

Big Heartland roadblock

Suffolk Legislature panel shuns sewer pact for project

BY DAVID M. SCHWARTZ
david.schwartz@newsday.com

A Suffolk legislative committee on Monday would not advance a sewer connection agreement between the county and Heartland Town Square, in a major blow to the project.

The legislature's Public Works Committee voted down the motion 4-3 to send the agreement to the full legislature. It would have allowed the planned 9,000-unit project in Brentwood, with 3.2 million square feet of office space and 1 million square feet of retail space, to connect to the

Southwest Sewer District.

Heartland developer Jerry Wolkoff declined to comment after the vote as he walked out of the legislature. But later he released a statement saying: "Today's vote has been a disappointment for young people and empty nesters throughout Long Island seeking housing options for the future."

He said the committee's actions were "not supported by fact or the County's own record. This much-needed project will not be deterred and we will continue to evaluate all options going forward."

This summer, he had told Newsday that without an agreement with the Suffolk sewer agency, the project would not move forward.

Opponents of the development briefly celebrated after

the vote, but said they were aware that the proposal could be resurrected.

"I'm happily shocked," said Christine Schultz, a Dix Hills resident and communications director for the Four Towns Civic Association, after the vote. "This is just one prong in the fight to stop Heartland."

Legis. Susan Berland (D-Dix Hills), whose district includes the former Pilgrim State Psychiatric Hospital grounds that is the proposed site of Heartland, said a lot of the analysis on the environmental impact was done more than a decade ago.

"Things in the community have changed dramatically. Things are different than they were in 2004 or 2005. The aquifer has changed," she said.

Opponents of the plan and

some environmentalists had warned that the project could deplete the groundwater aquifer by using 2.5 million gallons of water a day, and pumping it for treatment at the Bergen Point Sewage Treatment Plant, where that water would head out into the Atlantic Ocean.

The project instead should build its own sewage treatment plant in which treated wastewater would be recharged into the ground, they argued.

Other lawmakers and opponents had also expressed concerns about Wolkoff's plan to apply for deep discounts on his sewer connection fees.

He has also continued to argue that the county is overestimating his water usage — and how much he should pay in fees — by 900,000 gallons a day.

Wolkoff told lawmakers he

had done studies to answer the environmental concerns.

"For 12½ years I've done all the studies necessary for my development," he said. "What I'm hearing now is mind-boggling."

Kevin McAllister, founder of environmental group Defend H2O, said an independent study on the project's impact on the aquifer is needed.

Terri Elkowitz, Heartland's environmental consultant and senior vice president with consultant VHB, said the project would lower the aquifer by half a foot in the area, whereas the normal seasonal change has fluctuations of from 5 feet to 10 feet.

The agreement could get before the full Suffolk Legislature on Tuesday in Hauppauge if 10 of 18 legislators sign a "discharge petition," which would get the agreement out of committee.

Suffolk GOP names Supreme Court slate

BY RICK BRAND
rick.brand@newsday.com

Suffolk Republicans on Monday night named former Smithtown Town Attorney John Zollo and three former assistant district attorneys to their slate to run for state Supreme Court at a bi-county judicial convention in Melville.

Nearly 200 Republicans attended the convention, held at the Laborers Local 66 union hall in Melville. The other Suffolk candidates named to run for Supreme Court justice were Lane Bubka of Riverhead, Daniel Driscoll of Smithtown and Lawrence Kelley of Bayport, all former Suffolk assistant district attorneys now in private practice, according to party officials.

"We're very excited; we've got great candidates to put before the public and we're ready to go," said Suffolk Republican chairman John Jay LaValle in an interview just before the convention began.

Zollo spent 12 years as town attorney in two separate stints, and later unsuccessfully sought a nomination for county legislator. Last year, he mounted a short-lived bid for town supervisor, but dropped out of that race.

In addition to Suffolk's Supreme Court candidates, Nassau Republicans, in a cross-endorsement deal with Nassau Democrats, named as their Supreme Court nominees Republican Appellate Division Judge Ruth Balkin, and Democrats Norman St. George, a Nassau County

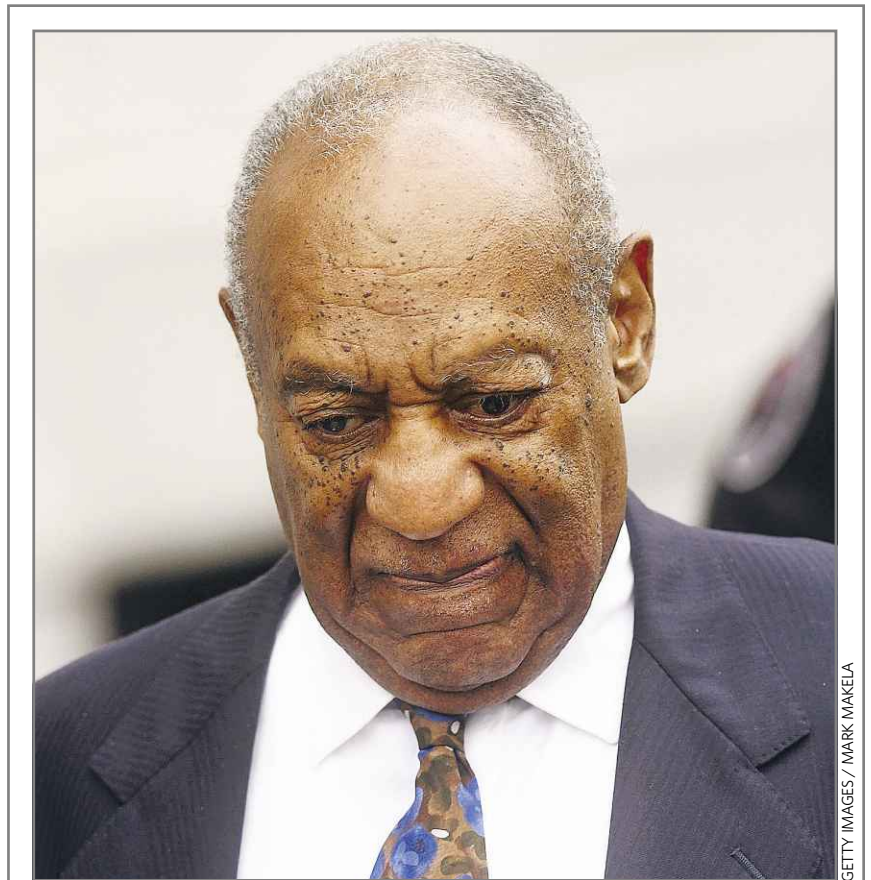
Court judge, and Helen Voutsinas, a Hempstead District Court judge.

Suffolk Conservatives on Sunday interviewed the winner of the Democratic Surrogate Court judge primary, Theresa Bryan Whelan, supervising judge of Family Court, and named her as their candidate for Supreme Court.

Conservative officials said they reached out, through three GOP town leaders, to invite Republican Surrogate Court candidate Tara Scully for an interview, but she never responded to the invitation. Conservatives say they did not go through LaValle because he has publicly opposed the current minor party leadership.

Whelan replaces Conservative Family Court Judge Deborah Poulos, who became the minor party's Surrogate Court candidate after District Court Judge Marian Tinari exited that race. Tinari, the wife of Suffolk Conservative chairman Frank Tinari, and Poulos will both run for state Supreme Court justice. Papers formalizing the nomination were filed with the Suffolk Board of Elections on Monday.

All three are running on the Democratic, Conservative and Independence Party lines, as are Democratic legislative counsel George Nolan, and Conservative Michael Gajdos, a former assistant district attorney and former personal lawyer for former Suffolk Conservative chairman Edward Walsh, now in federal prison after he was convicted on corruption charges.



Cosby sentence expected

Bill Cosby leaves court on Monday in Philadelphia after the first day of his sentencing hearing for sexual assault. A judge is expected to decide Tuesday whether the TV star will go to prison.
Story, A36 ■ Video: newsday.com/nation