fantastic things, we don't have the resources to examine the hard numbers that have resulted from transit orientated development in our Downtown. We don't have the data to substantiate the dollars and cents it has brought into our community. That is why we are hoping the Council chooses Farmingdale to do the economic study on how the growth of transit-oriented development revitalizes a Downtown. I would like to think we are a poster child.

I am happy to take questions or ideas.

John Cameron: I think I speak on behalf of everyone here in saying that you and the Trustees should be very proud. This is a great example for the Island. We are hoping we can replicate what Farmingdale has done and with our support, we can document the economic impact as we were able to do in Patchogue last year. Congratulations.

Rich Guardino: I would like to introduce the Resolution. This Resolution authorizes an agreement for consulting services with 4ward Planning Inc., a Minority Owned Business Enterprise, for an economic impact analysis of the impact of the revitalization of the Village of Farmingdale.

John Cameron: As I mentioned before, Cameron Engineering has some business that is involved, so I will recuse myself from this vote.

Motion to Accept Resolution No. 2019-105: Michael White

Seconded: Barbara Donno

All in Favor: 9*

Opposed: 0

So moved.

***John Cameron Recused Himself**

Rich Guardino: We are going to have a presentation on the Nassau County Septic System Replacement Grant Program by Nassau County Deputy County Executive Brian Schneider.

**PRESENTATION: Nassau County Septic System Replacement Grant Program
Brian Schneider**

Thank you very much. The County is very appreciative of the Regional Planning Council's offer to assist with this program. I just want to mention that at every meeting I attend with my boss, the County Executive Laura Curran, she mentions the Renaissance of the Village of Farmingdale. She uses it as a center-point to discuss economic development and the importance of keeping young people living on Long Island and keep the brain drain from occurring. This presentation was very informative to see exactly what is happening.

Obviously, we live on an Island and we are surrounded by water. Clearly, water quality is very important to all residents. We have a large number of challenges from a quality perspective, both with drinking water and surface water. You only have to look at the issues in Suffolk County with algal blooms and the impact it is having on fishing, recreation, and the general quality of life. Suffolk County has been involved in a rather robust program to address the impact of nitrogen pollution that is having a detrimental impact on ground and surface water quality. Nassau County has also been struggling with similar issues with nitrogen pollution on the north and south shores. There are two completely different initiatives and I will go over where we are on both.

This is an aerial photograph of an area in East Rockaway. Many of you have heard about the Bay Park plan. During Hurricane Sandy, the plant shut down for 72 hours and people continued

to flush their toilets and the sewage tried to get in the plant, but the plant was completely dark. We were basically bi-passing the treatment facility and transporting raw sewage into the Western Bay. After Superstorm Sandy we were able to acquire \$840 million dollars of FEMA and state funding to completely rebuild the plant and make it storm resilient to a 500-year flood elevation. I encourage people to go visit the plant because it is a model of how FEMA money should be spent. The Department of Homeland Security just came to visit, and they could not believe the amount of construction that has been done in a relatively short period of time.

We have nitrogen issues at Bay Park. Treated effluent from that plant discharges into Reynolds Channel. Reynolds Channel is basically in Western Bays. It is not an ocean outlet. That has been going since the plant has been in operation, probably 50-55 years. That treated effluent is being discharged in this area of Western Bays. These four green dots are other treatment plants that also discharge their sewage effluent into the same location. I can report that both Lawrence and Cedarhurst have been converted to pump stations so that treated effluent no longer discharges into the Western Bays, but Long Beach still does. Combined about 55-60 million gallons per day of treated effluent is discharged in the Western Bays.

The downside of this is that treated effluent has a lot of nitrogen. Because of the elevated concentration levels of nitrogen, all the plants that exist on the marsh islands no longer need a deep root structure because the nitrogen is so readily available. The downside of that is that every time there is wave action or storm or any type of inundation, the marshes start to disintegrate because there is nothing holding them together without the root structure of these plants. On average 30-40 acres per year of marshes are being destroyed. The impact of this is that there is no longer protection of marshes against any inundation such as wave action, storm surge, or nor'easters. This South Shore area is no longer protected from storm events. We recognize that we need to get this nitrogen rich effluent out of the Western bays. We are advancing a program to do that. Not only are we treating the water at Bay Park to a higher degree of higher nitrogen removal, but we also have a plan to divert treated effluent from Bay Park to the Cedar Creek plant located in Wantagh which has a discharge point located 2.5 miles off the South Shore off Jones Beach which is an ocean outfall. We cannot build a new outfall from Bay Park from a regulatory stand point, so diverting the outfall from Bay Park to Cedar Creek is a solid plan. Now the treated effluent from both Bay Park and Cedar Creek will be discharged into the ocean.

This map of Nassau County indicates in pink areas that are serviced by both the Bay Park and the Cedar Creek sewage treatment facility. That is about a million residents of Nassau County that are connected to these sewage treatment facilities. The areas in yellow show those that are unsewered which means that everyone has an individual cesspools, septic systems or some type of system that is collecting sewage from their individual home or business, treating it very minimally and then allowing the effluent to filter back into the ground. It is allowing basically nitrogen contamination to occur in this entire North Shore area. There are a few smaller treatment facilities on the North Shore. There is one in Glen Cove, Oyster Bay, Great Neck, Port Washington. So, while there are smaller plants that treat small areas, for the most part, all these areas in yellow are unsewered. That is the reason that we are here today to talk about a septic system replacement program which the County was fortunate enough to sign off on an agreement with the New York State Environmental Facilities Corporation to allow residents or property

owners to apply for a grant to replace their failing septic systems with new facilities that would treat nitrogen to a higher degree. We are looking to remove nitrogen by as much as an additional 30% versus the systems that they currently have.

Last year we signed an agreement with the Environmental Facilities Corporation basically providing Nassau County with \$1,000,000 grant which would be available to eligible property owners in priority geographic areas. We asked NYSDEC where we should be focusing our efforts and they said the entire County is a priority area because we are a single source aquifer, but we need to focus on 100 property owners given we are going to reimburse property owners each a maximum of \$10,000 and we only have \$1,000,000. There will be additional funding eventually, so this is a pilot program. We are looking to focus on those properties that will have the biggest benefit from an environmental and a water quality perspective. From our perspective, it should be those areas closest to the shore line.

The systems must reduce nitrogen by 30% and there is an option in the grant that we can make a payment directly to the property owners or there is an option to pay the contractors directly if the homeowners do not want to get involved in the paperwork.

After we signed onto the program, we recognized that there are some challenges from the County's perspective on how to manage this program. We thought that the Nassau County Health Department should really take the lead administering this program. Unfortunately, the Health Department has very little impact on individual septic systems. Their jurisdiction takes over once the properties are five units or greater. So, there is no staff to get involved in individual, site specific properties. So, we were saddled with trying to figure out how we were going to manage this project. The DPW is really bogged down and we were looking for other resources. We reached out to the North Shore Protection Committees to see how we can pass the money through for the administration of the Grant to other entities to manage this program, but there were no truly fruitful discussions.

Another big issue is that the County does not issue building permits. At the end of the project let's say we hand out the application but cannot grant the permit which needs to be obtained from a local town or village for the replacement of the system. So, we would need to dovetail with all of the different municipalities to work with the various building and planning departments to bring them into the fold and get buy-in and then figure out how we can manage this program going forward.

In terms of the priority geographic areas, we will focus on property near the shore or where systems are failing. There will be anecdotal information from the building departments or even home owners reaching out to us explaining that they need to replace their systems because they are having it pumped once a month for \$500-\$700. They recognize the systems need replacement.

On the left of this map is a color-coded diagram showing the travel times of groundwater from the different geographic locations in the County to different discharges. We need to focus on the shortest travel times to get the biggest bang for our buck from a water quality perspective. That includes all the areas in yellow and the purple. It is between the zero and 5-year travel time

period. These individual dots indicate every private individual septic system in Nassau County. When you look at all the systems in the North Shore area, from 0-1000 meter travel time, we are looking at 24,000 individual properties. In the 0-5 meter travel time, we are looking at 8,000 properties and we are hoping to get 100 of those 8,000. That is our focus.

Here are program needs. We need to find a program administrator. We believe that hiring a consultant will be the best way to go. In the County, we have a rather onerous procurement process where it can take anywhere between 8-10 months to bring a consultant on board. We are looking at other ways to bring someone on board. From our perspective, there will be an oversight entity whether it be DPW or maybe bring the Nassau County Soil and Water Conservation District into the fold and have them manage the consultant. We have also had conversations with the Nassau County Department of Consumer Affairs because we know that we are going to be reaching out to contractors and vendors to make sure that they are licensed to operate in the Nassau County. We also want to dovetail onto Suffolk County's effort. They have a very robust and significant "Reclaim our Waters" program. They are looking at 375,000 residents in Suffolk County connected to individual septic systems that need to be replaced. They have been going through a rather significant program through the Department of Health looking for septic systems that would meet the needs of this additional 30% nitrogen removal. We have been meeting with Suffolk County and trying to garnish some of the lessons learned since they rolled out their program. We also recognize that we are going to have to change local sanitary codes to allow these systems to be installed in Nassau County so that consultant will be helping with this as well.

We also need to roll this out and we want to make sure we are reaching the right people. We will be creating a website and also holding workshops. We need the local legislators to be on board with this and we need to interface individual property owners, New York State Environmental Facilities Corporation where the money is coming from, all of the architects and engineers involved. All the municipalities will be involved and we have met with many of them already to let them know that we hope to roll this out sooner than later.

Again, we appreciate the offer from the Planning Council to assist Nassau County with this. We would like to partner with the Long Island Regional Planning Council, the DEC, and Suffolk County who is very focused on the LINAP program to reduce nitrogen in the Long Island ground and surface waters. In order to do this and assist the County, we are requesting that the Long Island Regional Planning Council approve the transfer of \$100,000 from the LINAP grant to Nassau County for the necessary consultant services to manage this septic grant program. Our goal is to roll this out as early as possible in 2020. This grant expires in 2022, but we do recognize there is the potential to extend the program with hopefully more money depending on the success of this initial tranche of \$1,000,000.

Please feel free to ask any questions.

John Cameron: The requirement for a system to be approved is that it must remove at least 30% of the total nitrogen, but through the vetting program in Suffolk County it has been shown that most systems are getting significantly over 70%, which is obviously very high.

Brian Schneider: That is correct and in Suffolk County, it's almost become a competition among manufacturers to produce a system. Manufacturers from all over the world are bringing technologies here. These systems are not set it and forget it systems. It's almost like having a little individual treatment facility on your property. There needs to be significant buy-in from the owners as maintenance is necessary.

John Cameron: To your point, it's not that you just buy the system and pop it in your yard and forget about it. I know that Suffolk County is working with Long Island Liquid Waste Association so they can get various companies certified so they can maintain the systems. To Nassau County's credit, they have taken Suffolk County's experience and utilized it to fast track their process and to Suffolk County's credit, they have collaborated beautifully. It's been a great example of regional cooperation.

Brian Schneider: There is no point in reinventing the wheel. There is so much that Suffolk County has learned and data they have been collecting. I also did want to mention that I had a conversation with Kevin McDonald from the Nature Conservancy and they just received a grant from the Long Island Sound Futures Fund to assist property owners in learning more about the septic grant program. Nico is in the room from the Nature Conservancy. They have reached out to help educate residents about the program. I think getting the message out is going to be crucial, especially in Nassau County where the program is new.

Question: What is the maintenance cost and has there been any inherent problems?

Brian Schneider: Nothing is perfect. From what Suffolk County has been reporting, the OEM cost is about \$500 per year. This is significant, but it is a trade off when you consider the pumping costs of the old systems.

Laura Gillen: Will the consultant be working with you?

Brian Schneider: The Consultant will be an extension of our staff. There needs to be a technical review of the systems that property owners may want to put in. We will need technical and also financial expertise. We will have to make reports, reimbursement requests and send statements to EFC so that too will be managed by the consultant.

Question: Have you identified how long this process will take?

Brian Schneider: We have an arrangement with the Nassau County Soil and Water Conservation District. They have staff that do a lot for Nassau County. We reached out to them to see if they would be amenable to retaining a consultant and putting an RPF together. Their process would be significantly shorter than the County's. So, if we are able to partner with Soil and Water, some of their staff can augment the management of the consultants as well. Anything we can do to extend our staff and maximize this funding will be beneficial to all of us.

John Cameron: Mayor Kennedy brings up a good point because these systems will require regular maintenance. I know the liquid waste association is very focused on this and there have been discussions with the County in terms of establishing what would almost be like franchise

areas. For instance, if a maintenance crew or operator has to travel 10 miles to service one system and then travel again to another, each visit can become costly. If instead there are 6 systems in a particular area that are efficiently being serviced, the maintenance cost goes down significantly. This will be a big issue to focus on.

Michael White: I have been attending many sessions and learning about these systems. Some of them may in fact be capable of dealing with and containing contaminants other than nitrogen.

Brian Schneider: Yes, and that is very exciting.

John Cameron: Things brings up another good point. We are starting to look at some of these trace elements and possible mitigation and treatment that could be accomplished. There are 10,000 different chemicals which have been identified and that could be sampled for, but right now regulations only require a couple of hundred. We are getting into this with nitrogen right now but will be focused on other improvements as we go forward.

Nicolas Calderon: I am here from the Nature Conservancy and we are very excited to be working with Nassau County on this project. A few comments that came to mind, some of these units have been in place since the 1970s and have been very effective so we are excited to bring them to Long Island. Maintenance costs right now are running at about \$275 and we look to cut that down. Lastly, an administrator is absolutely essential in getting this program off the ground. I am really excited to be here.

John Cameron: Rich, do you have a motion.

Rich Guardino: Yes, this resolution authorizes an agreement with Nassau County to assist in implementing the Nassau County Septic System Replacement Grant Program. The only thing I would add to the conversation this morning is that the Long Island Nitrogen Action Plan has identified the implementation of grant programs to replace cesspools and septic systems with innovative alternative systems as an early action item. The County has the full support of the New York State Department of Environmental Conservation on the transfer of these funds.

Motion to Accept Resolution No. 2019-106: Laura Gillen

Seconded: Barbara Donno

All in Favor: 10

Opposed: 0

So moved.

Rich Guardino: The next resolution is retaining PFM Group to provide an update of the Tax Analysis done in 2017-18 by the PFM Group. We have Randy Bauer, the PFM Group Director with us this morning. When PFM presented the final version of the study in April 2018, there were several key tax and public policy issues still evolving. These included the Supreme Court's consideration of a case involving a state statute that required the collection of sales tax from internet sellers and also efforts of several states including New York to lessen the impact of the cap on the deduction of state and local taxes. This study will include an updated analysis of

these issues as well as an analysis of the economic and fiscal impacts related to the differential in sales tax rates with New York City.

Motion to Accept Resolution No. 2019-107: Jeff Guillot

Seconded: Jeff Kraut

All in Favor: 10

Opposed: 0

So moved.

Rich Guardino: Resolution 2019-108 authorizes a renewal of an agreement for consulting services with Epoch 5 Marketing, Inc. for public relations, social media, education, and marketing strategies for the LIRPC and the Long Island Nitrogen Action Plan. The Council entered into an agreement with Epoch 5, a NYS Certified Woman Owned Business Enterprise in November 2018. The agreement included an option to renew the agreement for one year at the sole discretion of the LIRPC. Epoch 5 has done an excellent job and this resolution exercises the option to renew for one year at the same rate as the current year. We have Katherine Heaviside, the President of Epoch 5 with us this morning.

John Cameron: We understand that Andy Kraus, who had been our primary contact, has retired after many years with Epoch 5. Andy did an outstanding job for us. Part of your scope is also to provide social media contact and public relations. It has gone very well. Maybe you can explain to us the plan going forward so we don't have a hiccup here with the loss of Andy.

Katherine Heaviside: We have been extremely fortunate to have Andy Kraus with us for 28 years. We have a full-service agency and like any other organization, no one person comprises the entire organization. We have a replacement for Andy, which is me, which is pretty good. I will be backed up by Mark Smith who has a long history of working with municipalities and with Steve Levy and Suffolk County. We expect this to be a seamless transition.

Motion to Accept Resolution No. 2019-108: Jeff Guillot

Seconded: Michael White

All in Favor: 10

Opposed: 0

So moved.

Rich Guardino: The next Resolution approves the Independent Auditor's Reports performed by Long Island Regional Financial Management Services (LIFMS) for the years 2016, 2017, and 2018. LIFMS is also a NYS Certified Woman Owned Business Enterprise. The Council engaged this CPA firm last January 9, 2019 to perform audits of financial statements of the LIRPC for the years 2016, 2017, and 2018. The key findings are on the final two pages of the reports in memos addressed to members of the Council. The Auditor did not find any deficiencies in internal control that they considered to be material weaknesses. The results of their tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards. The officers of the LIRPC have met with the staff to review the audits and recommend approval of the Independent Auditor's Reports for the years 2016, 2017, and 2018.

Motion to Accept Resolution No. 2019-109: Jeff Kraut

Seconded: Elizabeth Custodio

All in Favor: 10

Opposed: 0

So moved.

Rich Guardino: The next resolution adopts an Investment Policy for the LIRPC. The key provision of the Investment Policy is a procedure for securing deposits in excess of the amount insured by the Federal Deposit Insurance Corporation. The Council does have deposits in excess of the \$250,000 insured amount. We have consulted with the Government Banking Relationship Manager for TD Bank where the LIRPC has accounts. Following our meeting with the TD Bank representative, the Council entered into a Third-Party Custodian Agreement with TD Bank and the Bank of New York Mellon which will secure all deposits in excess of the FDIC insured amount. This Agreement conforms with the Investment Policy and meets all municipal requirements for securing deposits of public money.

Motion to Accept Resolution No. 2019-110: Laura Gillen

Seconded: Robert Kennedy

All in Favor: 10

Opposed: 0

So moved.

Rich Guardino: The next resolution authorizes an accounting consulting agreement with Alan M. Gurien, CPA, MBA. The Council has several governmental funds including the general fund that is the principal operating fund of the LIRPC. These funds are the basis for financial statements which are interrelated. Certain governmental funds' statements are reported using the accrual basis of accounting. In order to prepare the LIRPC financial statements and oversee bookkeeping, the staff and officers of the Council are recommending retaining a CPA on a part-time basis to provide accounting consulting services. Alan M. Gurien, CPA, MBA is well qualified to provide these services.

John Cameron: Rich, could you provide a little more information on Alan's background.

Rich Guardino: Alan was a Nassau County Deputy Controller and later took over as the Chief Financial Officer for Nassau County Community College. He is both an MBA and a CPA and has over 40 years of public accounting experience working for municipalities. We are very grateful that he has agreed to work with us on a part-time basis. This was also a recommendation of our auditor. Previously, we had a bookkeeper rather than a CPA. At this juncture, given the financial statements and the number of grants we are working on, it's time to bring on a CPA to help us with the bookkeeping.

Motion to Accept Resolution No. 2019-111: Jeff Kraut

Seconded: Barbara Donno

All in Favor: 10

Opposed: 0

So moved.

Jeff Kraut: Is there a cap on this contract? Not to exceed?

John Cameron: We budgeted one, but I don't think it is a cap. Why don't we have our financial committee discuss the proper cap and add that to the formal resolution as a modification. If everyone is ok with that we will vote.

Motion to Accept Resolution No. 2019-111 with the modification: Jeff Kraut

Seconded: Barbara Donno

All in Favor: 10

Opposed: 0

So moved.

Rich Guardino: The next resolution adopts a Conflicts of Interest and Code of Ethics Policy for the LIRPC. The Independent Auditor has recommended that the LIRPC have a policy that requires all members of the Council to sign an annual conflict of interest statement. This policy is in response to the recommendation and provides a form for an Annual Conflict of Interest Disclosure Statement. As you witnessed earlier in the Council meeting today, Council members have always announced when they feel there are conflicts of interest and then recuse themselves from voting on a matter. That is in all of our minutes which are kept for each meeting. The Independent Auditor has recommended as a best practice that on an annual basis we have a Conflict of Interest Disclosure Statement which would also state any instances in which there would be a recusal. I know that Michael White has a suggestion as to the exact language which would be helpful in perhaps clarifying the resolution and the policy.

Michael White: As a point and I think we can move forward with the resolution. The Council members have seen the policy. I think there was some awkward wording where it would appear that no Council Member or family member shall have this interest and there is a whole list of how that interest may be established, but then later on it states that the disclosure will be done at the meeting and also a disclosure statement will be required. My thought is that we should just characterize it as if the Council member or family member has that interest, it must be disclosed and then that establishes the recusal and have the employees not involved with anything where an interest may exist. It is kind of a one sentence change.

John Cameron: To clarify, the wording shall state that if there is a conflict it will be disclosed and then the member will be recused if appropriate, rather than stating that there will be no conflicts. With that change, let us vote.

Motion to Accept Resolution No. 2019-112: Robert Kennedy

Seconded: Jeff Guillot

All in Favor: 10

Opposed: 0

So moved.

Michael White: So, we will require everyone to file that disclosure by the end of this year and that will cover 2019 and we will file another one in 2020.

Rich Guardino: If you are so inclined today, you can find a form in the front pocket of your binder.

CHAIRMAN'S REPORT:

John Cameron

As everyone is well aware, there are a number of critical issues affecting the Island. In subsequent meetings we are going to be having with the Council, we will be dedicating multiple topics to the meetings. One is on the water issue regarding quantity issues. USGS is completing a study on the quantity of groundwater here on Long Island and sustainable yield. While Suffolk County has been ok with that, Nassau has been exceeding it. While we want to deal with the quantity issue, we also want to deal with the quality issue. This is a discussion about erosion contaminants, etc. Second is energy. This has been in the news. We are talking about renewable energy and the Offshore Wind Program. Also, it's in the news today about the Governor and the withholdings of the permits for the NSEP pipeline which has been documented as essential for economic development growth for the tri-state area and the Governor is threatening to revoke the permit which is a very serious threat in the next couple of weeks. There are other issues which Mayor Kennedy and I discussed on a panel last week regarding preparedness and resiliency for future storms and climate change and sea level rise. This is another issue that we dealt with a couple of years ago. Brian Schneider brought up Bay Park today which is one of the best expenditure of funds. I think Mayor Kennedy can also attest to the funds that we are expending in his Village. That being said there are some major regional solutions that need to be addressed and we are going to dedicate another meeting to that. The next one will likely be at our next meeting. I will let Michael explain to you about the emerging urgency of the solid waste crisis on Long Island.

Michael White: So, this is something I do on my full-time daytime job. To tee this up, Long Island is on the brink of a crisis in respect to solid waste management. If you speak with any municipality that is dealing with this issue, if you speak with the New York State Department of Environmental Conservation, you will see the problems in front of us. This past year, we had failing recycling programs and effective recycling is key to our solid waste management from an economic standpoint and from an environmental standpoint. We have a consistent problem with the disposal capacity. As we all know, there are no garbage landfills on Long Island. That was done by a law passed in 1983, not allowing any solid waste to be buried in order to protect our sole source environment. That has established a situation where we have a number of energy and waste facilities, but every single day, thousands of tons of municipal solid waste are trucked off Long Island. In addition to which, the company that I work for shipped out over 600,000 tons of construction and demolition debris over the past 12 months by rail. The rail is an effective transporter as opposed to the cost of trucks, but what we are seeing is the potential for the Brookhaven Land Fill closing in 5 years. That is the only municipal landfill that takes demolition and construction debris and also ash from the energy from waste facilities. There is the thought that they might try to keep it open for the ash, where they take the ash from Huntington, Smithtown, Islip and Hempstead. In addition, there is the threat even to the operation of the energy from waste facilities. The New York state operator system which controls and regulates energy distribution around New York State has proposed a carbon pricing proposal and if that is applied to our energy from waste facilities, that will significantly increase

that cost. If not, the operators of these facilities have said that they might just close, reducing the capacity because of the carbon tax. As I mentioned before, the transportation issue is really unsustainable to be shipping that many tractor trailer trucks off of Long Island given the aging and congested infrastructure. In the past year, we have worked to establish what we call the Long Island Solid Waste Leadership Council. Myself, and a person from Winthrop Brothers, Will Flowers will work with Carrie Meek Gallagher at DEC and her staff to form this Council, which is a combination of people from municipalities, experts from the private sector, and we will establish committees to deal with some of these issues with respect to this crisis and to offer recommendations. We are looking to come up with answers and ways to address this before it gets to that crisis point. We have produced a draft and we would like to have a presentation at our next LIRPC meeting. We would include a panel discussion so we can hear the different perspectives of this problem.

John Cameron: Many of you may recall that when Ed Romaine was on the Council he was a strong champion for this solid waste management study. A significant portion of the Town of Brookhaven budget is funded by the operation of the landfill, so they are facing a looming financial crisis with the potential of losing that revenue. We are planning to have industry officials come to talk about what it is we can do on Long Island. We are different in that we are a sole source aquifer environment and the only one in the state. We look forward to the discussion.

EXECUTIVE DIRECTOR'S REPORT:

Rich Guardino: John Cameron and Mayor Kennedy served on the Touro Law Center Program last week and I want to let everyone know that officials are required to receive four hours of training each year, so it is great that you volunteered your expertise in that area which qualified as training for many people. Todd Poole of 4Ward Planning and I served on a similar program at a Hofstra Law School in their Real Estate Studies Program earlier in the month. As many of you know, last October a resolution was passed by the Council to fund a Suffolk County Wastewater Management District feasibility study. Just a quick update, the study was awarded to Raftelis, a Utility Public Sector Consulting Firm. They are working on it and plan to have a draft report by the end of this year. It will be released early next year. LIRPC and some of the staff serve on the advisory committee for that study. We also are initiating a STEM challenge program. The goal of this initiative is to connect teachers, students and the communities with the LINAP program. This is the first year that we are doing it and the competition is geared to Grade 6-8 and 5 schools are participating. Students will be submitting their proposals this month and they will be due in January. We are planning an award ceremony event in March. The student teams are focusing on two challenges; low input landscaping and storm water treatment. Finally, the New York State Department DEC and the Council are developing a new program called Nitrogen Smart Communities which will assist communities and municipalities in Nassau and Suffolk Counties to take meaningful action to reduce or eliminate nitrogen pollution in surface and ground water. These actions would be included in a community specific action plan. The program will start as a pilot program with two municipalities, one is Nassau and one in Suffolk, both within the Long Island Sound Watershed. That concludes my report.

John Cameron: Rich, you mentioned the Land Use Institute's Symposium last week and I had the fortunate opportunity to attend the opening session. The keynote speaker who was not from

Long Island said he was doing some research on what the Island needs to do for sustainability and he cited numerous times LI2035 as to recommendations and saluted it as to being right on point as to what Long Island needed to do. We still know we have a number of challenges and we will continue to work together to find and implement solutions.

Adjournment