

**PARKS, SPORTS AND CULTURAL AFFAIRS COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE**

Minutes

A regular meeting of the Parks, Sports and Cultural Affairs Committee was held at the William H. Rogers Building, Veterans Memorial Highway, Smithtown, New York, in the Rose Y. Caracappa Auditorium on Thursday, **April 25, 2002** at 1:00 p.m.

MEMBERS PRESENT:

Legislator Ginny Fields, Chairperson
Legislator Cameron Alden, Vice Chair
Legislator Brian Foley
Legislator Angie Carpenter
Legislator William Lindsay

ALSO IN ATTENDANCE:

Paul Sabatino II, Counsel to the Legislature
Jim Spero, Budget Review Office
Sean Clancy, Budget Review Office
Tedd Godek, SC Department of Public Works
Mary Skiber, Legislative Aide to Legislator Fields
Clark Gavin, Legislative Aide to Presiding Officer Tonna
Bill Menendez, Legislative Aide to Legislator Alden
Warren Greene, Legislative Aide to Legislator Alden
Terry Pearsall, Legislative Aide to Legislator Lindsay
Nicole DeAngelo, IR/County Executive's Office
Peter Scully, Commissioner, SC Department of Parks
Denise Spezio, SC Department of Parks
John Turner, The Nature Conservancy
Robert Ott, LIORV/ELIMC
John Savio, Eastern LI Motorcycle Club
Thomas Riker, LIORV/ELIMC
Matthew Kruger, Vice Chair, Board of Trustees – Parks
Ed Randolph, Central Pine Barrens Commission
Christopher Cooke, Cultural Affairs
Louis Medina, School of Social Welfare at Stony Brook

(The meeting was called to order at 1:10 p.m.)

CHAIRPERSON FIELDS:

Will everyone please stand for the Pledge of Allegiance led by Legislator Brian Foley.

(Salutation)

Good afternoon. We have several cards. We will begin with John Turner.

MR. TURNER:

Good afternoon. We thought to make it flow better we would have everybody come up and provide some comments and then hopefully field some questions that you might have.

My name is John Turner. I serve as Director of Conservation Programs for The Nature Conservancy on Long Island. I will let the other individuals introduce themselves, I guess, as they speak. But I just want to make a couple of prefatory remarks.

Approximately a year and a half ago, a year and a quarter ago, The Nature Conservancy started really thinking about the issue of ATV use and the impact that it is having to natural areas in Suffolk County and what might be some strategies that would be effective in controlling use. Simultaneous at that time, Legislator Fields, you know, with the introduction of your legislation that would create a – I think it was a truth in selling statement legislation which has been very valuable as well as that legislation raising the fines, I believe, and the fees for redemption, one important measure for trying to control ATV use.

We started thinking that that may not be the whole answer, that given the current situation in Suffolk County and the number of ATV riders that exist and the impacts that are occurring on both Suffolk County parkland and the parkland of other jurisdictions, which I am sure Commissioner Scully is going to talk more about, that it was worthwhile to bring together a group, call it a working group, if you will, to explore the feasibility of trying to identify a site somewhere in the County where it might be appropriate to provide a recreational opportunity for ATV users. And to that end, we had written a letter to County Executive Gaffney and cc'd the entire Legislature that indicated our interest and willingness to participate in such a working group to begin to do just that. And the purpose of today's meeting really is to just kind of give you a FYI, and we didn't want to get too far ahead of the curve in terms of our discussions to give you some sense of where we stand, some of the issues that we've talked about with regard to ATV's in the County.

What I would like to do is perhaps Commissioner Scully could talk a little bit more about the ATV use that is occurring in the parks and the perspective of the Parks Department with regard to their participation in the ad hoc working group that we formed to explore this issue.

COMM. SCULLY:

Thanks, John. I don't think I need to inform the members of the committee that there is significant damage being suffered to many areas of our parkland holdings as a result of illegal ATV use. That is something that is nothing new to you, I'm sure. I guess it was about a year and a half ago that we noticed there was a letter to the editor from John at The Nature Conservancy suggesting a dialogue as to whether finding an appropriate location for permitted or sanctioned ATV use might be a prudent part of an overall strategy to control legal use on parkland.

Subsequent to that, there were some discussions and a letter that went both to the Presiding Officer and to the County Executive from The Nature Conservancy, and I give them credit for stepping up, suggesting that that exchange of ideas or a dialogue should take place.

We had been fielding inquiries from recreational ATV riders, some of whom are here with us today, who came to us and said hey, we know that you have a problem in your parkland with

illegal use. We don't condone that. We are responsible users of these vehicles, and our question to you is, if we can't ride on your parkland, where can we ride? And just to make sure that everybody understood the lay of the land, we were quick to point out that under existing Suffolk County law they can't ride on any public land in Suffolk County and that permission must be obtained from private property owners in order for them to lawfully use the vehicles on privately held properties.

We have had a series of meetings, I guess almost a half dozen involving my staff in my office, Mr. Turner, the gentlemen who are with us today, who will introduce themselves, and representatives of the Planning Department, trying to determine whether or not it is realistic for us to propose a location. The Planning Department, using a series of criteria we established in terms of the minimum size that would be required and things of that nature, identified a series of sites that might be appropriate, and I think that at our most recent meeting a question was raised as to whether or not property owned by the Town of Riverhead, which is a portion of the former Grumman property in Calverton, might be a suitable location. And I know that Mr. Isles had a meeting with the Town of Riverhead on the Calverton property generally and made them aware that there was interest on the part of off road vehicle advocates in trying to make such arrangement with the Town of Riverhead. I was not at the meeting but Mr. Isles indicated that they didn't shut the door to that possibility.

I don't know what more to say. I think that the gentlemen at the table are their own best advocates and I will allow them to tell you a little bit about their organization, what it is about, and what it is that they would like to achieve.

CHAIRPERSON FIELDS:

Who would like to start? Speak closely into the microphone and identify yourself for the stenographer.

MR. SAVIO:

Okay. Very good. My name is John Savio. I am the President of the Eastern Long Island Motorcycle Club. I will give you a little background on the club. The club was formed formally around 1970. For approximately 20 years we sanctioned a great number of events on Long Island in some properties that are obviously now illegal, including what was formerly known as the southeast buffer zone of the Calverton Naval Plant, Peconic River County Park, Brookhaven State Park, Town of Southampton, East Quogue, all with permission from the various agencies that had authority to issue day permits for seasonal events or day events.

Around the time of 1990, during the close of the Calverton Plant and the coming about of the Pine Barrens Protection Act, we were formally banned from using those lands, although not as a punitive measure towards our organization in any way, but because the political climate mandated that. As a result, there is no legal opportunities for people to go about this sport in a controlled fashion. So, what is happening is there is rampant illegal usage, and resources are getting damaged. We feel that there is a possible solution to this problem. However, it is going to cause a change to be made in legislation in order to achieve this because of the outright ban that exists today. Because of the ban, we cannot come about a legal solution without a private individual purchasing a piece of property. That seems to be out of the realm of possibility for the amount of land that would be required for us to have a location where we could go about this type of activity.

As a result, we feel that it would be a valuable exercise to possibly look at modifying the existing laws so that it would allow for a purchase of a private parcel of land that could be purchased with

some Greenways Program money and possibly administrated by the Parks Department. That seems to be a solution that is amicable to everybody who has looked at this. It needs to be something that can be contained in a specific area of real estate and controlled. Obviously we are not going to be in a position where we are going to be able to have the type of open or less restrictive usage that we had years ago because of the environmental damage that was occurring. But containing it to a parcel of land seems like a sensible solution that people are willing to take a closer look at and would not be opposed to.

CHAIRPERSON FIELDS:

Can I just interrupt and ask all three of you just for a yes? How long have you owned your vehicle? Do you have a motorcycle or do you have a quad?

MR. SAVIO:

I have a motorcycle. I have an off road motorcycle. I have been riding off road motorcycles for 24 years.

CHAIRPERSON FIELDS:

Mr. Ott?

MR. OTT:

I have an off road motorcycle also, and I have been riding for 30 years.

MR. RIKER:

My name is Tom Riker and I ride an off road motorcycle and I have ridden for 36 years.

CHAIRPERSON FIELDS:

So we have no ATV users here.

MR. OTT:

We are not users, but I am a member of the LIORV, as is Tom, and we represent them, also.

CHAIRPERSON FIELDS:

Okay. Thank you. Go ahead. I'm sorry.

MR. SAVIO:

Just to make a point. From the point of view of New York State Traffic Law, there is no difference between an ATV and an off road motorcycle. They are classified equivalently under the law. So, the type of area that we are looking to identify would obviously allow the use of both types of vehicles. And although none of us personally own these quads, we are more or less in the same boat and would be looking to utilize the same area.

CHAIRPERSON FIELDS:

Do you fall under the same truth in – I forget what we named it.

MR. SAVIO:

The truth is selling law? Yes.

CHAIRPERSON FIELDS:

Have you recently purchased any kind of a vehicle where you have had to have gone into one of

those stores to ask?

MR. SAVIO:

No, my vehicle was purchased prior to that law.

CHAIRPERSON FIELDS:

Either one of you?

MR. RIKER:

Yes. When I purchased my vehicle, I was informed that there were not legal places on Long Island to operate the vehicle.

CHAIRPERSON FIELDS:

Was there a sign in the store that told you that?

MR. RIKER:

Yeah, there was a sign.

CHAIRPERSON FIELDS:

Did they hand you a piece of paper that also told you that or no?

MR. RIKER:

I don't remember the paper, but I was aware of the sign and I was verbally given that information.

CHAIRPERSON FIELDS:

Okay. Go ahead.

MR. SAVIO:

I forget where I left off.

CHAIRPERSON FIELDS:

You said that you thought there should be legislation changes.

MR. SAVIO:

We feel that it warrants some analysis to possibly – you know, although the spirit of the change to the ATV law that was made I think two years ago or so, which increased the fines and called for the mandatory confiscation, we feel the spirit of that law was –

CHAIRPERSON FIELDS:

That was my bill, by the way.

MR. SAVIO:

It is terrific, it is trying to solve the problem of environmental damage, but we feel that perhaps the clause of there being an outright prohibition isn't really working, you know, because we have got this rampant illegal usage going on that hasn't stopped.

CHAIRPERSON FIELDS:

Okay. Then the reason I asked all three of you those questions is because there was a reason. Today I asked my Aide if she would go take a ride to one of the places that our County Consumer Affairs has listed as being compliant to the law and just go in as an average Mary and say that I would like to purchase a vehicle, where can I ride, and you know, etceteras, etceteras. I would like to just ask Mary to respond to what information she learned when she stopped in the store on her way here today.

MS. SKIBER:

Well, when I first walk in I asked – first of all, I didn't see any signs that said anything, absolutely no signs in the store at all saying that it is illegal to ride on public and private property unless you have the owner's consent. Absolutely no signs. So then I asked, I said, "I know nothing about ATV's, where do people ride these things?" I was told by the first guy, "Oh, you ride all over Long Island." I said, "Oh really." He said, "Go ask Tony in the back, he will tell you where people ride on Long Island." So I said okay. So I went and I talked to Tony. I said, "Where do people ride?" He said, "All over Long Island", again. I said, "Is it illegal to ride these things?" And he said, "Yeah." He said, "Just not on private land." I said, "What about in woods and stuff, can you ride in the woods on public lands?" He said, "No, that is illegal, but you could do it because everybody else does it. Just don't go to Brookhaven because that is where all the park police are." So then he gave me information on a private place in Westhampton Beach that you could go and ride, and you can go here, it is very expensive. He said it is this whole big fight between the environmentalists and the ATV or off road vehicle riders, he said. I think that is pretty much it, and I left.

CHAIRPERSON FIELDS:

So, I guess my response to the reason that we have people riding illegally is because there is no place to ride is not solely, you know, part of the difficulty. The difficulty is that even though there are laws and that there are areas that aren't designated, you have people who are actually going against the law that even sell the vehicles and telling the public that they should just ignore it and go and do it themselves. In addition to that, I had someone draw a map up.

MR. RIKER:

Excuse me. Could I respond to that issue before you change to another subject? As with any situation, whether it be operating a car, whether it be a jet ski, whether it be a boat, you are always going to get a percentage of people that are going to do what they want. That does not – I can't say that you are never going to eliminate that. What we are saying is with no location at all, with nothing to be offered to this particular user group, you can guarantee that that number is going to be severely higher.

CHAIRPERSON FIELDS:

Let me ask you a question. When you ride your vehicle and you are going down a path, and I am not going to ask whether it is legal or illegal. I am sure you have ridden in places that, you know, you weren't able to, and it becomes muddy or you get a stream area and you can't go anymore – you know, if I am riding a vehicle and I am out for the day and I don't feel like turning around and going back, I am not going to stay in the trail. I am going to go around the trail, around the stream, above the stream, whatever I can do to get there. And I think what is happening is number one, how do you restrain people in a small area. Number two, when you have this many vehicles being purchased, no matter how much land were to be put aside, they

are not all going to go down there. They have got to have trailers to get them there, they can't ride on a public road to get to an area.

So you are still going to have the same parkland that we've had taxpayer money to preserve and protect, and kids who live in that area driving through the back roads and going on them, no matter what the law is. And by expanding the law or reversing some of the areas, I am not sure – you know, you are talking about a percentage, and unfortunately that works when percentages are accurate, but in this kind of recreational activity, I think the percentages are more people that will do it illegally than people who will do it legally. And I understand that all three of you are probably very law abiding and obviously want to do it the right way, but I am seeing some real problems here in trying to accommodate that because if you build it they will come, but they are also going to sell more and they will come in other areas.

MR. RIKER:

I understand. In reference to your first question as far as when a trail gets muddy what is going to happen, are you going to steer off of the trail, are you going to cut your own trail. This is a very similar situation that the mountain bike organization, Climb, deals with on a regular basis. The way that they have learned to handle it is they handle it with either weekly or monthly inspections of the trails along with the powers that be, whether it be the DEC or be Parks Commissioner or whatever organization oversees that particular group they do weekly or monthly walkthroughs. And what they do periodically is they will actually close a trail off because they feel that there might be too much damage –

CHAIRPERSON FIELDS:

But then what happens? Where does everybody go?

MR. RIKER:

What they do is they find a suitable way to reroute that trail in a way where it is not going to cause as much damage. A simple example is a hill. There is a couple of ways up a hill. You can go straight up a hill, which is going to cause the most damage, or you can wind up a hill. It is the same theory with the roads that they pave. You can go straight up or you can wind around. There is always ways of maintaining that.

As far as the situation with what she ran into at the dealership, why she wasn't told, I don't know what dealership she went to. I can tell you I cannot speak for every dealership on Long Island. I can tell you that the dealerships sponsor our meetings on a monthly basis and every time I have attended meetings they have had the signs put up. What they are going to say when you come in to buy the bike -- there is uneducated people in there and you got to work on – we have got to work on all organizations. We are working in every direction to educate everybody. But for so many years it has been a situation where we have no place to go.

CHAIRPERSON FIELDS:

See, because this was the bill that I had put in, I have asked young people where they bought their vehicle and what happened. Every single one that I have been told has not been – has not purchased it from a law abiding vendor. I am having a lot of difficulty. I warned you ahead of time that I am going to be a tough sell. I am having a lot of difficulty because the people that are sponsoring your meetings you are saying are doing it the proper way, but yet everybody I am running into is not having that kind of a response.

Sometime during this meeting I want to show this photograph, and it is not unlike many areas. I

just went to visit Jamesport in a KeySpan owned property that has beautiful cliffs right along the waters edge on the Long Island Sound, and the off road vehicles, motorcycles – I think a lot of them probably have to be motorcycles because of the way that they have ridden them – they have almost ruined that property and it was pristine, beautiful property.

So I think what you have is because of the vehicle and the fun that you have on that vehicle, it just makes you do what you shouldn't be doing and go where you shouldn't be going. I want to go to the third – you are puzzled but I will explain it if you need me to.

MR. OTT:

It is definitely a management issue, and, you know, the topics that we are discussing here today, other states are facing similar issues, too. And most of your other states all have figured out some way to manage the topic and have ATV or trail bike usage on public lands. You can go right over in Connecticut and there is a couple of large sites. One of them is managed by the Army Corps of Engineers in the {Thomaston Dam} area. New Jersey, Pennsylvania – almost any state you go in there is a ATV riding on public lands.

The trail maintenance issue is a major topic. It is a major topic, and like my associate here was saying, they have monthly meetings. They go out, you take a look at the areas that have erosion problems, and you reroute the trail around them. And it is –

CHAIRPERSON FIELDS:

Now you have erosion problems. What do you do about that? You reroute it and then cause erosion problems down the road a little bit. What do you do about the problem that you have just caused with erosion?

MR. OTT:

There is different things that they do. They put in these water bars across the trail that kind of like diverts the water and makes it go one way or the other way so that it doesn't keep like washing the soil down. But believe it or not, the trails recover very quickly when they are not used. After riding for all these years, you will see a lot of times where a log or something, or a big tree has fallen down in the woods. The trail is no longer used there, it goes around. A few years later, you almost can't tell there is a trail there. Now, I am not really talking about on the side of a hill where the earth gets churned up and the vegetation is gone, but through the middle of the woods – the woods recover really nicely. When you have a hill, it takes some extra work. There is no doubt about that.

CHAIRPERSON FIELDS:

What about the big gullies that are caused by these vehicles and the routes of the trees –

MR. OTT:

Like out in Manorville?

CHAIRPERSON FIELDS:

They are all over the place. We have a report that has dozens and dozens of pictures that are, you know, just – they go down very deeply.

MR. OTT:

A lot of these situations occurred because the trails never should have been there to begin with. You can't run trails straight up a steep hill. It doesn't work. It is just asking for problems.

CHAIRPERSON FIELDS:

But we didn't put those trails there.

MR. OTT:

And many times we didn't, either.

CHAIRPERSON FIELDS:

Who did?

MR. OTT:

Out in Manorville, those absolutely horrid conditions where it is like about eight feet deep, those were originally fire cuts put in by the fire department back – I would say maybe the 70's or 80's.

CHAIRPERSON FIELDS:

That deep?

MR. OTT:

Well, they start off, they bring big equipment through, because that is the only way that you are going to put a fire cut. All the vegetation is gone, it starts eroding. The riders use it, horse people use it, everybody uses it, and 30 years later that is the mess you are left with. From our standpoint, there never should have been a trail there to begin with.

CHAIRPERSON FIELDS:

I used to be and still am a member of Connetquot River State Park. We formed a Friends of Connetquot. They don't allow ATV's in that park, and the moment they hear them, the DEC and the police are called and they come with a trailer, and they will find you and get you and confiscate the vehicle. There are fire trails cut through there and there are horseback riders that go through there. I have walked, you know, maybe 1,000 times. It does not go down.

MR. OTT:

But Connetquot is flat. Connetquot is basically flat.

CHAIRPERSON FIELDS:

And it doesn't get the vehicle use. Now, if it were flat, it started – these fire trails started out flat. If it had the vehicle use it would no longer be flat because they stay in almost like a track.

MR. TURNER:

Ginny, one of the important things, I think, to keep in mind is at a place like you just mentioned, at Connetquot they have either ample resources in terms of staffing or they can call the State Park Police or DEC police and respond in a timely fashion. I think the problem that we have with some of the parklands further east administered by Suffolk County, and again, Peter can amplify on this I'm sure, is that there is simply not an adequate law enforcement capability to totally control and eliminate this problem. And I think that it would require – I am not trying to be facetious about this. I think you would have to have almost a park policeman behind every tree if you really wanted to try to stop ATV use from occurring in Suffolk County parklands.

And so to me, and I know you said what about encouraging this use, I don't think that an establishment of a track would encourage it any more than it is. I mean, Bob can speak to how

many folks in the County own these, but I think it is tens of thousands. And so, to us, the horse is already outside the barn, and the best response is to try to, I think, move in parallel tracks of ratcheting up, if you will, fines and taking the stick approach wherever that is appropriate to try to really make it more difficult and uncomfortable for those people that ride illegally and continue to do so and cause the damage that you are familiar with and your picture shows, while at the same time taking some of the pressure off those lands. Again, if we could identify a site where (x) number of riders could go to, it seems that could be one way that we can respond to this problem.

I am not suggesting that this approach is a silver bullet, that it is the only solution. I don't want to pretend if the Legislature supported the establishment of a site tomorrow that this is a problem that is going to go away. Peter is still going to have trouble with some bad apples, there is no doubt about that, and have to take corrective measures in that regard. But –

CHAIRPERSON FIELDS:

Do we know how many people frequent the sport? Do we have any numbers?

MR. SAVIO:

There is a little over 5,000 registered.

CHAIRPERSON FIELDS:

Of all off road vehicles or just motorcycles –

MR. SAVIO:

Motorcycles and ATV's combined on Long Island.

CHAIRPERSON FIELDS:

Five thousand?

MR. SAVIO:

Suffolk County, rather, around 5,000 registered. I think that only represents the tip of the iceberg of what is out there because it is probably like around 40. If I had to estimate it, I would guess that only approximately 20% of the people that own them actually register them.

CHAIRPERSON FIELDS:

So if you have 40,000 people in Suffolk County and you designated a certain amount of space for them, there is no way that all 40,000 are going to be able to ride in that area. Where are they going to go?

MR. SAVIO:

Not at one time, obviously. If everybody tried to get on the LIE in their car that owns one, they wouldn't all fit, either. I am not being facetious, but there is going to be diversity in the use. People will use it occasionally and perhaps there may be anywhere between 50 and 100 at any given time at a site.

MR. OTT:

You know, you have people like hunters, also, that would just never have any reason to go here. I mean, they buy those machines to go upstate and go hunting, use them a few times a year and that is it.

CHAIRPERSON FIELDS:

On any Saturday or Sunday I have been known to get in my car and just drive around looking at different areas, and I can't tell you how many I see pulling along the side of the road with trailers and exiting into the woods, and they know that they are not allowed to go in there. So, you know, I am just – I am not sure that opening up an area is going to help in any way, you know, except for the people that want to use it. They are going to have a place that they can use that might be easier to get to than another place. I am not convinced. Legislator Alden.

LEGISLATOR ALDEN:

One thing that just pops up as far as a question. Who would restore these areas, too? If we set aside some area to be used – a couple of things. Insurance problems, because now all of a sudden we are condoning some kind of activity where somebody could get hurt, injured, or seriously injured or killed. That is a money problem. Also, the restoration of these areas at some point in time is going to have to occur and where would the money come from to do that?

MR. SAVIO:

Yeah, that is something we've talked about in our meetings. Typically what is done in the state where I go riding – I'll use for an example Massachusetts and Connecticut, that is where I primarily will do my riding. You have to just carry your own personal liability insurance as an individual user. That takes the insurance burden and shifts it to the user. I don't think that the County is ever going to be immune from lawsuits, anyway. There is always going to be a liability issue.

LEGISLATOR ALDEN:

Not immune from, but if we say, okay, it is okay to go and ride here, how are we going to check to make sure that people have liability insurance and things like that. Plus, we actually are opening ourselves up for those lawsuits in that case.

MR. SAVIO:

I am almost thinking about it being managed from the standpoint of there being perhaps a checkpoint, a check station where you have to buy a pass or a permit and there is some control and there is somebody there managing the number of people that will be there at any given time and insuring that they comply with whatever the requirements are.

LEGISLATOR ALDEN:

That in itself that you just described, that is something that is going to cost us a million dollars a year.

MR. SAVIO:

I understand that. There is recreational funding – well, maybe there is a couple of ways to do it. One, it could be structured that it is self-funded. If there is an admission fee system, it could actually end up being a revenue generator for the County and it can pay for itself.

MR. ALDEN:

Then you are going to have people that don't want to pay the fee and they are going to go on other land, too. One other question I had, too, is, and the Commissioner would know this better than I. As far as from the Nassau border all the way out to Montauk Point is (x) number of miles. Wherever you situate this, you are still going to have people that if it is one location they are still not going to be able to get to it. Even if it is multiple locations you are still going to have

that neighborhood type of feeling where I can't go to Babylon if I live in Islip to ride on a piece of parkland. I am going to go on the park here. I am going to continue the illegal activity that has been going on for years. How would that be addressed?

MR. SAVIO:

I could speak to that somewhat. I feel that I personally would endorse the County rationing up the punitive levels for people that are caught riding illegally if they turn around and provide a place to do it legally. I mean, from a moral standpoint, from a philosophical standpoint, if the County provides a legal venue somewhere to go, then if you catch somebody riding illegally, don't impound the thing, confiscate it. But, you know, until there is a venue where people have a legal alternative to go – I can't speak to the illegal usage. It is rampant and it is –

LEGISLATOR ALDEN:

Here is another problem with the statement that you are making, too. You know, if I want to conduct some kind of activity, like if I want to play baseball or something like that, I am always free to go and buy a piece of property or go and talk to 20 or 30 of my friends, buy a piece of property, and build a ball field on it. You are always free to go and buy your own piece of property with whatever number. If you have got 40,000 people in Suffolk County, it doesn't take much to do the math. It is not a lot if each person chips in and buys a piece of property. Now, you can go and get your own insurance, establish your own admission policies and things like that. Why is it that you are looking for us to put something to the people of Suffolk County as far as an expense? And it is going to be a huge expense. Once we say it is okay to ride, if somebody gets in there and they get hurt or they get injured, now we have condoned that activity. We are going to pay. And by we I mean everybody that lives in Suffolk County.

MR. RIKER:

Excuse me. Could I address that? A couple of things. Again, we are not proposing this thing as a fix all. We are all intelligent enough to realize that this one issue that we are talking about is not going to be a fix all. It is not going to eliminate all the problems that you just brought up. Our feeling is that it is going to help somewhat.

You know, you talk about irresponsibility and things like that. We have families. It is not just adults that are in this sport. My son rides. I have to take him out of state to ride. Having a place closer, you talk about the numbers, 40,000, 20,000, whatever the numbers are. I know everybody pictures they are all going to be there on one weekend. It doesn't work that way. What happens is most of us, we do trips out of state, we go to places that welcome us there. We are looking for places where we can bring our families and ride and enjoy Long Island.

As far as the liability end goes, I don't know how the County deals with mountain bikers, equestrians -- there is liability involved with every user group that is out there. It is an issue that obviously we need to get to some kind of answer on. We – Long Island Off Road Vehicle acquired a piece of property out east that we had purchased – we didn't purchase, we actually leased through a private party, got permission from the owners to use the property for club use only.

CHAIRPERSON FIELDS:

In Yaphank?

MR. RIKER:

No, it is not in Yaphank. It is off of Wading River Road and Sunrise Highway Service Road. It is

about a ten acre plot. We acquired it through permission of the owner, a private lease, for member use only. We had it up and operating. It was doing very well. We were limiting riders to 40 or 50 in a weekend. Everything was working well. Brookhaven came in and felt it wasn't an adequate parcel for us to use so we voluntarily shut it down. We are trying to do things on our own. We are trying to work other options.

CHAIRPERSON FIELDS:

Why didn't they think it was an adequate parcel to use?

MR. OTT:

It was a zoning topic.

CHAIRPERSON FIELDS:

Was it residential?

MR. RIKER:

J2.

CHAIRPERSON FIELDS:

So the noise apparently made Brookhaven change their opinion?

COMM. SCULLY:

I thought it was residentially zoned.

MR. OTT:

Yeah. It was two acres residential zoning. They didn't feel that it would be worth our efforts to go through the special permit process on kind of what we all knew was a too small piece of land to just warrant all the trouble. They were not in agreement with us operating it, and we just voluntarily closed it down.

CHAIRPERSON FIELDS:

The area that I have gone and driven into in Yaphank is just all dirt and mud. It just gives an indication of what – if this were, you know, a different kind of use where it is not impacting the ground and the foliage and the animals that grow and live in these areas, I don't think you would have such a big problem. But I think that it doesn't do any good to the land when you are driving over it.

MR. RIKER:

Then why don't we look at a piece that is not – you know, we keep talking about environment damage. It seems to me there has to be some parcel somewhere in Suffolk County, anywhere, that isn't as environmentally sensitive.

LEGISLATOR ALDEN:

There is a problem with what happens there. We have to buy property for a public purpose, and that is either to preserve it because it is above our aquifer or because it is some kind of significant piece of property to the environment. So, when you are looking at our parkland and the properties that Suffolk County owns, except for the things that we take for lack of payment of taxes, these are all parcels that are environmentally sensitive for drinking water or because they are abutting streams and rivers and maybe even bays. So the property that we have is, just by its definition, is improper to actually allow that type of use where it is going to destroy.

MR. TURNER:

Can I respond to that, Cameron?

LEGISLATOR ALDEN:

Go ahead.

MR. TURNER:

I think what our hope might be, it is very preliminary, but we are thinking about trying to identify appropriate funding sources, and one of those that we thought of would be the active recreational component in the Greenways Program where you use that money for the establishment of active recreational sites that are managed – owned by the County, but are managed by an entity. I know that there has been a number of resolutions that have been introduced to try to enact measures with soccer fields, baseball fields and other things.

And that is what our thinking is, that just as Legislators have introduced resolutions that would promote those sports and using public dollars to put in a soccer field or baseball field, that again, it might be appropriate to use those dollars to try to identify and acquire one site where this type of activity could occur.

LEGISLATOR ALDEN:

Now you are framing it in a way that probably makes a lot more sense to me because all of those resolutions require some kind of an organization to step up to the plate and say we are going to maintain it, anything that breaks we are going to keep the insurance on it, we are going to manage the property. It is not going to be handed back to Suffolk County to do all those things and actually kick the budget up millions and millions of dollars, which, you know, we are not in a position to do that.

But what I think you would have to do there is it needs a legal analysis as far as there is exclusions and there is restrictions on what type of activities can be I guess engaged in on those properties that are bought with the active parkland or active open space acquisition. One of the exclusions is you can't buy it and use it for golf. And probably in those exclusions and restrictions are the ATV's and –

MR. TURNER:

We've looked at that and thank you for bringing it up because we should do the legal research. I think it is silent on the issue of ATV use. It doesn't say one way or the other. I don't think it was, quite frankly, wasn't contemplated by the Legislature when the Greenways Bond was put forth.

LEGISLATOR ALDEN:

Now you are getting into something that actually we can analyze the cost of, we can analyze the availability, but again, it throws the ball back to you people. You are going to have to go out there and identify some parcels of land that might be appropriate for the purchase by Suffolk County for this very activity.

MR. OTT:

We definitely realize that we would be part of that management topic. In fact, we would be the management of this parcel. We have spoken about that and they have a little mini-project here like Tom Riker was telling you, and that is what we did. We went out, found a piece of land, we

got the insurance's, we took care of the water control, cleaned up the parcel, scheduled the riders, fenced it in, took care of security, and basically what we would be looking to do is that same management, just on a larger scale on a public piece of land.

LEGISLATOR ALDEN:

One other thing that you are going to have, and we got into the debate – I guess it was last committee meeting, and that was with the trap and skeet range. There is a sound problem. I know from – I actually owned a motorcycle. It was off road and I have had other vehicles that, you know, when I was a kid, that did the same thing, and most of them we ran unmuffled. That is what I understand most of the vehicles that are being sold – well, that is what my district office gets 100 complaints a month about is where kids get into these parcels and all the neighbors hear it all night long, this screaming motorcycle whine. That is another issue that is going to have to come up and be addressed. You are going to have to guarantee the quiet enjoyment of people's properties, any of the neighbors or anybody that is within, and I am going to use within earshot, but it is a distance that would be affected by the noise.

MR. TURNER:

Cameron, you might have heard Commissioner Scully talk about the Planning Department, how we tried to come up with a set of criteria. Your point is very well taken. Noise is an issue, and these gentlemen can talk more about the noise that is emanating from the machines, but that was embedded in one of the criteria. I think it was – was it a half mile, we said, from any – Peter, do you remember?

COMM. SCULLY:

I will check my file.

MR. TURNER:

We recognize that noise would be an issue and so what we tried to do is come up with a parcel of (x) amount of acreage that would be buffered and so that we wouldn't have a situation either currently or even possible in the future similar to what has happened with the skeeting range, the shoot and skeet operating and other types of situations where people move in after an airport is there or a farm. The neighborhood nuisance type of issues.

LEGISLATOR ALDEN:

Is there a parcel that is a half a mile away – does that parcel exist in Suffolk County?

MR. TURNER:

The Suffolk County Planning Department did that analysis for us using their GIS and they came back with I think about a half dozen parcels that met the criteria. The one that we thought probably would be the best fit would be a piece that would be up in the northeastern part of the large Calverton property now owned by the Town of Riverhead. It did meet the criteria. It would be far from any homes so that the noise hopefully wouldn't be an issue.

CHAIRPERSON FIELDS:

How far?

MR. TURNER:

It was over a half mile, I believe. I don't know exactly how close the nearest residence was.

COMM. SCULLY:

The minimum criteria utilized by Planning to identify sites was a minimum of a half mile from residential areas.

CHAIRPERSON FIELDS:

I am a little concerned about that, though, because when you put a number of those vehicles together at the same time -- and they do. I mean, it is not just one that goes up and down the track or two. The reason I found the Yaphank facility that they ride on was because I heard it in the wintertime with my windows closed, and I was more than half a mile away from it. That drew me over there and I said where am I hearing this and I followed the sound.

MR. SAVIO:

One of the things we are going to have to look at is for one, we would have a sound criteria that the vehicles would have to actually be sound tested before they be approved to ride at any site that we identify. There are different rules for cross country type machines. I compete in competition where we actually go through residential areas in other states. We have to pass a sound test before they allow us to run. But furthermore --

CHAIRPERSON FIELDS:

Would you be doing that like on weekends?

MR. SAVIO:

Yeah, we would be spot checking the machines. If somebody has got a loud machine and they don't pass the sound test, you have got to go home.

CHAIRPERSON FIELDS:

Okay. But now let's just say that you find this area and you fence it in, yes?

MR. SAVIO:

That would most likely happen.

CHAIRPERSON FIELDS:

Fence it in and somebody cuts a hole through the fence and on Tuesday afternoon they take their vehicles, 10, 20, 30 of them, and they start riding and there is nobody there on the weekend because you guys are all busy during the week. I mean, there is nobody there during the week.

MR. SAVIO:

That is an issue for the police to deal with, and we would obviously --

CHAIRPERSON FIELDS:

We already have a problem with the police.

MR. OTT:

At least they won't be in parkland.

MR. SAVIO:

But, you know, we plan on establishing hours where there would be people there during the times when people -- you know, during the week I don't know how much usage it would get, but it would obviously be a lot less than the weekend. But these are management issues that we

would have to get into. First we want to just establish the fact that this is a feasible, viable option. The specific management issues, there is going to be a lot of fine tuning that is going to have to be done, obviously, to make this palatable.

CHAIRPERSON FIELDS:

Do you have a proposal?

MR. SAVIO:

We don't have a written proposal. We have – we can prepare one, perhaps.

MR. TURNER:

Ginny, we haven't come up with a written proposal for you.

CHAIRPERSON FIELDS:

I mean for a generic piece, not for a particular piece of property, but just a generic make-believe piece if you were to get the piece how you would manage it and so forth.

LEGISLATOR ALDEN:

Actually, I don't know if I would recommend a generic, because you will find out about opposition when you get a specific piece of property. A specific proposal, I think, that if you put the whole thing together, how you plan on managing it, how you would plan on policing and making sure that people comply with all the noise levels and things like that, the restoration of the property, which would require changing different trails, and then restoring other trails. As you indicated, a lot of times they will grow back pretty fast. So if you put a very specific proposal together that identified the property that you are talking about or multi-pieces of parcel that you are talking about, I think that is something that you can submit back to this committee, have Parks review it, have our Planning Department review it, and we would give it serious thought, I think, at that point.

MR. TURNER:

Ginny, can I just respond to your comment about perhaps somebody cutting a hole in a fence and riding. I would think cutting a hole would be highly unlikely. If they are thinking like that they would not go there to ride. Is he going to go there in the first place, because that is a legal place to ride. They are going to go exactly where your aerial photograph shows. They are going to go riding in the Manorville Hills and take a chance thinking they are going to get away with it. I just don't think you are going to find people who are thinking they want to do the right thing and ride legally drive out to this site and then start driving off the site. I don't think that that is something that is likely to happen.

CHAIRPERSON FIELDS:

I think that unless you have something else to add, that might be the next step that you would put together the half a dozen spots that you think that you've identified and how you would put something together that would be feasible and make sense for anybody to look at.

LEGISLATOR ALDEN:

Almost like a complete business plan, too, as far as where you are going to get the money from, whether it is user fees or whether it is membership fees, things like that. The whole thing, covering insurance and all of it.

CHAIRPERSON FIELDS:

Just like we do with any Greenways property. If a soccer club wants to use it or baseball, who is going to do it and, you know. Commissioner?

COMM. SCULLY:

I just wanted to say that from our standpoint we are just in the preliminary stages of discussion and obviously you have gotten into a good dialogue regarding some of the issues I think we would have gotten to further down the line. I just wanted to acknowledge for the benefit of Legislators who sit and consider active recreation proposals that the duty and the burden and responsibility of making sure that any proposed partner has adequate financial wherewithal is something that the department takes seriously and it is something that I think anybody who brings a proposal forward has to understand that it is a serious threshold that they need to meet.

CHAIRPERSON FIELDS:

Thank you. Thank you very much.

MR. TURNER:

Let me just conclude by thanking you for the opportunity to be able to provide this information to you in the give and take that we've had today.

CHAIRPERSON FIELDS:

You're welcome. Thank you very much. And we will be hearing from you in the future. Chris Cooke is here, and I apologize, Chris. I forgot that I promised to put you on first. But if you could come up. He is going to talk about Cultural Affairs.

MR. COOKE:

Hello. Basically you have before you a resolution for 2002 funding for Suffolk County cultural organizations. What happened with our budget or the budgets that were allocated to arts funding, Fund 001 was reduced by – or actually it was Fund 192, was reduced by \$50,000. And so the 97 organizations that were recommended for funding for 2002 in general took a cut of anywhere from \$50 up to \$1,000 in 2002. We did have six new organizations this year and they were given some minimal initial funding. So I am open to any questions you might have.

LEGISLATOR CARPENTER:

Chris, what are the new organizations that were funded? Do you know off-hand?

MR. COOKE:

I can take a look at this list very easily and tell you.

LEGISLATOR CARPENTER:

The Research Foundation of SUNY Stony Brook, there are two entries for that. One for opera and one for the arts, the Stahler Center. Are these new?

MR. COOKE:

The Stahler Center is not new. The Stony Brook Opera is new. Also new this year was the Northport Arts Coalition, Princess Ronkonkoma Productions, an organization called Impromptu, Vision Theater, which is based in Riverhead, Two Fools Entertainment, which is a theater based in Smithtown, and I believe that is all.

LEGISLATOR CARPENTER:

Last year if I remember correctly we had the previous year's amount so that we could make a comparison and see exactly what had happened to any particular organization. Is it possible to get that to us?

MR. COOKE:

I can give it to you right now if you would like it to look at now. Obviously you would want time to review it, I guess.

LEGISLATOR CARPENTER:

No, I don't have a problem approving it. I want to get it to the floor because I know how critical it is for the agencies to get their funding and get going, but I would like to have that information. So if you can make a copy of it and let me have it, or whomever else wants it, before you leave.

MR. COOKE:

Sure.

LEGISLATOR CARPENTER:

Thank you.

CHAIRPERSON FIELDS:

I am going to ask my Aide to borrow it now. We will make the copies for the committee.

LEGISLATOR CARPENTER:

I also – I know that some of these organizations really struggle for money, especially the smaller ones, and yet on the other hand something like SUNY Stony Brook and the Stahler Center -- does the Advisory Board take that into consideration when they are deciding those that have the wherewithal to get out there and they have events and they have a mechanism in place to generate funding, you know, how much do they really need that \$1,000 that was allocated to their opera that perhaps we might not have had to have as many cuts in some of the other smaller groups.

MR. COOKE:

Well, it has been the policy of the Citizens Advisory Board to look at all the applications and look at them on a case by case basis in terms of what –

LEGISLATOR CARPENTER:

I am aware of that, and I know how difficult a chore it is to try to go through all of those requests and come up with something that is fair and equitable, but again, I know that some of the smaller groups have a problem, and Stony Brook I know has the wherewithal to generate interest in funding.

MR. COOKE:

Well, I guess that the members of the committee felt that a token contribution by the County was warranted with this new program, which it was going out into the community.

LEGISLATOR CARPENTER:

And I guess it is kind of nice for the County to reinforce what they are doing, and it goes out to

everyone. All right. Thank you very much. I appreciate that. Thanks for your work. I know it is not easy.

CHAIRPERSON FIELDS:

Chris, how much less did you say?

MR. COOKE:

Approximately 50,000.

CHAIRPERSON FIELDS:

Legislator Foley, did you have anything that you wanted to –

LEGISLATOR FOLEY:

Not at the moment, Madam Chair, but we will be looking at the budget to see if there are other revenues available to fund equally worthy organizations. I know, Chris, it is difficult choices that had to be made, but at the same time, we may be able to find funding elsewhere for other deserving organizations as well.

CHAIRPERSON FIELDS:

Thank you very much. Lou Medina.

MR. MEDINA:

Good afternoon. I am here before you in a different capacity than usual. I am attending Stony Brook University School of Social Welfare and I am going for my Master's in social work. One of the classes that I am taking is a policy class. My final paper has to do with parent rage in youth sports.

As many of you know, I think it was last year a fight broke out at a hockey game between two dads and unfortunately one of the fathers murdered or killed the other dad in that fight. And too often in youth sports we are finding more and more parents, adults, engaging in violent acts in youth activities. I know that when I was a kid learning how to play sports my father coached and his goal, I remember, was really to teach us how to play the game of baseball, but most importantly it was just how to hang out with other kids and just have a good time.

So after that unfortunate event happened, through the Boys and Girls Club, which I am the Executive Director of at CYS Boys and Girls Club, we started a second and third grade basketball program. And as part of their participation in that basketball program, which was Skills and Drills, we developed a code of conduct for the parents and for the children, which we had all the parents sign as well as the children. After we developed that code of conduct for our league, we were asked to do the same for the Three Village Baseball League at which last year we presented our code of conduct to almost 1,100 parents and 900 coaches. They also agreed to sign this code of conduct.

I have four questions that I have written down and that I would like to ask you. Is there any formal policy with regards to your sports organizations that use County parkland for their teams?

CHAIRPERSON FIELDS:

Commissioner Scully. Is Greg here? Can you just ask the question again, Lou?

MR. MEDINA:

Is there any formal policy with regard to your sports organizations that use County parkland for their teams?

COMM. SCULLY:

I think the answer to the question is no, but I would have to check to be sure. We have very few active recreational facilities, you could count them on one hand. But if I were asked to provide an answer right now my impression is that there is not a formal policy of that type.

MR. MEDINA:

Is the County or has the County ever been made aware of problems that arise when parents, coaches, players, behave inappropriately?

COMM. SCULLY:

I haven't received any complaints in my role as Commissioner, but obviously as a former Little League coach myself, soccer, basketball and baseball coach, I am certainly familiar with the problem.

MR. MEDINA:

Okay. I have two more questions. Are there any statistics available from the County's perspective with regard to incidents of violence on the County owned playing fields?

COMM. SCULLY:

Again, there aren't – you know, I think that one thing I ought to do is suggest that in addition to speaking with us, one of the reasons that we got involved in Greenways Active Rec obviously is because the County doesn't play that large of a role in active sports. You might want to put the same questions to the towns and see if you get a more complete response.

MR. MEDINA:

Again, one of my assignments was to attend a committee meeting and ask these questions to the committee, so.

CHAIRPERSON FIELDS:

This is part of a homework assignment.

MR. MEDINA:

Yes, it is.

CHAIRPERSON FIELDS:

Do we get to grade the paper?

MR. MEDINA:

If you'd like. The last question is would the County be open to the adoption of a broad based code of conduct at all sports organizations, both youth and adult, would be required to be adhered to if they would want to use County parkland. That is my last question.

COMM. SCULLY:

That is a policy issue, but if you are going to defer to me to respond, I would say the answer is yes. That sounds like a responsible thing to do.

CHAIRPERSON FIELDS:

And if you are going to ask me, we have had this conversation and I have done some homework and received some copies of codes of conduct or code of conducts, whatever the plural terminology should be, from other areas and I am putting them together and I will work with you and then put together a resolution that would have a policy for any Suffolk County park properties that are utilized. But I think again at this moment – Cameron and I were just at a Little League opening this past weekend and there were 1,700 or 1,800 kids –

LEGISLATOR ALDEN:

All kinds of cursing and pushing and all kinds of stuff.

CHAIRPERSON FIELDS:

That was just between the two of us.

LEGISLATOR ALDEN:

Only kidding.

CHAIRPERSON FIELDS:

And I did actually ask one of the parents when we were there, and he said they actually do have a code of conduct. So it may be out there, but again, I think part of the question is yes, on a County basis we should have one and utilize it for the Greenways that we will be incorporating for different groups, but I think that this is probably more of a difficult problem with – my husband also coached baseball and soccer, and he was one of these people that taught the skills and the basics and it didn't matter to him whether they won or lost. But I can tell you, sitting in the stands how many parents were sitting there cursing at their kids – cursing at the kids, not even at their own kids, not even just somebody on the opposite side, and it is very disturbing because those kids are learning from those parents.

LEGISLATOR LINDSAY:

I would like to see a copy of this code of conduct. I mean, that would be a great place for us to start. And I agree with the Chairlady that although the Parks Department does not – we don't directly come in contact with a lot of people using our parks facilities, every one of us have relationships with the Little Leagues and the soccer leagues in our districts. A lot of times we help subsidize them with County money somewhere along the line or in some fashion, and I think we could exercise some influence on each one of them individually, especially if we had a central piece of paper that we could distribute, you know, this is something that you should look at, this is something that the Legislature has adopted. But, yes, I would like to see what it is because I think it is a great idea, I really do.

CHAIRPERSON FIELDS:

Maybe what we will do is put your thoughts plus the ones that I have had, put them together, and put together a resolution that the whole committee can cosponsor and present. Legislator Alden.

LEGISLATOR ALDEN:

I was curious as to whether you meant just Little League games, that type of thing. Otherwise, if it is a broader question, I think that we actually do have some codes of conduct, because if you go camping there is certain rules and regulations that are posted there, you can do this, you can't do that. If you go hiking there is certain rules and regulations that you have to follow. On

our golf courses I know there is even a dress code, things like that. So is it a broad –

MR. MEDINA:

I am more specifically to sports.

CHAIRPERSON FIELDS:

I think what Lou is also saying is that if a parent or – let's say a parent were to get involved in an altercation that one of the codes of conduct that I have seen is that if that happens, the child is immediately taken off the team and some of them actually have to pay fines. That way it gives a lesson to the rest of the team members that that is improper and they won't tolerate it. It is a zero tolerance.

LEGISLATOR ALDEN:

That is the penalty end of it. But the code of conduct would be we expect you to be and then enumerate the different things that we want you to do, display sportsmanship, dress in a certain way, be it any of those type of things.

COMM. SCULLY:

The one organization that I was involved in as a coach, I was on the Police Athletic League's Fast Pitch Softball Board of Directors, and that was the one organization that I saw that was very aggressive in that regard. They had a policy in place, and if coaches behaved inappropriately they would have hearings, call them on the carpet. They might ban either the coach or the organization itself altogether from PAL competition for a number of years. That is another good place to look for information, both for Lou and for us, I think.

CHAIRPERSON FIELDS:

Legislator Carpenter.

LEGISLATOR CARPENTER:

I was just thinking that it might be more appropriate for you to have this conversation with the representative or actually the person who is the Director of the Suffolk County Youth Bureau, because they interact with a lot of the youth agencies and we have that Youth Board. And also, too, the Education and Youth Committee, because even though we are talking about County parks or I think for the most part these activities would be taking place on town property, you know, Little League fields and everything. I think you would have more of an impact speaking from the perspective of the kids rather than the property.

MR. MEDINA:

The research that I have done –

CHAIRPERSON FIELDS:

But part of this committee is sports, also. That is part of the name of the committee, so.

MR. MEDINA:

Part of the research that I have done, again, there are several organizations out there nationally, both nationally and locally, who have looked at the development and implementation of codes of conducts, but as far as my research has developed, there is nothing Countywide or even town wide that addresses parental rage or conduct by parents and youth people in sports and recreation. I guess what interested me in really looking at policy and the development of some sort of formalized or organized code is really because when you go to these activities, whether it is soccer, baseball, football, parents – I mean, the HBO program showed one young person

actually using karate to break another young person's arm in the game. You see there was a baseball game in California where coaches were actually on the field fighting with the umpires. There was a head butt by a wrestler who head butted a referee. And again, this borders on assault – I guess that is what really interested me in looking at policy in this area in particular. I appreciate the time that the committee is going to take to look at it.

CHAIRPERSON FIELDS:

Greg just walked in, actually. So maybe, Lou, you could talk to Greg also when we are finished here and then we will put something together and see how we can – Okay. Thank you very much. Good luck on your grading.

MR. MEDINA:

Thank you so much. I appreciate it.

LEGISLATOR ALDEN:

Mr. Commissioner. You just recently sent out a little bit of a report on I think it is 2001 for the Parks Department revenues and things like that.

COMM. SCULLY:

Yes.

LEGISLATOR ALDEN:

I just had like one or two little questions on that.

COMM. SCULLY:

There is an error in the graph, if that is your question, that was identified. There is a bar graph showing revenues versus expenditures and I believe that the values are reserved. We are in the process of issuing a correction.

LEGISLATOR ALDEN:

That is just a bar graph though, right? Because park revenues, they had the revenues and the expenses and the thing that just like jumped out at me, from '99 it states that we have revenues of \$6.5 million, and in 2000 it went up to 10.2, and then 2001 back down to 7.8. Is there a reason why it spiked like that?

COMM. SCULLY:

That 10 million dollar revenue number in the middle year is the expenditure number. Those values are reversed.

LEGISLATOR ALDEN:

That should have been down on the –

COMM. SCULLY:

Right. I apologize for it.

LEGISLATOR ALDEN:

No, no, that is all right.

CHAIRPERSON FIELDS:

Thank you. Anybody else?

LEGISLATOR ALDEN:

Just two other things on there just to make a note of. Aeration. On a couple of County courses it says that you deep core aerated fairways but at Timber Point it just says it was core aerated fairways. Is there a difference between a deep core aeration and just a normal aeration?

COMM. SCULLY:

I don't know whether the difference in terminology is purposeful. I would have to check with Mr. Matthews to be sure.

LEGISLATOR ALDEN:

And then the other question was at Bergen Point – you list a bunch of things that were done at Bergen Point. Was that paid for under contract or was that paid for by us?

COMM. SCULLY:

Any improvement or maintenance undertaken at Bergen Point are the responsibility of the licensee and not the department.

LEGISLATOR ALDEN:

Even maintenance. And so if it was aerated it would have been him that did it, right?

COMM. SCULLY:

That is correct.

LEGISLATOR ALDEN:

Good. Thanks, Pete.

CHAIRPERSON FIELDS:

Okay. I am going to go right into the agenda.

TABLED RESOLUTIONS

I.R. 1028 (P) Requiring anti-theft surveillance cameras for County park concessionaires. (Caracciolo)

Do we have a motion?

LEGISLATOR ALDEN:

Motion to table.

LEGISLATOR CARPENTER:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

I.R. 1242 (P) Amending the 2002 Capital Budget and Program and appropriating construction funds for the renovations to the former Smith Point Bridge tollbooth building. (Towle)

I believe we have Tedd Godek here.

LEGISLATOR CARPENTER:

Madam Chairperson. While Tedd is coming forward I would just like to take advantage of this opportunity to thank Commissioner Scully for all of his assistance with the Sagtikos Manor. As I am sure you are aware, I know you weren't able to be at the meeting Tuesday, but the resolution passed 18 – nothing and it really was in large measure to the assistance of you and some of your personnel. So, I just wanted to thank you.

CHAIRPERSON FIELDS:

Okay. There were some questions the last time we met regarding the funds and who was involved and whether DPW was already going to refurbish the tollbooth. I wonder if you could just enlighten us on what the plans were.

MR. GODEK:

I am aware of no intention on the part of DPW to refurbish that tollbooth prior to a discussion that ensued with Legislator Towle regarding its usage as a home for the civic group, and that sparked some action on our part to take a look at the structure and estimate what it would cost to refurbish it and bring it up to a condition where we could house people in there on a 365 day a year basis.

CHAIRPERSON FIELDS:

The money that was going to be used for the –

LEGISLATOR ALDEN:

And this might be directed at Budget Review. This is amending the Capital Budget, so there must have been some kind of project that was originally scheduled to be done and Legislator Towle is taking those funds from that project? If you could identify how much that is and what project it is coming from to go to this tollbooth?

MR. CLANCY:

Are you asking which project the funds are actually going to be coming from, the offset?

LEGISLATOR ALDEN:

Yes.

MR. CLANCY:

It was capital project 1670, the new microfilm process for the County Clerk. The total appropriation initially was \$325,000. This takes 200,000 from it.

LEGISLATOR ALDEN:

Okay. Now that project is not going to go forward?

MR. CLANCY:

I believe it is still going to be going forward. There is another resolution, the war dog memorial takes another 50,000, I think, from it.

LEGISLATOR FOLEY:

What we were told, Legislator Alden, at the last meeting by the sponsor was that the Clerk's Office is not intending to use the full amount of money for his – for the Clerk's purposes.

CHAIRPERSON FIELDS:

Legislator Towle also called me and I made some notes about it, but I am seeing that his Aide is here and perhaps that would be the best way to address this.

MR. DOYLE:

We did speak with the County Clerk's Office. They are not ready to move forward with the microfilm process at this time so they let the funds go loose. So those funds are coming from that project, which will not go forward this year. Two-hundred thousand of them would go to this tollbooth, which, by the way, is not a home for the civic group. It is a tourist center for the Mastic and Shirley community. It will be administered by the various civics. It will not be their home or their headquarters. Two-hundred thousand then goes to that project, and 50,000 to the war dog memorial at the Armed Services Plaza.

CHAIRPERSON FIELDS:

And he shared with me that this is not new money, but that they diverted the money.

MR. DOYLE:

Absolutely.

LEGISLATOR FOLEY:

Well, it is not part of that – the 50,000 is not part of this resolution I don't think. That is a separate resolution.

MR. DOYLE:

They gave all the money up. They did relinquish all the money.

CHAIRPERSON FIELDS:

Legislator Alden.

LEGISLATOR ALDEN:

I just have a follow-up to the comment that the County Clerk's Office is not going to use the money this year to do the microfilming.

MR. DOYLE:

They are not going to do the microfilming project at all this year. If they want to do it again, they will have to come to Legislator Towle or another Legislator and ask for an amendment – a resolution next year to appropriate the money.

LEGISLATOR ALDEN:

Did they plan on doing that?

MR. DOYLE:

At this time they have no answer.

LEGISLATOR FOLEY:

Motion to approve.

CHAIRPERSON FIELDS:

I'll second.

LEGISLATOR CARPENTER:

Second.

CHAIRPERSON FIELDS:

Wait. Yes?

MR. SPERO:

All but \$75,000 was taken out of that project, and there is a resolution on to appropriate the remaining 75,000 for the County Clerk for him to buy a piece of microfilm equipment.

CHAIRPERSON FIELDS:

So then there really is no money. Is that what you are saying?

MR. SPERO:

That's right. The total project funding will end up being reduced to zero, although funds will either be used as offset or the 75,000 spent for a piece of microfilm equipment.

LEGISLATOR ALDEN:

Could you repeat the first part of the question? There was already money taken out?

MR. SPERO:

Right. The two projects Bill Doyle mentioned were used – the funding from the microfilm project was used as the offset. We left \$75,000 in their microfilm project so the Clerk could buy a piece of equipment, and that resolution is on the table now.

MR. SABATINO:

What he is saying is you can have your cake and eat it. You can do both. You can do this and still have money left for the Clerk.

CHAIRPERSON FIELDS:

Okay. I misinterpreted what you said also.

MR. SPERO:

Thank you, Paul.

CHAIRPERSON FIELDS:

Tedd, do you have anything else? The other thing that Legislator Towle said when he called me was that they are changing the roof pitch. Are you aware of that?

MR. GODEK:

Yes. We are looking at changing that roof pitch, funds allowing. We have certain basic code compliance issues, mechanical issues, and so on that we have to address initially. They come off the top, so to speak. If I have money left over –

CHAIRPERSON FIELDS:

Off the top of the roof?

MR. GODEK:

No, top of the project. If I have money then left over for architectural features, enhancement of architectural features, then we look at doing the roof, too, yes.

CHAIRPERSON FIELDS:

Thank you. So we have a motion and a second. All in favor? Opposed? Approved. **(Vote: 5/0/0/0)**. Thank you, Tedd.

I.R. 1276 (P) To implement retention of technical consultant in connection with Forsythe Meadows property damage. (Fisher)

COMM. SCULLY:

I would ask that the resolution be tabled. As you can see, it is incomplete. There is a blank in the first resolved clause and we are working to address the issue.

CHAIRPERSON FIELDS:

Would you please contact the sponsor and see if she can fill the blanks in for the next meeting?

COMM. SCULLY:

Sure. I will just advise her – I spoke with her about the broader issue of Forsythe Meadow and the fence installation yesterday, so we are in communication on it. Sooner or later she is, I guess, intent on either moving the resolution forward or withdrawing it, but I will tell her that the committee needs to know.

CHAIRPERSON FIELDS:

Thank you.

LEGISLATOR CARPENTER:

Motion to table.

CHAIRPERSON FIELDS:

Motion to table. Do we have a second?

LEGISLATOR FOLEY:

I will second the motion.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

I.R. 1337 (P) Amending the 2002 Capital Budget and Program and appropriating funds in connection with the restoration of Smith Point County Park. (County Executive)

LEGISLATOR FOLEY:

Motion to table.

CHAIRPERSON FIELDS:

Second the motion. All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

INTRODUCTORY RESOLUTIONS

I.R. 1394 (P) Authorizing, empowering and directing County Parks Department to secure acoustics evaluation for trap & skeet shooting range near Southaven Park in Yaphank, Town of Brookhaven. (Fields)

Commissioner, is there any reason why I shouldn't approve this?

COMM. SCULLY:

Well, maybe it would be helpful if I give you a little bit of an update with regard to the department's efforts since the last committee meeting. As you know, we issued request for proposals for consultant services in two areas related to the trap and skeet facility. One having to do with sound impacts and mitigation, and the other having to do with environmental and operational issues. That approach was the result of a consensus reached between yourself, Madam Chair, and Legislator Towle, who represents the district.

We have received three proposals for services on the sound issue and two proposals for services on the environmental and operational side, and we have created a committee to review those. They will be meeting on Tuesday. It basically relies on the same folks who worked with us on the environmental review that we did in-house, including Mr. (Savith) in the Health Department. They will be meeting on Tuesday and making recommendations to me by Thursday, next Thursday, May 2nd. We are obligated then to notify the County Executive and the Legislature under the authorizing resolutions of the selection of those consultants. Having done that, we are hoping to get them working early in the second week of May and to have that work complete by the first week of July.

CHAIRPERSON FIELDS:

Okay. So I will – yes.

LEGISLATOR ALDEN:

I actually just have a question on where we are funding and how much.

CHAIRPERSON FIELDS:

The 456 account.

LEGISLATOR ALDEN:

Which is the 456 account?

CHAIRPERSON FIELDS:

The legislative account.

LEGISLATOR ALDEN:

And what is that money for, the 456?

MR. SABATINO:

The last resolution we appropriated 10,000, up to a maximum of 10,000, for each of the two studies from the Legislature's account, which is for reports and studies, which is 456.

LEGISLATOR ALDEN:

And, Pete, is your sense that we are going to be able to stay within that if we hire these – there are two people that we have to hire, right, after that?

COMM. SCULLY:

Counsel told it, as I remember it, that each of the resolutions appropriates a maximum of 10,000 for each study. And the proposals, I guess, come with a price tag. That is what is being reviewed now. So I can't tell you as we sit here today that all the proposals are within the 10,000 cap, but I assume that they are. I will know more next week.

CHAIRPERSON FIELDS:

I will just make a motion to table on this.

LEGISLATOR FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

I.R. 1397 (P) To establish Community and Youth Services Program at Sheep Pasture Road in Port Jefferson/Setauket, New York. (Fisher)

The sponsor of this bill would like us to table it.

LEGISLATOR FOLEY:

Second the motion.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

I.R. 1398 (P) Authorizing Cultural Affairs agreement funding for 2002. (Fields)

LEGISLATOR CARPENTER:

Motion.

LEGISLATOR FOLEY:

Second.

CHAIRPERSON FIELDS:

Second. All in favor? Opposed? Approved. **(Vote: 5/0/0/0)**

I.R. 1402 (P) Authorizing, empowering and directing County Parks Department to secure environmental evaluation for trap & skeet shooting range near Southaven Park in Yaphank, Town of Brookhaven. (Fields)

I will make a motion to table.

LEGISLATOR FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

I.R. 1417 (P) To reappoint Ronan Mulvey as a member of the Suffolk County Citizens Advisory Board for the Arts. (Caracappa)

Is Ronan Mulvey here? I will make a motion to table.

LEGISLATOR FOLEY:

Second.

LEGISLATOR CARPENTER:

Did someone contact him to come down? He is a reappointment.

CHAIRPERSON FIELDS:

No, I did not. I will ask that –

LEGISLATOR FOLEY:

It is a holdover –

LEGISLATOR CARPENTER:

Generally I thought with the reappointments we weren't requiring that they come down, especially if we didn't let them know about it.

CHAIRPERSON FIELDS:

I am just going to table it and I will ask this person to come down. I don't know who Ronan Mulvey is. I don't even know if it is a male or a female. If this person was appointed prior to my term, then I would like to meet him or her anyway.

LEGISLATOR CARPENTER:

Can we make a motion to discharge and see if he or she can be contacted and then –

CHAIRPERSON FIELDS:

He is a holdover, anyway.

LEGISLATOR ALDEN:

I just have a quick question on this. Haven't we been doing or haven't we established a policy to see resumes sometimes when it is a reappointment, and that is attached to the – okay.

CHAIRPERSON FIELDS:

Okay. Motion to table. Do we have a second? All in favor? Opposed? Tabled.

LEGISLATOR CARPENTER:

List me as opposed to tabling that, 1417, please. **(Vote: 4/1/0/0 Opposed: Legislator Carpenter)**

I.R. 1457 (P) Authorizing certain corrections to Adopted Resolution No. 297-1996 and

amending the 2002 Capital Budget and Program and appropriating funds in connection with the restoration of the Historic Hay Barn, Yaphank. (CP 3061).

LEGISLATOR FOLEY:

Motion to approve 1457.

LEGISLATOR CARPENTER:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Approved. **(Vote: 5/0/0/0)**

I.R. 1462 (P) Appropriating funds in connection with improvements at County golf courses – Timber Point (CP 7166). (County Executive)

LEGISLATOR FOLEY:

Second the motion.

CHAIRPERSON FIELDS:

All in favor? Opposed? Approved. **(Vote: 5/0/0/0)**

I.R. 1463 (P) Appropriating funds in connection with improvements at County golf courses – West Sayville and Indian Island (CP 7166). (County Executive)

I'll second the motion. All in favor? Opposed? Approved. **(Vote: 5/0/0/0)**

I.R. 1489 Authorizing the use of Smith Point County Park property in 2002 by Bay Area Civic Association and William Floyd Summit for a 5 KM race. (Towle) * * * Ways and Means Prime Committee * * *

LEGISLATOR FOLEY:

Motion.

CHAIRPERSON FIELDS:

Ways and Means is prime. I will defer. Make a motion to defer to prime.

LEGISLATOR FOLEY:

Second.

LEGISLATOR CARPENTER:

Madam Chair, was that approved in Ways and Means, do you know?

MR. DOYLE:

Yes, it was.

LEGISLATOR CARPENTER:

Second to the motion.

CHAIRPERSON FIELDS:

All in favor? Opposed? Motion to defer to prime. **(Vote: 5/0/0/0)**

INTRODUCTORY SENSE RESOLUTIONS

Sense 29-2002 (P) Memorializing Resolution requesting New York State Legislature to authorize dedicated park fund for smart management of County Parks. (Fields)

LEGISLATOR FOLEY:

Is the sponsor making the motion?

CHAIRPERSON FIELDS:

I will make a motion to approve.

LEGISLATOR FOLEY:

Second the motion. Cosponsor.

CHAIRPERSON FIELDS:

All in favor? Opposed? Approved. **(Vote: 5/0/0)**. Motion to adjourn unless we have someone that would like to come up and speak to us. We stand adjourned.

(The meeting was adjourned at 2:35 p.m.)