

# HEMPSTEAD HARBOR PROTECTION COMMITTEE

## **DRAFT** MEETING MINUTES

November 28, 2012

NOTE: ACTION ITEMS ARE IN **BOLD UNDERLINED ITALICS**

Attendees: Tom Powell (Sea Cliff and Chair); Len Shaw (Roslyn); Kevin Braun (North Hempstead); Eric Swenson (Executive Director); Abby Kurlender (Roslyn Harbor); Catherine Chester (Sands Point); Bill Archambault (Glen Cove); Carol DiPaolo (Coalition to Save Hempstead Harbor); Justin Baker (interested citizen)

### Call to Order

Tom Powell called the meeting to order at approximately 7:10 pm.

### Review and Approval of Draft Minutes of Meeting of September 5<sup>th</sup>, 2012

Tom Powell moved to approve the minutes of the September 5<sup>th</sup> meeting. Kevin Braun seconded the motion and the Committee unanimously approved them.

### Review and Approval of 2013 Proposed Meeting Schedule

Eric proposed a meeting schedule for 2013 based on the 2012 schedule. A few minor changes were made by the Committee and the following dates were chosen, contingent upon room availability (**Eric will check with the village on availability and booking**):

- January 9
- March 13
- April 10
- June 19
- September 11
- October 9
- November 20

### Announcements, Reports, Reminders, & Upcoming Events

Eric Swenson made the following announcements, reports and reminders:

**Update on Executive Director's administrative changes** – Eric stated that the Town of Oyster Bay has allowed him to continue to use his former office for his HHPC duties and also showed the Committee the laptop and wireless modem that he purchased and stated that these have made it much easier for him to keep in touch and perform his duties when he is away from the office. The wireless modem is somewhat different than the one he anticipated purchasing. It's cost is approximately \$50.00 per month. It was noted that Eric's contact information needs to be updated on the Committee's contact list. **Eric will update and circulate a revised contact list.**

**Impacts from Superstorm Sandy** – Eric noted that he was contacted by both the National Fish and Wildlife Foundation and the NYS DEC for information on impacts to the harbor from Superstorm Sandy. Prior to the meeting, he compiled the following information:

- there was some coastal erosion in the dunes in Glen Cove (Garvies Point Preserve) and in Sea Cliff. This has undermined some trees which will likely fall at some point. A large boulder at Garvies Point slid partly down the dune.
- salt water backed up into Scudder's Pond both through the weir discharge piping and overland crossing from Tappen Beach and across Shore Road. We are scheduled to remove invasives and plant native vegetation in this area. Not sure what the salt water impact will be, if any, on this. *[Kevin Braun noted that it is likely that the plants in the pond will be able to withstand this given the fact that this is not the first time that salt water has backed up into the pond and that they can tolerate some salt].*
- some erosion behind the bulkhead along Shore Road in Sea Cliff
- many, many trees down including in the Garvies Point Preserve
- a build-up of sand at Sea Cliff Village Beach (good for the beach)
- the Sea Isle development site in Glen Cove Creek (currently under development) was flooded. Terrapin turtles have been seen on this site in the past - a possible nesting site.
- our coastal interpretive signs in the lower harbor survived intact.

Committee members pointed out the following additional impacts:

- Carol DiPaolo noted that she surveyed the harbor with the Town of North Hempstead Bay Constables on November 16<sup>th</sup> and 21<sup>st</sup> and also performed water sampling which included taking bacteria samples for analysis by the Nassau County Department of Health. She found little damage in the harbor except for some damage to docks on the western shoreline. She noted that she did not see any evidence of boats breaking loose (unlike Manhasset Bay and Oyster Bay Harbor). Bacteria levels were low except for the usual problem areas and dissolved oxygen levels were up (due to lower water temperatures).
- Tom Powell noted that debris had washed up at the Welwyn Preserve but that the seawall appeared intact.
- Kevin Braun noted that there was some erosion behind a retaining wall at the Beacon Hill Colony, that some homes experienced flooding on the first floor and that there was some littoral drift of sand southward in that area.
- Kevin also noted that there were some trees down in the wetlands restoration area that need to be removed before they leaf out in the spring and that there was an unusually high rack line in the area with debris covering the plantings. *[Eric mentioned that he and Kevin had discussed the idea of a joint spring cleanup in the harbor between the two Towns and any others that wish to join in. Eric*

*approached the Town of Oyster Bay and they were interested and Kevin stated that he believed that the Town of North Hempstead would also be interested but stressed the need for coordination].*

- Bill Archambault stated that Glen Cove Creek was surprisingly unaffected by the storm. He was concerned about the recent remediation of the former Gladsky property which had just undergone some plantings but they were not flooded in the storm.
- Bill also noted that their biggest problems were on East Island and at Prybil Beach. Salt water and sand washed from Prybil Beach over the parking lot and into Dosoris Pond, leaving a lot of sand and cobble in the parking lot to be removed. At the same time, a large volume of coarse sand and small to medium sized cobble washed onto Prybil Beach. The City is now working on removing the sand from the parking lot. The salt water is not expected to be a problem for Dosoris Pond as the pond is brackish to begin with. *[Note that following the meeting, Bill advised Eric that the sluiceway that allows water to move between Dosoris Pond and the Sound was backed up with sand and needs to be excavated out. This is a common occurrence following most major storms and Nor'easters].*

**L.I. Green Infrastructure Conference and Expo** – Eric noted that this event (the second such conference) will take place on June 12<sup>th</sup> at Brookhaven National Laboratory and that the scope is expected to be broadened somewhat from this year's event to include some green energy issues.

**Creation of Long Island Water Quality Coordinating Committee** – Eric noted that the Nassau and Suffolk Soil and Water Conservation Districts are spearheading the creation of Long Island Water Quality Coordinating Committee. He distributed a copy of its draft objectives and steering committee invitation list. He noted that this committee is intended mainly as a resource to bring every organization together to coordinate activities rather than to serve as yet another organization tackling the same issues. Better coordination should result in more efficient efforts (less duplication of efforts) and better chances at obtaining funding.

**Report on Clean Green Communities meeting** – Eric pointed out that on September 28<sup>th</sup>, he attended a meeting held by the Town of North Hempstead, the Sustainability Institute of Molloy College, Vision Long Island and others for the express purpose of developing a sustainability plan for Long Island entitled "Cleaner Greener Communities". Their mission is best summed up in the following statement sent by the Town of North Hempstead:

A coalition of Long Island counties, towns and organizations has received a grant from the New York State Energy Research and Development Authority (NYSERDA) to create a regional sustainable growth strategy as part of the Cleaner, Green Communities program announced by Governor Andrew M. Cuomo in his 2011 State of the State address.

The development of a comprehensive regional sustainability plan is the first stage of the Cleaner, Greener Communities program and is intended to provide resources that each New York State region can use to develop its own vision, goals and objectives for a sustainable future, identify actions needed to achieve that future and outline metrics to measure success. The second stage provides up to \$90 million toward regional projects that support the regional sustainability goals identified during the planning process. Phase II is expected to launch in the spring of 2013.

Eric stated that he has successfully advocated for the inclusion of protecting surface water quality as part of the plan (it was not originally included) and that he, Mayor Suozzi and Mayor Phillips all attended the water quality subcommittee meeting that was held during the breakout sessions. Two more meetings will be held (on January 18<sup>th</sup> and March 1<sup>st</sup>) before the plan is finalized.

**Report on Sea Cliff Mini Mart** – Eric stated that this event took place on October 7<sup>th</sup> despite inclement weather. Our booth featured the shellfish opening and septic system maintenance (complete with a toilet to draw people in). Several residents inquired as to the status of the Scudder's Pond project. Overall, it was a success.

**DEC Audit of Village of Sea Cliff MS4 Program** – on October 10<sup>th</sup> Eric attended the interview portion of an audit conducted by the NYS DEC of the Village of Sea Cliff's stormwater program. The interview portion lasted about an hour and a half followed by a field visit to village facilities. The DEC officials asked a lot of questions about the Village's program, policies and procedures and wanted to see documentation. While he has not seen any resulting report from the NYS DEC or heard about the results of the audit, it appeared to him that the DEC was fairly satisfied with the Village's program although they stressed the need to better document Village policies, procedures and practices. **Tom Powell will check to see if the Village has received the results of the audit.**

### **2012 Member Dues Update**

Dues notices and invoices were sent out on March 15<sup>th</sup> to all member municipalities. To date, all municipalities have paid except Nassau County. Eric was assured by Ken Arnold in August that the payment was in process but it has yet to be received. He inquired again earlier this week and has not heard back yet.

### **Water Quality and Monitoring Programs / Shellfish Opening**

**2011 program update** – Eric stated that he completed the Final Programmatic Report for the 2011 grant and that just before the meeting, he heard from the National Fish and Wildlife Foundation Project Manager that the report was acceptable and that they were pleased with the project. We are now free to submit the final voucher **Eric will submit the final voucher for payment.**

**2012 program update** – Eric noted that he has received the grant agreements for the 2012 program and that they are awaiting Mayor Kennedy's signature. If they are mailed to the Nation Fish and Wildlife Foundation by Monday, December 3<sup>rd</sup>, we will receive payment before the end of the year. **Tom Powell will check on the status of the signatures** [note: Eric was advised on November 29<sup>th</sup> that these were mailed out]. Carol reported that she has completed her monitoring program for 2012. She stated that towards the end of the season, she ran into both monitoring equipment problems (the probe went on the meter) and boat mechanical problems. Eric reached out to the Town of North Hempstead and they provided a Bay Constable boat and staff to assist Carol in conducting a round of sampling on November 16<sup>th</sup> after the storm [see discussion on Superstorm Sandy above] and again on November 21<sup>st</sup>. She stated that she needs to know whether she can count on the Town of Oyster Bay to provide a boat and operator for the 2013 season. **Eric will ask Jim Moriarty to check into this.** She also mentioned that she had spoken to the county and that they anticipate being able to provide the same level of laboratory services next year. She also noted that due to the storm, she expects that may be a delay (until January) when she receives the data from the county that she needs in order to prepare the 2012 Annual Report.

Beach Closure and Wildlife Feeding Pamphlets – Eric noted that at the last meeting, it was agreed that the Committee would prepare two brochures – one explaining to the public why beaches are pre-emptively closed to swimming and one educating people on why they should not feed wildlife. Kevin Braun has send Eric information on the Town’s procedures for closing its beaches but that he has not received similar feedback from others. **Other municipal reps that have public beaches should send such information to Eric.**

### **Nassau County Soil & Water Conservation District**

Kevin mentioned that the District has helped fund and install a green roof at SUNY Old Westbury. It will also serve as a teaching tool for students. The District is also in the process of installing a rain garden for the Village of Bayville at its West Harbor Beach. This rain garden will remove stormwater from the parking lot that frequently floods and prevents parking in handicapped spots and for adjacent ballfields. The District is also allocating about \$4,200 in labor and materials toward the Town of North Hempstead’s wetland restoration in lower Hempstead Harbor (May Newburger Cove). Eric noted that at its last meeting, the District also decided to arrange a bulk purchase of trees for homeowners who wish to replace trees that have fallen as a result of the recent storms and to provide education to the public on what types of trees are recommended and what types of trees are to be avoided with respect to storm-resistance.

A general discussion ensued as to tree ordinances and the public’s desire to cut down even healthy trees out of fear that they may fall in the future and cause damage or liability. It appears that each municipality is somewhat different in it’s approach. Abby Kurlender noted that she is on the Village of Roslyn Harbor’s tree committee and has been looking into how various municipalities manage their trees.

### **C.E.S.S.P.O.O.L. Project Update**

Eric noted that he has participated in conference calls with a team at SUNY Stony Brook that is willing and able to conduct the polling necessary to determine level of knowledge and motivational factors for residents with respect to septic system maintenance but that this needs to go through the Town of Oyster Bay’s procurement process before they (or another firm) are hired. It is hoped that the polling will be completed by the Spring so that the information can be used in developing a short video using the talents of student Chris Johnston.

Bill Archambault mentioned that the city had conducted its own “Mini-C.E.S.S.P.O.O.L.” project. 44 the local residents who reside in the most impacted un-sewered area were contacted and offered free engineering inspections for their septic systems as well as free aeration. Of the 44 homes, 20 took advantage of the offer. The key appeared to be the fact that it was free as residents wanted assurance of this fact before agreeing to it. Of the 20 systems tested (which cost the city about \$11,000), 17 were found to be fine and 3 had minor issues that will need to be addressed within the next 3 to 5 years. Bill noted that it was mainly the newer homes or homes with fairly new septic systems that took advantage of the offer whereas the older homes or those with older systems did not. He surmises that those with older systems preferred not to know if their systems were failing out of fear that they would then have to address the problems. It should be pointed out that these homes are in a very affluent area of the city and therefore owners could most likely afford to pay for repairs or new systems if necessary. It should be noted that the city has also had a long-standing practice of offering free pumpouts once a year to residents who are not connected to the sewer system. He has noticed that some appear to be coming to city more and more frequently looking for pumpouts which could indicate that their systems are failing. Bill also noted that after dye tests showed two homes with failing

systems, that bacteria levels at Crescent Beach (the problem area) noticeably declined but were still higher than permissible levels.

### Coastal Signage Project

Kevin Braun noted that it has been some time since he has had any communication with the NYS Department of State on our Coast Signage II grant (we turned back our Coastal Signage III grant). At the request of the Committee, **Kevin will inquire with the NYS DOS as to the status of this grant.**

### Scudder's Pond Subwatershed Improvements

Eric reported that the Village Attorney has prepared a draft easement with the North Shore Country Club which was forwarded to the club for its review. No comments have been received as of this date. Eric also mentioned that the NYS DEC has asked for documentation as to the original depths of a portion of the pond before they decide whether to approve the plans as submitted. It appears that neither the DEC nor the Village have such records. In the absence of this, it is likely that the DEC will require a change in the design. It was suggested at the meeting that perhaps a soil boring could provide this information. **Eric will check with Cashin Associates (the project's engineers) as to the feasibility of this.**

### Phase II Stormwater Compliance Plan

Nothing to report this meeting. Eric would like to get this wrapped up by the Spring **and will talk to Cashin Associates about wrapping this up.**

### Municipal Updates

**Roslyn** – Len Shaw reported that the Village will be opening bids on December 6<sup>th</sup> for the replacement of the bulkhead by the parking lot on Lumber Road behind the Roslyn Gristmill. He also mentioned that the storm has washed some debris onto the Gristmill property. Eric suggested that we organize another cleanup in the spring and the Committee liked the idea. **Eric will contact the county in the Spring to get permission and access for a cleanup at the Gristmill.** Len also mentioned that the Friends of Cedarmere also finally entered into an agreement with the County to allow them to maintain the gardens at Cedarmere. After 4 years of inattention, the gardens needed extensive weeding and some replanting. Rose bushes and a weeping cherry tree were donated and planted. The County has also stated that it plans to make repairs to the main house and paint the house in the Spring. In addition, the County is building an apartment at the site which will bring in revenue and the presence of residents should deter further vandalism.

**City of Glen Cove** – Bill Archambault reported that the city will be holding a public meeting on Monday, December 3<sup>rd</sup> at 7:00 pm at City Hall to discuss their plans for restoring Mill Pond (at Pratt Park) and for addressing stormwater that enters the pond from Cedar Swamp Creek. Approximately \$1 million in funding for the project is coming from the Nassau County Bond Act and from the NYS Department of State. The project will include dredging the pond, creating a forebay and installing an access ramp that will facilitate better maintenance of the pond in the future. The last time the pond was maintained was about 15 years ago and it has filled in considerably. Sediment sampling showed little contamination. If funds are available, a component will be added to screen debris along Cedar Swamp Creek in the vicinity of Town Path and the Arterial Highway. **Eric plans to attend the public meeting.** Bill also mentioned that the building at the Konica

property has been demolished and the debris is in the process of being carted away. This is near, but not part of the waterfront redevelopment project. Finally, Bill noted that a press conference with Senator Gillibrand and others was recently held to mark the cleanup of the former Gladsky property and the beginning of the cleanup of the former Doxey property.

Town of North Hempstead – Kevin Braun mentioned that the Blueway Trail is nearing completion. A draft plan has been completed and is being reviewed.

Village of Sea Cliff – Tom Powell reported that a controversy has developed with respect to the public easement at the Sea Isle property. Apparently one of the adjacent property owners has planted bushes on the easement and is not willing to remove them. He is hopeful that this issue can be resolved amicably in the near future.

Town of Oyster Bay – no representative present.

County of Nassau – no representative present.

Village of Flower Hill – no representative present.

Sands Point – nothing to report.

Roslyn Harbor – nothing to report.

#### **Other Items**

No other issues.

The meeting adjourned at approximately 9:15 pm

**NEXT MEETING:** January 9, 2013 (Sea Cliff)