

HEMPSTEAD HARBOR PROTECTION COMMITTEE

FINAL

MEETING MINUTES

Meeting of April 15, 2009
Sea Cliff Village Hall – 7:00 pm

NOTES: Items Requiring Action are ***italicized and underlined in Bold.***

Present: Bill Clemency (Chair and Flower Hill); Eric Swenson (Director); Kevin Braun (North Hempstead), Jeff Ziev (North Hempstead); Dan Maddock (Sea Cliff); Pasqua Dziadul (Sands Point); Joel Ziev (North Hempstead); Carol DiPaolo (Coalition to Save Hempstead Harbor) and guests: Mayor Bruce Kennedy (Sea Cliff – at beginning of meeting); Wade Curry (Village of Roslyn DPW) and Maryellen Brown (Glen Cove resident)

Call to Order

Bill called the meeting to order shortly after 7:00 pm.

Approval of Minutes of March 18, 2009

Due to the lack of a quorum, the minutes were unable to be approved at this meeting. They will be voted upon at the next meeting provided we have a quorum.

Announcements, Reminders, & Upcoming Events

Eric made the following announcements and reminders:

Friends of Cedarmere will be holding its second meeting on April 25th at 10:00 am at the Trinity Church in Roslyn. Since Friends has a meeting scheduled with the County Executive's office on April 15th, they will be able to report on the outcome. Carol DiPaolo will attend.

L.I.'s first pharmaceutical collection will be held on Saturday, April 18, 2009, 10 am – 3 pm at the Setauket Firehouse, Nicolls Rd in Setauket. Eric will attend and work on possibly getting a collection in Nassau County next year.

Town of North Hempstead EcoFest will take place on May 2nd and 3rd. Len and Pee Dee Shaw will staff the booth on Saturday May 2nd. Additional volunteers would be appreciated for either day.

Deadline for DEC's receipt of Annual Stormwater Reports is June 1st (see discussion below regarding new report format).

Port Washington HarborFest will take place on June 7th 10:00 am to 5:00 pm at the Town Dock, Port Washington with setup beginning at 8:00 am. Eric will be there and volunteers are also needed. The HHPC will be lending a table to the Nassau County Soil and Water Conservation District.

Nassau County Soil & Water Conservation District Update

Kevin Braun reported that the Soil and Water Conservation District is taking over the county's responsibility for Canada Goose egg oiling at 23 locations. They are seeking volunteers and will be holding a training session with the Town of North Hempstead on April 22nd. In addition, the Long Island Envirothon will take place on April 28th at the Old Bethpage Village Restoration.

Municipal Updates

Village of Sea Cliff – Dan Maddock reported that the village was able to amend a Committee grant in order to purchase a \$190,000 street sweeper with a vacuum attachment that is being made available to other HHPC-member municipalities through inter-municipal agreements. To date, the village has secured agreements with Glen Cove and Nassau County and they are close to finalizing an agreement with the Village of Roslyn Harbor. Under these agreements, the village will provide sweeping services to the other municipalities three to four times a year. Dan also noted that the Village has passed a six month moratorium on new development in the zone in which the North Shore Country Club is located. Exempted from the moratorium are the 7 acres that the club previously applied to the village for creating a subdivision.

Town of Oyster Bay – In the absence of Aldona Lawson, Eric Swenson mentioned that the Town has been busy oiling Canada Goose eggs and was nearly completed. Town staff found that eggs on the south shore marsh islands were much further developed than those inland, which means that they were laid much earlier this year.

Town of North Hempstead – Kevin Braun reported that the Town Board is expected to award a contract at the next Town Board meeting to Nelson, Pope and Voorhis for the development of the Hempstead Harbor Blueway Trail. The Town is also applying for NOAA stimulus funds for work at Roslyn Pond and for wetland restoration at Hempstead Harbor Beach Park.

Village of Flower Hill – Bill Clemency noted that the village has revamped the parking at its DPW facility and that stormwater will now be filtered through a swirl separator

Village of Roslyn – no representative present.

City of Glen Cove – no representative present but Carol DiPaolo noted that the city has ended its comment period for the Draft Generic Impact Statement for its proposed Master Plan. Carol indicated that the Coalition to Save Hempstead Harbor submitted oral and written comments.

Village of Roslyn Harbor - no representative present.

Village of Sands Point – Pasqua Dziadul noted that the renovations of Village Hall are nearly complete. Eric asked if the facility would be able to accommodate the Committee for meetings and Pasqua noted that it will have a new meeting room that would be more than adequate.

Nassau County - no representative present.

2009 Member Dues

Eric mentioned that three municipalities have paid their dues – North Hempstead, Flower Hill and Roslyn Harbor.

Water Quality and Monitoring Programs

Carol DiPaolo gave the following updates:

2008 monitoring program – the final report being prepared by Carol and Fuss and O'Neill is expected to be completed in about two weeks. This will complete the 2008 program.

2009 monitoring program – Carol reported that she has sent the meters to YSI for their annual servicing. Assuming the availability of the boat, Carol expects to conduct the annual harbor reconnaissance in about two weeks. She stated that she has been looking into whether any states have standards for turbidity. Apparently no one knows the background turbidity level for Long Island Sound. Eric reported that following the discussion at the last meeting, he put together an accounting of the Committee's funds and a projection of income and revenue for the rest of the year (copy attached). Based on this, he felt that there were sufficient funds to authorize the additional \$10,000 needed to begin the expanded monitoring program now rather than postponing it until at least the fall when the Committee will learn whether its grant was approved. However, due to a lack of a quorum, no vote could be taken. Discussion then ensued as to whether the Committee could vote on the measure between this meeting and the next meeting. After discussion, the consensus of the group was that all votes should be taken at open meetings and thus the vote was tabled until the next meeting.

Shellfish re-opening project - Eric reported that he has not heard any new developments from Bill Hastback of the DEC. Eric also reported that he had spoken earlier in the day to Erin Reilly of Nassau County regarding the County's \$ 72,000 seeding grant. Ms. Reilly had called Eric for ideas about how the county could conduct a shellfish population survey of the seeded areas (which is included in the grant's tasks) given the fact that the county no longer has funds to hire someone to do this. Eric suggested that she contact the Nassau Marine Police who have divers who have assisted the Committee in the past. Alternatively, she could check with the various Bay Constables who also may be willing to dive to check out areas. As a last resort, he suggested using area baymen but he expressed reservations about divulging information on the locations of the planted shellfish.

Shellfish density survey – Eric pointed out that he is still awaiting a decision by the Town of Oyster Bay as to the release of the completed study.

Status of agreement with CSHH for 2009 program – **Dan stated that he would check into the status of the agreement.**

Scudder's Pond Subwatershed Study, Retrofits & Improvements

Eric reported that Cashin is continuing its work on the Scudder's Pond I and II contracts. No work product has been submitted by the consultant yet.

Powerhouse Drain Subwatershed Plan

Eric reported that Cashin is also continuing its work on the Powerhouse Drain plan. No work product has been submitted by the consultant yet.

No Discharge Zone and Clean Marinas Project

Eric mentioned that he has received a positive response from RXR Glen Isle (the developers of the proposed waterfront development in Glen Cove) and also at least some interest in the Clean Marinas project from the Glen Cove Anglers. He reported that RXR has proposed a joint press conference to announce the project. Eric asked the Committee for its sense of direction regarding the press conference. The Committee felt that since we do not yet have any other (existing) marinas or yacht clubs signed up for the campaign, it would be premature for such a press conference. To announce a campaign for a marina that doesn't yet exist and not yet approved is a bit tenuous. **Eric will notify RXR Glen Isle and thank them for their commitment.**

Eric also passed around a brochure that he developed on the No Discharge Zone. Joel Ziev and Jeff Ziev offered some suggestions for clarifying the content and correcting some typos. **Eric will revise the brochure and distribute it to municipalities and Bay Constables.** Eric also mentioned that he obtained three price quotes for printing 2,000 of the brochures. One was from a local print shop and two were from online services. The prices ranged from a low of \$234.97 to a high of \$305.00. Eric then stated that he would like to have 2,000 brochures printed by the lowest online firm. The consensus of those present was that he should proceed.

Coastal Signage Project

Kevin Braun indicated that he has not heard from DOS since the last meeting.

New NYS DEC Phase II Annual Report Form

New NYS DEC Phase II Annual Report form (Eric and others)

Summary of April 9th DEC workshop - Eric, Bill, Dan and Kevin all attended the DEC's workshop in which they explained the new annual permit reporting form and how they require that it be filled out. The form this year is designed to allow DEC to keypunch in the responses. While the form is longer, it actually asks for less information than in the past. The DEC has made a decision to base its review of compliance by conducting on site audits of municipalities' storm water management plans rather than on the review of the annual reports. Eric mentioned that he had learned at the workshop that Westchester County has passed a local law that requires septic system inspections and training of companies that perform the inspections. The companies are required to send in inspection reports to the county. At present the Oyster Bay and Peconic estuaries are required to undertake certain additional watershed best management practices that include the establishment of a program of regular inspection of septic systems. This requirement may ultimately be extended to the 27 water bodies for which a shellfish pathogen TMDL has been adopted (including Hempstead Harbor). These are not currently in the permit requirements because the TMDL was not finalized until too late in the permit cycle. It was learned at the workshop that this septic system inspection requirement only applies to septic systems that discharge/have the potential to discharge to municipal separate storm water systems ("MS4s"). Cesspools and septic systems in our area are designed to discharge to groundwater. While it is generally unlikely that cesspools / septic systems would discharge to a municipal separate storm sewer, the potential does exist if they are designed/installed improperly, or are not maintained adequately. Under such conditions cesspool/septic failure can result in a discharge to the storm sewer system (which includes streets, ditches, etc. as well as storm sewer system pipes).

It is important to note that the MS4 regs pertain to discharges to/from the municipal separate storm sewer system. Municipalities are nonetheless advised to address areas within their jurisdictions where known/suspected septic/cesspool failures/inadequacies are contributing via groundwater to waterbody impairments - particularly as regards public health concerns vis-a-vis bathing beaches and shellfishing.

Third Party Certification form - Eric mentioned that he had met with Eileen Keenan from NY Sea Grant / DEC on March 31st and that based on their conversation, he put together a Third Party Certification form for the Committee which Eileen had reviewed by Angus Eaton at DEC Albany. DEC approved the proposed form and Eric passed out signed copies to each of the municipal representatives present. **Eric will mail the forms to those who were unable to attend.** Bill asked Eric when he expected to have his report to the municipalities completed. **Eric indicated that he would have the report completed in the next two to three weeks.**

Public Outreach

New locations for portable display - Eric indicated that he is looking for a location to display the Committee's portable display booth. A suggestion was made to look into local high schools or the Bryant Library. Kevin mentioned that he has received a lot of positive response to the display which is currently located in North Hempstead Town Hall just outside the Town Board hearing room. The suggestion was also made to begin designing new posters to display on the panels. **Eric will begin designing a new display.**

North Hempstead cable TV spot with MBPC – Eric mentioned that he had spoken to Jennifer Wilson Pines at the DEC workshop and that she had suggested that the two Committees approach the Town of North Hempstead about a joint cable TV show. Eric had subsequently made a request through Fred Pollack who was receptive to the idea. Jennifer then suggested that some footage be filmed outdoors to make the show more interesting. Jeff Ziev indicated that the Town was working out the details.

Other Business

No other business was brought up.

The meeting adjourned approximately at 8:45 pm

NEXT MEETING: May 20th at Sea Cliff Village Hall (7:00 pm)

HHPC BUDGET STATUS REPORT For Sea Cliff Account (as of March 19, 2009)

BALANCE IN SEA CLIFF ACCOUNT (3/19/09).....\$ 102,483

ANTICIPATED INCOME IN 2009 *

2009 Member Dues\$ 82,500

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Reimbursement from Grants

DOS Public Education\$ 3,500

Scudders Subwatershed Plan\$ 43,000

DOS Phase II.....\$ 8,000

Powerhouse Drain Plan.....\$ 65,000

NFWF 2008 Monitoring.....\$ 35,000

Total Anticipated Income\$ 237,000

ANTICIPATED EXPENSES IN 2009

Executive Director's Salary.....\$ 45,054

(actual amount will depend on hours

Worked - 2008 figure used)

Expenses (office supplies, postage, fees).....\$ 570

(based on 2008 figure)

Contracts

2008 Water Monitoring Program.....\$ 6,500

2009 Water Monitoring Program.....\$ 35,000

Powerhouse Drain Plan.....\$ 64,811

Scudder's Retrofits.....\$ 10,000

Sampling of Retrofits.....\$ 4,000

Total Anticipated Expenses.....\$ 165,935

ANTICIPATED BALANCE ON DECEMBER 31, 2009.....\$ 173,548

* *Note: a grant application has been submitted for the 2009 water monitoring program in the amount of \$ 45,000. This has not been calculated into the expected revenue. If it is awarded, revenue would be received in 2010.*