



**Pine Barrens Commission Meeting Summary
For Wednesday, August 20, 2014 (Final Approved-9/17/14)
Town of Brookhaven
One Independence Hill
Farmingville, NY
2:00 pm**

Commission members present: Mr. Scully (for New York State), Ms. Prusinowski (for Brookhaven), Mr. Walter and Mr. McCormick (for Riverhead), Mr. Shea and Mr. Collins (for Southampton) Ms. Longo and Mr. Freleng (for Suffolk County)

Others present: Staff counsel was Mr. Milazzo. Commission and other agency staff members included Mr. Pavacic, Ms. Jakobsen, Ms. Hargrave, Ms. Carter and Ms. Ostrowski (from the Commission). Additional attendees are indicated on the attached sign-in sheet.

Peter A. Scully
Chair

Mr. Scully called the meeting to order at approximately 2:00 p.m. with five members present, which constitutes a quorum.

Steven Bellone
Member

1. Administrative and Public Comment

Edward P. Romaine
Member

a. Public comments

Summary: There were no public comments.

Anna E. Throne-Holst
Member

b. Minutes for 7/16/14: review, approval

Summary: **The motion was made by Ms. Prusinowski and seconded by Mr. Collins to approve the 7/16/14 meeting summary. The motion was approved by a 5:0 vote.**

Sean M. Walter
Member

c. Renewal of Directors & Officers Insurance Policy

Summary: Mr. Pavacic discussed the previously distributed Draft Resolution of the Central Pine Barrens Commission Authorizing Renewal of the Commission's Directors and Officers (Errors and Omissions) Insurance Policies and Payment of any Associated Premiums and he stated that the resolution is to authorize the renewal of these policies for a one year term.

The motion was made by Mr. Walter and seconded by Ms. Longo to approve the attached Draft Resolution for the renewal and payment of the Directors & Officers Insurance Policies. The motion was approved by a 5:0 vote.

2. Science and Stewardship

a. Resolution to adopt and review the approval procedures for expenditure of EBF funds

Summary: Mr. Scully discussed the previously distributed Draft Resolution of the Central Pine Barrens Joint Planning and Policy Commission Establishing Procedures for Administration of Environmental Benefit Fund. He explained that the origin of the monies that comprise the Environmental Benefit Fund was from an enforcement action taken by the NYSDEC. The LEC utilizes this fund to purchase equipment such as ATVs, which are used during patrols for illegal activity in the Pine Barrens. It was noted that in order to continue to move forward with authorizing future LEC purchases made with EBF monies that the Commission needs to establish an approval procedure.

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The motion was made by Mr. Scully and seconded by Mr. Collins to approve the attached Draft Resolution of the Commission Establishing Procedures for Administration of Environmental Benefit Funds. The motion was approved by a 5:0 vote.

- b. Purchase of two 2014 Polaris Sportsman 400 All Terrain Vehicles for the NYS Police and for the Suffolk County Sheriff's Office using EBF monies

Summary: Mr. Pavacic discussed the procurement process that the Commission office follows and the two previously distributed Draft Resolutions for the Commission to Authorize the Purchase of One All-Terrain Vehicle by the Law Enforcement Council for the NY State Police and for the Suffolk County Sheriff's Office (attached). He noted that the Commission staff is required to obtain three quotes for expenditures at this level and the company that provided the lowest quote was recommended to the Commission to accept. He explained that the purchase would enable the Suffolk County Sheriff's office and the NY State Police to participate in ATV patrols more effectively. It was noted that the Town of Riverhead may have a suitable ATV available to donate. It was decided that the Commission would approve both ATV purchases, however, Mr. Pavacic is to follow up with Supervisor Walter on the possibility of Riverhead donating a ATV prior to purchasing the second ATV.

The motion was made by Mr. Walter and seconded by Ms. Prusinowski to approve the Draft Resolution for the Commission to Authorize the Purchase of One All-Terrain Vehicle by the LEC for the NY State Police. The motion was approved by a 5:0 vote.

The motion was made by Mr. Collins and seconded by Mr. Walter to approve the Draft Resolution for the Commission to Authorize the Purchase of One All-Terrain Vehicle by the LEC for the County Sheriffs' office. The motion was approved by a 5:0 vote.

- c. Wildfire Response, Forest Management, Prescribed Fire & Response Action Items

Summary: Ms. Jakobsen reported that she has scheduled a Community Wildfire Protection Plan meeting for next week with the NYSDEC and she plans to meet after that with the other stakeholders which would include, Suffolk County Parks, BNL and the Town of Brookhaven. She noted that once an area has been located and selected to establish a Community Wildfire Protection Plan that the appropriate fire departments would be contacted.

Ms. Jakobsen discussed the status of the Wildfire Hazard Mitigation Standards. She explained that after meeting with the Towns and receiving their comments that she has sent a revised document that contains the Commission and Town comments along with the revised CLUP amendment text related to the Wildfire Hazard Mitigation Section in Chapter 5 to Mr. Bruce Johnson at the International Code Council (ICC). She asked for Mr. Johnson's feedback and response to the comments and revised text to ensure it would adequately meet the ICC and NYS DOS requirements. He intends to discuss these documents with representatives from the NYSDOS Division of Building and Code Enforcement to obtain their comments. Ms. Jakobsen would then review and revise the documents based on their feedback and then forward the

documents to the Town staff for review and comment. She hopes to have this information ready for the Commission sometime in September.

Additional items Ms. Jakobsen discussed included, the National Fire Protection Association (NFPA) has been sponsoring virtual workshops on topics such as "Mulch Combustibility" and in September there will be a workshop on "Surviving a Wildfire", that is based on a true story. She noted that the schedule of workshops can be found on the Firewise website, Firewise.org. and that prior workshops are available "on demand" on this website.

d. *Ray Corwin Rocky Point-to-Yaphank Trail*

Summary: Mr. Pavacic reported that the Department of Transportation (DOT) has responded to his request for maps of the LIE right of way at the Service Road between exit 66 and 68. After receiving the maps, Commission staff went to the DOT office to discuss with their staff these areas that have proposed developments nearby and how this might affect trail access. A draft proposal of the trail at the LIE right of way will be sent to the DOT soon for their review.

e. *Resolution to accept grant funds from FERN to purchase testing equipment and field gear for the "A Day in the Life of..." events*

Summary: Mr. Pavacic explained that an application was submitted to the Foundation for Ecological Research in the Northeast (FERN) for a grant to purchase testing equipment for the Commission's "A Day in the Life" program. The grant was approved by FERN for \$4,228 (letter attached). The funds are to be used to purchase new testing equipment that would replace the equipment that was previously borrowed for the "A Day in the Life of the Carmans River" program.

The motion was made by Mr. Freleng and seconded by Ms. Prusinowski to approve the attached Draft Resolution of the Commission to Accept a Grant from the Foundation for Ecological Research in the Northeast for A Day in the Life of the Carmans River Program. The motion was approved by a 5:0 vote.

f. *Education and Outreach Division: update*

Summary: Mr. Pavacic provided the previously distributed Education and Outreach Division, August 2014 update (attached) on behalf of Melissa Parrott and he noted that today Melissa was at the Ray Corwin Pine Barrens Trail Center working on a field study with a local school. Items from the report that Mr. Pavacic discussed included, the 2014 Summer Camp at Wertheim National Wildlife Refuge, the "A Day in the Life of the Carmans River" planned for the Fall and that there will be two additional rivers this year involved in a "A Day in the Life of" program, the Peconic and Nissequogue Rivers. He also mentioned the deer management comparison study that is being performed by a student from Stony Brook and a student from MSRN in Pisa, Italy.

g. *Science and Stewardship Division: update*

Summary: Ms. Carter discussed the previously distributed Science and Stewardship Division Update for August (attached). Items that Ms. Carter reported on from the report included, ATV damage and dumping mitigation field work that was performed along the Rocky Point to Yaphank trail to evaluate problem vehicle access points, and the 19th Annual Research Forum on October 2nd and 3rd and its topics which will

cover, water quality, wildlife management, climate risk, among other topics. Ms. Carter discussed the status of invasive species management, the impact of Mile-a-Minute vine infestations and the introduction of the Weevil to control Mile-a-Minute vine, and the recording of plant infestations using the iMapInvasives NY State centralized database.

Additional updates that Ms. Carter discussed included, Forest Health surveys, that she attended advanced training on the early detection of invasive insects and plant pathogens in New York, that the Stewardship Division is coordinating plans with the NYS DOT for the Ray Corwin Rocky Point to Yaphank Trail segments near the LIE and she noted that there is severe dumping activity at the LIE right-of-way. Ms. Carter discussed the Ecological Services Contract work related to the contractor's assessment of monitoring protocols and restoration plan development, and that the next PLC meeting is scheduled for December 2nd, at Southaven County Lodge.

3. Land Use Planning & Land Use

a. CLUP Amendments

Summary: It was noted that today's CLUP Amendment worksession was productive and there was a discussion on how to advance a draft version of the CLUP Amendments. Comments were requested from the Commission members on the design manual. At the September meeting options for moving forward with a draft document will be discussed. Mr. Pavacic noted that there is no minimum time frame to provide public notice for a hearing; the Statute only requires 30 days advance public notice when scheduling a vote.

b. Compliance and Enforcement Division: update

Summary: Mr. Pavacic discussed the previously distributed Compliance and Enforcement Division update for August 2014 (attached) which contains an up to date status of cases and statistical information.

c. Land Use Division: update

Summary: Ms. Hargrave discussed the previously distributed Land Use Division Update for the Meeting of August 20, 2014 (attached) which includes current Land Use Division activity under review by the Commission. She mentioned that the Commission office has commented on the revised plan for the Oaks at Miller Place which is a pending application before the Commission and is currently undergoing revision at the Town level.

Other items in the Land Use report that Ms. Hargrave discussed included, referrals related to proposed site work at the Albert Prodell Middle School in Shoreham and the Shoreham Wading River High School and previously granted Commission waivers related to these schools, the Commission office has received the EPCAL Environmental Impact Statement and comments related to the Wetland Restoration Plan at Longwood Public Library were sent out. Ms. Hargrave noted that the Division is responding to inquiries related to the Carmans River Watershed Expansion.

Project Review Compatible Growth Area

d. Riverhead Central School District Bus Depot/ Edwards Avenue/Calverton/
(600117-1-8.3)/Determination of Jurisdiction/ Ms. Hargrave)

Summary: Mr. Walter expressed his concerns related to the Commission's review of projects related to public entities including, school districts, fire departments, libraries and others and that he would like to the Commission to have a more consistent approach for dealing with projects related to these entities. Mr. Amper stated that the intention of Article 57 was to protect the entire region equally and that the Commission needs to look at what are the environmental impacts related to these projects. Mr. Scully suggested that the Commission should explore the possibility of establishing a consistent policy.

The motion was made by Mr. Walter and seconded by Ms. Prusinowski to adjourn the meeting. The motion was approved by a 5:0 vote.

Attachments (in order of discussion)

1. August 20th Commission Meeting Sign in Sheet (1 page)
2. Draft Commission Meeting Summary for August 20th (5 pages)
3. Draft Resolution of the Central Pine Barrens Commission Authorizing Renewal of the Commission's Directors and Officers (Errors and Omissions) Insurance Policies and Payment of any Associated Premiums, 9/20/14 (1 page)
4. Final Approved Resolution of the Central Pine Barrens Commission Authorizing Renewal of the Commission's Directors and Officers (Errors and Omissions) Insurance Policies and Payment of any Associated Premiums, 9/20/14 (1 page)
5. Error & Omissions, quotation for coverage letter, dated 8/6/14 (9 pages)
6. Final Approved Resolution of the Central Pine Barrens Commission Authorizing Renewal of the Commission's Directors and Officers (Errors and Omissions) Insurance Policies and Payment of any Associated Premiums
7. Draft Resolution of the Commission Establishing Procedures for Administration of Environmental Benefit Funds, dated 8/20/14 (2 pages)
8. Final Approved Resolution of the Commission Establishing Procedures for Administration of Environmental Benefit Funds, dated 8/20/14 (2 pages)
9. Draft Resolution for the Commission to Authorize the Purchase of One All –Terrain Vehicle by the LEC for the NY State Police, dated 8/20/14 (1 page)
10. Final Approved Resolution for the Commission to Authorize the Purchase of One All – Terrain Vehicle by the LEC for the NY State Police, dated 8/20/14 (1 page)
11. Draft Resolution for the Commission to Authorize the Purchase of One All –Terrain Vehicle by the LEC for the Sheriffs' office, dated 8/20/14 (1 page)
12. Final Approved Resolution for the Commission to Authorize the Purchase of One All – Terrain Vehicle by the LEC for the Sheriffs' office, dated 8/20/14 (1 page)
13. Draft Resolution of the Commission to Accept a Grant from the Foundation for Ecological Research in the Northeast for A Day in the Life of the Carmans River Program, dated 8/20/14 (1 page)
14. Final Approved Draft Resolution of the Commission to Accept a Grant from the Foundation for Ecological Research in the Northeast for A Day in the Life of the Carmans River Program, dated 8/20/14 (1 page)
15. Application for a grant letter to FERN Board of Directors, for testing equipment to use at A Day in the Life of the Carmans River Program, dated 6/13/14 (2 pages)
16. FERN letter approving grant to purchase testing equipment, dated 8/5/14 (1 page)
17. Education and Outreach Division update, dated 8/20/14 (1 page)
18. Science and Stewardship Division update, dated 8/20/14 (2 pages)
19. Compliance and Enforcement Division update, dated 8/20/14 (2 pages)
20. Land Use Division update, dated 8/20/14 (1 page)
21. Riverhead Central School District Bus Depot and Fueling Facility request for determination

of jurisdiction letter, dated 7/31/14 (3 pages)