

**PARKS, SPORTS & CULTURAL AFFAIRS COMMITTEE  
of the  
SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A regular meeting of the Parks, Sports & Cultural Affairs Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **November 14, 2002**.

**MEMBERS PRESENT:**

Legislator Ginny Fields - Chairperson  
Legislator Cameron Alden - Vice Chairperson  
Legislator Angie Carpenter  
Legislator Brian Foley  
Legislator Bill Lindsay

**ALSO IN ATTENDANCE:**

Legislator Vivian Fisher  
Legislator Martin Haley  
Paul Sabatino, II - Counsel to the Legislature  
Robert Calarco - Aide to Legislator Fields  
Neal Capria - Aide to Legislator Bishop  
Nanette J. Essel - Legislator Fisher's Office  
Judith Gordon - Commissioner of Parks Department  
Sean Clancy - Budget Review Office  
Nicole DeAngelo - County Executive's Office  
B.J. McCartan - Presiding Officer's Office  
Stephen Raptoulis - Parks Department  
Richard Martin - Parks Department  
Greg Lauri - Parks Department  
Denise Speizio - Parks Department  
Jerry Kessler - Friends for Long Island Heritage  
John Talmage - Friends for Long Island Heritage  
Liz Koch - Friends for Long Island Heritage  
Robert J. Deshler  
Virginia Connolly - Three Village Boys & Girls Club  
Dr. Philip C. Tarantino - Three Village Boys & Girls Club  
Louis Medina - Three Village Boys & Girls Club  
Bob Brown - Land Design Associates  
Other interested parties

**MINUTES TAKEN BY:**

Ana Grande - Court Stenographer

**CHAIRPERSON FIELDS:**

We'll begin the Parks Committee meeting. Is Bill Lindsay here? We'll begin anyway I think with a pledge of allegiance led by Legislator Foley.

(SALUTATION)

**CHAIRPERSON FIELDS:**

Good afternoon. I think we're going to begin the meeting with inviting Jerry Kessler up to have a seat, and maybe even Commissioner Gordon you can sit there too in case there are some questions that we have. And you can begin by explaining I guess what the Friends does and-- because that's what this meeting is about. Thank you.

**MR. KESSLER:**

My name is Jerry Kessler and I'm the President of the Friends for Long Island's Heritage. We sent you a package of material prior to the meeting and we had in there a Q&A about the Friends. And if you had a chance to take a look at it, you would know that the Friends were founded thirty-eight years ago as the citizen support group for the museum system operated by the County of Nassau. And then in the late 80's we began negotiations with the County of Suffolk and our support programs were extended in the late 80's into the County of Suffolk to provide support for your museum system.

I have with me today two of my associates. I have with me John Talmage, who is one of our Trustees. Mr. Talmage is from the Talmage Farm Group out in Riverhead and has been a long time Trustee of the Friends. And the other is my Comptroller, Liz Koch, CPA and Comptroller, Liz Koch, and they've joined us today in case there's anything we need them for.

Prior to this meeting, as I indicated to you, we sent each of you a package of material specifically focussing on the Landmark Preservation Program of the Friends. And so I think it would be important to describe the origin of the program, because it does go back twenty-eight years.

In 1974 in Nassau County, the County acquired several properties with housing units on them and the County decided at that time that these units would -- these units would not be used for public use, and reasons being that they were small in size or they were in remote locations or there were acquisition restrictions regarding those particular units that they acquired.

Nassau County in the 70's was again, and it hasn't changed much, was short on funds for repairs and maintenance of these structures utilized by the public, and so what they did, they requested the Friends to assist them in the repairs and maintenance of these

non-public use structures.

In 1989 the Friends in Suffolk County entered into an interpretation agreement, which is another agreement in which we provide other types of support for the museum system, such as running museum stores and

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doing other things like that. And the Friends provide a wide range of support programs.

Then in 1993, Suffolk County, facing the same dilemma as Nassau County, which was not enough funds for repairs and maintenance of its own buildings, requested the Friends to assist in the repairs and maintenance again of non-public use buildings. And I think that's the key to the discussion, that all these buildings are non-public use buildings.

At various times when units are placed in the program, and according to our landmark contract, the monthly license fees were established and approved by the Department of Parks. And as new units over the period of time were entered into the program, the license fees were established on the basis of the size of the unit, the number of rooms in the particular unit. And that published license fee was in your package of material that we sent to you.

Now, as it's difficult to get you out to take a look at all of the thirty-six units, what we've done, we've prepared a visual tour. Rob, I wonder if I could get your help to distribute these to the members, please. I have a couple of more here, if you need them.

We prepared a visual tour of these thirty-six units and if you just open the first page, what you're going to see is -- and our responsibility as I indicated to you under our contract is the responsibility for the repairs and maintenance of these units under the direction of the Parks Department. And as you take a look at the first sheet, and this is a summary from our database, what we call our construction reports from 1998 to 2001, we don't have 2002 in our database yet, this is by --

CHAIRPERSON FIELDS:

Jerry, can I interrupt for a second?

MR. KESSLER:

Sure.

CHAIRPERSON FIELDS:

You said a visual tour of the thirty-six units, but I'm not counting thirty-six.

MR. KESSLER:

Because the two that are off there are the ones -- there's three units off of here, that two of them in Coindre Hall, which are apartments inside Coindre Hall, these are the free standing buildings, and there's one in Blydenburgh Park, an apartment in Blydenburgh Park.

And the first page indicates to you the repairs, that's labor and direct --

CHAIRPERSON FIELDS:

I'm sorry.

MR. KESSLER:

You're still not getting thirty-six?

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CHAIRPERSON FIELDS:

I have twenty-seven, unless I'm counting wrong.

MR. KESSLER:

We probably got -- when I probably count thirty-six, I'm counting some of the smaller out-buildings. But these are the designated ones that are in the program. And what we've got on --

COMMISSIONER GORDON:

Jerry, excuse me. I think the correct number is thirty buildings. And Jerry said Coindre Hall is not included, the Coindre Hall boat house is probably not in there.

MR. KESSLER:

No, it's not included.

COMMISSIONER GORDON:

And the building at Blydenburgh Park was added to the Friends' Program after he did this report.

MR. KESSLER:

Right.

COMMISSIONER GORDON:

So that's the difference.

MR. KESSLER:

This first page just indicates the labor and direct material, that's all this is, it doesn't include overhead, and as I indicated on the bottom, that has gone into each of these units over the -- from 1998 to 2001. And these are from what we call our construction reports.

I have here documentation, what we do in our database. When we put a

coat of paint on a building or we buy a new boiler for the building, that goes into our database, and I have that database information here, that's a reflection of this material right here. And --

CHAIRPERSON FIELDS:

Jerry, just as you go, because I think there's a lot of material for us to understand, if you wouldn't mind, as we have questions, perhaps we can just --

MR. KESSLER:

No, I'd be delighted. I was -- I didn't know where you wanted me to go on that.

COMMISSIONER GORDON:

I'll keep my head up, so --

CHAIRPERSON FIELDS:

Good. Thanks.

LEG. ALDEN:

Just on that point, when you say we put the money in there, these are materials that you bought or these are materials that Suffolk County bought on contract?

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MR. KESSLER:

No. Friends for Long Island Charity.

LEG. ALDEN:

So this is just what you put into those buildings?

MR. KESSLER:

Yes. This is the Friends' Program. This is under our contract. And we had a copy of the contract, it was in your package.

LEG. ALDEN:

Yes.

MR. KESSLER:

When you got your -- you got that package that we sent to you?

LEG. ALDEN:

Uh-huh.

MR. KESSLER:

In there is the contract that we have with the County and that requires that we are responsible for the repairs and maintenance. So if a boiler needs to be put in, we buy the boiler.

LEG. ALDEN:  
And who puts it in?

MR. KESSLER:  
Our mechanics put it in.

LEG. ALDEN:  
So this reflects total expense or this is just expense for the material?

MR. KESSLER:  
No. This is labor and material.

LEG. ALDEN:  
Oh, okay.

MR. KESSLER:  
Labor and material. And then if you just go to the next page, this is a listing of the units. And then I'm not going to walk you through these units, but as you can just see, I think the one characteristic, you'll take a look at if you just kind of thumb through the buildings, these are not grand living buildings, these are modest buildings of a modest nature, generally in the two to three bedroom size buildings, that you can take a look at them.

And most of them are remote. Some of them are quite remote. And others are, like the Sayville Golf Course is the gatekeeper's unit right there.

But these are the buildings that have been determined by Parks over --

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LEG. CARPENTER:  
Excuse me, I just have a question. When were these photos taken, how recently were they? Because none of them are dated.

MR. KESSLER:  
A month, two months. Richard, when were they taken?

MR. MARTIN:  
They've all been taken this spring.

MR. KESSLER:  
This spring.

LEG. CARPENTER:  
So within -- within the past month?

COMMISSIONER GORDON:

No, I think more like the summer.

LEG. CARPENTER:  
Okay.

COMMISSIONER GORDON:  
I would say it might have been August.

MR. KESSLER:  
August.

LEG. CARPENTER:  
All right. So they're pretty recent.

MR. KESSLER:  
Yes. They are recent.

LEG. CARPENTER:  
Okay.

MR. KESSLER:  
But I think -- I won't take you through all of them, because all of them have little different characteristics to them and I think if you just kind of thumb through them, you'll get an idea of the character of the buildings. And the main character of the buildings is that they are generally small, and they're generally, most of them are in the parks in remote areas of the parks.

COMMISSIONER GORDON:  
And also just as a point of information, twenty-one of the buildings are either formerly dedicated to the County Historic Trust or we are in the process of getting them dedicated or treat them as such.

CHAIRPERSON FIELDS:  
I have a question about that. How do we determine in the County, all of the holdings that we have, how do we determine which of these properties stays with us or goes over to Friends?

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COMMISSIONER GORDON:  
Generally if we don't have a County Parks employee to live in a unit, that would be -- that would be a main reason to put it under the Friends' Program.

CHAIRPERSON FIELDS:  
But according to the contract, I don't think that's in the contract, the contract is that they will take historic and landmark buildings and it doesn't -- I don't think in the contract it --

COMMISSIONER GORDON:

I think, and again I'm not remembering verbatim, but I think the contract has some language in it where we make changes -- from year to year we may designate additional buildings to be put under the Friends' Program.

CHAIRPERSON FIELDS:

Right. But under the --

COMMISSIONER GORDON:

I think that's at the determination of the Department.

CHAIRPERSON FIELDS:

-- but under the contract, I believe it states that the houses that they get are for either landmark preservation or historic trust, so if we're giving a building that's a, you know, 1970's building --

COMMISSIONER GORDON:

Okay. Well, if we don't have a Parks Department employee to live in the units, that would be a reason, and because we just have not had any other vehicle by which to do, you know, anything else with it.

CHAIRPERSON FIELDS:

Would you not make up a separate contract for those kinds of houses since they would not be under a not-for-profit historic preservation?

COMMISSIONER GORDON:

Well, we haven't done it that way, Ginny.

CHAIRPERSON FIELDS:

But should we?

COMMISSIONER GORDON:

It's just been the easiest way for us to not allow a building to deteriorate.

CHAIRPERSON FIELDS:

But do you agree or do you disagree with me that it should be done that way?

COMMISSIONER GORDON:

I don't know. It might be something that we could tighten up a little bit further, it might be something that we could.

CHAIRPERSON FIELDS:

Because one house in particular, and I don't know whether it's a

Farm, it has cedar --

COMMISSIONER GORDON:

None of those are considered historic buildings.

CHAIRPERSON FIELDS:

Okay. So that I guess is my question of why Friends is taking care of a house that's not an historic building?

COMMISSIONER GORDON:

Okay. And again, because we had no other vehicle in which -- because we at the time the County -- the Parks Department can't engage in an agreement with individuals for rentals and we had no other mechanism by which to do that.

CHAIRPERSON FIELDS:

Okay. Go ahead.

COMMISSIONER GORDON:

And rather than see the buildings deteriorate, we put them into the Friends' Program.

CHAIRPERSON FIELDS:

Okay. Then added to that sentence, how do we determine whether or not when Friends get the buildings that they are going to deteriorate or they're going to be improved or that they are going to have some kind of a plan to work on them?

COMMISSIONER GORDON:

Well, we don't -- we don't intentionally permit a building to deteriorate.

CHAIRPERSON FIELDS:

I'm not asking that.

COMMISSIONER GORDON:

Okay. Then I don't --

CHAIRPERSON FIELDS:

How do we determine when we give a building to the Friends that there will or will not be some kind of a plan of work that's associated with that so that the reason we're giving it to them is so that it doesn't deteriorate, but if they get it, then how do we determine what they're going to do and whether or not it is deteriorated?

MR. KESSLER:

Then maybe I can answer that. What we did is we have on our -- we have on call housing inspectors. And as I indicated to you, if you look at your material, each year we do an inspection of every house with a qualified housing inspector and we get a report back. I

think -- I delivered the reports to your office on Friday, a big red book that I delivered to you. And that's --

CHAIRPERSON FIELDS:

I went through every single one of them.

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MR. KESSLER:

That's one, that's one -- that's one place we do it. The second place --

CHAIRPERSON FIELDS:

Wait, wait. You have an inspector who inspects the facility?

MR. KESSLER:

Correct.

CHAIRPERSON FIELDS:

And then he tells you this is what needs to be done?

MR. KESSLER:

No. I was just going to the second piece, I'm sorry.

CHAIRPERSON FIELDS:

Okay.

MR. KESSLER:

Then we have a landmark preserve manager who has been with us for twelve years who is a highly skilled construction person. And what he does when a building is given, put into the Friends unit, what we do is we do one of two things, depending upon the building, and I can give you exact buildings, Richard Wolf, my landmark inspector, will go in and do a complete evaluation of the building to determine what has to be done to that building, ranging everywhere from new wells or boilers or cesspools.

CHAIRPERSON FIELDS:

That's when you first get the building?

MR. KESSLER:

When they give us the building.

CHAIRPERSON FIELDS:

I see. Like the new one you're talking about, I guess you said -- did you say Blydenburgh?

COMMISSIONER GORDON:

Blydenburgh.

**CHAIRPERSON FIELDS:**

Yeah. So you did a report on that where you got the building, we now have a piece of paper that says this is the condition that you received the building in?

**MR. KESSLER:**

Right. Well, no, they don't --

**CHAIRPERSON FIELDS:**

Do we have a copy of that?

**MR. KESSLER:**

They don't give us a piece of paper that says -- what we do is we go in and evaluate the building.

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**CHAIRPERSON FIELDS:**

Right.

**MR. KESSLER:**

And then build up a work program on the building.

**CHAIRPERSON FIELDS:**

Okay. So you have an inspector that comes in and looks at the building to decide what that building looks like and the condition of the building. That must generate a report.

**MR. KESSLER:**

All right. When a building is put in the program, the first thing we do is we send in our own landmark inspector. He writes up the condition, a condition report of the building.

**CHAIRPERSON FIELDS:**

Okay. Do we copies of those reports?

**COMMISSIONER GORDON:**

Probably not.

**MR. KESSLER:**

I don't think so.

**CHAIRPERSON FIELDS:**

So how do we know that what you got a building, that one year, five years, ten years down the line, that building is either in the same shape as when you got it, better shape or worse shape, how do we determine that?

**MR. KESSLER:**

Well, I think that Parks sent out one of their own people during the

summer and did an inspection themselves.

CHAIRPERSON FIELDS:

According to the Commissioner, we don't have the personnel to do that and we don't do that.

COMMISSIONER GORDON:

Well, we did an exterior inspection this summer. We did do that this summer.

CHAIRPERSON FIELDS:

Of every building?

COMMISSIONER GORDON:

Of every building. We made a concerted effort to do that.

CHAIRPERSON FIELDS:

But how do you know -- again, how do you know that when the building was given to Friends one year, five years, ten years ago, that the building is in the same shape, better shape or worse shape?

COMMISSIONER GORDON:

Well, when I say we don't have the staff, we don't have the staff to

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manage this program ourselves in the Parks Department, but we do have various staff, Historic Services, Parks staff, you know, who see these buildings on a regular basis. It's not as if we totally ignore them and nobody ever visits the site.

Do we have a regular program that we, a check-off list of an inspection report? No, we don't do that. But if somebody notices something out of the ordinary or is of concern to us, which on occasion has happened, for instance at Coindre Hall we had a substantial leak, I think it was a year ago that one of our Park employees happened to be on the site at the time and it was addressed as a result of that.

So, between Park employees, Historic Services employees, we do get around to these buildings and on occasion we've seen problems and we've had them corrected.

CHAIRPERSON FIELDS:

What about on the inside of the buildings?

COMMISSIONER GORDON:

We don't always get -- we don't get in -- we probably are in --

MR. KESSLER:

I think they're depending upon the Friends inspector, who under a license -- under the license agreement, our people, we have with tenants, we request that they permit an inspector in the building every year, because these are their homes. So, and what we do is we -- we go in and do the inspection on the interior, as you can see from the reports.

COMMISSIONER GORDON:

And that inspector makes an appointment with the -- with the residents, you know, which we -- which is difficult for us to do. That's difficult for us to do.

CHAIRPERSON FIELDS:

These reports that I received, and they're not for every, they're not for every facility, not every building in the program, are about a year old. Have you not had an inspection this year?

MR. KESSLER:

We're probably in the current cycle, I would have to check. I gave that to -- I gave that to Parks at your request in I think about June. Those are their June reports and on Friday you asked for those and I delivered -- I went to Parks and picked up what you saw in June and brought it to your office.

CHAIRPERSON FIELDS:

Do you read these, you, Jerry Kessler?

MR. KESSLER:

Am I what?

CHAIRPERSON FIELDS:

Do you read these reports?

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MR. KESSLER:

Sure, absolutely.

CHAIRPERSON FIELDS:

So if you get a report that says that there are vehicles without plates on the property, a van should be removed, a '67 Chevy is covered with a tarp, what do you do about that?

MR. KESSLER:

What we do is we talk with particularly Richard Martin or Judy and try to determine whether we're going to make them remove the vehicles from the property or what's going to be done about it. We're -- our people are --

CHAIRPERSON FIELDS:

If you have a report that says that they are piping the washing machine water out the window into the backyard, what do you do about that?

MR. KESSLER:

Our landmark inspector, our landmark people will then check that to find out why that's going on and determine where that water should be piped.

CHAIRPERSON FIELDS:

Would that not be maybe a break in the lease, that they're doing things that are illegal, is that not illegal in the Suffolk County Health Department?

MR. KESSLER:

I couldn't answer that one.

LEG. FOLEY:

Sure you can, it's a violation.

CHAIRPERSON FIELDS:

It's a violation.

LEG. FOLEY:

Without even looking at the code, you know it's a violation.

CHAIRPERSON FIELDS:

But that's why I'm asking if you read these reports, because as you go through every single one of these, you know, there are some questions that come up that say that you're in charge of protecting, preserving, improving, maintaining property and, you know, some of the responses are housekeeping is only fair to poor, areas of basement and boiler room are cluttered with materials and supplies. One of them has very strong language about five dogs on the property and one of them has a pen that seems to be acting as a dog pen and that the inspector's observation is that it's very clear that the dogs are in the home and it looks like the dogs are ruining the home. And that's not --

MR. KESSLER:

I happen to know that particular situation and -- if you're asking when -- we've had seventy units under management in between Nassau and

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Suffolk. And as I showed you, these units are not large units, they're not sitting in the middle of Bellport, they're not -- if on the open market in pricewise, you can take a look at them, some of them are, but not the ones that we're talking about, so we do have a clientele that is maybe a little different than we might like to have, we have a divergence of clientele.

The particular one you're talking about with the dogs is that the lady is a dog rescuer and she takes very good care of the house. The dog -- she's refinshed the floors, she's refinshed the walls. And so every case is different.

CHAIRPERSON FIELDS:

Are you aware that --

MR. KESSLER:

We know what's going on in the units.

CHAIRPERSON FIELDS:

Are you aware that in the photograph that you gave us, that particular unit doesn't have boarded up windows, but it does now?

MR. KESSLER:

I beg your pardon?

CHAIRPERSON FIELDS:

That particular house does not have boarded up windows in the photograph, but it does now have boarded up windows?

MR. KESSLER:

Can you tell me which one that is?

CHAIRPERSON FIELDS:

The one with the five dogs.

MR. KESSLER:

Can you just kind of tell me, give me a number?

CHAIRPERSON FIELDS:

Yes. The unit number is 114-A.

MR. KESSLER:

That's Susie {Caroic}. They've lived in the house -- they've lived in the house for years. Susie is the dog rescuer and she is a retired County police officer.

COMMISSIONER GORDON:

She was a dispatcher.

MR. KESSLER:

Dispatcher. And her husband is a union carpenter. And I don't think if there's boarded up windows, it can only be because -- and I was there at that house, I was there about thirty days ago, not inspecting the house, I stop by to talk to Susie. And unless -- maybe they're just changing out some windows, because he does work. He's done a lot of work, her husband is an excellent union carpenter. And they've

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done a lot of this work, I mean if you could have seen the house ten years ago, eight years ago, it doesn't look anything like it does now.

Ginny, there's always --

CHAIRPERSON FIELDS:

My concern is this, I took a ride, as you can imagine, just to look at the properties, because my concern is that -- I think probably I have about, oh, fifty concerns after looking through all the information that, you know, one of the things is that I don't think that we're charging enough rent for these houses.

The second thing is that when people live in someone else's house -- if I'm a landlord and I own a house, then I have some value in that home and I want it to be valuable to me today and I want it to be valuable to me, you know, five years from now.

So I guess as a landlord and a homeowner, I am responsible for that home and I want to make sure that it's taken care of. So if I can't physically do it and I call you up and I say, let's go into a contract, you're going to help me take care of my house and I'm going to hope that, just like a baby-sitter, if I leave my kids with you, my kids are going to be in good shape, I'm leaving my home with you and the property and the home should be in good shape.

And if you're going through the pain and the -- and the financial expense of paying an inspector and a report is a year old and I go and visit the house and a year ago it says that there's an abandoned vehicle on the property and two weeks ago that abandoned vehicle is still on the property or --

MR. KESSLER:

Which property?

CHAIRPERSON FIELDS:

The same house that we're talking about, the boarded up windows, the abandoned vehicle on the property, dogs that look like they're going to burst through that door and they're banging up against it and they look like they're going to kill you, and this is sitting in the car, not even getting out of the car.

So, you know, it would seem to me whether she's rescuing animals or not, they're in the home and they probably are doing some damage to the home. And it sort of concurs in the report that the overall impression of that home is fair, not great, you know. And it says the presence of dogs living in the house is readily apparent. Fenced-in yard serves as dog pen, there is one vehicle on the property without

plates, five dogs, five dogs and four cats they indicate as pets on the report.

MR. KESSLER:

Well, you know, I'm not sure.

COMMISSIONER GORDON:

Can I interrupt you for a minute, please, Jerry? Legislator Fields, also, I think Jerry said something earlier that was key. Often we get

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these buildings in somewhat of a deteriorated condition and, you know, we need to bring them up to a level of living. Whether we completely refurbish them, I'm not saying that we necessarily do that, but we have to bring them up to a level, you know, reasonable level of living.

And, you know, if we -- is the program perfect? I'm not going to sit here and say the program is absolutely perfect. Could we do a better job? Yes. I think -- but I think with the resources we have, we do a fairly good job.

CHAIRPERSON FIELDS:

Well --

COMMISSIONER GORDON:

But we've got other buildings that are sitting and deteriorating that we have nobody in that are of great concern to us also. These buildings I think are at least at a level that they are habitable, they're not falling down. I think that we think that they are in reasonably good condition. You know, everybody's idea of reasonably good may be different, but I think we in the Parks Department think that they are in reasonably good condition.

CHAIRPERSON FIELDS:

But how do we know that if we never have -- if we don't see the report of how the Friends got the property? What was the condition of the property when they got it, how do we know that?

COMMISSIONER GORDON:

Again, we have limited resources. You know, we get -- we acquire properties. When we acquire properties with buildings, we try to get them into a habitable condition and get somebody living in them immediately.

CHAIRPERSON FIELDS:

But --

COMMISSIONER GORDON:

If we haven't done a report, we haven't done a report. And is that wrong? Yeah, but at least we've got the house in a habitable condition and somebody is occupying it. It's not abandoned and it's not being allowed to deteriorate.

MR. KESSLER:

And the rules are all tight and, you know, we don't tell people whether, you know, somebody owns a car, and just because it didn't have plates on it and our inspector calls it an abandoned car --

COMMISSIONER GORDON:

And that's probably more the Parks Department problem and that's probably something that we should tighten up and I think we will do that, absolutely.

LEG. ALDEN:

Ms. Chairwoman?

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CHAIRPERSON FIELDS:

Yes.

LEG. ALDEN:

You just mentioned that we have other properties other than what's on this list that are not inhabited?

COMMISSIONER GORDON:

Yes, we do.

LEG. ALDEN:

Do you have a full list of everything that we have?

COMMISSIONER GORDON:

I don't have it with me today, I don't think, Legislator Alden, but we can get a copy to every Legislator.

LEG. ALDEN:

Okay.

COMMISSIONER GORDON:

Have we done that already, Richard?

MR. MARTIN:

Not yet.

COMMISSIONER GORDON:

Okay. We have a survey of all of our so-called historic buildings. As I said before, some are dedicated to the historic trust, some aren't, that we do maybe a semi-annual updating to, but it was just

recently updated and we can get a copy to you.

LEG. ALDEN:

Actually I think I might want even more than that. Do you have other buildings that aren't dedicated to the historic?

COMMISSIONER GORDON:

I think they are pretty much listed in this report.

LEG. ALDEN:

Okay. Because I would want to see, you know, like all the properties that we have in Parks, I'd also like to see whatever rents we're charging on that, who the tenants are.

COMMISSIONER GORDON:

Okay. If you haven't gotten that already, the other part we can get out also.

LEG. ALDEN:

Then I just have one other question on this too.

CHAIRPERSON FIELDS:

Not all the buildings are listed on there, Judy. I think I showed you the picture of that great big barn, that's not listed on any of these. There's an old mill house.

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COMMISSIONER GORDON:

No, we have a report of all of our -- as I said it's primarily an historical building.

CHAIRPERSON FIELDS:

Like an inventory?

COMMISSIONER GORDON:

Yes.

CHAIRPERSON FIELDS:

I have never seen that. I had requested that.

COMMISSIONER GORDON:

Okay. We will get a copy out to all eighteen Legislators.

LEG. ALDEN:

That's inhabited or uninhabited buildings, right?

COMMISSIONER GORDON:

Yes, exactly.

LEG. ALDEN:

On this list, this shows a total expenses by Friends. Do any of these have -- any of these properties have any input as far as, or not input, but repairs done by Suffolk County also?

COMMISSIONER GORDON:

On occasion, we do. On occasion, we do.

MR. KESSLER:

The -- let me be --

COMMISSIONER GORDON:

I don't have a report and I think that might be difficult for me to produce for you.

MR. KESSLER:

Let me try to help you out, Judy. It's relatively minor. The areas of the, the specific areas that we've cooperated on and in our contract it provides for that, and that's in the areas of sewage disposal, and the contract indicates that the County will be responsible for sewage disposal.

And occasionally, and I can -- they will put in a new cesspool on the County, but I just got last week, we have one that's needed at Timber Point Golf Course and we requested that they put in a new cesspool, because that one needs to be replaced, and we were advised that there was no money for it and so we moved ahead and did it ourselves.

LEG. ALDEN:

I was at, I think it was two meetings at West Sayville where I observed it looked like County employees working on the gate house and that's within the last year and a half. But I was also at the West Sayville Museum and there's another County, it's like a gate house back there and --

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COMMISSIONER GORDON:

The Maritime Museum is not under the Friends' Program nor is that gate house.

LEG. ALDEN:

That gate house is under what then?

COMMISSIONER GORDON:

The gate house on the West Avenue side is not in the Friends' Program.

LEG. ALDEN:

Okay. Because this states there's two pieces at the West Sayville Golf Course.

COMMISSIONER GORDON:

Yes. Currently one is in the Friends' Program, that's the gate house that's on Montauk Highway?

LEG. ALDEN:

And the greens keeper's house is over by the glass --

COMMISSIONER GORDON:

Yes. It's very confusing. We'll try to navigate you through it.

LEG. ALDEN:

Okay. The other gate house then, that's going to be on the list that you give us?

COMMISSIONER GORDON:

Yes.

LEG. ALDEN:

Okay. Good. That will include that one -- what's the name of that house over at Timber Point? It's deteriorating.

CHAIRPERSON FIELDS:

The Horan House.

COMMISSIONER GORDON:

Oh, the Horan House. Yes, the Horan House is listed in there also.

LEG. ALDEN:

Okay. Good.

COMMISSIONER GORDON:

Yes.

LEG. ALDEN:

The gate house in the front that faces Montauk Highway, that is this when it's referenced on this, am I correct?

COMMISSIONER GORDON:

Yes.

MR. KESSLER:

And --

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LEG. ALDEN:

There was definitely Suffolk County employees.

MR. KESSLER:

Well, what happened, the tree, a big limb came off the tree.

COMMISSIONER GORDON:

Yeah. We had -- there was a storm I think in August where a tree fell down and --

MR. KESSLER:

Hit the corner of the roof.

COMMISSIONER GORDON:

-- and the golf course employees were cutting up that tree, because that was something that had to be addressed immediately.

LEG. ALDEN:

All right.

MR. KESSLER:

One of the things that I might make --

COMMISSIONER GORDON:

I think Legislator Foley has a question.

MR. KESSLER:

Oh, I'm sorry.

LEG. FOLEY:

Mr. Kessler, thank you. And thank you for the call last week, I was still doing my homework on what you had given to us, so I didn't have the chance to speak with you by phone, but we can follow-up through this process. And it's an important one that we speak of this, Madam Chair, through the Committee. I commend the Chair for doing this, because it's a way in which not only we provide oversight to the Parks Department, but I think already just from the few minutes that we've discussed this, that we've acknowledged that there's some simple areas of improvement that will now be made.

And I think one of the ones that immediately comes to mind, and again it's not a function of having ten additional staff persons, but I would think just as a matter of regular cost and speaking as a former Chair of the Public Works Committee and with all the capital projects that we've gone through our Committee, the fact is that when Friends does put together their, let's say work program for a particular building, I think it has to be automatic that a copy of that would be sent directly to the Commissioner's office and then that can be routed to the Historic Preservation Director or to someone else on staff so that at the very least there is a working file for each of these buildings that Friends is inhabiting. So I think that's a very simple process.

MR. KESSLER:

Very easy to do.

LEG. FOLEY:

It just takes a function of having a little extra toner in the copy machine.

COMMISSIONER GORDON:

And, actually, Legislator Foley --

LEG. FOLEY:

Let me finish my remarks, please, and then you can comment.

COMMISSIONER GORDON:

Okay. Sorry.

LEG. FOLEY:

And that's business number one. And the order -- the first order of -- not of battle, but the first order of public administration is to get that information armed and given to the Parks Department, because then what will happen is the following, and it's something that I know the Parks Department works very closely with the Public Works Department with capital projects.

And the Public Works Department just recently refined a time line approach to all capital projects and what can happen with either the Commissioner directly or someone on her staff, you can, in essence, borrow the same kind of framework that the Public Works Department has now utilized for time lines for their capital projects, and then when Friends says, all right, these are the things that we're going to be working on to make it at least inhabitable and make some modest improvements to it, then we'll see whether it's done in half a year, whether it's done in a year, whether it's taking five years, whether it's done in three weeks time.

But I think that kind of predictable approach to these improvements and to what your -- your people are living in and will be making improvements to, I think that needs to happen. And it doesn't take a lot of people power to make that happen. So I hope by --

MR. KESSLER:

Easy enough done.

LEG. FOLEY:

Very good. And that's the first issue and I'm glad that we'll be able to do that.

MR. KESSLER:

We document everything, everything we do by the hour.

LEG. FOLEY:

I understand that, but as far as transferring that information to the Parks Department I think is going to be important. Sorry Commissioner, you wanted to say something.

COMMISSIONER GORDON:

Well, I wanted to just say that we've -- we also plan to meet at least on an annual basis to go over that work program in terms of prioritizing.

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LEG. FOLEY:

Right. That's very important as well.

Additionally, Madam Chair, I think this shows the importance, particularly when you read of the expenses that are incurred by, by Friends, that all the more reason why the Parks Department should use a grant writer, because as we all know there are grants out there not just for operational expenses, but also for some capital expenses as well. And I know that some of the very same groups that have given money to Friends, whether it's the {Hagedon} Foundation or some of the others, they may even be willing to do something along the same lines with the Parks Department, particularly if it's geared towards historic preservation or geared towards saving some buildings within the Parks Department inventory.

So, that's just a paranthetical remark, but I think it gets to the point of the need to have -- to move forward with a grants writer for the Department. Those are all the questions I have now.

COMMISSIONER GORDON:

The Friends do apply for grants also on our behalf for the buildings in the Landmark Program.

MR. KESSLER:

We just finished a --

LEG. FOLEY:

So then the Parks Department, we can do it in tandem where we can be helping each other out.

COMMISSIONER GORDON:

Well, we have done that too.

LEG. FOLEY:

I know. I know you have and, you know, your predecessor in the Commissioner's position, Mr. Scully, was also eager to fill the grant writer position, but I don't know whether a 167 form was ever signed by the County Executive for that. Could you tell us whether that happened or not?

COMMISSIONER GORDON:

No, it hasn't.

LEG. FOLEY:

All right. I would hope that in the upcoming year, I don't know whether the position was eliminated, but certainly we can take a look at that if it was, and that's a big if, that can be easily put back into the budget, because that's the kind of line within any department that will more than pay for itself with the amount of funding that it could generate.

CHAIRPERSON FIELDS:

I think there's some not agreement on the part of the Commissioner, though according to what --

COMMISSIONER GORDON:

Well, I'd like to discuss it further.

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LEG. FOLEY:

Sure.

CHAIRPERSON FIELDS:

I think I have another question. You said you submitted a -- recent donors include Newsday, three hundred and fifty thousand; {Hagedon}, fifteen thousand; New York State, one million; Macy's East, one thousand; Donald {Axson}, one million two hundred and fifty; {Reckson} Associates, one million five hundred thousand; Bethpage Federal Credit Union, one hundred and ten thousand; Wingate Hotel, ten thousand; Garden City Hotel, fifteen thousand, and in your newsletter I read a little piece that Caesar Trunzo I believe has given you twenty-five thousand.

MR. KESSLER:

Correct. That was a grant.

CHAIRPERSON FIELDS:

Twenty-five thousand.

MR. KESSLER:

Towards the Landmark Program, correct.

CHAIRPERSON FIELDS:

In addition, I notice on some of your brochures and advertisements and in the various other spots that we haven't even talked about yet, Deepwells, the Big Duck, Saint James General Store, it has a little section that says that you would like to have contributions submitted by people to the organization.

So I guess my question is you're a non-profit organization, you have all

this money coming in, you get other monies that are donations and you get -- do you know how much money you get in rent money per year from Suffolk County?

MR. KESSLER:

We're running at about two-fifty a year.

CHAIRPERSON FIELDS:

Because according to my tally it's two hundred and ninety-four thousand dollars a year.

MR. KESSLER:

Then I guess -- it could be, I don't have it right off the top of my head. It's somewhere in there. And, of course, that doesn't count -- you have to take off -- you're looking at the schedule and then you have to take off any bad debt, if somebody moves out and doesn't pay you for any reason, which can happen at our level.

CHAIRPERSON FIELDS:

According to the papers, though, nobody moved out and these people live there for quite a while. But I guess my question then is if -- if your organization is -- was put together to be a non-profit organization that preserves and protects and you have, you know, millions of dollars coming in and you've got rent monies annually to the tune of three hundred thousand dollars and then we're seeing properties that it looks like some of the residents actually are improving to their own expense too, some of

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them, where they're not being reimbursed, what are we getting from you and is it worth it?

And that's, you know, up front and out there. Just so that I'd like to be told that, yes, it's worth it, that you have provided us with a service that we can't duplicate anywhere else and that we're getting the best bang for the buck or perhaps those properties, if you can't manage them, and, you know, it's too difficult to manage them, then perhaps a property manager of some sort or another non-profit agency would have the ability to do that.

So, those are just, you know, off the top questions that I have regarding the money. So, in addition, I would like to see a financial report from the Friends showing all of the money that you get and your finances.

MR. KESSLER:

Sure.

CHAIRPERSON FIELDS:

And expenses. So, then I have just some questions. If someone -- and you don't even maybe have to answer them all right now, but this is up

until 2:30 in the morning last night that I put together these questions. If someone breaks a lease, meaning that they don't follow what's in your signed agreement, what is your policy? Do you get security deposits, have you had security deposits from all of the residents?

MR. KESSLER:

I'm sorry. Now, did you want me to answer them one at a time?

CHAIRPERSON FIELDS:

All right. If someone breaks a lease --

MR. KESSLER:

If somebody defaults for whatever reason?

CHAIRPERSON FIELDS:

Right.

MR. KESSLER:

Which could include people we've thrown out where the housekeeping was so poor that we terminated their lease. What we do is terminate the lease, send them an official letter and terminate the lease, because --

CHAIRPERSON FIELDS:

How long does that normally take that they leave?

MR. KESSLER:

They generally leave very rapidly.

CHAIRPERSON FIELDS:

And do you get security deposits from these people?

MR. KESSLER:

In some cases we do where we think they're necessary.

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CHAIRPERSON FIELDS:

According to your agreement, it does say that they have to have a security deposit.

MR. KESSLER:

With some people we do and some people we don't. For example --

CHAIRPERSON FIELDS:

But if they're signing an agreement, then they shouldn't sign that agreement, it should be an agreement that says there is no security.

MR. KESSLER:

Well, we --

CHAIRPERSON FIELDS:

In other words, if I'm signing an agreement and it says security, then have I to pay security unless I'm doing -- you're doing a favor for someone.

MR. KESSLER:

No, I don't think we're doing a favor. I think that the purpose -- you know what the purpose of a security deposit is, the purpose of a security department is from someone you don't know and that you think that they're perhaps going to disappear in the middle of the night on you and that's really the fundamental purpose of a security deposit.

CHAIRPERSON FIELDS:

Do you know the tenant {Schroeder}?

MR. KESSLER:

Do I know the {Schroeder} tenant? Yes, I know the {Schroeder} tenant.

CHAIRPERSON FIELDS:

Do you have a security deposit from him?

MR. KESSLER:

I can't tell you. We've got seventy units and I don't have that committed to memory and I didn't bring the data. If you need the information, we can get it for you. Let me give you an example --

CHAIRPERSON FIELDS:

Hold on.

LEG. ALDEN:

Just on the security deposit, I practiced landlord and -- landlord tenancies for probably about twelve years and that's really not the definition of a security deposit. A security deposit would be collected by a landlord to insure upon the removal from the premises of the leaseholder that there's no damage done that can't be covered by that.

MR. KESSLER:

That's the other part of it, I agree with you.

LEG. ALDEN:

Because otherwise, you're really not allowed to take it for non-payment of rent or something along those lines. A security deposit is covered by

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New York State law, it has to go towards damage of the unit.

MR. KESSLER:

We're talking about somebody who moves out owing you money?

LEG. ALDEN:

You can't take that money, you can't take a security deposit to cover that. If they damage the unit, you can go to Court and you can get it released to that, but you can't take it for non-payment of your lease or rent.

MR. KESSLER:

That's not something we -- fortunately, that's not something we have to experience all the time, because --

LEG. CARPENTER:

May I just pick up on that? Jerry, I would just want to remind you of an old adage when you're deciding whether or not you charge security deposits. You said or I understood you to say that if it's somebody that you know, but there's an old saying that you don't know someone unless you live with them or work with them. So even though you may know someone, when they're in the situation and they're, you know, living in our property or, you know, on public property and there are damages done, you're not going to know that someone may or may not do that just because you know them. So, for what it's worth.

CHAIRPERSON FIELDS:

Again, you know, looking through all of the material that I have received, it is part of the contract that a security deposit should be received by the Friends from the tenant. And so again, that's another example of the, you know, we need to look at this.

How often are increases in rent?

MR. KESSLER:

What we've done, our pattern has been -- and we followed the HUD schedule. HUD produces a schedule of rents by a County in every County in the United States, they produce it every October. What we do is our historic --

CHAIRPERSON FIELDS:

Did you give us that?

MR. KESSLER:

I beg your pardon?

CHAIRPERSON FIELDS:

Did you give us that HUD report?

MR. KESSLER:

No.

CHAIRPERSON FIELDS:

Are these rents --

MR. KESSLER:  
Beg your pardon?

CHAIRPERSON FIELDS:  
Are these rents equal to HUD amounts?

MR. KESSLER:  
No.

CHAIRPERSON FIELDS:  
They're lower than HUD amounts?

MR. KESSLER:  
They're lower.

CHAIRPERSON FIELDS:  
So then the answer to your question is you go by --

MR. KESSLER:  
No, I didn't say -- I said what we do is we look at the changes in the HUD schedule, the percentage changes each October. I was trying to answer the question.

CHAIRPERSON FIELDS:  
I see. Okay.

MR. KESSLER:  
What we do is we've been tracking the HUD changes, percentage changes on their fair market housing that they publish every October and what we do is our pattern has been a -- we've been raising the rents eight percent, four percent a year, every other year we raise the rents four percent and then the following year four percent again. And then we go -- we rest for twelve months and then repeat the pattern.

From 1993 to the year 2001, HUD's change in fair market value was twenty-three percent in our range, our change was twenty-seven percent. In other words, we're intentionally keeping ahead of the curve on the HUD change in rent, we're not -- we're not telling you that -- and we've told you before that there are, the reasons, and I indicated -- as I indicated to you that when the houses are put into the program, the Department of Parks establishes and approves those, those license fees at that time and that's the origin of them.

But there are differences between the HUD conditions and the landmark conditions that the Friends engage in. And I can -- there are nine, there are nine differences against what's called normal rental housing in the market place, I just might, just might rattle them off for you.

The first one is license. Our license may be cancelled within thirty days without cause. That's in the license agreement that we've given to you. The license fee may be increased anytime. And that's embedded into the license agreement. That the licensee is responsible for all repairs and maintenance for up to a hundred and fifty dollars per incident. And you won't find that in the type of HUD fees or normal leases.

The lease has only use of the -- up to the building's interior inside

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wall by the agreement. The exterior use is subject to approval of the Parks Department. And I guess I use this as our best example, and that is the Sayville Gate House in which the person that lives in that house, if you've been there, his front yard is the golf course and the supervision of Parks has given him only permission to park two cars there and no permission to use the outside of the property.

And we actually had a tenant there who had -- who was divorced and used to bring children over on the weekend, his children, and he wanted to play outdoors and they had their bicycles outdoors on the golf course and the Commissioner requested that he be removed from the house, because he wanted to have his children play outside and they didn't want them playing on the golf course. So that's a -- that's a real restriction. And I've given it to you in one that you can visualize.

The licensee must obey all the rules and regulations of Parks, such as restriction in the license agreement. It says no pets unless approved by Park management. The licensee do not have privacy of public or private property as due to the public visitation and Park supervision who have to be around at all time because they are located in a park.

The licensees are requested to provide incidental security. And what we mean by that, and can you see it in the license agreements, is they're expected if something is going on in the park and a number of these are remote units, they're expected to report it to park police.

The occupancy is limited to two persons for the first bedroom and one person for others unless permission is granted. And the final one is the responsibility, licensee's responsibility for all interior decorating. And what we do is give them a three hundred dollar decorating allowance every three years.

So, you have a series of differences at least perceived by the Landmark Program then you do over just what's called public housing or private housing that people would rent for a market rent in a community.

**CHAIRPERSON FIELDS:**

So you're saying that we should charge less because of that agreement, but I would argue that in Suffolk County the rents are far and large way

beyond the prices that we're charging. And just members looking at some of these pictures, that I'd live in that house in a New York minute, you know, and I think that -- I would argue that there would be many people who would live in these houses and pay more.

MR. KESSLER:

Ginny, as you know, our contract on page 45, (A) says that Parks establishes really and approves the rents, so that's something that is outside of our -- is outside of our --

CHAIRPERSON FIELDS:

Okay. They approve the rents, but if you were to say according to your agreement that you wanted to increase it, have you ever offered to increase it and the Parks Department has said, no, we don't want to increase it?

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MR. KESSLER:

No.

COMMISSIONER GORDON:

No.

MR. KESSLER:

Absolutely not.

CHAIRPERSON FIELDS:

Another question I have is that there are no pictures of the Coindre Hall apartments. Why do we not have photographs of those?

MR. KESSLER:

Because we -- none of the pictures that we've taken so far are of the inside of people's homes. These are all exterior pictures. If the Committee wanted pictures of the inside of the homes, we certainly can do that. But I'm not sure, and I think we were trying to respect people's privacy, but I --

CHAIRPERSON FIELDS:

Well, except that we own those houses, Suffolk County owns those houses, so I would like to see pictures of those apartments very much so and I think most people would. And I'm sure that --

LEG. CARPENTER:

At least --

MR. KESSLER:

Beg your pardon?

LEG. CARPENTER:

Maybe without going into the apartments, you could at least get a sense of what we're looking at by the building, the hallway where the door is, do you know what I'm saying, without going into the apartments, but it's been omitted.

MR. KESSLER:

I will be very happy to do it, it will take us two minutes to do it. It's pretty pedestrian looking, it's just a door from the outside. What you see is a series of windows on the second floor at Coindre Hall, but we'll be more than pleased to do it.

CHAIRPERSON FIELDS:

I would ask, you know, if --

COMMISSIONER GORDON:

I think one of the reasons maybe why we didn't include Coindre Hall is because you could look at the outside and say, oh, somebody is living in a mansion, but the apartments are much, much smaller than the entire building. And as you may be aware, much of that building is used for catering activity. So I think that that's probably why, because we consciously didn't include that.

CHAIRPERSON FIELDS:

How many apartments are at Coindre Hall?

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COMMISSIONER GORDON:

Two.

MR. KESSLER:

We have two units.

CHAIRPERSON FIELDS:

There are only two apartments?

COMMISSIONER GORDON:

Well, there's two apartments and then there's a room that's rented out to a group that meets I believe on a monthly basis.

MR. KESSLER:

A historical group.

CHAIRPERSON FIELDS:

And those two apartments, one is a second floor apartment, living room, kitchen, two bedrooms, and this gentleman pays a hundred and eighty-two dollars a month. And according to the Parks policy for rent, this gentleman should be paying eight hundred and sixty-one dollars a month.

MR. KESSLER:

Mr. Barbier is our building superintendent.

CHAIRPERSON FIELDS:

Does he get paid to be a building superintendent, does he get a salary?

MR. KESSLER:

What he does -- yes, we're offsetting his responsibilities. His responsibilities include checking the building every night. I think I indicated to you in my report, there are twenty-five to twenty-eight doors in the building. The building has to be checked every night from a security viewpoint. The gate --

CHAIRPERSON FIELDS:

What's his salary?

MR. KESSLER:

Beg your pardon?

CHAIRPERSON FIELDS:

What is his salary?

MR. KESSLER:

We do it in a rent reduction.

CHAIRPERSON FIELDS:

So he doesn't get a salary?

MR. KESSLER:

No, he does not.

CHAIRPERSON FIELDS:

You reduce his rent by six hundred dollars, so he gets six hundred dollars.

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MR. KESSLER:

He gets seventy-two hundred a year, that's the multiple rent reduction for -- he mows the lawn, he mows the lawn, he does all incidental repairs in the building, he opens and closes the gate each morning and night on the property. It's a gated park and he's responsible for answering all fire alarms for the building when they go off and being the building superintendent.

And I think seventy-two hundred dollars, you really kind of couldn't buy that, if you were trying to buy somebody to do that, and he lives in the building.

COMMISSIONER GORDON:

And the Parks Department doesn't have any regular staff at that site

either.

CHAIRPERSON FIELDS:

And we pay utilities also for that apartment.

MR. KESSLER:

Yes, you do.

CHAIRPERSON FIELDS:

The second floor apartment is a living room, a kitchen and two bedrooms and he pays six hundred and twenty-one dollars a month. He should be paying eight hundred and sixty-one.

MR. KESSLER:

He's our back-up, he's our back-up security. The building is so large that it was determined back in the early 90's -- actually we had three units in there, because the building is so large and it requires that you have back-up for a building that size, because our building superintendent does have to be off premises at times and what they'll do is they'll back each other up on security issues.

CHAIRPERSON FIELDS:

So he pays -- he gets a reduction of two hundred and something dollars every single month.

MR. KESSLER:

He doesn't mow the lawn, but he's our back-up.

CHAIRPERSON FIELDS:

Yeah, but how often do you need a back-up?

MR. KESSLER:

Well, there's a lot going on. How much is the reduction you're saying?

CHAIRPERSON FIELDS:

He should be paying at least eight hundred and sixty-one dollars, he pays six hundred and twenty-one.

COMMISSIONER GORDON:

Doesn't he also have responsibility over the boathouse?

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MR. KESSLER:

Yeah. He also is secretary and an active member of the Sagamore Rowing Club and he's responsible --

CHAIRPERSON FIELDS:

But that's not our -- that doesn't matter to us.

COMMISSIONER GORDON:

No, they're in our building. He keeps an eye on the boat, he checks the boathouse for us.

MR. KESSLER:

He's in the boathouse.

CHAIRPERSON FIELDS:

What I'm saying is Sagamore Rowing Club is not an entity of Suffolk County, so we shouldn't be --

COMMISSIONER GORDON:

No, but he -- part of his responsibility -- part of the rent reduction is that he checks the boathouse on a regular basis and that's a Suffolk County building and that's, that's --

CHAIRPERSON FIELDS:

Is the boathouse attached to Coindre Hall?

COMMISSIONER GORDON:

No, it's down on the harbor.

CHAIRPERSON FIELDS:

It's the one that when you go all the way down at the bottom of the hill, it's down there?

COMMISSIONER GORDON:

Yes. But again, we don't have staff there and that's a help to the Parks Department.

CHAIRPERSON FIELDS:

What about Mr. Barbier?

MR. KESSLER:

Barbier is our building superintendent, the one that's in the hundred and eighty-five.

CHAIRPERSON FIELDS:

So why couldn't he check the boathouse? If he's getting -- if he's paying a hundred and eighty-two dollars a month rent --

MR. KESSLER:

As I indicated to you, you have a thirty-three acre park there and I didn't make all these determinations. We're going back --

CHAIRPERSON FIELDS:

I'm just saying when you look at a rent that's a hundred and eighty-two dollars a month for two bedrooms and he should be paying eight hundred and sixty-one dollars, and that's still lower than you'd pay for a two

bedroom house anywhere for an apartment, you know, and now you're reducing another man by a couple of hundred dollars, because, you know, it's a question that certainly --

MR. KESSLER:

I think we just kind of went back to the differential on Barbier, seventy-two hundred for what he does on a year round basis, and it would be difficult to hire somebody for that. I guess that was what we were saying.

CHAIRPERSON FIELDS:

Well --

COMMISSIONER GORDON:

And we in the Parks Department think that the arrangement as it is has worked out extremely well.

MR. KESSLER:

It's a pretty good bargain for the County, I would think.

COMMISSIONER GORDON:

Again, because we don't have any staff there on a regular basis.

CHAIRPERSON FIELDS:

That's plus utilities. So, you know, again, it's just a question of it's Suffolk County property, is Suffolk County getting what it should get?

MR. KESSLER:

I think it's getting, personally, from my perspective, I think they're doing pretty good there.

CHAIRPERSON FIELDS:

Well, I'm sure you think that.

MR. KESSLER:

Because they've got an excellent, excellent custodian who does a tremendous amount of work in the building. Just small things, something breaks, it gets fixed.

CHAIRPERSON FIELDS:

Well, speaking about that, there are reports, inspector reports on almost all of the buildings, but there are no inspection reports for the Coindre Hall building apartments. Is there a reason why you didn't have an inspection?

MR. KESSLER:

I can't answer that one. I think -- I can't answer that one. I can get you an answer, but I can't answer it now. I don't know whether we -- whether it was excluded or we didn't have them.

CHAIRPERSON FIELDS:

How much do these two pay in utilities each month?

MR. KESSLER:

Who is that?

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CHAIRPERSON FIELDS:

The two people that we just talked about at Coindre Hall.

MR. KESSLER:

We pay the -- we pay the County ninety dollars a month for utilities for each of those units.

CHAIRPERSON FIELDS:

Is there air conditioning?

MR. KESSLER:

No.

CHAIRPERSON FIELDS:

There's no air conditioning, so it's just heat.

MR. KESSLER:

No. As you know, we just air conditioned Coindre Hall. I indicated to you in my write-up to you, I used the phrase, use space, those two, those are not use space, those are apartments. No, they --

CHAIRPERSON FIELDS:

So ninety dollars a year -- ninety dollars a month?

MR. KESSLER:

For the utilities, correct. And that's worked out on a formula basis Parks gave us, that was the number Parks gave to us.

CHAIRPERSON FIELDS:

In all of these rentals, which rentals are expected to do their own yard maintenance or which are not?

MR. KESSLER:

I couldn't -- I'd have to take each one and discuss it with you individually depending upon like -- I can tell you the Sayville Gate House does nothing, because he's on the golf course. But I'd have to go

through each one of these and determine the location. I can tell you that the Stemmler House, I'm taking it from memory, the Stemmler House--

CHAIRPERSON FIELDS:

What number is the Stemmler?

MR. KESSLER:

-- he does his own.

CHAIRPERSON FIELDS:

Which number is he?

COMMISSIONER GORDON:

I think it might be the last one on your list.

MR. KESSLER:

Yes. 135. I think it's the last picture in the building, last picture. West Hills County Park, the Oakley House, he does his own. There's a whole -- I'd have to go down each one of them. By and large, unless it's exactly in a park and exposed and under park control, they are

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responsible for doing the landscaping, grounds.

CHAIRPERSON FIELDS:

When you requested to meet with me before this meeting, you and the Commissioner, the present Commissioner, went over some of the park properties and you told me that the nuns that live in Babylon, the four nuns that live in Babylon do their own landscaping, yet in the inspector's report it says Suffolk County does the landscaping. And I see that many times here.

So I'm also wondering if it is according to the agreement that they're supposed to do it, but perhaps they didn't do it and Suffolk County picked it up and they're doing it, are they not only getting a reduction in their rent, but also all of the yard maintenance that the County provides and yet you're receiving the rent for it?

MR. KESSLER:

I don't know whether that's accurate or not, I can't speak to that.

CHAIRPERSON FIELDS:

Okay. Well -- so I would want a report also of which of the houses are doing their own yard maintenance and which are not.

The inspections you said for this year are currently being done or you don't know if they're being done?

MR. KESSLER:

He's doing inspections now, of course.

CHAIRPERSON FIELDS:

One of the pieces of property has a pool in the backyard and when I looked at the property, I saw that it probably hasn't been used in at least a year, it was all green, and, in fact, when we talk about West Nile Virus, it certainly is a place that would breed mosquitos.

When -- how often are you looking, in other words, do you just depend upon your inspector to do an annual report and you don't look?

MR. KESSLER:

Ginny, all of these units are in County parks and all of the parks to my knowledge have Parks supervisors.

COMMISSIONER GORDON:

No, they don't all have Parks supervisor.

MR. KESSLER:

Well, they have people who are in the park.

COMMISSIONER GORDON:

People that do go in there on occasion. The particular site that Legislator Fields is talking about is the Robinson Duck Farm, and I'm not sure if any of you are aware, but a couple of years ago we were going through a process to sell that site to Wertheim, the National Wildlife Refuge, which is adjacent to it, and we made a concerted -- that process took I think in excess of two years and we made the decision to ignore the site, because we thought it was going to Wertheim. That whole

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arrangement agreement fell through and we need to put that back on our radar screen, because, to be perfectly blunt, we've ignored it and the Parks Department needs to take some action over there.

MR. KESSLER:

Well, all the -- the building, the old garage has all been cleaned up.

COMMISSIONER GORDON:

Yeah, but there's still issues over there that the Parks Department needs to deal with.

CHAIRPERSON FIELDS:

Then I'm really having a question, because if your contract says that they are supposed to keep these facilities in good -- in good shape or good, I forget the exact terminology --

COMMISSIONER GORDON:

Well, that particular site, Legislator Fields, it may be up to us to go

in and do an inspection, interior, as well.

CHAIRPERSON FIELDS:

But this is a Landmark Preserve Program policy, Friends for Long Island's Heritage --

COMMISSIONER GORDON:

Well, again, as I said, I'm telling you that we did make -- we made the decision to ignore it because we thought we were selling the property.

CHAIRPERSON FIELDS:

But you're not collecting the rent, he's collecting the rent.

COMMISSIONER GORDON:

Yes, I realize that.

CHAIRPERSON FIELDS:

He's collecting the rent, because he has a signed agreement and the signed agreement says that the Landmark Preserve Program of Friends for Long Island's Heritage is a cooperative effort with the County's of Nassau and Suffolk to insure the preservation and maintenance of architecturally and historically significant landmark structures throughout the bi-County area that provide a beneficial and meaningful -- meaningful influence on the environment of the counties.

It goes on that the licensees will enhance the protection and preservation of the structures and adjacent park or preserve areas. And it goes on and on and on and it talks about the quality of the structure, it talks about restoration, rehabilitation, major capital repair projects. It talks about licensees must obey and follow all general regulations and rules of the County. Rules or restrictions may also be established by an individual park or preserve supervisors, including methods of entry, da, da, da. It says that the Landmark Preserve Committee shall meet annually to review all license charges and make such adjustments it deemed necessary.

So, it seems to me that when you have an agreement that you have signed, whether the Parks Department says, well, we may be giving this away or

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not, you're still collecting rent. And even if we were to give this, sell this, transfer this to Wertheim, when you walk in that property and you see that there is a garage that's filled with litter and debris and that the property is absolutely disgusting and by any standards looks like a -- it's terrible, I would think that Wertheim wouldn't accept it until it was cleaned up. I wouldn't.

COMMISSIONER GORDON:

No. That wasn't -- they were -- the agreement was that they were going to take it as it was.

CHAIRPERSON FIELDS:

That was as it was then.

MR. KESSLER:

Ginny, that garage is not in the Landmark Program, that's --

COMMISSIONER GORDON:

But the site -- that site, Legislator Fields, has not really changed significantly probably in the last five years and probably some of the debris that's on the site was there when the County took it over.

CHAIRPERSON FIELDS:

I have people that live in the area that don't agree with that at all and they would probably sign a statement saying that it wasn't like that five years ago.

MR. KESSLER:           Ginny, to kind of back up a little --

COMMISSIONER GORDON:

Well, again, as I said, the Parks Department did ignore that, we need to get it back on our radar screen. And I'm telling you today that we are going to be doing that.

CHAIRPERSON FIELDS:

Okay. But what I'm trying to say is, Jerry, you're collecting rent on these properties and, you know, as a Legislator, I'm assuming that because we are in a contract with Friends, that you're taking care of our property, which is not even our property, it belongs to Suffolk County, so I'm assuming that we all think that our trust is in you and you are going to handle this to make sure that it is in good shape.

So, number one, we don't have a work plan of any -- we don't have a report of how you got the buildings, we don't have a work plan of you telling us what you're going to do on the buildings, and then when I drive around just to see what kind of shape they're in, it looks like they are totally ignored and completely ignored, some of them. Others, you know, there's just, you know --

MR. KESSLER:

Ginny, just for a second. I think if you back up on those, specifically the Robinson Duck Farm buildings, when the County acquired those buildings, those buildings had been completely stripped on the inside of all, all heating, all plumbing, all electric and all water. And I don't know why --

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CHAIRPERSON FIELDS:

All three of them?

MR. KESSLER:

All three of them. They were completely -- all the plumbing fixtures were taken out in the basement, all the heating units were taken out, all the electrical was cut off to the building, all the electric was cut off, all the electricity was taken out, running down into the street. They were -- and I don't -- I had nothing to do and I don't even know why, but they were delivered as buildings with absolutely no utilities in them.

So, what we have done over a period of years is we've gone in and we've put heat, new heating units in all the buildings, we had to put wells in all the buildings, we had to re-plumber all the buildings, we had to bring in electric down the whole road, there was no electric to the site anymore.

So, you know, going back over in time, there's been a lot of work done on that property to protect the property for the people of Suffolk. If you're saying to me that Mr. {Schroeder's} yard isn't of the neatest and maybe looks like he's running a garage sale each week, I might agree with you.

And perhaps some of the tenants aren't the neatest people in the world, and I'm not sure whether even urging from us would prevent totally except we could put --

CHAIRPERSON FIELDS:

It has nothing to do with urging, it's in the contract.

MR. KESSLER:

-- put new people into it.

CHAIRPERSON FIELDS:

But it's in the contract, it's not urging. These are -- if someone signs a contract, then that's what the rule is. If -- if, you know, if I rent a house and I don't do what my landlord wants me to do and he comes to me and says you're not abiding by this contract, you're going to abide or you're going to get out, there's no question.

MR. KESSLER:

We have put people out of the units. And I guess, you know -- and can anything be improved? Sure, it can be improved. Have those properties been improved from where we started ground zero about eight years? I think dramatically. Can they always be improved more? Sure, they can be improved more, everything we do.

But I think, you know, if you take a look at -- and I think if you want

to look at the program on a balance, did you take a look at the Oakley House in West Hills when you were driving around?

CHAIRPERSON FIELDS:

No.

MR. KESSLER:

Well, there's a house that we put over a hundred and fifty thousand

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dollars into. It's a very, very -- you have to remember something too, some of these houses are important historic houses, and others, like the Robinson Duck Farm, are not important historic houses. And so if you take a look at emphasis and you look at the Oakley House, which is, as Richard Martin will tell you, is a very important historic building, that building we put in, what is it, a hundred and some odd thousand?

LEG. CARPENTER:

Hundred ninety-four.

MR. KESSLER:

A hundred and ninety-four thousand dollars into that building, including moving the building from its location, which was to the south of it, up onto the new site. And I think if you went and took a look and you went into that building and you looked at that building, I think you'd be very pleased with it.

And I think you've got -- sure, can you go around and take and find problems? Sure, you can find problems. And are we going to be perfect? No, we're not going to be perfect. Do we think this should be emphasis? Yes, this should be emphasis.

CHAIRPERSON FIELDS:

Well, my point is this, if you have a contract and the County contracts with you to do what's in the contract, then I would ask that if you sign the contract and you're accepting the rent money, then you have to abide by the contract just as the tenant does. And if the tenant isn't, then you're not.

MR. KESSLER:

Yes, I would agree.

CHAIRPERSON FIELDS:

And so I would ask that every single one of those be looked at and a report, an inspection, every inspection report be analyzed and then a response to this -- to this Committee of what you've done since a year ago and, you know, what we are getting back.

If you go through every single one of these rents, one-on-one, the rent

is five hundred and fifty-two dollars and it should be at least six forty-six. Another one is six thirty-one, it should be seven thirty-eight. One is seven fifty-nine it should be eight thirty-one. One is six hundred six, it should be six forty-six. One is -- states that it should be fourteen eighty-two and yet the inspection report says the rent is fifteen thousand five hundred dollars. Another one is six thirty-one it should be eight thirty-seven. One is one eighty-two, should be eight sixty-one.

One has no report at all as far as an analysis, that was the rowing club. The Coindre Hall first floor apartment has no report.

MR. KESSLER:

That apartment doesn't exist anymore. We moved it upstairs this year.

CHAIRPERSON FIELDS:

Okay. But we don't have a report, we don't have an up-to-date analysis.

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MR. KESSLER:

We can give you -- we can give -- once asked, we can generate all this information. And we've always worked very closely with Parks, they always know what we're doing. There's nothing, like Coindre Hall was totally planned out. We had brought in outside architects, we developed all architectural plans.

CHAIRPERSON FIELDS:

Okay. But that's information that we would like to have available.

The next one is, you know, a report that says that, you know, there are dogs and cats. And then I see that there's a, you know, a boarded-up front and an abandoned vehicle. Another one says the washing machine and dishwasher drain to a ditch in the rear yard. Another one says that they're paying five hundred and sixty-three dollars, but they should be paying one thousand twenty-three dollars.

One says that, it indicates a living room, kitchen, dining room and three bedrooms with one and a half baths, yet the inspection report says they also have a laundry room and pantry. They're paying seven eighty-five it should be nine-thirty. Here's a washing machine drains through the window to the backyard to save cesspool. That's what it says in the report. He should be paying seven hundred -- he pays seven thirty-one, he should be paying one thousand one hundred and sixteen.

There is one that talks about cats that are in the house and there is an odor throughout the house of the cats. Seven live-in cats. And when I drove there, I must have seen twenty cats outside. Again, if that person moves out, you're, you know, you're going to have a lot of work to do or perhaps you're going to say I don't want to do this anymore and give it

back to the County, which apparently has happened with a couple or at least one.

MR. KESSLER:

No, we've never --

CHAIRPERSON FIELDS:

At least one.

COMMISSIONER GORDON:

No. The County might take, but they've never --

MR. KESSLER:

The County takes back, we've never returned any houses, Ginny.

CHAIRPERSON FIELDS:

So, you know, it's still going to be work that is going to have to be done when it possibly doesn't have to be done.

There is another one where they are storing a multitude of cars all over the property, trucks, buses, and that's across the street from the house. So he rents the house, he's got a number of vehicles parked there, but then across the street from there he must have ten or fifteen other vehicles there. Are we charging rent for that property?

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COMMISSIONER GORDON:

No, we're not. But again --

CHAIRPERSON FIELDS:

It's a parking lot.

COMMISSIONER GORDON:

And to my knowledge, I believe that tenant came with the property and I think that that was going on when the County acquired the property.

CHAIRPERSON FIELDS:

But we have a thirty-day lease and we can --

COMMISSIONER GORDON:

Yes, we do, you're exactly right.

CHAIRPERSON FIELDS:

-- look at that property and if we're looking at raising taxes and everything else, we have a fiscal responsibility here.

COMMISSIONER GORDON:

And I said several times this afternoon, the Robinson Duck Farm we need to get on our radar screen, and I'm making the commitment to you today

that we will do that.

CHAIRPERSON FIELDS:

But it's in his program.

COMMISSIONER GORDON:

Well, but some of the responsibility is County also. I don't think it's fair to blame the Friends totally for that situation.

CHAIRPERSON FIELDS:

Well, it doesn't matter, somebody should get more money. And if we charge someone to go into a park to have a fund-raiser and raise money, you know, to walk around in a hike and we charge them a couple of hundred dollars or whatever it is to use it for a couple of hours one day, and we have park property that a man has fifteen vehicles on and uses as a large parking lot, well, then we need to get rent for that. And that we owe to Suffolk County residents, because we're giving away their property for someone to have their own personal gain. And that to me is totally wrong.

Here's another one that's living room, kitchen, two bedrooms, yet the inspection report says it's three bedrooms, and he pays six forty-nine, but he should be paying eight thirty-seven. Another one indicates that there are rat problems. Another one indicates that seven hundred and sixty-nine dollars, he should be paying eight hundred and thirty-seven. One pays six nineteen, he should be paying eight thirty-seven. One pays eight thirty-seven, he should be paying one thousand seventeen.

MR. KESSLER:

Ginny, I'm sorry. Where are you getting that should be paying?

CHAIRPERSON FIELDS:

Well, according to your list, you say if it's a one bedroom they pay

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this, if it's a two bedroom they pay that, if it's a three bedroom they pay that.

MR. KESSLER:

I'm saying where are you getting the second number from, I'm sorry?

CHAIRPERSON FIELDS:

If you add up the bedrooms --

MR. KESSLER:

Oh, you're doing it off the --

CHAIRPERSON FIELDS:

Off the base.

MR. KESSLER:

You're doing it off the inspection's report and then --

CHAIRPERSON FIELDS:

No, I'm doing it -- well, I'm doing it because you say, let's say, it says living room, dining room, kitchen and two bedrooms, and it's a Landmark Preserve Program, Suffolk units. And it says unit 103, and then it tells you who the resident is, it's at Inlet Pond County Park in Greenport, and it says that they pay seven hundred and fifty nine dollars. You also supplied me with a list that tells you what the base rent is and then each additional room is ninety-three dollars more than that.

MR. KESSLER:

Okay. I see. I see.

CHAIRPERSON FIELDS:

So if you take the tier one and the tier two and you do one base unit, one bedroom, it's six hundred and forty-six dollars; two bedrooms, seven thirty-eight; three bedrooms, eight thirty-seven; additional rooms, ninety-three dollars.

MR. KESSLER:

Okay. Ginny, let me just -- we initiated the tier one, tier two rates about three years ago. And when you look at these rates and you look at some of the units, what we didn't do, we didn't take at the time we created these and move everybody's rates to match these. That's why you were just perplexing me a little bit on saying what they should pay, because some of these people that were in the houses when the rents were lower, what we did we made, about three or four years ago we made some major adjustments for new tenants coming in.

And so I think what you're referencing is that we didn't back up and move everybody's rents up to the new rates. What we did, we used it on the going forward basis.

CHAIRPERSON FIELDS:

Okay. But again --

MR. KESSLER:

So that's why you were perplexing me a little bit.

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CHAIRPERSON FIELDS:

Again, if you owned these houses, if Jerry Kessler owned these houses and this was a home that you bought and you paid a mortgage on and you now rent it out, you would be charging the amount that it should be charged for, and Suffolk County residents should get what the demanding rate

should be.

And so when you go through all of these and you see that there are a medley of problems, that they're not really being looked at, they're not being addressed, the inspection report tells you that there are a number of problems and yet you drive-by a year later and the same exact problem exists, you're not providing a work plan to us, there are -- some reports say that it's termite infested, that certainly doesn't protect and preserve that home. And if there are termites --

MR. KESSLER:

If they're a year old, I can't tell you in a year what program -- what has been done against all of those. I mean what you're doing is -- you're perfectly entitled to read them as you are, but you indicated to me they are a year old and I can't tell you what work has been done off every one of those, because you've got all of them and I can't tell you every bit of work that's been done.

LEG. FOLEY:

That's the point. May I just follow up?

CHAIRPERSON FIELDS:

Well, that is the point. Go ahead.

LEG. FOLEY:

Just to say it respectfully, but to the point, that is the point. And that's part of the reason for today's Committee hearing, if you will, is to make that the point and to, you know, if you will, better coordinate the -- what should be done by Friends and the information that should be forwarded to the Parks Department.

So, there's a few things from today's Committee meeting that -- there's acknowledged improvements that will be made, and I'm glad to hear the Commissioner say it, but as to a point, if the year's gone by, and again, I say this respectfully Mr. Kessler, but if the year's gone by, someone in your shop or in your office has to have, again, as part of a time line of doing a project --

MR. KESSLER:

We have all of that.

LEG. FOLEY:

All right. So that gets to the point of it's a year later, what's been done?

MR. KESSLER:

The Commissioner -- I'm sorry, but the Chairman didn't ask for that information, she just asked for the inspection report.

LEG. FOLEY:

I understand that, but as well prepared as you are, I know you can also

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anticipate what might be asked at a meeting that may not have been asked before a meeting. So that kind of information is important to have and, again, it gets, I'm just repeating myself, but it gets to the point of that's the kind of a thing that after a year's time that information and an update should be given to the Parks Department as to where those -- where the work plan stands. And will you be able to do it now from this point forward?

MR. KESSLER:

Sure. We document everything, everything is documented.

LEG. FOLEY:

Well, you just gave the impression to the Committee that you didn't, that you didn't know a year later whether or not some of the work was being done.

MR. KESSLER:

No, she's asking me off the top of my head, and I can't -- we manage seventy units and I don't have every --

LEG. FOLEY:

I understand that.

MR. KESSLER:

-- every washing machine that's going out the window.

LEG. FOLEY:

I understand that, but to refine the answer then is you do have that information, you just don't have it readily at hand today?

MR. KESSLER:

Correct.

LEG. FOLEY:

Okay.

MR. KESSLER:

Correct.

CHAIRPERSON FIELDS:

All right. I'm going to --

LEG. FOLEY:

So you'll be able to forward that information at the next meeting then?

MR. KESSLER:

We'll produce the reports.

LEG. FOLEY:

And finally, you know, there is information that we're asking for, but obviously all this information should be given to the Parks Department, since they are the direct management of these facilities. So it's not just to go to us. If we ask for anything, it should automatically also be given to the Parks Department. Thank you, Madam Chair.

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CHAIRPERSON FIELDS:

What I'm going to ask and just state on the record, every Legislator, when they take the oath, also acknowledges that we have a fiduciary responsibility to the County taxpayers of Suffolk. And when you look at a program that we have given away to manage, because we can't do it and we expect it to be managed better, and we're talking about market value and we're talking about how much money Friends makes and how much money Friends gives back to us, yes, you have a lot of properties, yes, you're doing some work. Can you do more? I would like you to do more, I would like you to invest more money back into the houses, you know, and that's I guess to be determined.

But what I would like to see next month at the next Committee meeting is for you to return with the response to all the inspection reports.

MR. KESSLER:

Sure.

CHAIRPERSON FIELDS:

And the financial report and the -- all the other questions that I've kind of been asking and many of the other Legislators have asked, so that we have an update, so that I feel comfortable and that I can turn around to my constituents and say, you know, if we ever have to consider raising taxes, it's because we've done everything else in our County to make sure that we're protecting and we're getting as much revenue in and we're getting back and protecting things for you, the taxpayer.

LEG. ALDEN:

Madam Chair?

CHAIRPERSON FIELDS:

Yes.

LEG. ALDEN:

I think our next Committee meeting is next week.

COMMISSIONER GORDON:

Yes, I was going to point that out. Can we delay it until December or do you want it by next week?

CHAIRPERSON FIELDS:

December meeting.

COMMISSIONER GORDON:

Fine.

MR. SABATINO:

11th.

CHAIRPERSON FIELDS:

December 11th. Okay. Does anybody else have any other questions? Okay. Unless you have something else that you'd like to leave with us?

MR. KESSLER:

Just thank you for the opportunity.

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CHAIRPERSON FIELDS:

And thank you for answering and providing this information. Thank you.

We have a card. Elizabeth Koerner regarding dog parks.

Jerry, when does the contract with the County expire, the Friends' contract?

MR. KESSLER:

It was -- we gave you a copy of it. And it was just renewed in '02 for -- through '08.

CHAIRPERSON FIELDS:

So your contract goes from 2002 to 2008?

MR. KESSLER:

Yes.

COMMISSIONER GORDON:

I think that might be incorrect.

MR. KESSLER:

Let me get it here, hang on.

CHAIRPERSON FIELDS:

I have only received one card. Are there more?

LEG. FISHER:

Yes. There are people who came to speak, but you don't have cards.

CHAIRPERSON FIELDS:

I don't have any cards. If you're here to speak, could you please fill out a card.

MR. KESSLER:  
Ginny, do you want the answer?

CHAIRPERSON FIELDS:  
Yes.

MR. KESSLER:  
It runs through July 31 of '08. And we gave you a copy of it. That was the extension in which --

CHAIRPERSON FIELDS:  
All right. Because I have about three agreements and one said that it expired in '03.

MR. KESSLER:  
But we indicated to you there was an attachment to it.

CHAIRPERSON FIELDS:  
Maybe I didn't get the attachment.

MR. KESSLER:  
There's the attachment. I think we gave you copies.

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CHAIRPERSON FIELDS:  
I don't think I saw that, but it doesn't --

MR. KESSLER:  
It's an attachment that provided for the County to work with the Friends on the use of capital funds, similar to what we just did in air conditioning Coindre Hall.

CHAIRPERSON FIELDS:  
Okay. So let's begin. Thank you very much.

MR. KESSLER:  
Okay.

CHAIRPERSON FIELDS:  
I guess, Commissioner, if you wouldn't mind staying there, because we'll probably have to go back and ask you a couple of questions as things go on.

Elizabeth Koerner, are you here? Come on up to the podium. And did we indicate that, yes, there are other speakers?

MS. KOERNER:

Good afternoon. Since I last spoke about this subject, I did some research. I went with a friend down to Coindre Hall, although I'm quite familiar with the area, because I was born and raised in Huntington Village, things do change and I hadn't been there in a few years.

So we parked my car and proceeded to go down, walk down the magnificent, beautiful great lawn and we hugged over the perimeter near the trees on the right-hand side. And about halfway down that great lawn was a group of people with dogs, and as we came in alignment with the dogs, three of them came running over to us, and one was a large German Shepherd.

I am not afraid of dogs, but I don't know these dogs and nobody called them, nothing. So I turned my back, faced the trees, so did my friend, this dog jumped up on my back, still nobody from the dog group came over and got them, said, we're sorry, or anything. And as I turned my back, it was to protect my face if anything was going to happen, it was useless, because three more came running out of the woods. So much for picking up their waste and so forth, I bet nobody is going into the woods to do that.

And now I remind you I'm on a fact-finding mission, because I believe total that you must be a product of the product if you're going to speak about anything you're campaigning, I wanted to see what was going on. So then I walked down to -- with a friend down on the right-hand side approaching the boathouse and reminiscing how my great grandfather taught my brother and I how to row right out there, and the big rock, wondering if it was still there that he told us at low tide was a whale. Yes, the rock is there.

And I realized how I knew it was, but I realized how very, very sensitive, because my knowledge is much keener now about these environmental issues, how very, very sensitive an environmental area that is and I plead with all of you to go visit it, if you haven't already.

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So we're approaching the boathouse, quite a ways before the boathouse on the right-hand side, feet from where the dog is, I could see that there was sedge and eel grass and so forth growing, this is all part of the wetlands, protected wetlands.

Okay. And if the bulkhead or, mind you, the seawall were not in front of the boathouse, magnificent boathouse that it is, this would all be part of the tidal flow and the wetlands, so forth.

So we're going down and I can see feet on the left-hand side where the -- in the middle of the great lawn where the dog group was that there was this grass growing and it was feet from where the dogs were exercising and probably, you know, doing solid and liquid wastes.

So we get down there and I see on the left-hand side, you know, the sedge and again the eel grass, so forth and so forth. We go down over the boathouse and we're looking, around spent about an hour there looking around, it was a magnificent day and we decide, okay, now it's time to go, because this was already maybe 4:30, 5:00 o'clock.

And we start to come up the hill, hugging again now going up the hill, it would be on the left-hand side, and I said to my friend, well, let's go off there, there's some trees, we'll walk up, you know, through the trees, up into the parking lot, because I didn't want to be accosted again by these dogs and she was frightened too. And she's not afraid of dogs, but this was scary.

So we tried to go up in there and there was a sign as we got a little over that said, environmentally sensitive area. So I obey those things, I saw that and I said, okay, now we're going to have to walk up the lawn. And again, dogs came over, turned my face again and more dogs, when I did that, they were coming out of the woods.

Nobody came over and said, oh, we're so sorry, get off, this that, that, there was no security, they had total free range of this whole magnificent Suffolk County park. There was nothing there for anybody else to do, but to walk down and be accosted by the dogs.

Now, nobody at sixty-five or anybody at five should have to deal with this kind of thing. Okay. So that was my story on that. And as I said, I urge you to go look at the environmental concerns.

Now, I have a Newsday article here dated November 11th, and I'm going to present it to the Parks Committee. It's about a horse in -- some of you may have seen it, thank you, in Prospect Park. And the horse was attacked by a pit bull.

Now, the pit bull was on a leash and the horse is doing what he's supposed to do, walking, and the pit bull broke his leash and attacked the dog from behind. Now, as they're raising away it says here, the traffic all over Coney Island Avenue, the dog was kicking -- I mean the horse, excuse me, was kicking at the dog. Of course he was, he was frightened.

And as Margaret, that's the horse's name, was back in the stable waiting for a veterinarian to stitch up her bites, the pit bull, you know, was

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back at the compound there and he was being taken to Animal Control Center by his owner, blah, blah, blah, I guess he had no damage. And then the caretaker of the -- or owner, caretaker of the horse stable goes on to say that -- oh the rider, excuse me, had I had a chance, he said, I

would have jumped off faster, but I didn't want to be attacked by a pit bull.

And then the caretaker says that, oh, yeah, right. This is the third time a pit bull has badly injured one of his horses in Prospect Park.

CHAIRPERSON FIELDS:

Why don't you just submit that article

MS. KOERNER:

Okay. I am. In the past two years, I'm just doing some highlight quoting, and he said once he had a horse bit on the stomach a couple of years ago and another one was bit on the face and they were all by pit bulls. So I'm not saying at the dog park they're all pit bulls, but these are dogs. And children should be enjoying that great lawn and so forth and that it's totally dominated by the, you know, the people that are using it as a probably illegal dog park. Thank you.

CHAIRPERSON FIELDS:

Okay. Thank you very much. Robert Brown. Actually, I'll go past Robert Brown, we'll get back to him. Lou Medina.

LEG. FISHER:

Actually, Madam Chair, since all of the cards that were just submitted to you are on the same topic, I thought they might want to come up together.

CHAIRPERSON FIELDS:

Come on up.

LEG. FISHER:

The next Committee meeting begins in about ten minutes, so I thought you might want to expedite this.

CHAIRPERSON FIELDS:

Thank you.

LEG. FISHER:

Before the speakers begin, Madam Chair, I just wanted to point out to the -- well, I'm certain that everyone on the Committee has seen this resolution to establish community and youth services program at the Sheep Pasture Road in Port Jefferson, Setauket area, the resolution that I submitted several months ago.

We have been postponed with regards to the CEQ review, and I will be asking that this Committee vote on this, vote it out of Committee. I have spoken to Counsel regarding this, because of a rather bureaucratic problem that has occurred with setting up the agenda with CEQ. So I just wanted to point out to the Committee that I would be asking for a vote on this today and these speakers are here on behalf of this resolution.

CHAIRPERSON FIELDS:

Okay. Who would like to begin. Lou Medina, come on down.

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MR. MEDINA:

Madam Chair, good afternoon and thank you for this opportunity. I feel like I live here sometimes. As you know, Three Village Community Youth Services, now known as Three Village Boys and Girls Club, just recently celebrated our 25th anniversary. And it just so happens on November 12th, we celebrated our one year anniversary as a chartered Boys and Girls Club.

CHAIRPERSON FIELDS:

Congratulations.

MR. MEDINA:

Thank you very much. Just to give you a brief overview about the organization, I've been the Executive Director there for twelve years and the organization has been serving our young people and families in our area for over twenty-five years.

On behalf of them, I just want to say that the programs have increased. I know from when I was with the agency and I started with the agency, we had maybe two or three programs and now we have over twenty some odd programs and we reach over three thousand young people and families through our programs.

That's not only done by a great staff that we have and that we've developed, but also by probably the most important component of our organization, which is our Board of Directors. So, I'm going to introduce them one by one. And also a friend of ours, Bob Brown, who has worked on our land design and everything. But we have here to my left, Gene Mundie, who is our Board President; Virginia Connolly, who you've met before, but Virginia Connolly is not only a Board member, but she's a Program Director, a Director of Operations. I mean she's -- she does it all for us. And to my right, Dr. Philip Tarantino, who is our Treasurer and keeps making sure that we raise money and that we spend it appropriately and who has been instrumental in developing our business plan.

So I'd like to -- I already mentioned Bob Brown, so I'm going to turn it over to them.

CHAIRPERSON FIELDS:

Who's next? Mr. Mundie. Just make sure it's on and close. And state

your name for the record.

MR. MUNDIE:

My name is Gene Mundie. I am the President of the Three Village Boys & Girls Club. I have been on the Board of the Three Village Boys & Girls Clubs for twenty year and I've been the President for the last fifteen.

It's very apparent if you live I think almost anywhere in Suffolk County, but the area in which we live, that the youth of our generation need a great deal of help and support. From working with the Boys and Girls Club, as we have over the last twenty-five years, we've also learned that it's not just the children who need the help. If there are children who need help and guidance anytime, their parents and their families also do. So that was really the reason why the Three Village CYS was established as a grass roots organization twenty-five years ago. Instead of things

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getting better, things I think tend to get a little bit worse along those lines.

We started out as a small community focus, but our focus has expanded in those last twenty-five years to include consideration for the needs of the Town of Brookhaven as well. Some fourteen or fifteen years ago we received two acres of land from the County on Old Town Road that was promptly plunged into litigation, which is all part of the parcel that has now survived those fifteen years of litigation and is -- has been determined to actually be County land. And we are really interested in establishing a permanent presence within the Three Village area that will make our programs much more readily available to others.

A lot of our programs are school-based programs. We are very, very heavily into the community school partnership and those programs are at risk at this point in time simply because of the numbers of families that are moving into Three Village area and who are now requiring space in the schools. And so we sort of get -- we're sort of getting slowly, but surely, squeezed out of them.

It is not our intention to abandon the school district and move into our own quarters, but we feel that our own quarters would be the most appropriate thing for it and we felt that this piece of land was the perfect place. The placement where it is, it is from my mind a piece of derelict property. It was a big sand pit. It's awful looking and, in fact, it's probably a liability to the community and to the County, because of the potential for kids to gather there and to get into trouble there. Kids and adults, I should say too.

We think a perfect use of that property would be to establish our community center on the portion of it that has been designated that's able to do that as well as the park portion of it to be instrumental in establishing fields that are available for recreation for the members of the County.

CHAIRPERSON FIELDS:

Thank you. Virginia Connolly.

MS. CONNOLLY:

Virginia Connolly. Gene has eloquently probably stated everything that I would say about the needs of the children in Suffolk County. I think that becoming part of the National Boys & Girls Clubs of America, the streams of programming that that makes available to us is very exciting from a programmatic level.

We would have an opportunity in a home of our own, in a facility of our own to serve -- right now we serve over three thousand children per year, and that's just within really the three district area, the Three Village area, I mean, and some surrounding communities. We have some kids that will come in from other towns close by us, Port Jeff and Port Jeff Station, that will access our basketball league or our kickball league during the summer. We have residents from other towns that will participate in our adult softball program during the summer.

But being affiliated with the National Boys & Girls Club of America, we have an opportunity to participate in programs that would widen our

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program base from the current twenty-three to over seventy-five. We would be able to address the needs of children from a pre-K level all the way through the age of twenty-one.

A facility like this also gives more of an opportunity I think as a parent for more family activities. And the adult softball program comes into mind. I play in that program myself and we have, the CYC has our own team and one of the --

CHAIRPERSON FIELDS:

Do you follow a code of conduct?

MS. CONNOLLY:

Yes, as a matter of fact, we do. We wrote the book on it. One of the nice things about playing in this league, and Dr. Tarantino is a teammate of mine, he can attest to this, was that after twelve years of being a parent and twelve years of going to practice and games and recitals and this and that and the other thing, I had a chance a couple of nights a week to have my kids stand on the side lines and root for me.

We had one team, it wasn't our team, but someone else's team, where they had the children of the player was the bat boy, both of the parents played and grandma kept score. It was -- it was, you could have billed it as a multi-generational program. It was great.

Having an opportunity on the horizon to provide more programs like that, to be able to access more residents, recreational field space is -- it's a premium, it's a premium real estate deal. There's not enough of it. Three Village I think has three separate baseball leagues alone and everybody is jockeying for space.

It would be our intention to enter into partnerships with other youth sports organizations that are County based to be able to provide all that much more space and time, to be able to run these leagues, to be able to run programs, to have open spaces.

The County parkland that we are looking at, as Gene said, right now is a derelict piece of property. It is being used, it's being used for purposes that I'm sure it wasn't intended to be used. There is congregations of children down there over the weekend. I know, because I'm there. I walk the property and I talk to the kids and they are, they're hanging around down there.

I'm with children every single day at Ward Melville High School, at both of our junior highs, in my own neighborhood by West Meadow Beach, and the number one issue that these kids talk to me about is that there's nothing to do, there's nowhere to go. And everywhere they go, they get kicked out. Whether they go to a local pizza parlor, as soon as they're finished eating, the fellow or the woman that owns the pizza parlor says, that's it, head out, make room for the next load of customers. There's nowhere for them to go. And when they get there, they get to a place like this parkland right now and at night, come five o'clock, it's dark down there. They'll walk through that property just hanging around and being together, but it's risky for them, it's risky for all of us to have them there.

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We could change that with your help, with your assistance, with the guidance of people like Bob Brown and the other experts that we have brought to the table. We have a fellow, Joe {Baglio}, from Design Development who has helped us map out our floor plan, put together in the business plan that I think you should now have a copy of some estimated construction costs for this project, the time lines that would be associated with it all from just where we stand right now, not really knowing, because we're not there yet, we don't have the land yet.

This would be a good move. It would be a good move for the County, it would be a good move for us. We'd appreciate all of your consideration.

**DR. TARANTINO:**

Good afternoon. I think when you invest in children, that investment comes back to you a thousand fold. And that's a direct quote from one of our honorary board members.

I'm here to tell you I've been with Three Village CYS for about five years. The commitment of the organization, the good work that our staff and our Board does is extremely valuable.

For the last year we've invested in and focused on development and advancement, because on space that we have to pay for this endeavor, and in getting the involvement of many different partners, we've realized that this dream is possible. That we have an excellent development person on board, we have a solid strategy which is outlined in the business plan.

We have confidence of our Board and of many, many people that we've spoken to in our communities that makes us realize that this is possible and that one piece that we need to really, to really spark this process and get it going is the acquisition of land. Is to say to all these people who are interested in giving and supporting us and building this club is that we have a place, we have a place to go and we believe that we can be very successful at it. Thank you.

**CHAIRPERSON FIELDS:**

You're last, I think.

**MR. BROWN:**

They saved the best for last. If I may, I'll take the podium.

**CHAIRPERSON FIELDS:**

Presently this property is being utilized by kids who hang out and by ATV's and is there any drug --

**MS. CONNOLLY:**

There's evidence.

**MR. MUNDIE:**

There's abandoned cars there. It is also used as dog runs.

**MS. CONNOLLY:**

It is used as a dump, yes.

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**MR. BROWN:**

Just so everyone knows me, I know a lot of people in the Legislature know me, I'm Bob Brown. I'm a principal of Land Design Associates in Huntington. I live in Setauket. I'm also the President of Three Village

Chamber of Commerce. So I come here --

CHAIRPERSON FIELDS:

Could you pick up the microphone and just hold it. That's it.

MR. BROWN:

How's that?

CHAIRPERSON FIELDS:

That's for our stenographer.

MR. BROWN:

There's a little man down there holding it. So I come to this project not only as a professional, but as a community member and a business person in the community. And with my roots there, I recognize the problems and I know the piece of property very well.

This piece of property was ravaged in the 40's and 50's and then when it became no longer valuable for sand mining, it was just left derelict and taxes weren't paid. When suddenly it became evident that the Setauket area was becoming more and more of a location where the people wanted to be, more homes would be built, the values were going up, it then became something that someone wanted to retrieve and the litigation began.

During the time of that litigation, this property has been left fallow, it's been dumped on, it's been a clean up problem for the community. It just has left us with a situation where we need to have the reality of someone that is really caring about this and yet the County, the County has taken ownership now through the Court process, they need a caretaker that's a little closer, and I think we are that.

So to accomplish that, the first five acres of the property along Sheep Pasture Road, and I'll orient you, this -- you have Sheep Pasture Road, which is the extension of Old Town Road, Sheep Pasture Road then runs north and east. You have Collaborative Laboratories to the north, a biomedical group that has come out of the University Incubator Project, another success story for the area. You have the LIPA right-of-way and to the west you have a residential community. To the south you also have residential.

Now, we must recognize something when we think about this parcel, the land is all not flat across here. This parcel sits some thirty-five feet below the adjacent grades, so that when you drive by, you see trees that are twenty-five and thirty-five feet high, but the -- if a person were to stand down where Virginia talked about where she walks around, she's seventy feet below the street. This was really mined.

Our intent is that the area that's up higher, yet behind the trees, would be the home of the new thirty-seven thousand square foot recreation center. That would be in this area. We'd have an access opposite Links

Lane controlled by a traffic signal, which would then enter into a parking field for about three hundred cars.

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The parking for the recreation center and the recreation fields would be the same parking, so it would be a joint usage so that we're not creating more pavement in the area, we want to have less pavement. And the balance of the property would be recreation fields.

The effort that has to be put forth in the initial construction efforts are to clean up, clear the flat land down at the bottom, reshape some areas and finish the stabilization of the slopes that have come back over the fifteen or twenty or thirty years that they were defoliated almost, completely.

All the buffer areas are going to be maintained, so that if someone were concerned about the relative impact of what you're going to see from the road or from an adjacent property, it's not going to change very much other than a twenty or thirty foot wide roadway going in and some vegetation behind it that would block out the buildings.

And anyone that knows the areas of Brookhaven, I would like to describe another location that would be very similar to this, and that's the Wireless Road, Town of Brookhaven Recreation Center at the northeast corner of Hawkins and Wireless Road. It is completely buffered by a hundred and fifty foot barrier of trees. There is activity of all ages there every day. It's immediately adjacent to residential zoning and many people don't even know that it's there other than for the sign on the driveway.

Our hope is that we will be a good neighbor from the reclamation of this parcel as well as the use of the parcel. Thank you.

LEG. ALDEN:

I just have a quick question I think on where you're choosing to build the building, the recreation center.

MR. BROWN:

Yes, sir.

LEG. ALDEN:

You're going to leave the most disturbed part of the parcel alone and you're going to build on like a part that hasn't been disturbed as much, is that correct?

MR. BROWN:

If I may, I'd like to put the microphone down for a moment. I have an aerial photo under this that I can use to demonstrate that for you.

LEG. FISHER:

Bob, if I can just address that question. The area where the building is being built has been chosen because that part of the parcel has been designated for municipal use, so that they're not building a building on parkland. Also, that is a part of the parcel that isn't heavily treed. So, it's because of its municipal use designation that they must build the building on that part of the parcel.

LEG. ALDEN:

Could you just show me on the map where the municipal use designation exists?

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MR. BROWN:

First, this aerial photograph is about five years old, but the parcel hasn't changed very much. The area outlined in orange is the parcel we're speaking of. The northern five acres. We have chosen a flat portion where it's less vegetated in the vicinity that would be a site that would have little or no impact as far as the trees. We are set back from the road in those areas fifty to a hundred feet where the trees would remain in their entirety. Maybe we'd have to clean up some things and thin out the trees a little bit so they'd survive better, but certainly a much better situation than we have now.

LEG. ALDEN:

What's the red outlined parcel?

MR. BROWN:

We happen to benefit from the fact that I represent Collaborative Laboratories, that's a separate issue. We got a free aerial out of the deal.

LEG. ALDEN:

Cool. That's good, all right.

MR. BROWN:

This is like recycling.

LEG. ALDEN:

How much of this area in orange and what part of that is parkland?

LEG. FISHER:

I got up to see what the red was.

LEG. ALDEN:

What part of that is parkland, the area that's outlined in orange?

MR. BROWN:

The outlined orange represents the parkland and the public purpose

property.

LEG. ALDEN:

Can you show me, is there a line that would cut off parkland and public purpose?

MR. BROWN:

Yes. Approximately from here to here.

LEG. ALDEN:

Okay. So right up on the top there. Now, is there a plan to -- because that looks like sand that's left there.

LEG. FISHER:

It's sand.

LEG. ALDEN:

Is there any plan to probably fill or try to revegetate?

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MR. BROWN:

There will be revegetation. There's a need for major regrading and reshaping of the area so we have proper drainage, but then there will be revegetation of the flat areas for fields, irrigation, it will go in and all the relevant items for athletic facilities.

LEG. ALDEN:

Okay. Now, where on here, could you just, you know what, I'll hold your microphone, where is the parking field going to be?

MR. BROWN:

If I may change maps at this point, so I can look at the plan. The area outlined with the darker line and so designated of three hundred parking spaces just to the south and east of the community center building.

LEG. ALDEN:

Okay. What area is still going to be designated as parkland, so is there a certain area here that you can't have fields or activities on, it just has to stay like an open space?

MR. BROWN:

There would be areas --

LEG. FISHER:

I think further south.

MR. BROWN:

Further to the south.

LEG. FISHER:

That are preserved.

MR. BROWN:

That are preserved down to the south. There is also an adjacent piece of property, which is part of the bypass that has never been disturbed.

LEG. ALDEN:

This is all part of the property then down in here?

MR. BROWN:

Yes.

LEG. ALDEN:

Okay.

MR. BROWN:

Okay.

CHAIRPERSON FIELDS:

You're actually only building the building on the public purpose part?

MR. BROWN:

That's correct, yes.

CHAIRPERSON FIELDS:

And the rest of it you're utilizing for fields and for youth projects?

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MR. BROWN:

Correct. A good example is if I may draw your attention to what's called the baseball field just to the north, that's a piece of property that's been gauged out like a bowl. So it really represents a very ideal location for a baseball field, because you have these nice slopes that become the bleacher area. And if we revegetate them effectively, people can sit up on there and watch a ball game and have a very nice time and put the property to better use.

CHAIRPERSON FIELDS:

Great.

MR. BROWN:

Okay.

CHAIRPERSON FIELDS:

It looks to me like you're taking a degraded property and you're improving it. And the only other question I have for the record is, and this is I guess directed at the whole Board, is that if you take the property that the County owns and you built a building on a certain

portion of it, utilize the fields and have programs for the kids, are these programs open to all Suffolk County residents? And I think that's an important part of --

MR. MEDINA:

Yes. The answer is yes. The programs are open to all Suffolk County residents.

LEG. LINDSAY:

Can I say something?

CHAIRPERSON FIELDS:

Legislator Carpenter and then Legislator Lindsay, or she will defer to Legislator Lindsay.

LEG. LINDSAY:

I really don't have a question. I just want to commend you men and women for probably one of the best presentations I've ever seen since I've been here. I wish the youth organizations in my district would be as efficient as you folks are. You should really be complimented on this. It seems that you've covered everything.

And I, you know, just one Legislator, I think this is a very worthwhile project. We don't have enough places for our kids to go. We don't have enough places for our kids to play. And unfortunately, as a County, we kind of shirk our duties in providing that, recreation areas, and when an organization like yours steps up to the plate, you deserve a lot of credit.

MR. MEDINA:

Thank you.

DR. TARANTINO:

Thank you.

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CHAIRPERSON FIELDS:

Legislator Carpenter.

LEG. CARPENTER:

Thank you. I too am very impressed with the presentation, it really looks like you put a lot of time, effort in probably heart into it. I have a question, though, on your government grants. It shows here that in 2002 you're showing two hundred and sixty-four thousand dollars, yes, two hundred and sixty-four thousand a hundred and forty-four in government grants and you project -- where do those grants come from?

MR. MEDINA:

We receive grants from Assembly members, State Senators. I'm very active

in seeking that type of funding. As a matter of fact, I do go to Albany and to D.C. to access whatever member money might be available for brick and water. For example, we currently have a hundred thousand dollar grant that Senator Lacke had given us for brick and water specifically and we look forward to using that money for it, for that purpose.

LEG. CARPENTER:

My concern is you're projecting that these government grants are going to come in every year for a quarter of a million dollars and the other morning I was at a meeting and one of the members of the New York State Assembly was there and told about this projected deficit in the State budget and warned community groups that they shouldn't be looking to the State for any kind of funding. So that's a sizeable amount of money, it's a million and a half dollars over the course of six years that you're projecting out. So do you have any plans for, contingency plan to address this?

DR. TARANTINO:

Basically, our involvement with Boys and Girls Club National has given us access to a lot of grants, specifically based on our programs. In addition, the development plan includes focussing the entire Board on four or five significant fund-raisers throughout the year. Instead of doing the small, typical fund-raisers that we've done in the past, because we're really changing from a grass roots organization to a much larger organization, we believe that the fund-raising activity and the friend building that we've been engaged in this year will help us get away from our reliance on government funds.

We left it flat for this scenario, because it's been fairly consistent. I could have made it zero for the next six years, but just chose not to, chose to keep it flat. But we do, we do realize that it's inevitable, that we really want to get away from the reliance on those funds and I think we have a solid plan.

LEG. CARPENTER:

You didn't leave it zero, I mean you put in a quarter of a million dollars a year in government grants.

DR. TARANTINO:

Right.

LEG. CARPENTER:

Also, you're projecting membership fees to be thirty thousand in 2003.

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DR. TARANTINO:

Yeah.

LEG. CARPENTER:

You're going to be up and running and collecting membership fees by 2003?

DR. TARANTINO:

Currently we made some policy decisions to start doing that. We have not collected fees from all of the three thousand kids who are involved in our programs, and our intent was to start collecting a ten dollar fee for each kid.

LEG. CARPENTER:

Does -- do some of the grants that you receive, though, prohibit you from collecting monies? I know one of the youth agencies that I was involved in, they do not and cannot charge fees for services.

MR. MEDINA:

Correct. We're not charging for services that we're getting funded for programming. The fees that -- the membership fees that we're charging for are Boys and Girls Clubs specific programs, like the Torch Club, the Power Hour, Target Outreach, which are all Boys & Girls Clubs of America programs. So we're not utilizing any county or government funding towards, you know, with those programs. Those are Boys and Girls Club driven.

I think again what Boys and Girls Clubs gives us the opportunity is to access resources to offset the government funding. I've been told time and time again by the Regional Director of the northeast region that when he looked at our budget and looked at the type of money that we were getting, one of the things that he's trained our Board in working with our Board on is to decrease government dependency and increase resource development. So, we do have a resource development plan that will as the potential of government monies decrease, that our other resource development will increase.

LEG. CARPENTER:

I hope so. The thing I didn't see here -- you did a good job with projecting out the revenues and the expense of the project, but I didn't see projected out the cost of operating the program. You have your expenses and salaries for a year, do you think, I mean as you add programs and everything, aren't those expenses going to go up?

MR. MEDINA:

Again, I refer to Boys & Girls Clubs of America. They have two lobbyists at the federal level and at the State level. They -- any programs that we begin under Boys and Girls Club auspices, they give us and they access start-up funding and they will continue their funding anywhere from three to five years.

LEG. CARPENTER:

Do you have a signed agreement with them?

MR. MEDINA:

We are a chartered Boys and Girls Club, yes.

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LEG. CARPENTER:  
Okay. Thank you.

MR. MEDINA:  
You're welcome.

LEG. FISHER:  
Madam Chair?

CHAIRPERSON FIELDS:  
Legislator Alden.

LEG. FISHER:  
I'm sorry, I'll wait.

CHAIRPERSON FIELDS:  
Legislator Lindsay, you went.

LEG. LINDSAY:  
Yes.

CHAIRPERSON FIELDS:  
Legislator Foley, do you have anything?

LEG. FOLEY:  
No. I'm ready to move forward.

CHAIRPERSON FIELDS:  
Okay. Legislator Alden.

LEG. ALDEN:  
I guess I'll ask the financial plan, because it says current operating budget. That's for after you build the building, though, isn't it, the 7.0 financial plan?

DR. TARANTINO:  
Which one are you looking at?

LEG. ALDEN:  
It was in this folder.

DR. TARANTINO:  
In that package?

LEG. ALDEN:  
It says 7.0 financial plan, current operating budget.

DR. TARANTINO:

That is -- that's a sample of our current operating budget.

LEG. ALDEN:

Okay. And it's got as far as your total revenue is four hundred sixty-nine thousand two forty-four?

DR. TARANTINO:

Correct.

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LEG. ALDEN:

And expenses, and I think, Lou, you and I had this conversation I guess it's almost a year ago.

MR. MEDINA:

Sure.

LEG. ALDEN:

If you just take, you know, from first blush you have ninety-seven thousand in admin salaries, fringe benefits are almost fifty thousand. What's maintenance and operations? Is that more salaries or is that materials, supplies?

DR. TARANTINO:

It's supplies, rent, things of that nature.

LEG. ALDEN:

Okay. Under any of these other ones, fund-raising?

DR. TARANTINO:

Fund-raising is specific expenses to fund-raising, not personnel related. Programs will have some specific personnel expenses there. If someone is running, it's a rec. aide running a specific program, that's crucial to a program.

LEG. ALDEN:

Okay. So other salaries then would be included in the programs?

DR. TARANTINO:

Yes.

LEG. ALDEN:

Okay.

DR. TARANTINO:

What we did is the administrative salaries are purely the administrative salaries, purely Lou and an office manager.

LEG. ALDEN:

And that's what's going on right now, though, right, with this?

DR. TARANTINO:

Yes.

LEG. ALDEN:

So from first blush, though, with four hundred and sixty-nine thousand in income, you've got a hundred fifty, you've got almost two hundred thousand dollars probably in salaries between consultants and things like that, that's almost fifty percent of your --

DR. TARANTINO:

Most of the salaries again are program specific, so you have to pay people to run programs. That's where the kids have the benefit. You couldn't have a counselling program without having a salary expense.

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LEG. ALDEN:

Okay. I guess the problem that I see with it is, you know, and we've just looked at, you know, a real lot of not-for-profit type of organizations that have come to the County for funding, and basically what the County likes to do is they like everything to go the bottom line, to programs. And in this, your financial plan, you're showing clearly almost half of your revenues --

MR. MEDINA:

I think as Dr. Tarantino stated, the staff, for example, I'm the Executive Director, but I also go into the schools and provide workshops on gang prevention. I do workshops on respect. I'll, you know, go into different schools and do presentations on multi-cultural issues. So that's one of the programs I may run. We have each staff person that's required to take two programs and implement, develop and implement them in the schools and in the community.

So, you know, when looking at the figure, you and I again have had this conversation, yeah, it's -- you're paying people to implement and develop programs, so it does appear on paper that, you know, it's like we're paying all this money, but we have fourteen staff people.

LEG. ALDEN:

No. But going back to some of the conversations that's we've had, when you open up a new building --

MR. MEDINA:

Yes.

LEG. ALDEN:

You're going to incur more expenses with the building. If right now under the current plan half your money is going towards admin, basically, that doesn't leave you a lot of, you know, like leeway. And as Legislator Carpenter was pointing out, if New York State goes through with some of the things they said they're going to cut, that could put you in a bind faster than if you're admin was, you know, like twenty percent, fifteen, you know, on a lower number.

So that's what I'm pointing out as far as -- it concerns me a little bit in that we have to look to your future, you know, the probability that you're going to be here. And in this instance you're really --

DR. TARANTINO:

But, excuse me, in this instance, the admin salaries are about twenty percent, and this is a relatively small organization.

LEG. ALDEN:

How are they twenty percent?

DR. TARANTINO:

Ninety-seven thousand is roughly twenty percent.

LEG. ALDEN:

How much is forty-six thousand six hundred?

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DR. TARANTINO:

Ten percent.

LEG. ALDEN:

Isn't that your fringe benefit?

DR. TARANTINO:

Yeah, but that's fringe benefit for all staff.

LEG. FOLEY:

I think we're mixing some of the admin costs with the direct program services that are provided by staff.

LEG. ALDEN:

This is salaries for, you know, staff, administration salaries, things like that. And I think that, you know, you can't break out all of that and say just the ninety-seven thousand applies, because even on some of this you've got consultants, you've also had a statement that under programs, some of that is salary based, so --

DR. TARANTINO:

I mean you could look at it as fourteen staff, thirteen provide direct service to children.

LEG. ALDEN:

My point is if you're looking at it from a business, you know, perspective, you've got a lot of money that you've got to come up with just to do business as you're doing it right now. Add the new building on, and if you get a hit on any of these grants, you're in deep trouble.

DR. TARANTINO:

This illustration of the current operating budget was just that, it was to show you how business is handled today. Obviously, if we have a separate center with different programs and different funding sources, I'm sure the numbers are going to be different. This is just to give you a picture of what is it today, what does it look like today.

LEG. FOLEY:

Madam Chair, if I may?

MS. CONNOLLY:

Can I just add something here from a programmatic standpoint as we are a Boys and Girls Club now. When we apply, as Lou says, one of the shifts in our focus that we will have assistance with through the national organization, in particular our regional director, is to help us balance out what is now a top heavy government source of funding versus private funding, industry funding, corporate grants and sponsorships.

The programs that we can apply to open now even without having our own facility, they have national sponsors. Taco Bell sponsors a Power Hour. There is -- Nike sponsors certain recreation programs. In all of those grants that we are required to fill out to access that money through the Boys and Girls Club, whether they be a pass-through grant with a corporate sponsor or a BJA grant through the federal government, we have to include in that budget the staff costs. That's part of the money that they give us when they grant us that money is to cover this, the cost of

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the staff person running that program.

LEG. ALDEN:

Can I interrupt and just -- that brings us to another statement or a question and you're probably going to answer it then. This Boys and Girls Club will stand behind you then in event of a failure for you to come up with the revenue to operate not only your programs as they exist now, but the new programs and the new building, the Boys and Girls Club is actually going to provide you with a guarantee so that the County doesn't actually have to go in there and expend money to finish this project up, is that what you're saying?

MR. MEDINA:

What we're saying is -- what we're saying is that the access for resource

development is a -- the component that Boys and Girls Clubs offers to their chartered members. There are over three thousand chartered Boys and Girls Clubs over -- on military bases as well as in communities. Their mission -- my understanding of Boys & Girls Clubs of Americas mission is to assist organizations like us establish not only in-school programs, but to build facilities, to assist us with architectural, to assist us with resource development. So I understand what you're saying --

LEG. ALDEN:

But -- okay. Lou, what happens then next year if your program income stays the same or maybe decreases a little bit, your expenses are going to go up quite a bit, because you're opening up a new building, what happens when, you know, that doesn't balance out, if you can't get, you know, more government grants or if you can't get the alternatives that the Boys and Girl Club, you know, I guess they have a program that allows you to go out and seek those things, what happens if you can't get that, is there a guarantee from them that they will step in and guarantee expenses or anything of that nature? What's your back-up plan?

MS. CONNOLLY:

There's no guarantee like that. But as I was saying, it is one -- one of the benefits of becoming a Boys and Girls Club, a chartered Boys and Girls Club is the self evaluation tools that they give you us a club. And then the tools that they provide for you, when you have issues like we have that for many years the primary source of our funding was government based, how do we now change that. They teach us that.

We have every confidence that with the partnerships that have now come to us and sought us out within the school district, within the Three Village community and beyond, that we will be able to raise the funds that are necessary to maintain an operating level, that we'll be able to do this seeking corporate support, private donations, endowment, long term giving, planned giving, all of those types of things that historically CYS never really became a part of, those are all open to us now and it is our intention to explore all of those opportunities.

LEG. ALDEN:

But that's a plan to be developed in the future, right?

MS. CONNOLLY:

That's a plan that's in process now.

LEG. ALDEN:

So what is the -- like the bottom line in the event that you don't get government grants to the same amount that you got last year and this program that you're going to be going into takes more than six months or a year to develop, what is your back-up plan on that then?

MR. MUNDIE:

We'll slow down, that's what we have to do. It's like business, you give your business your best shot, you invest in it. If it work out for you, fine, but if it doesn't work out for you, then you have to regroup somehow and do it.

We do not have -- I do not want to give the community the impression that we do have a Boys and Girls Club that's going to come down and say, well, you didn't make what you were supposed to make last year, here's what makes it up. We do not -- that will not be it, we will have to do the work for that. So, I do not want to give you that impression.

MR. MEDINA:

I think also the goal is to market ourselves, you know, instead of being Three Villages, Three Village Boys and Girls Club, where you're limited to this base, now you're expanding your resource development opportunities as well as your marketing opportunities with, again, in constant focussing and constant reassessing the development plan. As you know, I mean it's not -- we're not going to build a facility a year from now. I mean for you or I or anybody around this horseshoe to say we're going to build it in a year, it ain't going to happen.

LEG. ALDEN:

You are go to acquire extra costs in the next year. That's my point, but go ahead.

CHAIRPERSON FIELDS:

Legislator Foley, did you want to say something?

LEG. FOLEY:

These are some -- these are some -- go ahead, Mr. Brown.

MR. BROWN:

Thank you.

CHAIRPERSON FIELDS:

You have to grab that microphone quicker.

MR. BROWN:

I'm a loud speaker at home, so I don't grab this one. Let me emphasize something that we build into a design, is that when we start to talk about the budgetary considerations and the expenditures, this will be from the administrative side, it's pretty well set. But now you're talking about things that are going to happen in the future, and many of those over the next five to ten years are going to be the construction related items.

This project will be phased in such a fashion and estimated in such a fashion and in such detail that we will not be in a position where we

will be stepping beyond our limitations.

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And also programmed into the project will be the appropriate endowment for the maintenance and carrying on of that project, so that much of what's acquired in financing is money that's going to be rolled over after construction for the long term, so that we have the administrative side and the construction side. So that we've given you today a draft document. It's our initial focus on where our course is.

We'd like to talk to you a year from now, having been approved, to be able to explain to you, here we are, we've got phase one under construction, this is what we've accomplished and here's where we are going over the next five years.

We are very much at the stage where we are establishing our rolling capital budget. And I would just ask the County to look at itself and think of us as being a segment of your Public Works Department and having a Capital Program. That Capital Program will change as you go from year one to year five.

LEG. ALDEN:

Just a follow-up question. Do you anticipate in the documents you're going to sign with Suffolk County, do you anticipate them to give you a requirement that you would have to present a financial plan and you would have to present a plan for fund-raising, and if you don't meet certain goals by certain times that you would be disqualified or in default of that, do you anticipate those types of clauses in the agreement that you're going to get with Suffolk County?

MR. BROWN:

I can't speak to that issue, but from a professional side, I would say that if you don't meet certain goals, you're not going to shut off the Boys and Girls Club as an operation. What we're going to have to do is have a working relationship that we go hand in hand, because we are presenting an opportunity to the community as well as the County to carry this project to a success. And it's a hand in hand operation with some milestones that we all have to meet and we have to satisfy. We're going to be very cautious about how far we extend ourselves.

LEG. ALDEN:

So you do anticipate there's a possibility that the County might have to come in and finish the project if certain goals weren't met?

MR. BROWN:

No, I don't anticipate that, because it will be phased --

LEG. ALDEN:

That's a nonexistent possibility then?

MR. BROWN:  
Nonexistent, because --

LEG. ALDEN:  
Okay.

MR. BROWN:  
-- the project will be phased in such a fashion that without funding, we will not be able to start construction having been financed through the

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whole construction process. So if we're going to fund a portion of the building, some of the recreation rooms and part of the administrative aspects, we're going to have savings in rent, number one, but we're also going to be able to move forward only on the basis of what we have financed so that we can complete our construction.

And we're going to have to have -- if we're going to go out and get any kind of loan from the bank or anything like that, it's going to have to be a well structured plan at that point with a major portion of the financing in place.

LEG. ALDEN:  
How much do you anticipate on going out either in bonded debt or in borrowed debt?

MR. BROWN:  
At this point there's been no consideration to that, because we haven't estimated all of the segments of our phasing. We may not go out for any. We may go out on a basis of a hundred percent paid for before we even put a shovel in the ground.

CHAIRPERSON FIELDS:  
Legislator Foley.

LEG. FOLEY:  
Thank you, Madam Chair.

CHAIRPERSON FIELDS:  
Then Legislator Lindsay, then Legislator Carpenter, then Legislator Haley.

LEG. FOLEY:  
Thank you, Madam Chair. A number of questions by Legislator Alden or more of an operating budget variety, if you will, and those are questions that need to be asked, but when I look at the resolution, this really is about a twenty year lease, up to twenty year lease of property and it's not so much an issue of correct me today of the operating costs relating

thereto, it really is to work in a partnership arrangement with the Boys and Girls Club to -- to lease property, so that it would give that club the ability, working with the County, the ability to provide a wider array of services to -- to an every broader geographic area of youth, not just the traditional Three Village area, but as stated earlier, even a larger area.

So combine that with the fact that this is basically a dirt pile, it's not an environmentally fragile area, while these questions need to be asked, I had hoped that we can vote on this affirmatively before we finish with our business today. I think this is a win/win for everybody.

CHAIRPERSON FIELDS:  
Legislator Lindsay.

LEG. LINDSAY:  
Just to pick up on the two Legislators that preceded me, I too agree with Legislator Foley that the property is a desolate piece of property, it's an abandoned sand mine evidently. That's really -- I don't know what you

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could do to damage it any more than it's damaged. I mean financially I think the greatest danger you folks face is during the construction phase. And if the worse possible thing happened, that you built a baseball field and then you went bankrupt, what, what harm, we have a baseball field now where we had a pile of sand before.

And as far as the operating budget is concerned, I'm not concerned if you do get this facility built as far as operating it, because I don't think your area is any different than mine. I don't know of one youth program in my area that isn't over subscribed and that's the greatest danger to your operating budget, that you don't have the kids to fill the program. And I don't see that happening, I just don't see that happening. So I too agree with Legislator Foley and I'm ready to move forward on this.

CHAIRPERSON FIELDS:  
Legislator Haley.

LEG. HALEY:  
Twenty-five years. Twenty-five years and you could safely say that over twenty-five years you've improved your operation. I think the biggest thing we need to be concerned with and I've been concerned with, is when we ask local community-based organizations to pick up the mantel, if you will, to do such a project, do they or do they not have the capability.

Well, it seems pretty obvious, you've been doing it for twenty-five years, and it seems pretty obvious from the type of membership that you have on your Board, and I won't hold the fact that Bob Brown is with you, but you're not going to take that step forward, whether you start with

three thousand square feet or ten thousand square feet, unless you have it, in fact, in place, right?

MS. CONNOLLY:  
Right.

LEG. HALEY:  
So it seems to me that there's very little downside, because it's highly unimaginable that after twenty-five years all of a sudden you guys are going to trip.

CHAIRPERSON FIELDS:  
I can't believe it, but everything Marty Haley just said I agree with a hundred percent.

LEG. HALEY:  
Make sure that's on the record.

LEG. FISHER:  
If I could just have the committee's indulgence for one moment. Oh, I'm sorry.

CHAIRPERSON FIELDS:  
Legislator Carpenter and then Legislator Alden and then Legislator Fisher.

LEG. CARPENTER:  
Mr. Brown, you said that once this is built then you'll be saving the

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expenses of rent, didn't you say that?

MR. BROWN:  
That's correct.

LEG. CARPENTER:  
I don't see rent listed as an expense, do you have rent expenses?

DR. TARANTINO:  
Yes. Fourteen hundred dollars a month. It's in maintenance and operations.

CHAIRPERSON FIELDS:  
Can you talk into the microphone so we have that on the record?

DR. TARANTINO:  
Fourteen hundred dollars a month currently and it would be in maintenance and operations expenses.

LEG. CARPENTER:

Okay. The other question I have I guess for Counsel, he's not here now. The lease, I know Legislator Foley is always fond of asking this, is this lease coming back to us for approval?

CHAIRPERSON FIELDS:

My Aide is getting our Counsel back in.

LEG. CARPENTER:

Great.

CHAIRPERSON FIELDS:

Do you want to hold off on that question while Legislator Alden asks his? Go ahead.

LEG. ALDEN:

I just want to point out that if this was a project where we were just building baseball fields or soccer fields or something like that, then my comfort level, number one, with you is pretty good anyway, and Lou can attest to that, we've have many, many conversations, but it's not. What you're doing is you're going to build a building and it's going -- that building is going to be built on the Suffolk County property. And to ask a question to make sure that you've got a financial plan and you've got, you know, not just we hope, you know, we pray or whatever, that funding is going to come our way and things like that, I think that's a legitimate thing for us to be asking. And if we didn't ask it, then you know what, shame on us, because we're not doing our job.

So if you've got plans in place and you're absolutely giving us the assurance that you're not going to go ahead and we're not going to end up with a half built building that's going to be a total liability to Suffolk County to say the least, and really including the people that live around there, which would be your own kids and you're own people, that a half built building is not something that we want, or three quarters or just where a few little things are done on the building.

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So as long as you've got plans and you're not going to go forward with a building or undertaking a building until you've got additional funding and you've got the different things that you've talked about today, I have a greater comfort level and I'm glad I asked the questions, because what it's going to do is it's going to put the pressure on you to have a financial plan and not just, you know, pie in the sky or hopes that sometime in the future somebody is going to come in and a drop a couple of million dollars on you, because I'm just taking an estimate on your -- well, you have the estimates in here, this is not a five dollar building, this is a very large capital undertaking on your part and you've already got a very large operating budget right now. So as long as you're aware of the fact that on top of that you need additional capitals or revenues,

you're going to need some kind of replacement funding, and you've answered those questions.

And I don't apologize for any of my questions, and I want to point out that I'm very, very happy with the depth that you could answer them and the assurance that you wouldn't go forward without having the money in place.

MS. CONNOLLY:

We also have a number of commitments, verbal commitments from people that would like to partner with us, that would like to be supportive on a financial level to launch this capital campaign, but it's premature to get these people to the table and ask them to write us a check without having land on which to build this.

LEG. ALDEN:

Legislator Carpenter and I have gone through something, Long Island Aquarium. And I don't have to say any more than that.

MS. CONNOLLY:

There you go. So then you know what the premature position, that sort of catch 22 plays that we find ourselves in at the moment in soliciting support for a capital campaign. You know, you can't ask someone to write you a check if you don't have a place to build. So what we're hoping is a positive vote from this Committee and then from the Legislature and we'll be able to get the support that's been pledged.

CHAIRPERSON FIELDS:

Legislator Carpenter.

LEG. CARPENTER:

You can finish, go ahead.

LEG. ALDEN:

I don't know if we can give you a positive vote. What we can do is we can get this to the floor, but there's -- it's lacking, you know, a couple of things, technicalities, that in its present form right now this couldn't be approved. We can get it to the floor, so that if some other action is finished by the time our meeting comes around on Tuesday, then we could vote to approve it, but, you know, we can surely move it out of here today.

CHAIRPERSON FIELDS:

Legislator Carpenter has a question for Counsel, I think.

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LEG. CARPENTER:

Paul, I don't think this resolution sends it back to the Legislature for approval, the lease, which I thought was something that, you know, we as

a body have been striving for in these situations, but maybe I'm misreading it, I'm not an attorney, but it doesn't seem that this is requiring that it come back to us for approval.

MR. SABATINO:

All leases under existing County law require Legislative approval. I don't think there's anything in this that contradicted that, but let me just double-check, I doubt that it did.

LEG. ALDEN:

There's no exemption clause.

LEG. CARPENTER:

It just authorizes the County Executive to enter into a lease.

MR. SABATINO:

That's --

LEG. CARPENTER:

But it doesn't say it's coming back to us, because a lot of this I think we'll see in the lease and maybe have a little bit more of a comfort level with.

MR. SABATINO:

Oh, no. This is the authorization of lease, this is actually authorization of the lease, so it wouldn't come back a second time. You have to authorize the lease once, this is it then.

LEG. CARPENTER:

I would just point that out then to Committee members, then that would be problematic and seems to be a step away from what a lot of -- I know Legislator Foley has really been adamant in this and Guldi and others, that these leases, committing the County really should come back to us for approval.

LEG. FISHER:

Actually, the leases that the Park executes, I don't think the agreements with vendors, Commissioner, they don't generally come back here, do they?

COMMISSIONER GORDON:

No. The license -- what we're --

LEG. FISHER:

This wouldn't be like a licensing agreement.

COMMISSIONER GORDON:

-- and they don't come back.

LEG. FISHER:

So the leases where we're leasing from somebody else are a different type

of lease, the Parks has vendors that come in and use parkland and those don't come back.

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COMMISSIONER GORDON:

We have license agreements with an assortment of different, similar, you know, non-profit too, but the portion that could be leased, you know, we've not dealt with this before.

MR. SABATINO:

I think maybe there's a little confusion. This is going to be a ten-year lease with a -- I'm sorry, it's going to be a twenty-year lease with two options to renew it for ten years. So this is going to be a lease, this is not going to be a license agreement. By definition, it really shouldn't be a license agreement, because license agreements by definition are terminable at will, and that's not good in a case like this where there's going to be infrastructure improvements for the parties that are doing the improvements.

Now, I know it's true that the Park's Department has consistently circumvented that in a lot of circumstances, but when we drafted the resolution, we did it the right way, which is you're authorizing a lease. So it should not be a licenses agreement, this community should not want it to be a license agreement, because their interest is not protected.

And it was intentionally structured this way. The point of the resolution was to authorize it. I think the issues coming up here is whether or not the actual details of the agreement are before you, and apparently they're not, because that hasn't been worked out. So that's a question -- I mean we've done it both ways, but I know there's been, you know, recently a fairly consistent desire to see the actual documents.

LEG. FISHER:

The previous Commissioner had said they couldn't work out the conditions of the lease until the resolution had been approved. So, Commissioner, what's your position on that?

COMMISSIONER GORDON:

Well, I have a question with this resolution, because it's indicating that transfer of jurisdiction comes to the County Parks Department and I would want Counsel, County Attorney to look at that so that we don't get into the situation of leasing parkland. That would be -- that's a concern that I have at this present resolution the way it's written, because, as you know, we can't lease parkland.

LEG. FISHER:

Right. And we've been talking about the municipal portion of the parcel.

COMMISSIONER GORDON:

Yes. And I was under the impression that maybe there would be two agreements, one for the municipal piece and one for the parkland piece.

LEG. FISHER:

Yes.

COMMISSIONER GORDON:

So I think that does need to be clarified.

MR. SABATINO:

Just two quick points. One is this particular version, which was

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corrected and incorporated, a whole series of changes that the Law Department had suggested, I didn't necessarily agree with them, but Legislator Fisher thought it was best to, you know, accommodate. I mean some of them were technical in nature, but this reflects the last package of recommendations of the Law Department and this one is limited to the six acres.

LEG. FISHER:

And it was because of a number of meetings that I had with Mr. Sklar who recommended the current resolution as it stands, the current language of the resolution, so that it's limited to the municipal portion so that we don't run into the issues that the Commissioner is concerned about.

COMMISSIONER GORDON:

Well, transferring jurisdiction and dedicating parkland may be two different issues, so maybe my concern is, you know, maybe I shouldn't have a concern, but it's a question that I would like to ask.

LEG. FISHER:

Yes. We have met at length with Mr. Sklar. In fact, many of the people who are sitting here were at my office when he was at my office and these were addressed. And the then Commissioner Scully had indicated that we had to have the resolution in place before he could sit down to execute a lease agreement.

COMMISSIONER GORDON:

That's true, yes.

LEG. FISHER:

So then that -- to say that we can't pass the resolution, because the conditions of the lease agreement haven't been outlined, however, you can't outline the lease agreement until we've passed a resolution puts us in a catch 22. So, it's a really unfair and inappropriate position to put people in who have been -- they have grant money that's sitting here that they need to begin to access before the end off year or at least have a commitment before the end of the year, otherwise some of the

monies -- are you in danger of losing some off that money?

MR. MEDINA:

Yes.

LEG. FISHER:

You are in danger of losing the money. So, this has been something where I have met many, many, and many of the principals who are sitting at the table have met with the previous Commissioner, with the attorneys, the County Attorney's Office so that we could present the clearest, most narrowly defined resolution that we can come up with so that there was no question of alienation of any parkland, that there is no question as to where the building was going to be built. The orientation of the building was changed when Mr. Brown was working on that so that it would be in the municipal portion of the parkland, so there was no question to where that was.

And so we cannot be caught in a circular logic, because you're agreeing that you can't work out the terms of the agreement until we've voted on the resolution.

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COMMISSIONER GORDON:

Yes, but I'm not questioning --

LEG. FISHER:

So this is my answer to what Legislator Carpenter's question was, will the lease come back you to us, well, if you can't work on a lease until we have voted on this resolution, then how do we address Legislator Carpenter's concerns, Counsel?

MR. SABATINO:

Let me just try to answer all the other questions. I went back, the last corrected copy was done on June 7th. That's the one that incorporated those recommendations from the Law Department. That's point number one. Point number two is that -- the answer to the Commissioner's question, which was a good question, the language was clearly changed to make it specific that the property is being transferred for management purposes, not for parkland purposes. So the transfer is to get the into the jurisdiction of the department that will be managing the, it won't be dedicated for parkland purposes.

The third, you know, point was that again the six acres was explicitly set forth. So I think those issues from the Commissioner's standpoint have been resolved.

That leaves you with the other issue, which is a legitimate, you know, issue for discussion. I think the problem may have been caused by the previous Commissioner stating that you can't put together an agreement

without having the resolution. I mean, that's absurd, because that's how -- when we do leases for, you know, for facilities like the health centers, I mean we don't pass the resolution first and then get the document. What you do is you file the legislation and then you have the document. So, I mean if this is the kind of --

LEG. FISHER:

But Commissioner Gordon is saying the same thing. Do you feel comfortable working out the terms of a lease before we have passed this resolution or can you?

COMMISSIONER GORDON:

I think we can work out the terms, yes.

LEG. FISHER:

Okay.

MR. SABATINO:

Proposed lease.

LEG. CARPENTER:

May I just say something? I stepped out of the room before, but I understand that the CEQ provisions that have to be met have not yet, so we really can't approve this on Tuesday. And I can also understand that there's a need to show that the County is a willing, you know, partner in trying to move the process forward.

I would just suggest that perhaps that first resolve clause, just have the phrase inserted that he can be authorized to draw up the lease that

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comes back to the Legislature for final approval. And this way something has been passed and then we get, you know, we have the opportunity to do what we should be doing and reviewing something before we commit the County to it.

LEG. FISHER:

I just wanted to underscore that the reason for a lack of CEQ approval at this point is certainly not based on the merits of the presentation, it was a courtesy to the Commissioner who asked --

COMMISSIONER GORDON:

Do you want me to explain?

LEG. FISHER:

Yes, please.

COMMISSIONER GORDON:

I was not completely up to speed on the project and I did not want to go

to CEQ and have a question come up that I couldn't answer and make it a worse situation for the group, so I asked it to be postponed for a month so that I could come up to speed on it. It is on the agenda for next Wednesday.

LEG. FISHER:

Okay. And I just want to again underscore my urgency that I think Legislator Alden asked very pertinent questions, he asked very important questions. There is a need for stewardship.

This is something that I have certainly advocated from the minute I became a Legislator, knowing that there was so many County properties that were not being used appropriately. I see many signs that say County parkland and they are dumps, and stewardship is important. And, however, we have to be circumspect, as Legislator Alden has said, we want to make sure that we're not creating a bigger problem.

However, before I became a Legislator, I shared a classroom with Lou Medina's organization at the high school. I saw the work that was being done and I've seen through the years since I shared that classroom, the development that has gone on, the Capital Projects and how they worked on those Capital Projects, have met every goal that they have set for themselves in their Capital Projects, the growth in their programs and the determination of the people who work with this organization.

I have a personal investment, because I believe in the work that they do so deeply as an educator. I don't want to see -- I don't want to see this group hurt. If we postpone this to the point where we cannot do something, that we cannot approve this resolution this year, they will lose money and then it will fly in the face of the solvency that they have so carefully articulated today with regards to the questions that you asked, Legislator Alden.

So if I'm seeming to be pushing this so hard, it's because it's critically important that we pass this resolution and that it be signed before the end of this year or they will lose grant money.

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LEG. LINDSAY:

What do you want us to do?

LEG. FISHER:

I'd like it to be discharged, so that at least we have passed this step. We would have to table it on Tuesday, the CEQ meeting would be on Wednesday and I will meet with Mr. Sklar again about changing language to correct it and maybe have another corrected copy.

LEG. ALDEN:

With all due respect, I don't see any problem getting it out of here,

getting the up there. We have to realize we can't pass it when we get it there, because it's incomplete. But a couple of questions that were raised, I think really we've got to figure out now a strategy.

I totally agree with -- I was going to say Legislator Sabatino, with Paul Sabatino, Legislative Counsel, I totally agree with him that the terms of an agreement or a proposed agreement could have been, you know, we could have been developing them all along. And I really feel bad that, you know, that time has gone past and it's kind of wasted time and now we're going to have to compress that, which ever way we choose to go, we're going to have to compress that time frame, because their commitments are probably conditional. On most governmental grants that I'm familiar with, you're going to have to have a signed agreement.

So, you know, before the end of the year there's got to be a signed agreement one way or the other and I would just like to strategize right now how we can get people going right now and start getting some terms of that agreement outlined, because there's a good chance that we could have an agreement by the time we can actually, you know, legally vote on this, which is sometime after CEQ looks at it next Wednesday.

We meet again in, and Paul Sabatino can correct me, what is it, December 5th or something like that?

MR. SABATINO:

December 5th and then December 17th.

LEG. ALDEN:

So, by either the 5th or the 17th, I'm sure that if we get going on it right now, we could actually have a proposed agreement annexed to this legislation and it can all go at one shot.

LEG. FISHER:

I think we're looking at the wrong people. I think we should asking the Commissioner if she could --

CHAIRPERSON FIELDS:

Can we discharge this without recommendation today maybe and then on the floor --

LEG. ALDEN:

Yeah, we can do that, but on the floor it's got to be tabled.

LEG. FISHER:

Yes, I understand that. Commissioner, is that doable?

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COMMISSIONER GORDON:

I don't know. We can try, I'll tell you that. I don't know if it's

doable, but we can certainly try.

LEG. FISHER:

To have it by the 5th?

COMMISSIONER GORDON:

We can certainly try.

LEG. ALDEN:

How about if all of us said, you know, like pretty please and really we'd like to see it happen?

COMMISSIONER GORDON:

As I said, we will try.

LEG. ALDEN:

And we have some representatives from the County Executive, this is going to require a little bit of -- not a super human effort either, it's just going to require a little bit of extra effort. And I would like either a commitment on your part that you're going to take that back and seriously look at it our request to have something done or maybe you can give the commitment right now that, you know, we can get people working on it immediately.

MS. DE ANGELO:

Nicole DeAngelo, County Executive's Office. As Judy had said, we can't give a commitment right now, because the office still has to look at it, but we will definitely try, as she said, but that's not something I can give you at the moment.

LEG. ALDEN:

Well, personally I feel very, very, I'm not going to say insulted, but close to it, because if people were working on this and made that kind of statement, that we can't do anything, we can't negotiate terms of a lease or anything like that until, you know, we have a passed resolution that approves a lease, I mean I have to agree with the characterization of that by Legislative Counsel, Paul Sabatino, it's absurd. So, you know --

MS. DE ANGELO:

We're not saying anything either way.

LEG. ALDEN:

No, but somebody put us in that position and it seems like that statement and that position might have been put -- we might have been put in this position by somebody in the County. So, I would like that rectified, actually. And I think that we deserve an answer and some type of representation that that's going to be rectified in a timely fashion.

MS. DE ANGELO:

Well, I'm sure it's something the County Attorney could address as well.

LEG. ALDEN:

That's pretty much what I'm saying, yeah.

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MS. DE ANGELO:

Okay. That's the Department of Law.

LEG. FOLEY:

And just to add to that, it's my understanding that there is already broad understanding and broad agreement as to what the particulars will be within the agreement, so a lot of the legwork has already been done. And as we've all seen around this horseshoe, sometimes the different departments can move with great speed and alacrity within a matter of weeks to, well, within a matter of weeks as opposed to a matter of months.

So since this has been on, let's say, on the radar screen for quite some time and a lot of work has already been done, I don't think it's too much to ask that if we approve this in an amended form by the 5th of December, that over the following three weeks or so before the end of this year that there shouldn't be in place some kind of -- well, let me take a step back. We would need to have the amended version to vote on by December 5th, so there's a lot of negotiations, well, whatever negotiations that would have to be done would have to be done between now and, well, the Monday prior -- two Mondays prior to December 5th, unless there's a CN.

MR. SABATINO:

Let me just interject another thought, not to make it more difficult, but in all honesty, if it's going to be become a two-step resolution by making this a corrected copy just to start the process, this target date of getting up and running in January is never going to happen. I mean it really makes more sense to focus the energy not on doing a corrected copy, but to focus the energy on putting the document together.

LEG. FISHER:

That's what I was saying.

MR. SABATINO:

I think it drifted into maybe a discussion about a corrected copy.

LEG. FOLEY:

Don't we need it to have -- we've been told that we need to vote on the particulars of -- of the lease, is that correct?

LEG. CARPENTER:

That the lease should come back to us for approval, but they should be working on putting the lease together. It should have been done all this time.

MR. SABATINO:

I apologize. Back in June, when I made all those changes that were forwarded by Legislator Fisher from the Law Department, I really did it on the premise that they were putting the document together so it would all come together. To go to all those changes, to make all those specifics, I really believed that was the case, and that was back in June.

COMMISSIONER GORDON:

Excuse me, though, we're still going through the approval process, both Park Trustees and CEQ, and generally we don't do an agreement until those

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two pieces are in place first.

LEG. LINDSAY:

We want it to change.

COMMISSIONER GORDON:

That's the way we do all of our agreements.

LEG. LINDSAY:

We want you to change, we want you to make an exception with this.

CHAIRPERSON FIELDS:

Put your microphone on.

LEG. LINDSAY:

We need this done by January 1.

COMMISSIONER GORDON:

Okay, Legislator Lindsay, but I'm hearing this today. I mean we do our standard operating procedure.

LEG. LINDSAY:

I just want you to realize what we're saying very crystal clear, we want this done.

COMMISSIONER GORDON:

I hear you.

LEG. CARPENTER:

I want to make sure we're clear on this, I have to agree with what Legislator Lindsay said, having been involved in youth programming and Lou knows this from the organization that I actually helped found many years ago, you're just not going to have enough slots for the number of kids that are going to be want to be there. And we need to be doing more of this kind of thing around the County, because certainly the Towns

haven't been doing it as well as they should, because I hear this all the time, I was at a meeting last night, same thing, no place for the kids to go.

LEG. FISHER:

They have no place to go.

LEG. CARPENTER:

But I just wanted to make sure that I understood, Legislator Fisher, that you will do or make the changes so that we get to see that document, we're approving that document, the lease?

LEG. FISHER:

Absolutely.

LEG. CARPENTER:

Okay. Good. I think for the protection of everyone involved, none the least, these people who have worked so hard, that they're not going to be doing it all in vain. Thanks for coming down.

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CHAIRPERSON FIELDS:

I'm a little bit concerned, though.

MS. CONNOLLY:

I have one question.

CHAIRPERSON FIELDS:

Whose voice is this? You. I have one concern, a huge concern here. Having worked with the Law Department and the Health Department and the Social Services Department on leases over the last three years, it is a quagmire and if they -- and that's putting it mildly, if they haven't begun to work on this lease, how on earth do we expect this to be by the 5th?

COMMISSIONER GORDON:

We do have under our Greenways Active Recreation Program, although it's a license agreement, we can, you know, it's just a matter of changing words, we can probably just take one of those that we've done several of, tweak it, and I think that it's possible we can get it done in a short period of time.

LEG. ALDEN:

Otherwise, Legislative Counsel seems well rested.

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

CHAIRPERSON FIELDS:

All right. Well, I guess Commissioner Gordon, what you have heard from this Committee is that we all agree that this should move quicker than the average resolution does and that everyone, including the County Executive's Office, cooperate and get this done so that we can.

I will make a motion to discharge without recommendation, and it's seconded by Legislator Carpenter. All in favor? Opposed? Approved.  
(VOTE: 5-0-0-0) DISCHARGED WITHOUT RECOMMENDATION

CHAIRPERSON FIELDS:

So it will come out on Tuesday. I would recommend that you show up and -- because at least, you know, we've spent I think probably two hours on this just with one, two, three, four, five Legislators and an additional --

LEG. FISHER:

Excuse me, Madam Chair, we're going to be tabling it on Tuesday. I think it would be more important for them to come on December 5th when it will be -- when we will be hopefully voting on it and we will have a lease and we will be discussing the.

CHAIRPERSON FIELDS:

So, December 5th we'd like to see you all back.

MS. CONNOLLY:

I just have one quick question.

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CHAIRPERSON FIELDS:

In Riverhead.

LEG. FOLEY:

Put me on as a co-sponsor.

LEG. FISHER:

Thank you.

MS. CONNOLLY:

Legislator Alden, you had said that there were some things missing. That was a statement I heard you say, I'm not a hundred percent sure what you were referring to. I just know every time we come in front, whether it's the Park Trustees or this Committee, if there are things that we need to provide, the quicker we get that information, the quicker we can provide them, thus the business plan.

LEG. FISHER:

I think he was talking about the CEQ.

MS. CONNOLLY:

So if there's something else that you need for us to have prepared for that meeting, I'd like to be able to know what it is.

LEG. ALDEN:

The CEQ is one thing, but you don't have to do that, that's --

MS. CONNOLLY:

Well, we've got that.

LEG. ALDEN:

That's got to go through the thing, right. Your business plan and your fund-raising plan, your financial feasibility studies and things like that, those are probably going to be part, not probably, they have to be part of the lease. So, that's what's missing, you know, for us to look at, that hopefully will be here by the time we go to look. So, you've got everything, or from what you said, you do have a plan for, you know, substituting in different types of funds and things like that for possibly missing, you know, government grants and other types of fund-raising, so you've got the plan.

You've also got the trip levers in there, so to speak, that if you don't reach certain goals by certain times, and that's going to be part of your plan that goes into the lease. And we as a governmental entity will probably make that, you know, it's going to be solidified that by October 1st, such and such a year, you have to have this, this and this in place. You know, that's all.

MS. CONNOLLY:

All right, great.

MR. MEDINA:

I'd just like to say one last thing, Madam Chair. Thank you very much, Legislators. You guys are the best. Thank you very much for everything.

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CHAIRPERSON FIELDS:

Well, I would like to say that I wish that I had a group like you in my community, I really do.

LEG. ALDEN:

Me too.

LEG. CARPENTER:

I do have one.

MR. MUNDIE:

As the President where the buck stops, could I say something? I want to thank you all for your time. I was really impressed with the amount of time that you guys spent with this, it's just mind boggling. And I want

to say that from my perspective, and I think the entire Board's perspective, we really look forward to partnering with you. It's wonderful to see that you do have the support of such, such a wonderful group of people, not just those that are directly related in our community, but throughout the entire County. That's really nice to see.

CHAIRPERSON FIELDS:

Thank you all for your time, your effort and the fact that you're just doing this. Thank you.

I.R. 1543 (P) Amending the 2002 Capital Budget and Program and appropriating funds for resurfacing of Smith Point County Park. (Towle)

CHAIRPERSON FIELDS:

Okay. Moving right along. I.R.1543. Amending the 2002 Capital Budget and Program and appropriating funds for resurfacing of Smith Point County Park.

LEG. FOLEY:

Table.

CHAIRPERSON FIELDS:

Motion to table by Legislator Foley, Legislator Lindsay seconds. All in favor? Opposed? Tabled. (VOTE: 5-0-0-0) TABLED

I.R. 1644 (P) A Local Law to establish Code of Conduct for sports and recreational activities on Suffolk County property. (Fields)

CHAIRPERSON FIELDS:

I.R. 1644. I'm waiting for the Director of Recreation to work on this with us, who promised that he would. So, I'll make a motion to table.

LEG. ALDEN:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. (VOTE: 5-0-0-0) TABLED

I.R. 1924 (P) Reappointing member of the Suffolk County Board of Trustees of Parks, Recreation and Conservation (Richard Hilary). (Caracciolo)

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CHAIRPERSON FIELDS:

I.R. 1924. Reappointing member of the Suffolk County -- Commissioner Gordon, have you heard from Mr. Hilary?

COMMISSIONER GORDON:

On this particular issue, no.

CHAIRPERSON FIELDS:

Could you reach out to him, please, and tell him that this is the third time that he was supposed to be here and I have not heard from him.

COMMISSIONER GORDON:

Sure, I will do that.

CHAIRPERSON FIELDS:

Okay. I'll make a motion to table.

LEG. FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. (VOTE: 5-0-0-0) TABLED

I.R. 1953 (P) Adopting Local Law No. -2002, authorizing County Department of Parks, Recreation, and Conservation to construct dog runs at Coindre Hall in Huntington and within county parks. (Cooper)

CHAIRPERSON FIELDS:

I.R.1953. Authorizing County Department of Parks, Recreation and Conservation to construct dog runs at Coindre Hall in Huntington and within County parks. Motion to table.

LEG. ALDEN:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. (VOTE: 5-0-0-0) TABLED

I.R. 1982 (P) Adopting Local Law No. -2002, a Local Law to strengthen enforcement penalties for all terrain vehicles (ATV's). (Caracciolo)

CHAIRPERSON FIELDS:

I.R.1982. A Local Law to strengthen enforcement penalties for all-terrain vehicles, ATV's. Is that -- there were a lot of corrected copies.

MR. SABATINO:

Yes. The final, final corrected copy took into account the recent Circuit Court of Appeals decision, so it would be eligible if you wish to vote on it.

LEG. ALDEN:

Motion to approve.

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CHAIRPERSON FIELDS:

I'll second the motion. All in favor? Opposed? Approved.  
(VOTE: 5-0-0-0) APPROVED

### INTRODUCTORY RESOLUTIONS

I.R. 2059 (P) Establishing taxpayer protection policy for use of county residences. (Fields)

CHAIRPERSON FIELDS:

I.R. 2059. Establishing taxpayer protection policy for use of County residences.

LEG. LINDSAY:

What's the pleasure of the Chair on this?

CHAIRPERSON FIELDS:

We are --

LEG. LINDSAY:

We're prime.

CHAIRPERSON FIELDS:

But we're also working, I'm working --

COMMISSIONER GORDON:

We have a committee in place and I expect, if not earlier, to have a report done the first quarter of '03. And I would request that it be tabled. As I said, we will try and get it done quicker than that, as soon as possible, but I would request that it be tabled until the Committee has come up with some recommendations.

CHAIRPERSON FIELDS:

I'll make a motion to table it now and let's see how we're going with those meetings.

LEG. ALDEN:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed?

MR. SABATINO:

Just one comment before you vote is that we -- in the budget we're projecting the additional fair market rentals, just so you know.

LEG. CARPENTER:

We're meeting on Thursday, so maybe we can have that conversation.

CHAIRPERSON FIELDS:

One more time. I'll table the one more time, you're right.

MR. SABATINO:

We should try to do it by the 17th.

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CHAIRPERSON FIELDS:

That was a big part of the budget.

LEG. ALDEN:

Before we adjourn?

CHAIRPERSON FIELDS: (VOTE: 5-0-0-0) TABLED

yes.

LEG. ALDEN:

Just, Commissioner --

CHAIRPERSON FIELDS:

We didn't vote on that. I'll make a motion to table. All in favor?

Opposed? Tabled. (VOTE: 5-0-0-0) TABLED

LEG. ALDEN:

Earlier we heard a complaint basically about Coindre Hall and that dogs ran up to a person, who is still sitting in the audience and has taken the time, you know, out of her day to come down here, are we addressing that in any way, dogs running free at Coindre Hall?

COMMISSIONER GORDON:

We do enforce it when we can, yes we do. We're not up there every day, but we do have park police enforcing it.

LEG. ALDEN:

Good. Maybe you can just talk to her, and if she wants to file like a formal complaint or something like that at this point. You know, I don't know what the procedure is to, you know, to actually, you know, it has to be followed to maybe get some follow up or some extra type of enforcement.

COMMISSIONER GORDON:

Okay.

LEG. ALDEN:

Thanks.

CHAIRPERSON FIELDS:

Motion to adjourn.

**LEG. ALDEN:**  
**Second.**

**(THE MEETING WAS ADJOURNED AT 4:20 P.M.)**