

**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 **December 12, 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 Jon Cooper  
Paul Sabatino, II - Counsel to the Legislature  
Mary Skiber - Aide to Legislator Fields  
Judith Gordon - Commissioner of Parks Department  
Tom Isles - Director, Planning Commission  
Sean Clancy - Budget Review Office  
Kevin Duffy - Budget Review Office  
Lance Reinheimer - Budget Review Office  
Nicole DeAngelo - County Executive's Office  
Denise Speizio - Parks Department  
Richard Martin - Parks Department  
Lance Mallamo - Executive Director, Suffolk County Vanderbilt Museum  
Steve Gittelman - Suffolk County Vanderbilt Museum  
Bill Faulk - County Executive's Office  
Clark Gavin - Presiding Officer's Office  
Don Garber - Setauket Civic  
Jerry Kessler - Friends for Long Island's Heritage  
Edward Starr - Friends for Long Island's Heritage  
Liz Koch - Friends for Long Island's Heritage  
Toni Kay-Wolff  
Barbara Buscareno  
Virginia Munger Kahn  
Other interested parties

**MINUTES TAKEN BY:**

Ana Grande - Court Stenographer

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(THE MEETING WAS CALLED TO ORDER AT 1:25 P.M.)

CHAIRPERSON FIELDS:

Welcome to the last meeting of the Parks Committee for 2002. And we're going to begin this meeting with a pledge of allegiance led by Commissioner Judy Gordon.

(SALUTATION)

CHAIRPERSON FIELDS:

We have several cards that we will try to get into. We have a presentation and we have quite a few bills, so we're going to try to keep it moving.

Toni Kay-Wolff, Barbara Buscareno, let me see all the dog, yes. Those two, if you'd come up to the --

MS. MUNGER KAHN:

I put my name in also.

CHAIRPERSON FIELDS:

You did put your name in?

MS. MUNGER KAHN:

It's Virginia Munger Kahn.

CHAIRPERSON FIELDS:

I don't have it. I got it, Virginia Munger Kahn, right. Okay. Come on up, all three of you together, if you could. Come up to the table and have a seat and we'll start with -- if you all want to talk at the same time or, you know, or we'll begin with the first card.

The only thing we'll ask is that you hold the microphone like within a half inch of your mouth.

MS. BUSCARENO:

Is this okay?

CHAIRPERSON FIELDS:

That's good. And that you identify yourself for the Stenographer.

MS. BUSCARENO:

My name is Barbara Buscareno. I'm from Huntington. And I'm here on behalf of H-Dog, which is the Huntington Dog Owners' Group, and we're here to speak on the Binder/Fields bill, 2334 I believe, that I was just advised was tabled. But I'm here to speak out against that bill.

I think -- we feel that this bill is extremely onerous and extremely

discriminatory against dog owners. The -- I have received information from the Suffolk County Parks Department on all of the other programs that are offered to Suffolk County residents and not any -- not one of them has anything close to what's being asked in this bill.

This bill asks for insurance to be carried by some group that's going to run, monitor, maintain dog parks. And we have horseback riding. Horseback riders who can certainly -- the horses are certainly

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defecating in parks. People can fall off of horses, horses can get loose and create traffic problems and other conflict problems with the park users. Those people merely pay a twenty-five dollar permit fee for an annual permit, nothing else is asked of them.

Another, hiking, biking, off roading, scuba diving, swimming, all of these other park users are not asked to pay anything much for their permits, they get green keys and they're certainly not asked to carry insurance.

One of the other programs -- one of the other aspects of this bill is changing the Park's rules and regulations. I have a brochure from the outer beach areas where dogs have been allowed to be on a leash and this -- these beach areas are all -- these are beach areas, which, you know, means that they're by the water, and so dogs have been allowed on these outer beach areas on a six foot leash since this rule was put into effect. I don't have the date of it, but I think it's been in effect for a long time.

So, if dogs can poop on a leash, they can poop in a fenced-in area. I don't see the really significant difference. I mean people have to pick up poop wherever it is and dogs certainly don't know the difference about whether they can do it there or not.

And also the web site of the Parks Department does have a web page that says pets are welcome in Suffolk County parks on a six foot leash. And I know at Coindre Hall there have been signs up, at West Hill there's been signs up. I think I read the transcript of one of the Parks Committee meetings and I believe Legislator Carpenter indicated that there are dogs on leashes in Gardiner's Park.

So apparently there's some confusion in the Parks Departments as to whether or not dogs have been allowed in Suffolk County parks on a leash. So it's basically that they have been on leashes.

I think all of us, I mean I know I've participated in beach clean ups, I was an elected official for the Village of Huntington Bay, I was a Trustee and worked in the LWRP there. I've been on a Chamber of Commerce Committee on studying polluting factors for Huntington Harbor

and I think I speak for myself and a lot of other dog owners that certainly we're all concerned about polluting factors, you know, with dogs and we certainly all support people picking up, you know, after their dogs. Certainly nobody wants to step in it, nobody wants the diseases that are carried to other dogs, you know, with having the poop lying around.

So, you know, I think with some -- a lot of -- a lot of the monitoring and control of the situations that have been existing at West Hills and at Coindre Hall have been as a result of peer pressure. And I think you get a lot more compliance in a group situation like this than you do with individual pet owners that walk their dogs individually on the street, who let them out in their own backyards, who aren't necessarily picking up on any sort of a regular basis.

And, you know, I went out to Flower Field, they had a two day dog show in September. And I went out there for that, I show my dogs in

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obedience. And I also went out the following weekend for the Guide Dog Foundation, they had a fund-raiser and they had a dog walk, and at both of those events there were probably a couple of hundred dogs on that site.

And people did come up to me, because I did have a petition, you know, supporting the creation of dog parks, and they said, well, but Legislator Fields is correct that people don't pick up after their dogs. And I said, well, why don't you just look around at this property here, you've got hundreds of dogs, you've got -- they've come from all over the place, they don't know each other, these are pet owners, these are dog show people, these are obedience people, there were agility people, I said, do you see poop all over the place, no, there wasn't any. Because people wouldn't do it in a group situation. They will do it if they're walking their dogs all by themselves, you know, on the road.

And on the Chamber Committee that I was a part of a number of years ago, we did learn that Huntington is in the shape of a bowl and all of the runoff comes down and filters into Huntington Harbor, which was always amazing to me that it could come as far as Dix Hills. So, you've got runoff coming from all over. If you've got all those individual dog owners are not, you know, complying as you would possibly at Coindre Hall, you're still going to have a significant impact from all of them.

I mean what we would like to do is to educate people on the benefits of picking up and that it is important, and I think in a group environment you generally, you would have a better chance of being successful with that.

CHAIRPERSON FIELDS:

Okay. Thank you. Legislator Alden.

LEG. ALDEN:

Hi. Thanks for coming down. Now, you stated before that you were opposed to any insurance requirements and I'm just going to pose a hypothetical to you then. If the County has an official policy that allows people with dogs to come in and kind of not really run them on leashes and just allow them to run around, if I'm walking in there and I get bitten by that dog, I'm going to sue the County, because it's a County policy to allow dogs running around.

MS. BUSCARENO:

Okay.

LEG. ALDEN:

How are you going to protect me?

MS. BUSCARENO:

Well, if I come here to the -- to this meeting and I fall out on the sidewalk, I could sue the County as well.

LEG. ALDEN:

Right.

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MS. BUSCARENO:

I mean anybody steps one foot onto any County property for any activity, I mean some kid could go on a swing and fall over backwards and hit their head and be a quadriplegic.

LEG. COOPER:

If I can interject, because you're really missing the point, Barbara, if I can make a statement. The purpose of my bill, the original bill was actually to address the exact concern that you had. The impetus for my bill or one of the reasons I introduced the bill was a constituent of mine who visited Coindre Hall, and as she was walking, not in the area where we're proposing the dog run, but an uplands area where a lot of people historically have brought their dogs and let them run loose or bring them on leashes occasionally, they've done this for fifteen, twenty-five years, and she was bitten by a dog that was running loose in the area.

And she came to me and said she has no problem with dogs, but why can't we fence them in, and that's what we're envisioning. What I'm proposing is fenced-in dog run areas, they would not be allowed off leash outside of the fenced-in area. So unless you go inside that fenced-in dog run, there's no possibility that you would get bitten.

LEG. ALDEN:

Okay.

MS. BUSCARENO:

And I'm saying that --

LEG. ALDEN:

Now, to address my concern.

MS. BUSCARENO:

Okay.

LEG. ALDEN:

What would you propose for somebody to protect somebody like me who's just up at the park and your dog happens to go and bite me?

MS. BUSCARENO:

I would say that we want to be treated like every other park user. What would I say to you if I'm walking through West Hills and somebody comes by on their horse and the horse steps on my foot or kicks me in the head? I mean those people aren't required to carry insurance, they pay a twenty-five dollar permit fee, that's it. And horses can certainly do -- I mean if you look at Christopher Reeves, and I used to ride, I mean I've got a couple of concussions.

LEG. ALDEN:

Well, I think it would be a stretch for you to blame a horse for what happened to Christopher Reeves, because --

MS. BUSCARENO:

Christopher Reeves fell off of a horse.

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LEG. ALDEN:

Right. He fell off a horse, I think the man was responsible for his own actions, he was an accomplished horseback rider. So to blame a horse for his injury, but now you're missing the point.

MS. BUSCARENO:

We wouldn't necessarily blame a dog either. If somebody is running by a dog --

LEG. ALDEN:

If your dog bit me?

MS. BUSCARENO:

If you're running by and my dog jumps on you and bites you and you're inside a dog park, I will just tell you that people have been going to

West Hills for four years, it's a fenced-in dog run, whether you've been there or not, whether you realize it or not, I was involved with Legislator Hackeling when that was created. I was there when they put the fence up. You know, I talked to one of the --

LEG. ALDEN:

Actually --

MS. BUSCARENO:

-- Parks people when they put that up. Okay. You have not had any liability cases there. I know that there was -- I know exactly of a situation where one dog bit another dog in there. It was worked out by those two people.

And I have these packets, which I would like to leave with you, I need one more, four of them, about other areas --

LEG. ALDEN:

Actually, I'm asking the question and you're not answering the question, so --

MS. BUSCARENO:

Well, I'm talking about liability concerns.

LEG. ALDEN:

I'm going to ask you another question then, if that's all right with you. That you mentioned before too about compliance with picking up as far as dog waste and things like that.

MS. BUSCARENO:

Right.

LEG. ALDEN:

And I'm glad you've been up there, because I have too, and I've been to other places where dogs have been allowed to be running around, and you know what, compliance, as far as compliance goes, what percentage would you put on as far as compliance right now?

MS. BUSCARENO:

Well, I don't know if I would say it's a hundred percent.

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LEG. ALDEN:

Right. Far from --

MS. BUSCARENO:

But if people drive drunk, okay, there's a lot of laws against driving drunk, so there might not be a hundred percent compliance against driving drunk, but you don't ban cars. If there's not a hundred

percent compliance in this particular area, why are you holding these people to a higher standard than anyone else?

LEG. ALDEN:

I thought we were talking about dogs.

MS. BUSCARENO:

I thought we were talking about County programs.

LEG. ALDEN:

No. We're talking about a dog run, we're not talking about all County programs. And if you have problems with other County programs --

MS. BUSCARENO:

One of our concerns about this bill is that it is discriminating against dog owners, that you want dog owners to be held to a much higher standard than anyone else is.

LEG. ALDEN:

Well, actually what you're putting forward is you want to discriminate against me, who is a non-dog owner.

MS. BUSCARENO:

Hardly. But if you're coming into a dog run, what we're talking about is we want a safe and legal place for us to let our dogs exercise and play off leash. We don't want them running around in all of the parks, we don't want, you know, a free for all.

LEG. ALDEN:

Ms. Chairman, I'm done asking questions, because actually I'm not getting any answers. And I understand I guess that's an answer to the question, so --

MS. BUSCARENO:

Can I interject --

LEG. ALDEN:

-- I'm done asking questions. Thank you.

CHAIRPERSON FIELDS:

All right.

LEG. COOPER:

Ms. Chairman, If I can --

CHAIRPERSON FIELDS:

No, no. This is the public portion, so let the public speak. Your name?

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MS. KAY-WOLFF:

Toni Kay-Wolff. I am the President and owner of the Well-Mannered Dog. I'm a professional dog trainer. I've been training dogs for over fifteen years. I live in Commack, Long Island, I grew up on Long Island. And I lived and worked in Manhattan where we have over forty dog runs now that are legal.

And I'm sure that the concerns that you have regarding insurance and regarding environmental issues are well founded. And I want to just stress first and foremost that for me, as a professional, I put people first. I do not put dogs above people, ever. That is something that my reputation is based on. You can ask anyone who knows me of the thousands of dogs and people I train in Nassau and Suffolk County every year.

So, for me, I'm not going to address the environmental issues, that's not something I'm an expert in, that's something that you can all discuss and I think it's important, but you should know that there are tremendous benefits to the County as well as to the community members in having enclosed dog parks.

We lead incredibly stressful busy lives. People will always have dogs. They bring a tremendous amount of comfort to people and they'll always have them. The reason I will always have a job is because people will always have dogs, but they won't always exercise them, train them or give them the mental or physical stimulation that they need.

And a lot of the excuses I hear from my clients is they don't have the time or the space. They don't have the time or the space. Now, time is not something I can help them with, and I discourage people who don't have time for their dogs from getting one, they should get a cat. But space is something we can help them with.

I just came from a client's home the other night where they have no room to run a Chocolate Labrador Retriever given to the husband for various health reasons, it has benefitted him tremendously. If we had a place for him to go, this dog's behavioral issues, the biggest -- let me back up.

The biggest problems I see in my practice today are under-socialized, under-exercised, untrained dogs. We can eliminate two of those problems very easily by giving people a safe, enclosed area that should be monitored, whether it's monitored by someone the County has out there that can be paid for through usage fees, I am all for the users of the parks paying for the service.

My husband plays golf, I'm learning, we pay for the service. We certainly don't mow the lawn at the golf courses, so I'm not sure why

we should have to, you know, make sure that all of the maintenance for the dog parks are done by us.

But certainly in my lifetime of working with dogs, and I started, pardon me, when I was seven, but met my mentor when I was thirteen and have been involved all around the country with shelter programs, training volunteers from communities to train the shelter dogs to make

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them more adoptable, the one thing we have never had to do is tell people to clean up after their dogs, ever.

What we do have to do is give them an opportunity to make their dogs really good canine citizens so that someone who does enter the park doesn't have to be afraid that a dog is going to get loose, jump on them, harm them, frighten them or bite them. So, the benefits -- I can't see anything but a win/win situation for the County, the community or the dogs.

And one other thing that occurs to me that I think is really crucial in understanding here, is that while more than half of Suffolk County, the population, are dog owners, they have at least one dog, if not more, many of the dogs that people start out with end up in your local pound, in your town shelters, and we are killing thirty thousand dogs a day in this country.

And the reason we're doing that, ninety percent of the dogs that end up in your County shelters are because they don't have any obedience training or physical stimulation. So they're in the house all day while people work and they're destroying the home. The owners don't want to be with them, because they can't control them, so they send them to the pound.

And I'm curious, and I couldn't find the information on the internet, how much it actually costs Suffolk County to warehouse these dogs every year.

CHAIRPERSON FIELDS:

It's town, we're County, we have no idea what the towns do.

MS. KAY-WOLFF:

It's thousands and thousands of dollars a year. And it's also heart breaking, it's torturous. So, I think that having the environmental issues looked into fairly and I think that looking at this in a way that does not discriminate against dog owners, who again I would remind you, comprise almost half of the population of this County, are -- those are two things that need to be looked at, the benefits far outweigh any reason I can think of, and I'm more than open to hearing what other concerns you would have.

That's pretty much all I wanted to say about it. I would support Mr. Cooper's bill. And I'm sorry, Legislator Fields, I would have to --

CHAIRPERSON FIELDS:  
Don't be sorry.

MS. KAY-WOLFF:  
-- be against the -- particularly the part about being a quarter of a mile away from water, that just unfortunately limits way to much property around Long Island.

CHAIRPERSON FIELDS:  
Okay. Thank you. Virginia Munger Kahn.

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MS. MUNGER KAHN:  
Okay. Can I borrow this microphone?

MS. KAY-WOLFF:  
Absolutely.

MS. MUNGER KAHN:  
Thank you. I have a prepared statement here, so I hope you don't mind if I read it, I'm not used to public speaking. My main concern here is a rush to action before the public has had an adequate opportunity to comment on this legislation, before the Legislature has had an adequate opportunity to examine the experience of other local governments in running dog parks and before actual environmental studies have been completed.

Last week, because of the snow storm, the public hearing was -- that we were going to talk at was cut short before anyone had a chance to address the Legislature on this bill. That means all the other members of the Legislature, besides those of you who sit on this Committee, will not have had a chance to hear for themselves what members of the public have to say about this bill.

CHAIRPERSON FIELDS:  
We will. That was just postponed.

MS. MUNGER KAHN:  
So we will have a public hearing on this bill?

CHAIRPERSON FIELDS:  
Absolutely.

MS. MUNGER KAHN:  
That's great. That's wonderful. Thank you. The other thing is that

the Legislature has not had adequate opportunity to examine the experience of other local governments in running dog parks. This legislation imposes large financial and legal burdens on dog owners who want to establish dog parks.

In fact, I think this bill is punitive and designed to gut the law allowing the creation of dog parks in the first place. This kind of hostile, obstructionist legislation is unnecessary and is totally out of step with how other dog parks are being created around the country and local governments' subsequent experience with them.

Two months ago several of us dog owners began calling and meeting with government officials in various states about their experiences running dog parks. We solicited letters from these people describing their experiences, and we're going to submit these letters to you all today.

In no instance did any municipality that we spoke to, and I'd say we spoke to maybe a half dozen or a dozen, in no instance did any municipality that we spoke to require dog owners to buy liability insurance on behalf of themselves and the local government.

We did find cases where dog owners were required to pay a nominal annual fee to help offset the government's cost of running the dog

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run, although that's not usual, but most dog parks are offered as a service to local residents. Rather, what we found was extremely positive experiences with dog runs.

Here's what some of these people said. "The park has been in operation for approximately two years and has been a win/win/win situation for all parties. The dog owners, the town and O&G," wrote a representative of one park sponsor. Quote, "we have received numerous thank you letters and favorable newspaper articles."

Now, what public official wouldn't want that? Here's another one from a Parks Director of a town in New Jersey. "When we were approached about a dog park, my first thoughts were was there really a need and dogs don't vote, but the more I investigated, the more I began to realize this could be a win/win situation," he said. "The park has now been operating for two years," he said, "with minimal problems. I have found that park users are very committed to keeping the area clean and they police those dogs who are too aggressive. The park has become very popular since we opened it."

Other letters note that after successfully running one dog park, their town or County now is getting ready to open a second one. Another Park Director told me he thought that a marriage had actually resulted from the creation of a dog park in the township, the marriage was

between the humans.

We also found that many parks have been located next to rivers or other waterways. One in Connecticut is located in a public supply water shed, as I'm sure many homes and businesses are. But anyway, the Health District and the Water Supply District both gave their approval for this dog run provided owners pick up after their dogs.

This is a key point environmental scientists make, that dog parks may actually represent an improvement to the environment. The people who take their dogs to dog parks tend to be responsible and they tend to pick up after their dogs. As long as the waste is properly disposed of by the municipality, there is no threat to the environment from what remains and the waste is controlled.

The bottom line is that the experience of local government officials with dog parks is very good. There's no need for a bill like this, and I'm talking about the Binder/Fields bill. There's no need for a bill like this one that imposes harsh, financial burdens on dog owners.

At the least, this bill has not had an adequate public hearing, as you're aware, nor at this point is there adequate evidence of environmental damage to the dog parks. To the contrary, all the evidence we have gathered points to the benefits.

I urge you to take the time to learn more about this issue before voting on this punitive bill. And now I'd be happy to take any questions.

CHAIRPERSON FIELDS:

Thank you. For someone who hasn't spoken publicly --

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MS. MUNGER KAHN:

Well, I wrote it down this time.

CHAIRPERSON FIELDS:

You've done very well. Legislator Lindsay has a question for the first speaker.

LEG. LINDSAY:

It's Barbara, am I correct? In your remarks you alluded to that as a dog owner you would be willing to pay some kind of permit fee for your dog to utilize a dog run or something.

MS. BUSCARENO:

Well, I think Tony mentioned that fact, but yes, I'm not opposed to user fees. I think to --

LEG. LINDSAY:

Let me just explain where we are right now as a Legislature and as a County government. We are in some financially troubling times.

MS. BUSCARENO:

I'm aware of that.

LEG. LINDSAY:

And, you know, we've shed literally hundreds of County employees, we've cut some vital services to all of our citizens. So, one of the things that I'm concerned about is the cost of modifying the parks to make the dog runs. And if there's a way that that funding could be recouped through permitting fees, I would be much more inclined to support this legislation.

MS. BUSCARENO:

Well, as I mentioned initially, my research indicated that the horse owners that ride on the County trails pay a twenty-five dollar permit fee and they get an annual permit for that. And, you know, I can't say what exactly is fair, you know, for this situation versus that, but it seems like that, you know, might be a comparable thing.

We're basically talking about a fence and a garbage can and somebody picking up the poop on some sort of a regular basis. So --

LEG. LINDSAY:

It doesn't sound like a lot, but fences cost money and personnel cost money.

MS. BUSCARENO:

I understand.

LEG. LINDSAY:

And our Parks Department is tremendously understaffed now.

MS. KAY-WOLFF:

Legislator Lindsay, if I might interject. When I was working with the Town of North Hempstead and Supervisor May Newburger very closely with their Town shelter, one of the things we looked into was having fencing supplied and built as a donation from some of the larger fence

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companies. I think it would probably be something that could be accomplished if the right people were to talk to the right people. It certainly would be very good for their business and wouldn't cost them a whole lot of money.

So, perhaps donations in that form would help offset the cost of

fencing, which probably is definitely the most expensive part of setting up the dog runs. I know people who would actually be more than willing to go out there and put the fencing up themselves.

MS. MUNGER KAHN:

Can I just make another comment? I mean I have an answer to Legislator Lindsay.

CHAIRPERSON FIELDS:

Let me just say a couple of things first. I don't know exactly what the history of horse trails are in the County system, but -- and I don't even know if our Commissioner knows for sure, she may. It's very possible that we inherited the horse trails as horseback riding trails when we got that park system, that we didn't build the horse trails, so it wasn't an expense. Am I correct?

COMMISSIONER GORDON:

To some extent, yes.

CHAIRPERSON FIELDS:

So that's one aspect. We don't have a dog park, it has to be built. So in looking at legislation, the County can't take this on, we can't even take care of what we already have. So that was one reason that that was put into there.

And when it comes to accepting gifts and so forth, that's a whole thing with resolutions and so forth. It could be done, I'm sure, but -- or I'm not sure, but it could very possibly be done and certainly it would be considered.

There was a third thought, and I'm not remembering what it was, but let's go to the third speaker who said she had something else.

MS. MUNGER KAHN:

I just wanted to respond, Legislator Lindsay, that the Town of Huntington has actually agreed to donate the fencing, to donate the cost of building the fencing around a dog run at Coindre Hall. So, the County would not even have to pay for that, the Town would do that for us.

LEG. LINDSAY:

But we still have to pay someone from the Parks Department to oversee it, right?

MS. KAY-WOLFF:

Not necessarily.

MS. MUNGER KAHN:

Most dog parks --

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CHAIRPERSON FIELDS:

Yes.

MS. KAY-WOLFF:

What is that -- what information are you basing that on?

CHAIRPERSON FIELDS:

We can't just have somebody come and build a fence.

MS. KAY-WOLFF:

Oh, you mean overseeing the building of the fence?

LEG. LINDSAY:

No. I'm referring to the operation of it.

MS. KAY-WOLFF:

No. That is something that around this country are very definitely monitored and policed by the users of the park. In Manhattan I can't think of one place, nor in Nassau County, I could be wrong, I would have to check, but in Manhattan I know for a fact, because I was there for so many years and was partially responsible for one of the bigger dog parks now at Madison Square Park being built, that we did not have any government type of overseeing of the park whatsoever.

Here's the thing that I think is important to note, people who pay me to help them train their dogs, people who want to take their dogs out to parks or wherever to exercise them, these are responsible people, these are not the people who are walking around the streets letting their dogs run loose harassing children in the neighborhood. These are people who care enough about their animals to want the best for them and these are people who are going to make sure that the people who don't care are not going to be permitted in those parks.

So I think that the policing and monitoring very definitely takes care of itself that way, it wouldn't cost the County any money in order to cover that.

CHAIRPERSON FIELDS:

Today we are going to table all of the bills that have anything to do with dog parks and there will be ample opportunity for you and anyone else, another dog owner to come and address us. And just to correct what you said about us having the opportunity to hear, we have been hearing about dog parks for a couple of months now and, you know, quite a few people have spoken, so it's not like we're not educated or we have no idea.

And it's also not that we're dog haters. This has nothing to do with liking or not liking a dog, it's about doing the right thing for

everyone and before you just jump into something, you really need to look at all the aspects of it and make sure that it is the right thing to do. And so Legislator Cooper has been chomping at the bit and he needs to say something.

LEG. COOPER:

I just wanted to add to what one of the speakers said, not only would the Town of Huntington in the case of Coindre Hall, they have agreed

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to put up the fencing, but they've also agreed to help maintain the park, they'll pick up the trash, they're going to put in water fountains, they're going to put in poop bags for the dogs.

And one reason that the Town is so supportive is that we had a serious problem with vandalism at Coindre Hall as well as gang activity in that area. But after the dog run was -- after the dog run was more heavily utilized, the gang activity dropped off, it's almost nonexistent now and the vandalism has all but disappeared. The police are strongly supportive of the dog run and they would like to see it formalized.

CHAIRPERSON FIELDS:

Okay. Thank you. Thank you, ladies.

MS. BUSCARENO:

Thank you very much.

CHAIRPERSON FIELDS:

Steve Gittelman and Lance Mallamo. Why don't you come up together, I think you're both going to talk about the Vanderbilt Museum. Okay. Who's first?

MR. GITTELMAN:

Well, I would like to thank you for allowing us to speak to you. Of course, we're here for two reasons. The first one is the renewal of the annual commitment from the endowment, which we have met and discussed on repeated occasions, but there is never a moment when there can't be another question. So, I'm principally here to answer any questions that might exist at this time.

I know that we've discussed it and I know that you have a heavy agenda, so allow me to simply field questions, if that's possible.

CHAIRPERSON FIELDS:

Legislator Carpenter.

LEG. CARPENTER:

Thank you, Madam Chair. I'm just reviewing the memo that Budget

Review sent to Legislator Cooper regarding this resolution to provide the payments to -- from the endowment to the museum on a monthly basis. And the thing that's a little bit troubling to me as, you know, it's not a real surprise, but that the value of the fund has gone from 16.8 million in 2000 to thirteen million in December of 2002. And it seems that they've arrived at this figure that as long as the value of the fund is at least 12.2 million, that it will be able to generate the 1.2 million a year for distribution to the museum.

What I want to know is what kind of mechanism is in place to watch this so that if we get to a danger point, I mean we're really kind of close here, you're talking eight hundred thousand dollars.

CHAIRPERSON FIELDS:  
Budget Review has an answer.

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MR. REINHEIMER:

Budget Review reviews the monthly reports that come out from Fleet Investment Services each month and we're in contact with the Investment Manager as needed on a monthly basis and monitor this quite closely on distributions, value, realized capital gains, everything. It's done on a regular monthly basis.

So, I don't think there's a problem with monitoring this, and knowing the market value and where we are, the Investment Manager is aware of the situation. He had sent us a letter, we got that 12.2 value from Fleet. That's based on their rate of return for funds that are fifty percent stock and fifty percent bonds over the long term since 1950, averaged return of 9.8 percent. So they feel confident that 12.2 is a -- the low side that the fund should be at in order to provide 1.2 million.

They also feel, but they're in the stock market that, you know, that the bottom is near. The fund has increased over the past two months, so it seems to have levelled off and it's not dropping, at least at this point in time.

LEG. CARPENTER:

Lance, I didn't mean to suggest that the mechanism wasn't in place for monitoring it, but is there a number that would really, you know, cause you to be alarmed? We're at thirteen million now, they're saying 12.2, what is the number? And I'm encouraged to hear that it has appreciated a little bit over the past weeks or months, but if it starts dipping down, where is that dipping down to a point that we need to be concerned about?

MR. REINHEIMER:

Well, I think we would like at 12.2 depending on market conditions, where we are, realized gains that they've had to that point in time during the year, and we would talk to the Investment Advisor and ask for their opinion and counsel. We're not the experts in the financial field, but we rely on Fleet and we would talk to them. If it got close to 12.2, we would be in communication with them.

LEG. CARPENTER:

When was the last time we addressed the financial advisor for this? Because I remember there was a whole selection process that took place and, Paul, maybe you can remember or, Lance, you might know how, when was that and for how long a period does Fleet have this account?

MR. REINHEIMER:

They went through the RFP process, and I believe it was last spring that they were selected. I think it's a two-year period with two, one year options to renew.

LEG. CARPENTER:

But they had it prior to this, did they not?

MR. REINHEIMER:

That's correct.

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LEG. CARPENTER:

So they've had it quite a while.

MR. REINHEIMER:

Starting in 1997 I believe is when they started, the end of '96, and really got the assets the beginning of '97.

LEG. CARPENTER:

Okay. Thank you.

CHAIRPERSON FIELDS:

Legislator Lindsay.

LEG. LINDSAY:

Fellows, maybe I should know this, but who determines the assets mix in the portfolio, is it strictly up to Fleet or is it up to the Board?

MR. GITTELMAN:

Actually, the asset mix was determined -- is determined by a continuation of this legislation in the sense that you allow them to go to fifty percent equities. You've allowed a balanced portfolio, because previous to this legislation, they were I think holding at about eight to ten percent equities, but it is Investment Counsel, not the Board of Trustees. It's really something that Investment Counsel

seems to determine.

LEG. LINDSAY:

But I'm sure that they would listen to the Trustees, I mean if -- I mean has there been any consideration to go more conservative with the portfolio?

MR. GITTELMAN:

The Trustees are not really privy to investment decisions and we really are not --

LEG. LINDSAY:

Do you think that's a mistake?

MR. GITTELMAN:

I think everybody thinks that their opinion has value, but I don't know that --

LEG. LINDSAY:

I don't think it's a matter of that, I think it's a matter of, you know, Fleet, you know, is a financial institution that invests money and returns money, but the Trustees are responsible for the museum, its life breath and if suddenly the returns, you know, if God forbid we went through another period like we went through the last two years where equities were down so dramatically, you know, the museum is going to have a problem.

MR. GITTELMAN:

I agree with you. The way the -- historically and the way in which the endowment was created and the backbone of the endowment is that the County is the overseer of the endowment. Typically they do that through Budget Review and I --

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CHAIRPERSON FIELDS:

Can I interrupt? Was it always fifty percent? Before that it was higher, right? So who made that change?

MR. GITTELMAN:

No. Actually --

CHAIRPERSON FIELDS:

I mean lower.

MR. GITTELMAN:

It was lower.

CHAIRPERSON FIELDS:

Who made the change?

MR. GITTELMAN:  
We did here, you did.

CHAIRPERSON FIELDS:  
Who -- I didn't just -- someone didn't --

MR. GITTELMAN:  
I'm sorry.

CHAIRPERSON FIELDS:  
Someone didn't just come up and say, hey, I think we ought to change it, somebody had to initiate that change.

MR. GITTELMAN:  
The original legislation was by Legislator Hackeling, I believe, and it is memorialized in the current legislation.

LEG. LINDSAY:  
And the legislation says up to fifty percent?

MR. GITTELMAN:  
That's right.

LEG. LINDSAY:  
Up to fifty percent.

MR. GITTELMAN:  
But I don't believe that they are at fifty percent, I believe they're at thirty-two percent.

CHAIRPERSON FIELDS:  
Lance, do you know that?

MR. REINHEIMER:  
Not precisely, but that sounds about right. The Legislature has the fiduciary responsibility for the fund. The Legislature sets the investment objective. The Investment Managers work within that objective. They can go up to fifty percent in stocks and they have been pulled back, sometimes they have a larger cash position. Right now they're looking, I think they're more in bonds than they are in

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stocks. But as long as the Investment Advisor works within the objective set by the Legislature, you know, that's how the fund operates and they make their decisions based on their research.

LEG. LINDSAY:  
So really within those parameters, and that's a huge parameter between

fifty percent and thirty-two percent in equities, thirty-two percent makes me feel much more comfortable at this point in time. So it's really up to Fleet to make that determination in those parameters?

MR. GITTELMAN:

Yes, it appears -- that would appear to be the case. I do believe there's a dialogue between Budget Review and Fleet, but I think Fleet is the one who decided to go to thirty-two percent.

LEG. LINDSAY:

And the Board has no role in this at all?

MR. GITTELMAN:

No. We are not allowed a role.

MR. REINHEIMER:

And right now they're at thirty-six percent in stocks and sixty-one percent in bonds and U.S. Government obligations. So they do change according to the market. And that's normally the way you would set up an account, is you set the investment objective, and unless you change that, the advisors, managers work within that objective.

CHAIRPERSON FIELDS:

Would that have to be a resolution in order to lower that?

MR. SABATINO:

It's always by resolution. This was changed, I think it was 8020 in the previous cycle when we had Bessemer Trust. And prior to Bessemer Trust, there was Axe Houghton, but it's always done by Legislative resolution, the Board under the endowment and the statute --

LEG. LINDSAY:

But it's up to.

MR. SABATINO:

Yeah, it's up to. I mean you can -- you could change that. You, as a Legislative body, totally control that. You could say it's got to be precisely 75/25 or 60/40, it may be a little bit inflexible to do that, but you could do it. But in terms of setting the parameters or making it exactly precise, that's exclusively a Legislative function.

MR. REINHEIMER:

If I can add, the reason why they increased the amount they wanted to go into equities or why the Legislature did that at the time was to try and get capital appreciation and get income going in, more in bonds. You're not going to receive any capital appreciate over the long run, you would get income. And with the interest rates low, if you put the whole portfolio in bonds, you would not realize probably more than eight or nine hundred thousand dollars in income. Maybe -- that's even optimistic.

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So what we're trying to do, what the Legislator is trying to do is to get capital appreciation and income, so over the long term the fund can grow and sustain interest increases and provide income to the Vanderbilt Museum.

MR. GITTELMAN:

I think that if you look at it from an historic perspective, the endowment at the time that the program was initiated in '96, and you'll have to excuse me if I'm off, I do believe the endowment itself was less than the endowment is today in terms of value. But in that six year period, the endowment has yielded between a million and a million-two for the museum. So we may look at the value of the endowment today, which is greater than it was when we started the program, but it has also yielded support for the institution in the vicinity of seven million dollars.

LEG. LINDSAY:

I'm not arguing about the long-term perspective, if you had more money in the fund, certainly the long-term perspective would be more applicable. But I mean you need 12.2 in it, BRO says, in order to generate the kind of income from the endowment that you're talking about and we're like eight hundred thousand dollars away.

And I can appreciate Fleet's, you know, since 1950 the return has been 9.8, but it certainly hasn't been anywhere, you know, I'm sure that isn't the case the last couple of years, I mean equities are down twenty-one percent this year. It's just getting very close, it's getting very close.

And my question was simply even if it's a short-term strategy, is there time to pull back a little bit from equities until the market clears up a little bit. And that was my question and you guys answered it, you have nothing to do with that, you don't, you know, you'd have to go -- either present a resolution or talk to the managers about it.

MR. MALLAMO:

Legislator Lindsay, if I can just interject. While I was not on the RFP Committee that reaffirmed Fleet, I did participate in all of the meetings and saw the review of about five other proposals that we had. And I think the Committee did a very thorough job, met many, many times and I think their conclusion was that Fleet had done an outstanding job --

LEG. LINDSAY:

I'm not saying --

MR. MALLAMO:

-- over the past several years.

LEG. LINDSAY:

I'm not saying anything against Fleet. I'm simply asking is it -- has anybody thought about retrenching with the asset mix at this point in time?

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MR. GITTELMAN:

Well, by default, they have retrenched.

LEG. LINDSAY:

Okay.

MR. GITTELMAN:

And Lance brings up the point, the Committee that appointed Fleet, it has always struck me that a representative from the Board of Trustees could provide insight into how we think Fleet has done, but we are always excluded from that Committee. And I think we would welcome participation on the next round if it could be -- if it's allowable.

CHAIRPERSON FIELDS:

Lance, I would ask maybe that you look at what Legislature Lindsay has proposed and just give us, you know, kind of an advisory comment in the next week or so just to see if there is something that should be revisited, maybe the numbers should change or whether you think it's just fine the way it is and let it roll.

MR. REINHEIMER:

Well, we could meet with -- we could request to have Fleet here, I mean they're the investment experts and they could advise you. You could quiz them and ask them, you know, based on what your objectives are what they feel the mix should be.

CHAIRPERSON FIELDS:

The only problem with that is that this Committee has been privy to months of discussion about this and this is the last Committee meeting, the mix may be totally different in January, but it probably is something that we can put down as for notes for the next Parks Committee.

MR. REINHEIMER:

The other suggestion that you could do is we can always advise the investor, you know, managers what we feel the ceilings, we meaning the County Legislature, what the floor should be for --

CHAIRPERSON FIELDS:

I think that's a great idea.

MR. REINHEIMER:

-- for revisiting. And they're very accommodating.

CHAIRPERSON FIELDS:

Okay.

MR. REINHEIMER:

Whatever recommendation that's made by the Legislature, whatever directive you want to give the managers, they will do. And so if you feel comfortable with a set floor to come back and revisit distributions, that can be arranged.

Just to correct what one of the Legislators said, we did not set 12.2, that was set by the Investment Managers.

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CHAIRPERSON FIELDS:

Okay.

MR. GITTELMAN:

For the purposes of the museum, though, we need to meet salary in the year 2003. This legislation -- we need to meet payroll, I'm sorry, I used the wrong word. We need to meet payroll and we need to function in January and February. This legislation has an impact on that, so we are asking you to consider this particular legislation now.

CHAIRPERSON FIELDS:

Legislator Carpenter.

LEG. CARPENTER:

I think we all understand that, but what we also need to know and make sure is understood that at the number being 12.2 and being eight hundred thousand dollars away, you need that to meet payroll. If it looks like that might not be forthcoming, then we need to be aware of it with, you know, in a timely fashion. So I know that 12.2 was the amount or the dollar amount arrived at by Fleet, but I would like to think that if it got to be 12.5, that we were aware and talking about it.

LEG. LINDSAY:

If I may, the 12.2 did come from Fleet. They're saying that's what's needed to generate the income that's needed, assuming their long-term interest rate of 9.8. There's no way that that portfolio is going to earn 9.8 this year, no way.

MR. GITTELMAN:

I think that we have to look at what Fleet is saying --

LEG. LINDSAY:  
Unless I'm crazy.

MR. GITTELMAN:  
-- and what they're suggesting is that the endowment can yield the 1.2 million comfortably at 12.2 million, but there is nothing in statute that says that in the event that 12.2 million was reached, that they couldn't give us the 1.2 million. They're only -- what they're saying is, and this is one of the problems when we receive these reports when we come up here to sit down, and what they're saying is, is that they can comfortably produce this without the fund being reduced below 12.2 million, but there is nothing that says that they can't continue to pay out the 1.2 million. There is no floor. I mean, Lance, they're not suggesting that they can't continue to provide the funds?

MR. REINHEIMER:  
No. It's a response to a request made by Budget Review to come up with what they felt was a comfortable floor given if the market continued the decline, when should we start to be concerned about, you know, the value of the fund and its ability to provide 1.2 million over the long term.

And again, we're not the investment experts, so we wanted something from them. And Dr. Gittelman is correct, that this policy does not

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prevent them from distributing 1.2 million during 2003, below 1.2, below twelve million dollars, 12.2, but that's really I think what Legislator Lindsay is looking at. That's the floor, when it gets to be 12.2 million, we should just be cautious in our distributions and look at the market and talk to the investment and really have everyone on board, you know, what is best for the long term, for the museum, for the County, for the fund.

We're hoping that this doesn't continue to decline, that it does start to reverse and that we won't have to have that discussion when it hits 12.2. And it has turned around a little bit, I think the mix of the equities has been modified a little bit. Fleet's policy now, in light of what's happened in some large companies, is that they're reducing their positions in any company if it -- if it represents two percent of the portfolio.

So through capital gains, if they have a company and it approaches or exceeds two percent of the equities, they're starting to pull back. So, they're being cautious, they're not going into one company higher than another company, they're trying to spread the equities around so that if by chance something goes wrong with another corporation that we don't know about, that it doesn't hurt the fund. I think they've been very cautious and conservative.

CHAIRPERSON FIELDS:

Okay.

MR. REINHEIMER:

And so the 12.2 really is something to be comfortable with, that, you know, I think maybe we should have discussions when it hits 12.2 million, but we don't need to stop distributions, we just need to be cautious and look at the market and where we feel and the investors' feel it's going.

CHAIRPERSON FIELDS:

Maybe what we will do is invite the investment banker to the next Parks Committee meeting in January just to field questions and make us feel even more comfortable.

MR. REINHEIMER:

Budget Review can send them a letter and request that.

CHAIRPERSON FIELDS:

Great. Thank you. Thank you very much. Okay. Thanks. Do you have anything else?

MR. GITTELMAN:

No. Thank you very much.

MR. MALLAMO:

We also have a resolution on about ADA compliance.

CHAIRPERSON FIELDS:

Talk a little closer.

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MR. MALLAMO:

We have a resolution on today appropriating --

CHAIRPERSON FIELDS:

ADA, right.

MR. MALLAMO:

ADA funds for the Vanderbilt Museum. We have, just have completed hot off the press a master plan for all museum buildings, I will get a copy to each of the Committee members. I just have the one copy right now, but I will get one to you. But do we have any questions on this particular project today?

CHAIRPERSON FIELDS:

Legislator Alden.

LEG. ALDEN:

Hi, Lance. Now, the other projects, this is going to take precedence over some of the other projects that we had, you know, ongoing at this time? Because I know there's some restoration and there's some other types of things that --

MR. MALLAMO:

No, not at all. This is the project that was in the Capital Program for this year. The other projects that I had talked about previously, those are very much underway. So those are in construction right now. This project, only the planning has been completed, so what we're asking for today is construction funds. And it's really a relatively small project, installing a bathroom. That's what it is, it's pretty simple.

LEG. ALDEN:

Good.

CHAIRPERSON FIELDS:

Okay. Thank you very much.

MR. MALLAMO:

Thank you.

CHAIRPERSON FIELDS:

Don Garber.

MR. GARBER:

Thank you for letting me address you. My name is Don Garber. I'm with the Setauket Civic. I'm here really to just make the members of this Committee aware of a project that is going through that will appear on the agenda this coming Tuesday's meeting. The reason I'm apprising this Committee of what's going on is that it has a certain amount of Parks component to it. It could actually have been cross listed on this, for this Committee.

Many of you may be aware of the Sherwood-Jayne complex, which is located in East Setauket. It's a very unique complex, benefits all of Suffolk County. It's about forty-some acres. It contains a house from the 1700's, it has orchards, fields with sheep, farm fields and

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it's one of the few colonial houses that has a woods that is the companion to all the other older colonial houses. It is currently owned and run by SPLIA, which is a Society of Preservation of Long Island Antiquities.

There is a process for the County and Town of Brookhaven to purchase the development rights for ten acres around the house. This would be

a 70/30 deal with Brookhaven Town. Brookhaven Town has approved it for the woodlands, which is a very interesting ecosystem, which has an oak hickory forest and a wetlands. It is -- would be purchased by the County as a preserve.

But should this all go through, normally when we buy something, the money goes to the developer who wanted to develop the parcel. These monies, in fact, would go into an endowment for the stewardship for the entire Sherwood-Jayne complex. And so right now, for instance, school children from all over Suffolk County come see all the agricultural arts being performed on the place, go through walks through the woods.

One of the most popular walks would be the medicinal plants, the same plants that were used in colonial times to treat the colonists are still growing in this woods. And it make for a very enlightened, educational experience.

This complex, there was a number of years ago when Society for Preservation of Long Island Antiquities had funding problems, was in a stage of being turned into houses. Our community is very, very protective of this parcel and we hope that the Legislature will pass this thing. If it is, it will be expanded in terms of children throughout Suffolk and, in fact, Nassau County will be able to come to the really unique place, which is a colonial house and all its surrounding fields and a woods, which just isn't common anymore.

So, I just want wanted to make sure that this Committee, which has parks as your jurisdiction, while this is not really an active park, it really is an asset that will complement other parts of Suffolk County's Parks system.

CHAIRPERSON FIELDS:

Do you know that this bill is not before this Committee today?

LEG. FOLEY:

He knows it.

MR. GARBER:

I believe so, it is not, yes.

CHAIRPERSON FIELDS:

Right. Okay. Legislator Alden has a question I think.

LEG. ALDEN:

Hi. Thanks a lot for coming down here, but it might not be fair to ask you the questions, but --

MR. GARBER:

Shoot. If I can help, I'd be happy to.

LEG. ALDEN:

The society that owns it right now, are they a not-for-profit, do you know?

MR. GARBER:

That's right, SPLIA.

LEG. ALDEN:

So they're a 501-C-3?

MR. GARBER:

Yes.

LEG. ALDEN:

Are they -- they're anticipating now selling off parts of the property for housing?

MR. GARBER:

The current Trustees, who really do not want to develop the property for housing -- in 1989 they essentially were under financial pressure and they were starting the process of liquidating a bulk of the site, which things hit the fan in the community, obviously. There's no taxes paid on the SPLIA property, this is part of their charge. They are not parting with the house itself. There's ten acres of the farming complex around the house, they will retain title and the County and the 70/30 cut with Brookhaven Town will purchase the agricultural development rights.

And in order to -- we want to save the whole complex. In order to save the woods, that will be a County preserve with the presumption that there will be more elaborate paths and access for mainly school children to do these nature walks, which are starting and are very, very successful.

They are a not-for-profit. There originally were a Three Village organization with names like Ward Melville and Howard Sherwood and Hulse, if you know those names, that had a number of houses. Over time, they had more gravitated more in towards the city and they hold properties from Brooklyn out to Sag Harbor, the Customs House.

And the community's fear is that right now the Board has agreed with us that this should be preserved, but as financial pressures, and we're concerned financial pressures on non-for-profits, instituting museum services are bad things, as you just talked, endowments are down, and so they may look around and try to liquidate.

But the beauty of this is that this is in its own right an

environmental land that merits being protected, but the money would actually go into an escrow account or an endowment that would essentially be drawn, which would support this thing and really, you know, add to the life aspect of it. Yes?

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LEG. ALDEN:

Under the resolution that would preserve some of it, is there a portion of the property then that wouldn't be protected? Because you were talking about ten acres, right, this is a forty acre parcel?

MR. GARBER:

Actually, what won't be protected would be actually the house. I think the house itself would be still strictly SPLIA, which is Society of Preservation. They have a number of houses. But this money, this endowment would go into strictly supporting the Sherwood-Jayne complex, not the whole society.

LEG. ALDEN:

Do you know if anybody is salaried in that --

MR. GARBER:

Yes.

LEG. ALDEN:

So there are salaries being paid out of that?

MR. GARBER:

Out of these future money?

LEG. ALDEN:

No, in the whole society.

MR. GARBER:

Yes. There are salaries. There's a Director, Robert MacKay, who is a Ph.D. He was here at Bishop's Committee and he was speaking to that thing. Yes, it gets institutionalized, like these thing do.

LEG. ALDEN:

Okay.

MR. GARBER:

But it's a real -- would be -- you know, I just wanted to make sure you knew about it and hopefully on Tuesday it would not come as a surprise.

LEG. ALDEN:

Thanks.

MR. GARBER:

Okay. Anyway, thank you.

LEG. FOLEY:

Good work. Thank you.

CHAIRPERSON FIELDS:

Thank you. Jerry Kessler, come on up.

MR. KESSLER:

Okay. Just before I begin -- can you hear me all right, or is this thing not on?

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CHAIRPERSON FIELDS:

I don't think it's on.

MR. KESSLER:

Okay. Before I begin, I'd just like to introduce two people that have joined me today, my associates. First, Liz Koch, our Comptroller, who is on my left over here. And to her right is Edward Starr, who's our Chairman of the Board and been a long term Trustee of the Friends for Long Island Heritage.

At the last meeting when we finished up, Madam Chairman, you were asking questions about items that were appearing on the inspection reports.

CHAIRPERSON FIELDS:

Right.

MR. KESSLER:

That we had provided to you. And you asked a series of questions about was this work done, that work done, and I said that we had seventy such buildings and seventy such reports, we didn't commit them to memory and that we would come back to you with a report with regards to work from the inspection report, but also we felt that it was important to give you a larger picture on the work that has been performed on County housing.

I believe that you should have received probably on Tuesday by Fed Ex, a report that looks like this to your offices and I reported each to you. And I think that one of the things that we wanted to show you was how we've been able to assist the County in the preservation of the County housing on County parkland.

And as you can see from the very first page, and that's what we called your attention to particularly, was that we gave you a complete listing of major work that was performed during this particular,

during this time starting off with the fact that we had put on twenty new roofs.

CHAIRPERSON FIELDS:

The time being --

MR. KESSLER:

I beg your pardon?

CHAIRPERSON FIELDS:

The time being, you said during this particular --

MR. KESSLER:

The time being since the beginning of the program in 1989.

CHAIRPERSON FIELDS:

'89.

MR. KESSLER:

When the program began in '89, and what we did was a summary of that work. And as you can see, I won't read it off because we did provide

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it to you and you can look at it, but I think that if you take a look, you can see the new heating boilers, new bathrooms, new kitchens, interior, exterior painting, it's the complete type of work that our contract and agreement calls for with the County in assisting the County in the maintenance of these structures.

I think that we went on to the second page and we felt that it was a little more important to give you some more detail with regards to how we, in fact, function. And we comment here that, independent reports, that the independent inspection reports that we get, we're at about a yearly cycle now, they can go over a twelve to fourteen month cycle, and we're currently in the new cycle. November started the new cycle, we'll be in November, December and January and we'll be through our cycle again.

And we indicated that the inspection reports are only one part of our mechanism to determine the workload with regards to the units that are under our management. And as we indicated here, that we maintain a twenty-four hour, seven day a week phone system, telephone line for all of our tenants so that they can call in and we can respond to them if they have something that they have as a problem.

We indicated to you that all work falls into three categories. First there are emergencies, and we just gave you an example here, the Little Red School House, which is, as you know, is occupied by the Art League of Long Island. Well, we just got an emergency call, this is

within the past four weeks, in which the boiler door was blowing open due to back pressure.

We responded immediately, and I mean immediately, we had, our staff people were there within thirty-five to forty minutes, because we do operate locally, that's where our people are. And we then called in some experts in the field to take a look at the chimneys and we discovered that there was a nest in the chimney that was causing the blow back. The chimney cleaners cleaned it out and we cleaned up the problem. So emergencies are always taken care of on a 24/7 basis.

The second order of priority is always safety, as you might expect. And safety, most safety items show up basically on inspections. And they usually deal with stair treads, they usually deal with railings on stairs and those types of things that we consider to be safety. And safety issues, once identified, are taken care of again immediately.

And then the third category is the general repairs, maintenance and restoration work. And that's the kind of work that is prioritized again through the critical importance to the preservation of the unit. Obviously roofs are always critical to any unit. If you don't have a secure roof on a building, you're not going to have a secure building. That's why, as you know, we've put on twenty roofs since the program began.

And so that again, when we do the general repairs, we also -- priorities are set by the County, we work with the Division of Museum Services with regards to particular buildings that need to be done. And we call your attention to two particular ones that we work very

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closely on, one is the Oakley House in West Hills Park, which was a rather extensive moving of a building that was located -- happened to be located on Dr. Gittelman's property and he gifted it to the County and gifted funds with it. And then we moved the building on to County property about three hundred feet through the woods and re-established the building. And, in fact, I think if you take a look, it's the building that's on the cover of the book that we gave to you.

And currently we are doing, doing major restoration work on the {Stimson} House in West Hills Park. And that was page 16 in your book. We'll give you a detail of what we're doing there as we speak. And I mean today, and I was there yesterday on inspection of it, we have been -- we have ripped off the roof, and it's a wood roof, because it's a very important historic building, not an asphalt roof, and we're replacing the wood roof by ripping it off. And that's undergoing work right now.

We are doing -- we have torn out and gutted a bathroom, there will be a complete new bathroom. All the windows have been removed and changed, re-established, and all the windows restored, so there's a whole series of work that's being done on that building, which will include -- and this will take us right up over the, over the cold weather in that building and bring us right up into probably spring.

We're going to -- occupancy in that building is going to be by a Suffolk County Park Policewoman or Policeperson, I guess.

LEG. FOLEY:  
Police officer.

MR. KESSLER:  
That will be occupying the building. And we've indicated to her that it looks like we're on schedule, that we'll be able to give her occupancy in February, because the interior of the building will be finished. As we get into the warm weather, then what we will do is go to the outside of the building and power wash and prepare the building and do a complete restoration painting on the exterior.

What we also did in this report to you was to provide in Roman numeral III, the following is a unit by unit review of improvements prior to the most recent inspection reports. And then what we did, we followed that, each of these reports is followed by the recommendation, recommended improvements on the most recent inspection reports and the status of each recommendation and to each recommended improvement.

Also, the Chairperson asked for who handled the landscaping on each of the units. And if you'll notice on each of the units on what we call item four, at the top it indicates landscaped maintenance, and there's three parties that do landscaped maintenance. It's either the Friends for Long Island's Heritage or the tenant or the County. And so we've specified that in each case.

So, we believe we have provided the information that was requested. And if you have any questions, we'd be pleased to answer them now to the best of our ability.

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LEG. FOLEY:  
Madam Chair? Thank you, Madam Chair. Mr. Kessler, thank you for that presentation. And this is, gets to the heart of the matter of what the Chair and this Committee has been looking for for some time, and no doubt this not only assists us in our decision making but, also the Department as to the condition of the housing stock that is -- that they oversee and that you have an interest in.

Just one minor point that I would raise today is that when I looked at

a number of the houses, a number do have gutters and leaders and others don't. I mean is there some -- it's a minor point, but it's one to take a look at.

MR. KESSLER:

We would -- some of them have gutters and leaders. And where they're required, we would put gutters and leaders on them. And where not required, we wouldn't do so.

LEG. FOLEY:

By looking at the Duck, Robinson Duck Farm, for instance, and a few other buildings in the packet --

MR. KESSLER:

Well, I kind of -- I'd like the Commissioner to respond to the Robinson Duck Farm, please.

LEG. FOLEY:

That's just one, but as I went through the list I saw some of the better kept houses did have all of those, let's say, did have --

MR. KESSLER:

Some of them have -- some of them have --

LEG. FOLEY:

Let me finish my point, please. But some of the let's say fair to I would say poor conditions, those particular houses didn't have gutters and leaders. So again, this is in the realm of public policy, it's not a major item, but at the same point I would think that that should be something that's attached to all of the housing stock that's within the Parks' inventory.

MR. KESSLER:

We would certainly look at that in more depth. Some of the buildings have Yankee gutters in them. I'm looking at, for example, I'm looking at the building that just precedes item 8, page 8, and that's a historic building that has Yankee gutters in them. So, you can't see the gutters, they're built in. And some of them have Yankee gutters to them.

LEG. FOLEY:

But many don't, as we both know.

MR. KESSLER:

We will examine that more carefully.

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LEG. FOLEY:

Thank you.

CHAIRPERSON FIELDS:

I think I had a couple of problems. In the inspection reports and I'll do the Little Red School House as an example. Throughout the inspection report, which is November of '01, and now we're in December of '02, where is the '02 report?

MR. KESSLER:

No. I indicated to you we're in the process of doing the next cycle, which is November, December and January.

CHAIRPERSON FIELDS:

Okay. So where is the November one?

MR. KESSLER:

No. We didn't -- no, I said to you we do the reports on a twelve to fifteen month cycle. They're not done precisely on a twelve month cycle.

CHAIRPERSON FIELDS:

I thought last time you said they were done annually.

MR. KESSLER:

Twelve to fifteen month cycle. There are different reason the reports can go from twelve to fifteen months.

CHAIRPERSON FIELDS:

Okay. So let's take November of '01, thirteen months ago. It says the exterior asbestos shingles and wood trim are in need of power washing, scraping, sanding and repainting. Cracks were noted in concrete steps at front, graffiti noted on side of building. Most of windows have problems with opening and are a source of heat loss. Facia boards and soffits are peeling and there are signs of water damage under gutters. It is unknown if gutters have been cleaned. Signs, I don't know, signs, it says, one damage point to spill over along roof line. Most of fluorescent, of the fluorescent light fixtures are missing plastic lenses, some lenses were noted in boiler room. Water problems persist, albeit less than had been in the past. The heating system due for check-up and servicing, believed to have been -- all right, I won't read that. Sash in window is broken. Vent fans inoperable, second floor lavatory is not in use. Cesspool problems noted, at least two pumpings have been required recently. Fluorescent lenses and many ceiling tiles are missing. Unsightly carpeting and plastic runners should be replaced. Again, housekeeping is only fair to poor. Something of basement and boiler room are cluttered with materials and supplies.

You know, they're all suggestions from an inspector that obviously it needs some work and follow-up, what -- that's what I was looking for. Do you do the report and then ignore it?

MR. KESSLER:

Nothing is ignored. If you go to page 9, and we address that inspection report, the alarm system which you reported on, that's been

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checked, that's completed. Repaint the exterior, we're in the process of scheduling that for next year.

When you do -- remember, there's always painting to be done. And that building was painted about five years ago. It's an asphalt shingle building, it's difficult to keep the paint on it and we know that the building has to be painted on a regular cycle. It is scheduled for it next year.

CHAIRPERSON FIELDS:

But what I'm trying to ask again is in this report it says that the cesspool had to be pumped twice, that it's got all these comments, but in your response it's got, check alarm system, you know --

MR. KESSLER:

We're dealing --

CHAIRPERSON FIELDS:

Remove trees, where did that come from?

MR. KESSLER:

That's on the summary, there's a summary page. We dealt with the summary page.

CHAIRPERSON FIELDS:

No, no, no. Where did the request come from that the trees have to be removed? It's not in the inspection report.

MR. KESSLER:

No, no. We're giving you some additional things that we've done.

CHAIRPERSON FIELDS:

But what about the things that were requested in the inspection report? That's what I was asking. What do you do to respond to the points that are brought out on each and every one of these inspections?

MR. KESSLER:

Again, all of them are prioritized against the work that we have to do. And we're not going to -- we're not going to get on every single thing in every single inspection report immediately and it can be a period of time before you get back to something. And we have to prioritize some things because it just isn't that -- the resources are

still at a certain level and you can't get to do everything you want to do all the time.

CHAIRPERSON FIELDS:

Okay. Let me ask you the question.

MR. KESSLER:

And we do have to prioritize things. And we don't consider -- many of the things you're speaking about are cosmetic.

CHAIRPERSON FIELDS:

Not a cesspool.

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MR. KESSLER:

No, no. We brought, the cesspool has been brought to the attention of the County. We sent the County a --

COMMISSIONER GORDON:

Actually, that's our responsibility. That's specifically our responsibility.

CHAIRPERSON FIELDS:

Okay.

MR. KESSLER:

We brought that to the attention of the County back in the -- early last year.

CHAIRPERSON FIELDS:

So going back to this particular one, checking the alarm system, it says completed. You know, I don't --

MR. KESSLER:

Well, they were not using the alarm system.

CHAIRPERSON FIELDS:

The alarm system, meaning that if somebody opens up the door and burglarizes it, it rings a bell or it sends --

MR. KESSLER:

Yes. An intrusion alarm system. And they were not -- they were not using the intrusion alarm system and we felt it was important that they did.

CHAIRPERSON FIELDS:

Okay. So then November of '01, when he did the inspection, he mentioned that it should be painted. And your response to that was repaint exterior to be scheduled.

MR. KESSLER:

Correct.

CHAIRPERSON FIELDS:

Then it's got remove trees. Now who paid for removing the trees?

MR. KESSLER:

We removed the trees.

CHAIRPERSON FIELDS:

We meaning the --

MR. KESSLER:

We meaning the Friends for Long Island Heritage staff.

CHAIRPERSON FIELDS:

And do we make it -- is it customary just to remove trees from Parks' property?

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MR. KESSLER:

No, let me explain. I'm sorry. When we talk about the trees and the response here, in the back of the park there's a parking lot, and it's a two tiered parking lot, and in between the two tiers is a plot of ground about, oh, twelve by twenty. And what had happened is that a series of junk trees or scrub trees grew up in that and were obscuring the view of the lower parking lot, of the upper parking lot from down below. We considered it a safety factor, and so what we did, these are not forest growth trees, these are scrub trees on a piece of, plot of land that we felt it was important for safety reasons to remove. So they weren't, they're not six inch, eight inch, ten inch, twelve inch trees, oak, solid oaks or maples, they were just junk trees.

CHAIRPERSON FIELDS:

And then is it not part of the tenants' duties to inspect and service the boiler system, the heating system?

MR. KESSLER:

No. We have that responsibility.

CHAIRPERSON FIELDS:

On all of them?

MR. KESSLER:

In this particular instance, we do. We have -- this particular instance, if you took a look at the boiler, it's a commercial boiler system and we work very closely with the County on this commercial boiler system. When we took over the building, when the County asked

us to assist them in the take-over of the building after it was immediately purchased, our underlying agreement at that time indicated that if the boiler had to be replaced, we would have to look to the County for the replacement, because the -- that's a commercial boiler system and it's not a normal four thousand dollar housal commercial system.

And so what we do is we work -- we work hand and glove with the County on this. And we've been able to maintain this boiler system over the period of the years, since '87, when the unit was put in. And we've done a lot of rebuilding of controls on it.

CHAIRPERSON FIELDS:

So we don't know in each one of these housing or each one of these buildings whether or not it is your responsibility or our responsibility to take care of it?

MR. KESSLER:

Yes. We'd have to do it one by one, but in the -- the only ones the County has responsibility for are the Coindre Hall and the Blydenburgh Park house and that's it. And all the rest of them are our responsibility.

CHAIRPERSON FIELDS:

Okay. So going back to this Red School House, it's got a note that Legislator Binder provide a grant for the Art League of fifty thousand dollars for restoration of the building. Is that annually?

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MR. KESSLER:

No. That was a one-time grant going back, it's a good five, six years ago. And the building was having some problems with roof leaks and the County wanted a wood roof on the building, because of the historic nature of the building. It's a turn of the century Victorian school house, it's a large building. And so working cooperatively, the Art League engaged Legislator Binder to help them out with a one-time grant for that work, which is what the County wanted. The County wanted to keep the wood roof on the building. And wood roofs are very, very expensive.

CHAIRPERSON FIELDS:

I think also you had some -- well, number one, I think I had asked for a financial report. Did you provide that to us?

MR. KESSLER:

Yes. I have something here.

CHAIRPERSON FIELDS:

Mary. My Aide will come over and get it. That's one thing. The

second part is each one of these buildings you've indicated an amount of money that's been put into the building, and I guess I want to refer to 133D, I believe it is, I'm doing this by memory and I may be incorrect, it's at Robert Cushman Murphy. Hold on. Do you know the one I'm talking about?

MR. KESSLER:

You're talking about 133D, Robert Cushman Murphy Park in Manorville.

CHAIRPERSON FIELDS:

Is that the abandoned house?

MR. KESSLER:

No.

CHAIRPERSON FIELDS:

Which one is that?

MR. KESSLER:

You're talking about what's characterized as the Benjamin House that's in Robert Cushman Murphy Park that's not in the program? I think --

CHAIRPERSON FIELDS:

If it's not in the program, why did you indicate that you've put money into it?

MR. KESSLER:

No. I'm sorry, let's start out. You used the word, an abandoned house?

CHAIRPERSON FIELDS:

Yes. It's boarded up.

MR. KESSLER:

There's no --

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CHAIRPERSON FIELDS:

There are four houses on that street. There's a white house on the corner.

MR. KESSLER:

There's one, two, three, four.

CHAIRPERSON FIELDS:

Suny has the one at the very end. And this is the one if you're looking at the Suny building, it's on the left.

COMMISSIONER GORDON:

The tenant, who is our employee I believe, is doing some patchwork on the roof there just to buy us some time.

MR. KESSLER:

Just to buy us time on that building.

COMMISSIONER GORDON:

But it's not in the Friends Landmark Program.

MR. KESSLER:

The fact is we did some roof on it, our people, because there was a hole in the roof, and our people did some -- did one side of the roof just to again help stabilize the building or assist the County, because that building is not in the program. And it's not in the book also.

I think the other house you're making reference to in Robert Cushman Murphy Park is the -- a very last house in the book, which is the, I guess we call it the Stemmler House, and that happens to be in the park also. That's page -- the house preceding page 37.

CHAIRPERSON FIELDS:

All right. I have what I'm looking for.

MR. KESSLER:

Okay.

CHAIRPERSON FIELDS:

On Suffolk County Landmark Preserve, Friends for Long Island's Heritage, you gave me this packet. Okay?

MR. KESSLER:

Is that the one that you asked for by year?

CHAIRPERSON FIELDS:

Yes.

MR. KESSLER:

Yes. Okay.

CHAIRPERSON FIELDS:

Page 3 of 3 it has and it starts at the top of the page with unit 131. Now, you're telling me now that 133D is not in the program, but it's listed on this. And then it says capital improvement, three hundred

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and thirty-six dollars and forty-three cents; repair and maintenance, one thousand fifteen dollars and sixty-two cents; amount paid labor, seven hundred and fifty-four dollars and ninety-eight cents; amount

paid mileage, sixty-one dollars and twenty cents; amount paid other, eleven-seventy. What does that mean?

MR. KESSLER:

What number -- what number are you looking at there? I'm sorry.

CHAIRPERSON FIELDS:

133, I guess it's D. Let me go down. 133D.

MR. KESSLER:

133 --

COMMISSIONER GORDON:

I don't want to speak for Mr. Kessler.

CHAIRPERSON FIELDS:

Okay.

COMMISSIONER GORDON:

But even before we had the tenant in the house that's doing some work periodically now, his staff did go there and patch that roof for us. And I would assume, you know, as per their accounting system, they have to, when they have an expense, they have to designate it towards something. But again I repeat, it's not in the Landmark Program, so what they're doing for that particular building is assisting us.

CHAIRPERSON FIELDS:

All right.

COMMISSIONER GORDON:

Maybe if I -- maybe if you ask the question differently.

CHAIRPERSON FIELDS:

All right. Let me ask the question differently then. All right. 133D is not in the program, yet it says, 133D, summary for unit number 133D, 27 detail records is that capital improvement is five thousand two hundred and forty-four dollars and fifty-seven cents. It says repair and maintenance is two hundred and twenty-eight dollars and eighty cents, I believe if that's -- I don't know which line applies to which unit. I'm assuming that under 133D is the line that applies to that unit. Then it says amount paid labor, one thousand seven hundred and fifty eight dollars and ninety-eight cents; amount paid mileage, and I would like to know what that represents from Mr. Kessler.

MR. KESSLER:

That represents work that we did on the Benjamin House that's not in the program as an assist to the County in order to be able to stabilize that building.

CHAIRPERSON FIELDS:

Okay.

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MR. KESSLER:

And all that is is just a spreading of our costs relating to it, that's all.

CHAIRPERSON FIELDS:

Okay. So under capital improvement, five thousand two hundred and forty-four dollars and fifty-seven cents means what?

MR. KESSLER:

That means we spent five thousand dollars in material and -- on that building.

CHAIRPERSON FIELDS:

To patch the roof?

MR. KESSLER:

Well, I didn't say we -- we put on a roof on the backside of it. I mean if you -- if you want me to -- now, if you want me to, I'll have to go back and reconstruct that record for you specifically, which we can do, because we maintain -- I brought with me here, we maintain, if you just kind of glance up this way, in this book we maintain all work that we do on a building. It's put into a record, a construction report and that's how we pulled this out.

CHAIRPERSON FIELDS:

So you're saying that --

MR. KESSLER:

The actual detail is here.

CHAIRPERSON FIELDS:

-- to patch the roof or to fix part of the roof, and that's what you're saying, part of it cost five thousand dollars?

MR. KESSLER:

Without -- we're using phrases like patch and repair --

CHAIRPERSON FIELDS:

Well, I don't know.

MR. KESSLER:

No. What I'm asking you, if you want a report on that, I will prepare a report on that for you.

CHAIRPERSON FIELDS:

That's what I did ask for originally is what, what have you done with these houses and how would you be able to answer questions?

MR. KESSLER:

That one was excluded because -- I'm sorry, we excluded it because it is not in the program.

CHAIRPERSON FIELDS:

But why are we --

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MR. KESSLER:

I apologize for excluding it, it was a mistake on my part, but we certainly will prepare and add that to the book that we gave to you. We're sorry about that.

CHAIRPERSON FIELDS:

Well, I'm confused also, because it's either in the program or it's not in the program.

COMMISSIONER GORDON:

Well, we're not collecting rent, we don't have a tenant in there and we're not collecting rent.

CHAIRPERSON FIELDS:

So then it is in the program, it's not collecting rent, but it's in the program.

COMMISSIONER GORDON:

We don't have a tenant there and we're not collecting rent.

CHAIRPERSON FIELDS:

Right.

COMMISSIONER GORDON:

The agreements that we have with the Friends, I mean we may ask them to go out and help us with another building that's close by to a building that they're maintaining already. You know, we don't -- we ask them for help when we need it, you know, we're not above doing that and we do that on a regular basis.

CHAIRPERSON FIELDS:

All right. Then the next line is repair and maintenance, six forty-eight thirty-seven. I'd really would love to know what that is or rather two twenty-eight eighty. And it says amount paid labor, one thousand seven hundred and fifty eight dollars and ninety-eight cents. Who --

MR. KESSLER:

That's my staff.

CHAIRPERSON FIELDS:

But it's our employee who's doing the work.

MR. KESSLER:

No, no. None of your employees.

CHAIRPERSON FIELDS:

Yeah. He told me he was doing the work. I drove down there and I spoke to him.

MR. KESSLER:

No, no, no.

CHAIRPERSON FIELDS:

Yeah, he did.

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MR. KESSLER:

Wait a minute. Are you talking about Russell {Shive?}

CHAIRPERSON FIELDS:

Yes.

MR. KESSLER:

Under Russel {Shive}, an agreement, he is not paid to do that work. It's part of his arrangement for living in his building.

CHAIRPERSON FIELDS:

So then why does it say amount paid labor, one thousand --

MR. KESSLER:

It's the paid labor that I told you, that's our staff that went out and did the work on the building.

CHAIRPERSON FIELDS:

He told me he is doing the work on the building, not anybody else. He said, I'm doing it.

MR. KESSLER:

This is prior to him even moving in the house. When is that report, 1998, '97, what's the year on that?

CHAIRPERSON FIELDS:

I have no idea.

MR. KESSLER:

No, up to. It says up top.

CHAIRPERSON FIELDS:

Wait a minute, we're back to --

MR. KESSLER:

Madam Chairman, it says up top. You asked for this by year, we gave it to you by year, '98 '99, 2000.

CHAIRPERSON FIELDS:

No, 2000.

MR. KESSLER:

Yeah, he wasn't in the building in 2000.

CHAIRPERSON FIELDS:

So you're saying that --

MR. KESSLER:

And he does not get paid, he does not get paid, he's doing it on his own time, he's not doing it on County time.

CHAIRPERSON FIELDS:

Okay. Well, okay. I guess --

MR. KESSLER:

But we will -- but I will prepare, and I apologize for excluding it

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from the program because it's not assigned to us, we did it as an assist to the County, but we certainly will prepare a report on that for you.

CHAIRPERSON FIELDS:

Well, I guess just as a whole -- did we get the financial report?

MS. SKIBER:

I gave it to you.

MR. KESSLER:

Yes. I gave it to the young lady.

CHAIRPERSON FIELDS:

This is the financial report?

MR. KESSLER:

We -- you didn't specify on the financials what we were referencing, and what we did, we decided that in order to get focused, we'd focus in on the Landmark Preservation Program, because the Friends have many other types of programs in Suffolk County ranging from places like the

Big Duck through to Coindre Hall through to Deepwells. And that's a much more extensive financial report that we'd be very pleased to provide it once we conclude exactly what you'd like to have.

What we wanted to do is just give you a report and we gave it to you to try to get it focused for 2001 and through October 2002.

CHAIRPERSON FIELDS:

So in 2002, license fees, is that two hundred and fifteen dollars and ninety cents?

MR. KESSLER:

No. That's add two zeroes up top. See it says add two zeroes. That's two hundred and fifteen thousand nine hundred on an accrual basis.

CHAIRPERSON FIELDS:

Two hundred and fifteen. Salaries you paid thirty-four thousand.

MR. KESSLER:

Just add two zeroes on there.

CHAIRPERSON FIELDS:

Bad debt? What does that mean?

MR. KESSLER:

We have people that unfortunately sometimes don't pay their rent and --

CHAIRPERSON FIELDS:

Ten thousand dollars?

MR. KESSLER:

Yeah, yeah.

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CHAIRPERSON FIELDS:

In our program, Suffolk County?

MR. KESSLER:

Well, yeah. Unfortunately sometimes people -- and these are people that lose their jobs and just unfortunately don't have the money.

CHAIRPERSON FIELDS:

Are any of those people in any of these pictures?

MR. KESSLER:

No.

**CHAIRPERSON FIELDS:**

So what house is that that you've gotten bad debt on?

**MR. KESSLER:**

This was a gentleman out in Inlet Park, Inlet Park. And I would have to go back and get the detail on that. We have some tenants like that. We do have some --

**CHAIRPERSON FIELDS:**

How much does ten thousand dollars represent in rent? I mean, how long has this been --

**MR. KESSLER:**

Well, it could be several. Again, I'd have to get you the report on it.

**CHAIRPERSON FIELDS:**

All right. This isn't what I was looking for, I was looking for something that would answer a lot of the questions. And I mentioned that you've gotten grants for a million dollars and five hundred thousand and whatever it is and I wanted to see, you know, where that money is applied in your expenses as it pertains I guess to our program, how much money you've received and how much comes back to us.

I think basically what I'm looking for in the Legislature is that we have a fiduciary responsibility to make sure that the lands and the homes or buildings or facilities that we collect either through payment or through people giving them to us are maintained to the best of our ability. And I'm concerned that when a building is given to you, that you do work on it or you don't, that you don't really have a plan and that --

**MR. KESSLER:**

I don't think that's fair.

**CHAIRPERSON FIELDS:**

No, I'm saying --

**MR. KESSLER:**

I really don't think it's fair, because we've given you a complete report. If we didn't have a plan, how would we get twenty roofs on, how would we do the things that we did in the summer?

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**CHAIRPERSON FIELDS:**

In other words, what are you planning to do in the year of 2003? Are you planning on seventeen roofs, are you planning on, you know --

**MR. KESSLER:**

If you would give --

CHAIRPERSON FIELDS:

For each building, what's the plan, what do you plan on doing for each building?

MR. KESSLER:

If that's what you're asking us for is a program of work for 2003, I'd certainly be pleased to prepare it for you.

CHAIRPERSON FIELDS:

I did ask that last time. In other words, my --

MR. KESSLER:

I'm sorry, maybe I missed it then.

CHAIRPERSON FIELDS:

Okay. Well, here's -- let me finish trying to say what I'm saying.

MR. KESSLER:

Sure.

CHAIRPERSON FIELDS:

My concern is that buildings and properties are given to you for you to take care of because we want someone else to take care of it and maintain it, and that one of my questions was what's the condition of a building when we get it, when we give it to you and what is it, you know, three years from now, five years from now, ten years from now, you know, or if you got it in 1990, what condition was it then and what condition is it now?

The second part of it was what's the plan? And you're saying that you do have priorities, but I don't know those priorities and I don't know that, maybe the Parks Department does, but I don't.

COMMISSIONER GORDON:

Well, no. Actually, we haven't set priorities for '03 yet.

CHAIRPERSON FIELDS:

Okay. Well, this is December, and I would love to see, you know --

COMMISSIONER GORDON:

We intend to do that.

CHAIRPERSON FIELDS:

Okay. And is that up to you to set priorities or up to him to set priorities?

COMMISSIONER GORDON:

It's a mutual thing.

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MR. KESSLER:

We jointly work it out.

CHAIRPERSON FIELDS:

Okay. So I guess what I'm looking for is that when you get a property, that it's going to be maintained better than we could have, and that's the whole purpose of why you have it, in my mind.

MR. KESSLER:

Yeah. I think that, and I'd have to ask Judy to respond to this, the County has asked us to assist them to do this work on these buildings and it -- I think that Judy to respond, that the County didn't have the funding to do this, because if the County, if I'm correct, if the County leases these units out, the money goes into the General Fund and they work back on a budget basis, not from a cash flow basis.

COMMISSIONER GORDON:

Well, if we didn't have the Friends, more of the buildings would probably look like the Benjamin House in Robert Cushman Murphy Park or the Horan House at Timber Point County Park. That's -- that's the reality.

CHAIRPERSON FIELDS:

But some of them really aren't touched for quite a while in some of the buildings, correct?

MR. KESSLER:

Well, I think that, you know, you've got to get back again, we're managing thirty-six buildings, you've got to get back to scheduling, you've got to get back to priorities. And I think if you went through building after building and what has been actually done on each building, I think that the -- I think the effort, I think the effort on our part is significant compared to -- on any stretch of the imagination. And I don't think that there's -- there's not -- we haven't got a roof that's leaking, we haven't got any serious, major problems that would lead to what's characterized as the deterioration of a County piece of property, because we take care of those things.

We haven't got any exposures on safety issues that would expose the County to suits. We've been doing this for the County since 1989 and we have never had a single suit against the Friends or the County from any of these buildings. And you get suits again, I think you were talking earlier about suits, you get suits again because people fall down stairs, because stairs are broken or rails aren't there or there's unsafe conditions. So I think that we've been very conscientious about what we've done and I think we've done a good job.

And I don't think -- I think it's difficult for me to sit here after doing this for a number of years, present to you a comprehensive report that starts with twenty new roofs all the way through cesspools, boilers, gutters and to have you, you know, to give me the feeling that we haven't been diligent in our work. And we've worked closely with the Parks administration, and I think Parks administration would be the first people to come and say to us, look, you're not doing the job and you better do a better job.

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And I think we've worked very closely with them and Judy has been working on this for -- with us for a number of years. And prior to that, it was Mike Frank, and prior to that, it was the other commissioner, and I think the relationship has been good.

Can we always do a better job? Of course, I'm not denying that. Can there always be things that have to be done? Of course. But if you take a look at the work on a priority basis and the things that need to be done, I think we've done that.

CHAIRPERSON FIELDS:

How much money do you receive in rent money per year?

MR. KESSLER:

It's in the neighborhood of about two hundred and forty thousand.

CHAIRPERSON FIELDS:

So in 2002, you put into the program a hundred and eight thousand?

MR. KESSLER:

No, the program, this is only through October. We're the last two months, the last two and a half months, our entire crew of five will be concentrating on the -- on the Solomon Smith House in West Hills Park and so the year will be finished out, where the entire two and a half months of our expenses will be put into that house.

CHAIRPERSON FIELDS:

Okay. There's a lot of material, a lot of information I think to absorb, just receiving this today, and I got this other book I guess yesterday, so it really isn't -- it's very difficult to try to put it altogether.

MR. KESSLER:

I know there is a lot of material, we realize that, Madam Chairman.

CHAIRPERSON FIELDS:

But again, the purpose of all of this is to make sure that if someone else is receiving rent money to take care of homes, that that rent money at least is used to put back into the homes. And, you know,

according to this financial report, which you're saying you still have more to do, it looks like you've gotten two thirds and we've gotten one third back.

MR. KESSLER:

Madam Chairman, just to read from our contract with you.

CHAIRPERSON FIELDS:

Yes.

MR. KESSLER:

Friends shall reinvest all profits, this the contract we have with the agreement. All profits derived from the licensing of Suffolk County landmark structures back into Parks Historic Structures and Museum Programs and shall submit to the Parks a recounting of that, which we do.

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CHAIRPERSON FIELDS:

Okay.

MR. KESSLER:

So this is -- our requirement under our agreement is that the money that we take in also goes in to other programs. For example, as you -- as I did report to you in a report, we, the Friends air conditioned Coindre Hall, redid the kitchen and put a new apartment in Coindre Hall in excess of three hundred and eighty thousand dollars.

CHAIRPERSON FIELDS:

This year?

MR. KESSLER:

Beg your pardon?

CHAIRPERSON FIELDS:

This year?

MR. KESSLER:

Last year and this year, correct. And I gave that to you in the --

CHAIRPERSON FIELDS:

You don't have that in the financial.

MR. KESSLER:

No, no, no. The work that we're doing at Coindre Hall is under our interpretation agreement. The Coindre Hall, the kitchen and the air conditioning, that is not included into the Landmark Preservation Program. There are two separate programs and they're guided by different --

CHAIRPERSON FIELDS:

So this is Friends for Long Island's Heritage?

MR. KESSLER:

No, no. This is the landmark, this is one --

CHAIRPERSON FIELDS:

This says Friends.

MR. KESSLER:

It's the Friends for Long Island's Heritage, one program only, just the Landmark Preservation Program only.

CHAIRPERSON FIELDS:

Which is the rents of the buildings?

MR. KESSLER:

Which is just the license fees. This is just one activity dealing with these thirty-six. We have a whole series of other activities ranging from operating a series of stores, like the Saint James General Store, the Big Duck, operating Coindre Hall and doing a number of things there.

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CHAIRPERSON FIELDS:

So on those, like Deepwells and Saint James, the relationship that you have is that you don't pay, nobody pays rent or -- does any money come back to us in those, Deepwells, Saint James?

COMMISSIONER GORDON:

Monies are put back into the programs.

CHAIRPERSON FIELDS:

So, in other words, any money generated --

COMMISSIONER GORDON:

It doesn't come to the County directly, it goes back into those programs.

MR. KESSLER:

Our only mission, like the Board of Education and the State of New York, is to provide support for the museum systems operated by the Counties in Nassau and Suffolk. We have no other missions.

COMMISSIONER GORDON:

They handle the merchandising for us at the Saint James Store, the Big Duck. We have a small gift shop at Third House in Montauk. We also have -- they have a portion of the -- they run a small gift shop at

Deepwells for us also. They spend all the money on the merchandise, we don't do that. You know, they spend the money on the merchandise. Obviously the receipts go back to them, but it's to replenish the merchandise. And they assist us with interpretive programs that we do also.

MR. KESSLER:

Madam Chairman, I gave you a three or four page report at your request on that subject.

CHAIRPERSON FIELDS:

Yes.

MR. KESSLER:

Right.

CHAIRPERSON FIELDS:

Does anybody have any questions? Okay.

MR. KESSLER:

I'm sorry, Madam Chairman, just so I can clarify. Would you like to maybe talk at a little later time as to what type of financial information you would like? Because we're perfectly capable of preparing it from our database, but I just don't want to go back and start working on something that might not be exactly what you're thinking of.

Would you mind if we made an appointment with you and came over and talked to you a little bit about, showed you the kind of detail we have and then we can then reup together the report that you'd like to have?

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CHAIRPERSON FIELDS:

Okay.

MR. KESSLER:

Is that agreeable with you?

CHAIRPERSON FIELDS:

Yeah, sure it is. And then, I guess one last question is that there were no inspection reports for Coindre Hall's units 111A; 112B; Cordwood Landing County Park, Log Cabin, unit 113, no inspection report; West Hills County Park, Jacob Smith House, unit 115A; Froehlich Farm County Park office, unit 132B.

MR. KESSLER:

Yeah, there would be. And the reason is that if you take a look at the -- and I can give you the specifics on each of them. And I think

I tried to get that in here. And I'll be pleased to do that, I can do that now or I can just give you a report on that individually. Coindre Hall specifically we have two --

CHAIRPERSON FIELDS:

Wait. I have a couple of more questions.

MR. KESSLER:

Oh, I'm sorry.

CHAIRPERSON FIELDS:

No photographs or inspection report on West Sayville Golf Course Greenskeeper Cottage unit 128; Indian Island Golf Course Greenskeeper Cottage unit 130.

COMMISSIONER GORDON:

They're not currently -- I think both of those units are not currently in the Friends' Program.

CHAIRPERSON FIELDS:

They were, though?

COMMISSIONER GORDON:

They were. At one time they were.

CHAIRPERSON FIELDS:

And Robert Cushman Murphy County Park unit 133D is not in the program, but it is?

COMMISSIONER GORDON:

Well, they helped us with it.

MR. KESSLER:

They're not in the program.

COMMISSIONER GORDON:

The Friends are not collecting any rent, there's no tenant in there.

MR. KESSLER:

And it has not been -- see, in order to be put in the program, the

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County, the Commissioner has to send us a letter designating the fact that it's in the program.

CHAIRPERSON FIELDS:

Okay.

MR. KESSLER:

We do not have a letter from the Commissioner designating that building in the program.

CHAIRPERSON FIELDS:

All right. And cottage, Blydenburgh County Park in Smithtown unit 104?

COMMISSIONER GORDON:

That might be the new one.

MR. KESSLER:

Oh, yes.

COMMISSIONER GORDON:

That was just recently.

MR. KESSLER:

We included that, it's in your report. It's in this report.

CHAIRPERSON FIELDS:

Coindre Hall Boathouse unit 111C?

MR. KESSLER:

That's not in the program. That is what we have done in working, assisting the County, we have issued a, at the request of the County, issued a license to the Sagamore Rowing Club to utilize the building, but it is not in the program as we -- as we know this program.

COMMISSIONER GORDON:

That's confusing.

CHAIRPERSON FIELDS:

Do they pay rent?

COMMISSIONER GORDON:

The Sagamore Rowing Club is responsible for putting ten thousand dollars into the building every three years.

MR. KESSLER:

In capital improvements.

CHAIRPERSON FIELDS:

Do they pay rent?

COMMISSIONER GORDON:

That's what the rent is.

CHAIRPERSON FIELDS:

That's the rent. How much?

MR. KESSLER:

Improvements to the building.

COMMISSIONER GORDON:

Ten thousand every three years.

CHAIRPERSON FIELDS:

And how much have they put in this year?

MR. KESSLER:

I will get you the report on that.

COMMISSIONER GORDON:

I don't know off the top of my head. I think this year in particular it's substantial, but I can't quote you.

MR. KESSLER:

They give us written reports on that every year.

CHAIRPERSON FIELDS:

I believe that was a question that I asked when you came to my office.

MR. KESSLER:

I'm sorry, I missed that question.

CHAIRPERSON FIELDS:

And, in addition, it was discussed at the last meeting and I know that Legislator Carpenter asked the question.

COMMISSIONER GORDON:

Yeah. I thought we had provided that to you earlier in the -- no, this is going back to the spring. I thought that we had provided that to you.

CHAIRPERSON FIELDS:

No. I never got information about Sagamore, which I was always interested in.

COMMISSIONER GORDON:

Okay. But we had a problem up there this year in terms of the building, there was some concern about the building being structurally sound and we had to confine Sagamore to one area of the building. And they did do a lot of the rehabilitation work that needed to be done, but I can't quote a figure for you, I didn't bring that with me.

MR. KESSLER:

Off the top of my head, I thought it was about eighteen to twenty-five thousand in actual cash.

COMMISSIONER GORDON:

I don't know if it was that high, but --

MR. KESSLER:

I'm not sure.

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CHAIRPERSON FIELDS:

Okay. And the last time we spoke about the apartments at Coindre Hall, did you say there was no inspection of those or --

MR. KESSLER:

What I said to you and I put it in, I put it in my report to you, you could read it in the report, that we have a building manager, John Barbier in the building, who is a structural engineer, and we utilized him for the building.

CHAIRPERSON FIELDS:

Right.

MR. KESSLER:

For the units. So the answer is we do not pay another inspector who is not as qualified as our building manager to review the building. And I indicated that to you in the report.

CHAIRPERSON FIELDS:

But we still should have a report, whether it's an inspector that's separate from there or the person who lives there.

MR. KESSLER:

We'll certainly do that. I happen to be at Coindre Hall a lot and we work on that building a lot, because there's always something going on and so we're very, very current on that building. And there's always something going on, on a moving forward basis.

CHAIRPERSON FIELDS:

Legislator Foley.

LEG. FOLEY:

Just on that point, that's why some of us have, only in half jest, have renamed Coindre Hall, Quandary Hall.

COMMISSIONER GORDON:

Well, actually to be exact, it's West Neck Farm, a/k/a Coindre Hall.

LEG. FOLEY:

That's why we still call it Quandary Hall at times.

COMMISSIONER GORDON:

West Neck Farm. That's the historic name, and we're slowly trying to get back to that.

LEG. FOLEY:

Very good.

MR. KESSLER:

Is there anything else, Madam Chairman?

CHAIRPERSON FIELDS:

No.

LEG. FOLEY:

To be continued, right?

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CHAIRPERSON FIELDS:

Yes. To be continued.

MR. KESSLER:

Madam Chairman?

CHAIRPERSON FIELDS:

There's an awful lot in this whole program and I don't know how anyone can keep track of it, but I think it needs to be kept track of in some other manner, because it's just very confusing and it's very involved and one program leads into another program and --

COMMISSIONER GORDON:

Well, I think we keep track of it. I think we do a fairly decent job in the Parks Department keeping track of it.

CHAIRPERSON FIELDS:

Well, you probably do, it's just hard for us to keep track, to know what's going on.

COMMISSIONER GORDON:

Well, maybe it's not a bad idea to have Mr. Kessler come before the Committee, you know, a couple of times a year or whatever. I don't think that that's a bad idea.

MR. KESSLER:

Madam Chairman, I think that we can certainly prepare reports that could be given to Parks and for review and then passed on to the Committee on a quarterly basis of just what is going on, because so much does go on, I agree with you. So, we'd be pleased to do that.

LEG. CARPENTER:

Did you just say earlier that Coindre Hall is not part of the program?

COMMISSIONER GORDON:

No.

MR. KESSLER:

It is not part of the land -- we have two agreements with the County. We have what we call, the first is the interpretation agreement, and that was the first one back in the mid 80's. And that permits us to provide support for the museum systems. It's our permissive agreement. And we do a lot of things under that, from education to publications to fund-raising to marketing to all kinds of things that we do to assist the County.

And then the second agreement we have is the landmark preservation agreement in which we -- it's a narrow program, which we are responsible for the repairs and maintenance to buildings placed in the program legally.

And the Coindre Hall is under the interpretation agreement, because that's where events, special events go on, that's where we do improvements to the building. And it is not in the Landmark Program, the building is not in the Landmark Program. However, two units within the building are in the Landmark Program.

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COMMISSIONER GORDON:

Actually, three. Three. We rent out a room in there also.

MR. KESSLER:

Three. Correct, three, three.

LEG. CARPENTER:

Would those three be the special events program --

MR. KESSLER:

No, madam.

LEG. CARPENTER:

For the Splashes of Hope?

MR. KESSLER:

No. The three in the Landmark Program actually are -- well, actually I think there's only two Judy. There's the two apartment units in the building, one is occupied by the building manager and the other is by the assistant building manager, who both have other jobs.

LEG. CARPENTER:

That's 111D and 111A? Is that what you're talking about?

MR. KESSLER:  
Okay. Yes, ma'am.

LEG. CARPENTER:  
111A, 112B, 111D.

MR. KESSLER:  
And then the -- 111D is the Scipio Society, which rents to Historical Society that rents one room on the main floor.

LEG. CARPENTER:  
So these are rents that come to you?

MR. KESSLER:  
Yes.

LEG. CARPENTER:  
Okay. And then -- but that's all within West Neck Farm or Coindre Hall, that is part of the Landmark Program?

MR. KESSLER:  
Yes.

COMMISSIONER GORDON:  
Then there's the catering operation also, Legislator Carpenter.

LEG. CARPENTER:  
But before we get away from the Landmark Program, on this report that we have here, you have LP Unit 111C, the Sagamore Rowing Club, isn't LP a Landmark Program?

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COMMISSIONER GORDON:  
That's a County, that's not a Friends' document, that's our document.

LEG. CARPENTER:  
But LP is Landmark Program.

COMMISSIONER GORDON:  
Yeah. I mean it's probably, you know, just a difference of wording here. Again, they -- the Friends don't, do not collect the rent from the Sagamore Rowing Club, the money is put directly back into the building, but they have the license agreement.

MR. KESSLER:  
It's just an accomodation between the Parks and ourselves and Sagamore, that we issue the license to them.

LEG. CARPENTER:

And what about unit 111E? There's no page number. That's another thing I would suggest.

MR. KESSLER:

I'm sorry, that must be Splashes.

LEG. CARPENTER:

No, it's not Splashes of Hope. It's the gym and three classrooms.

MR. KESSLER:

Okay. That's Splashes of Hope.

COMMISSIONER GORDON:

No. That's the Town of Huntington.

MR. KESSLER:

Oh, Town of Huntington? I don't have the report in front of me.

LEG. CARPENTER:

It says gymnasium, classrooms. And under the use we have --

COMMISSIONER GORDON:

Legislator Carpenter is reading off of the list that we provided of all of our --

MR. KESSLER:

Who does it say the tenant is, Legislator Carpenter?

LEG. CARPENTER:

It doesn't.

MR. KESSLER:

Does it describe it?

LEG. CARPENTER:

It said Landmark Unit 111E includes gym and three classrooms, acquired in 1971. The use is F and LP, function of the Landmark Preserve.

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MR. KESSLER:

I think that the County's report just has to be maybe restructured so we hit the legal aspects of it. The gym and the classrooms that are tied to Coindre Hall are licensed out to the Town of Huntington Recreation Program. And that's been licensed out to them for the past five or six years now. And they conduct recreational programs in there. And then the Friends receive fifteen percent of all collected, all the fees they collect and we get fifteen percent of that, and again, that money goes back into Coindre Hall.

LEG. CARPENTER:

And then the other eighty-five percent of the fees go to?

MR. KESSLER:

To the Town for the operation.

LEG. CARPENTER:

And who's paying for the use of the building, that fifteen percent that goes to the Friends, is there compensation for using it?

MR. KESSLER:

Fifteen percent. I said fifteen, right?

LEG. CARPENTER:

Fifteen, 1/5.

MR. KESSLER:

And then in addition to that, what we did working with the County, we split away the gas and electric meter last year, the beginning of 2001, and the agreement with the Town is that they now pick up the gas and electric, which is running at about, I think about eighteen thousand a year. So where before there was only one set of meters in the building, the meters were split and now the Town of Huntington picks up that bill for the gas and electric.

LEG. CARPENTER:

But still in all, the Town of Huntington has the use of a gymnasium and three classrooms to run programs that they're collecting fees on, that you get fifteen percent of the fees to go back into the programs or whatever that you see fit, but the County as an entity is not getting anything for the use of that.

COMMISSIONER GORDON:

No. The money is going back into Coindre Hall.

LEG. CARPENTER:

I understand that.

MR. KESSLER:

Angie, please. Our -- again I repeat, like the Board of Education of the State of New York, our only mission is to provide support for the museum systems operated by the Counties of Nassau and Suffolk. So everything we do in Suffolk County relates to the Museum Division of the Department of Parks. We don't do anything else.

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LEG. CARPENTER:

I understand that.

MR. KESSLER:

So the fifteen percent fees --

LEG. CARPENTER:

No, I understand all of that, I really do. And that's fine. I'm not begrudging that you're getting fifteen percent of those fees. What my question is, is that whatever the amount of fees that the Town of Huntington is able to generate from the use of this gymnasium and three classrooms, they're setting the fees, they're making the money, they're using the facilities, and now only since this last year they're paying for the utilities, we were probably paying for them before that, correct?

COMMISSIONER GORDON:

Well, they haven't -- they haven't been in there all that long.

MR. KESSLER:

It was the first two years before the utilities were split.

LEG. CARPENTER:

So they've been in there a couple of year, I think you said five years, right.

MR. KESSLER:

Yes.

COMMISSIONER GORDON:

They also cut the lawn for us behind the house.

MR. KESSLER:

They do all the maintenance.

LEG. CARPENTER:

But you see, that's important and that's a real contribution, but that needs to be documented, because when someone picks this up and looks at it, it just doesn't look right and it doesn't look like we're, you know, performing our responsibilities and our duties properly. So I would suggest as you did earlier, Jerry, that this report perhaps needs to be restructured and be a little bit clearer.

COMMISSIONER GORDON:

Well, that's not his, that's an internal County document.

LEG. CARPENTER:

Well, he made a suggestion that perhaps the County should restructure this.

COMMISSIONER GORDON:

That's a dynamic document that we change constantly and try to update.

LEG. CARPENTER:

Good. And I think if I could respectfully suggest that in the future that any documents submitted maybe be numbered, you know, because when

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you're trying to review this, we've got these pages that are unnumbered, I don't know how many pages are here, I'm not going to count them right now.

COMMISSIONER GORDON:

I know. I had the same problem, Legislator Carpenter.

LEG. CARPENTER:

It just make makes it a little -- it took them only about three years to get them to number agendas here. It's just me. But, you know, I think it really does need to be a little clearer. And we do, you know, I don't want you to feel, you know, we're beating up on you. And I know that you've been doing this a long time and you really do it with a lot of heart and a lot of care and attention and we do appreciate anything that anybody does, especially for historic sites and buildings and all, but we need to do it in an appropriate manner.

MR. KESSLER:

And we concur. In reality, I've been doing this for awhile for the Friends and we started a relationship in '84, '85, '86, with Suffolk County and this really is the first invitation I've had from the Suffolk County Legislature to come before the Legislature and explain what we do. And we're very pleased that you invited us and we do realize it's complex, a little bit confusing, because there is a lot of material. That's why we've tried to present the material to you in summary, yet comprehensive enough so that you can know it.

And out of this I can see that it's important for us to prepare quarterly reports, and I think quarterly would be good --

CHAIRPERSON FIELDS:

Yes.

MR. KESSLER:

Working with Parks, so that you can continually have an understanding of the flow of work that we do on behalf of the County.

CHAIRPERSON FIELDS:

I have another question. Inlet Pond County Park, the Red House. Is that yours?

MR. KESSLER:

No.

COMMISSIONER GORDON:

No.

CHAIRPERSON FIELDS:

That's ours?

COMMISSIONER GORDON:

That's ours.

CHAIRPERSON FIELDS:

Then just to veer off for a quick second, it says Suffolk County Parks in contract with Town of Southold for use of building. Do they pay us

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for the use of the building?

COMMISSIONER GORDON:

No. We have a steward agreement, a stewardship agreement with the Town of Southold and then the Town of Southold in turn has the Long Island Wine Council in the building as well as the North Fork Audubon Society. And they help us to maintain the building.

CHAIRPERSON FIELDS:

What do they do, how do they help you?

COMMISSIONER GORDON:

Oh, they've done electrical reappears for us, they've done plumbing repairs. They're helping us to, I think they're going to put in a kiosk out in the trail head that we have at the site.

CHAIRPERSON FIELDS:

Do they pay heat or electricity?

COMMISSIONER GORDON:

No, we're paying the utilities right now.

CHAIRPERSON FIELDS:

Okay. Thank you, Mr. Kessler.

MR. KESSLER:

Thank you very much.

CHAIRPERSON FIELDS:

Legislator Alden does have a comment or a question.

LEG. ALDEN:

Actually, it's more for the Commissioner. We had asked for a list of --

COMMISSIONER GORDON:

That's it.

LEG. ALDEN:

Okay. But this doesn't have all the stuff that we asked for, like, for instance, if it's County owned and rented out. I had asked for who was in it and the amount of rent that was being collected.

COMMISSIONER GORDON:

Oh, I thought you already got that.

CHAIRPERSON FIELDS:

No, altogether.

COMMISSIONER GORDON:

We don't necessarily do this all together. We have to give you separate --

CHAIRPERSON FIELDS:

But it should be, it should be altogether, so that way if we look at, we have an idea --

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COMMISSIONER GORDON:

Then I'd have to hire five more people to get it into order like that. We've -- we've disseminated this information to you previously and then I thought what Legislator Alden had asked for the last time was a listing of all the County buildings and the conditions that they're in.

LEG. ALDEN:

And --

COMMISSIONER GORDON:

And that's what I provided today.

LEG. ALDEN:

And if they're occupied, what the rent was that we're getting from them and who actually rented the buildings, who we were renting to.

COMMISSIONER GORDON:

Okay. We don't have that blended into this particular list, we'll get you those lists.

LEG. ALDEN:

Okay. With, you know, the rents, that type of thing.

MR. KESSLER:

Okay, Madam Chairman?

CHAIRPERSON FIELDS:

Thank you very much.

MR. KESSLER:

And we wish the Committee obviously a very Merry Christmas and Happy New Year to everybody.

CHAIRPERSON FIELDS:

You have a happy holiday also. And thank you for all of your time and effort.

MR. KESSLER:

Thank you for inviting us.

LEG. FOLEY:

Madam Chair, at the last -- a number of Committee meetings we had tabled Legislator Caracciolo's resolution on the issue of cash control and surveillance cameras and the like and I had mentioned in previous Committee meetings that the Department of Parks could utilize the services or at least get, work with Mr. Duffy from our Budget Review Office with his experience of working with ferry operators who use cash controls for their, particularly their parking lots and the booths related to those parking lots. And it's something that has some connection with our Parks Department.

So what I just want to do on the record just for a few minutes, Madam Chair, is just to broach the subject with Mr. Duffy here, he has some information that I think will be important for the Committee and also for the Department to follow up on within a short order. So if we can

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hear from him, it will only be a couple of minutes and I think it will be important to hear since we addressed this issue from months on end.

MR. DUFFY:

I'll make this very quick. Based upon Legislator Foley's request, I've contacted both Sayville Ferry and South Ferry and spoke to them about the possibility of people from our Parks Department coming and looking at their systems so that they can -- they can see and perhaps learn something from them.

Sayville Ferry system is a computerized system, which is approximately three and a half years old. It was -- it's computerized, it's been recently installed. And South Ferry system is a duplex system, which has been used for a number of years, perhaps maybe twelve years.

And I've spoken with both owners of both companies and they would be

happy if the Parks Department would like to come and talk to them about their systems.

COMMISSIONER GORDON:

Okay. I would just like to add that Legislator Alden and Legislator Caracciolo had asked us to do an inventory and a report, and it's almost completed. We had somebody on the staff that we wanted to run it by before we sent it out to anybody who's been out sick this week. So I apologize for the delay, but it's very close.

LEG. ALDEN:

Good.

CHAIRPERSON FIELDS:

Easy Pass, did you inquire about how difficult it would --

COMMISSIONER GORDON:

No, I haven't yet, but I promise I will do that soon, very soon.

CHAIRPERSON FIELDS:

Great. Thank you.

LEG. FOLEY:

And also Madam Chair, just on that point. Commissioner, you'll be speaking with Mr. Duffy about those two ferry operations?

COMMISSIONER GORDON:

Yes.

LEG. FOLEY:

Okay. Thank you.

#### TABLED RESOLUTIONS

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

CHAIRPERSON FIELDS:

Okay. We're going to go to the agenda. I.R.1924. Commissioner?

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COMMISSIONER GORDON:

I'm sorry?

CHAIRPERSON FIELDS:

I.R. 1924, Richard Hilary?

COMMISSIONER GORDON:

I had a conversation with Mr. Hilary and he advised me that he was going to be withdrawing his name for consideration.

LEG. ALDEN:  
Motion to table.

LEG. LINDSAY:  
Motion to table.

CHAIRPERSON FIELDS:  
I'm going to take a motion to table subject to call.

LEG. LINDSAY:  
I'll second.

CHAIRPERSON FIELDS:  
All in favor? Opposed? Tabled subject to call. (VOTE: 5-0-0-0)  
TABLED SUBJECT TO CALL

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:  
1953. Authorizing County Department of Parks to construct dog runs.  
Motion to table.

LEG. FOLEY:  
Second.

LEG. LINDSAY:  
Can I ask what is the difference between that and the new one?

MR. SABATINO:  
The fundamental difference is that 1953 was truncated to just deal with the Coindre Hall situation and then the second bill was broken out to deal with all other County parks. So Legislator Cooper would be basically separating out the issue of getting something done at Coindre Hall immediately and then have a second bill deal with all other County parks.

LEG. LINDSAY:  
Well, if the second bill passed, would it overrule the first bill or -- I mean should we --

MR. SABATINO:  
Well, it's not that it would overrule it. What happened was because of actions that were taken under a previous Parks Commissioner

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jurisdiction, legislation was put in place to get West Hills County Park and Coindre Hall dog runs in place. So, as a result, those two facilities are just a quantum leap ahead in terms of the time line.

So as a result, the first bill was drafted with the -- with the basis of those other bills already having been adopted. If you want to skip past 53 and go to the second one, you can do it that way, all County parks would be covered, but it would then require a technical change to pick up the situation in Coindre Hall, that's all.

LEG. LINDSAY:

You could act on both of them?

MR. SABATINO:

Well, you don't have to. I think what happened with Legislator Cooper was he felt that maybe the bigger issue was slowing down the potential for doing something in Coindre Hall, but I mean the entries, you can do the something one by itself and do all, all the County parks, but it's just, technically it's a little different because of what took place at a prior time.

COMMISSIONER GORDON:

May I make a comment? Legislator Lindsay, we still have, I think we talked about it the last time or two meetings ago, the conflict with our current rules and regulations, and the County Attorney, we've talked to the County Attorney's Office about that and they would like to see us amend the rules and regulations first, allowing the Commissioner to establish dog runs at County parks and then maybe looking at each one separately. But their recommendation is to amend the rules and regulations first, so that we're not in further conflict.

LEG. LINDSAY:

Okay. Madam Chair, if I may while we're talking about this subject? Do you envision if this legislation passed an added burden to your Department? Would you have to assign someone to this at these particular parks?

COMMISSIONER GORDON:

Well, first of all, we don't have the funding for the fencing.

LEG. LINDSAY:

Okay.

COMMISSIONER GORDON:

And we would have to provide some --

LEG. LINDSAY:

Oversight.

COMMISSIONER GORDON:  
Oversight. We'd have to do it to some extent.

LEG. LINDSAY:  
Okay. And it was mentioned under the public testimony before that in the case of Coindre Hall, the Town is willing to come forward with the

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fencing, and is that doable or is that -- do we have the mechanism to do that, to have the Town do improvements on our parkland?

COMMISSIONER GORDON:  
I don't know whether we would have to do another resolution allowing them to gift something to us. I haven't even investigated that.

LEG. LINDSAY:  
Thanks.

CHAIRPERSON FIELDS:  
Okay.

LEG. ALDEN:  
I'd make a suggestion, because it looks like this is going to be tabled.

CHAIRPERSON FIELDS:  
It is.

LEG. ALDEN:  
As some of the other ones are going to be tabled, but if we're going to discuss it at a later date, it would probably be best if the County Attorney sent a representative down here also. He or she can explain to us whether there's any pending legislation, because some people were claiming before that they've been discriminated against and I'd like to find out if there's any pending legislation in that regard or if the County Attorney might think that we've been discriminating against people and also to bring our rules and regulations into conformity.

So, it would be interesting to have both attorneys, or attorney, Paul Sabatino, and the County Attorney here to just flesh it out a little bit.

CHAIRPERSON FIELDS:  
Okay. So motion to table.

LEG. FOLEY:  
Second.

CHAIRPERSON FIELDS:

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

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. We are still meeting and I believe, is it tomorrow that we have -- no, we don't have a meeting.

COMMISSIONER GORDON:

Wrong committee. No, it's not tomorrow.

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CHAIRPERSON FIELDS:

I'm on twenty-seven committees. I'll make a motion to table.

LEG. LINDSAY:

Second.

LEG. FOLEY:

Just on the motion to Counsel, if resolutions are tabled in Committee, since we're going into the new year, do they have to be refiled next year?

MR. SABATINO:

The bills will carry over, but on this one just keep in mind you're going to have to move relatively soon, because we have revenues in the, conservatively budgeted, but we have revenues in the 2003 budget that were conservatively predicated on this reform going through.

We budgeted conservatively, but this is not a bill that can go -- the end of January would really be like the absolute outside day, you're going to lose a month, but it won't be as damaging as --

LEG. LINDSAY:

Madam Chair, what's the time line that you need? I mean would it make sense for us to get this out of Committee, would you have done your due diligence between now and next Tuesday?

CHAIRPERSON FIELDS:

We were asking for more money I think from tenants and that is part of, you know, fair market value and so forth. I think in the evaluation --

COMMISSIONER GORDON:

Well, there was some policy changes too I believe, you know, as to who

would, you know, who would be first on a list of priorities to go into the buildings, which did differ from what we have now.

CHAIRPERSON FIELDS:

Not much, though, right? Not much at all.

COMMISSIONER GORDON:

Well, it did differ.

CHAIRPERSON FIELDS:

But of no real consequence, I don't think.

COMMISSIONER GORDON:

Well, I consider it a consequence.

CHAIRPERSON FIELDS:

Why?

COMMISSIONER GORDON:

Because I would rather have a Parks person, a Parks employee who was, had some kind of relationship to that particular building in the building first. And I think it may have been a Suffolk County Park Police Officer who was first.

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CHAIRPERSON FIELDS:

Legislator Carpenter?

LEG. CARPENTER:

I just have a question as far as process. Paul, if this were to be discharged to the floor and not acted on on Tuesday, could it be included on the agenda for the Organizational Meeting?

MR. SABATINO:

Yes. We've done that in the past. It will be tabled to the organizational day and then we could approve it on that date, it will still allow enough time to do --

LEG. CARPENTER:

So that would give you three weeks more, but it still would give you some time, Madam Chairman, to meet and get some of these issues resolved.

CHAIRPERSON FIELDS:

Also with a discharge without recommendation, get it on the floor, table it on Tuesday and then hopefully act on it January 2nd.

MR. SABATINO:

It will be helpful from the standpoint of the budget.

CHAIRPERSON FIELDS:

Good idea.

LEG. LINDSAY:

I second.

LEG. ALDEN:

Then I'm going have to ask like formally here instead of trying to do it in some other manner, this list that was provided to us, we need the person that is currently in the building, what their rent is. We also need the -- I would also need -- it notes condition of some of the buildings, I'd like to know the condition as of a certain date.

COMMISSIONER GORDON:

Well, the Committee that we have in process right now has been looking at how to determine rents based on some information that we got from the National Parks Service. I don't know how you're going to come up with fair market value on these houses by January 2nd. I don't see it happening.

LEG. ALDEN:

What I need, because this bill is going and it's going to be live next Tuesday, right, so I would need the list of the people that are in these houses now, whether it's a Park employee or whoever it is, how much rent they're paying, what the date of the lease is, when the lease runs out. Also, when it states the condition of the building, it would have to be as of a certain date. You know, everything would have to be dated, in other words.

COMMISSIONER GORDON:

I don't think I can provide that for you, Legislator Alden, by

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Tuesday.

LEG. ALDEN:

Why?

COMMISSIONER GORDON:

Well, I'd have to have staff in the Department work overtime in order to process that.

LEG. ALDEN:

Don't we collect -- we collect rents, though, right?

COMMISSIONER GORDON:

Well, I have a list of all the tenants and all the rents, but I don't have a list indicating the condition of all the buildings to go with

that.

LEG. ALDEN:

Then that's the least important out of all that.

COMMISSIONER GORDON:

Okay.

LEG. ALDEN:

But I would need all the dates on, you know, when the tenant was in there, how much they're paying, where they're -- and that should be --

COMMISSIONER GORDON:

That we have, that we can get over to you tomorrow.

LEG. ALDEN:

Not just to me, you'd have to send it to the Committee Chairwoman and also I guess the entire Legislature, because --

COMMISSIONER GORDON:

Well, actually, Legislature Fields I believe has copies of those already.

CHAIRPERSON FIELDS:

Is it possible to just slip them into this report? I don't think it would be that difficult to just expand it out.

LEG. ALDEN:

Whichever way. I'm making a formal request that we have that information --

CHAIRPERSON FIELDS:

You already have it here, just put the tenant.

LEG. ALDEN:

-- prior to Tuesday.

COMMISSIONER GORDON:

We don't have all the tenants in that, that's just a listing of the buildings, the condition, whether they're dedicated to the historic trust or not. We have a separate list with all of the County tenants

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in it and I can provide that to you in the next couple of days.

LEG. ALDEN:

With all the days --

COMMISSIONER GORDON:

But I have -- my question now again is how do we determine fair market value? That was part of the bill also.

LEG. ALDEN:

How to determine fair market value?

COMMISSIONER GORDON:

Yes.

LEG. ALDEN:

Well, actually, there's formulas. I used to work for the Town of Islip Community Develop Agency and they have formulas as far as three bedroom, two bedroom, one bath, all that kind of thing. So, we can look at the HUD formulas. There's Section 8 for every -- every jurisdiction has formulas.

COMMISSIONER GORDON:

Right. But don't you need to consider the condition of the unit that you're renting?

LEG. ALDEN:

Right. And it does that too, it does it. And actually, the cut off is whether it's habitable or not, because it's either -- it's either one or the other. It's either habitable and rentable or it's not habitable, non-rentable. So that would be the cut off on it. But every jurisdiction has rents and they're established. HUD and Section 8 has it, and this is not just town by town I believe.

CHAIRPERSON FIELDS:

Some of the discussion in the Committee has been that some of these buildings are secluded and not everybody would want to live there. I disagree intensely about that, because I live in a secluded area and my house would be worth a lot more than someone's house that wasn't in a secluded area just by virtue of the fact that it is secluded. Some of them are on lakes, even though they're secluded, it's worth more.

LEG. ALDEN:

There's handbooks for appraisal value, there's handbooks and there's other, you know --

MR. SABATINO:

The resolution authorizes the Division of Real Estate, so there will be an area of expertise to do it.

COMMISSIONER GORDON:

But will they do that by January 2nd? That's my question.

MR. SABATINO:

You have to pass the resolution first to authorize it. Right now the law doesn't provide for fair market value. So if we don't pass the

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resolution, it will never start. I mean the resolution was filed in a timely fashion, it's been tabled a few times, but if it never gets adopted, we'll never get the fair market value. So they're going to have to prepare it once the resolution goes through.

COMMISSIONER GORDON:

I think there was some information that needed to be gathered prior to implementing the resolution, that's what my concern is, that we haven't -- that we haven't gathered all that information.

LEG. FOLEY:

What's the information?

LEG. LINDSAY:

We have to do that over the next three weeks.

COMMISSIONER GORDON:

Well, how to determine fair market value, appraising these units.

CHAIRPERSON FIELDS:

I guess Real Estate, you have to talk to Real Estate. I'm sure that they can tell you how to do that very rapidly. I think they can do that, that's how they do it when they go to a place.

COMMISSIONER GORDON:

Well, I know this issue has come up in the past and it hasn't been something that they were able to do real fast.

CHAIRPERSON FIELDS:

If it came up in the past, why wasn't it done between the past and now?

COMMISSIONER GORDON:

Well, I think because of the issue of how do you -- who's going to appraise, who's going to pay for the appraisals?

CHAIRPERSON FIELDS:

Real Estate.

LEG. FOLEY:

With all due respect --

COMMISSIONER GORDON:

I think the last time this came about, Real Estate said that they were not able to do it.

LEG. FOLEY:

With all due respect to the Commissioner, points are well taken, but that's a management decision. We'll pass the policy then the managers of this government have to put their heads together and find out how, in fact, those things will be paid and what appraisers they're going to use to quantify the cost that should be levied for these rentals.

So, we can pass the policies. And they're good issues that are raised by the Commissioner, but that's a management issue that has to be

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worked out between the Parks Department, Real Estate and whoever else in the Executive Branch needs to get involved in it. But this is a policy guidance resolution, we can still approve it, to my way of thinking, and then let the managers of this County then decide how they're going to go about executing this particular policy embodied in the resolution.

LEG. LINDSAY:  
Make a motion.

CHAIRPERSON FIELDS:  
Okay. Motion to discharge without recommendation made by Legislator Carpenter.

LEG. FOLEY:  
Why without recommendation, why not you as Chair of the Committee, it's your resolution, motion to approve?

LEG. CARPENTER:  
Because she still had some more information and meetings set up with the Committee.

CHAIRPERSON FIELDS:  
When is that next meeting, do you know?

COMMISSIONER GORDON:  
I don't know that we've set a date. We needed to do -- we were concerned about not being able to get everybody together during the holidays, I think.

LEG. LINDSAY:  
Madam Chair, we have a budgetary issue with this. We built two hundred and twenty thousand dollars into the budget of additional revenue, there's sixty units, if we can't get a fair appraisal value --

COMMISSIONER GORDON:  
There are not sixty units, there are only ten or eleven units. And

currently, the rent that we're collecting on those ten or eleven units is approximately fifty thousand dollars. So to leap to two hundred and, I'm sorry, Legislator Lindsay, what was the number you said?

LEG. LINDSAY:

I understood it to be two hundred and twenty thousand dollars.

COMMISSIONER GORDON:

To leap to two hundred and twenty is going to be a big increase. It's not sixty units.

LEG. LINDSAY:

So we're only renting twelve units?

COMMISSIONER GORDON:

This is the rent that comes directly to the County General Fund.

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LEG. LINDSAY:

Okay. And the other rentals go through the Friends?

COMMISSIONER GORDON:

Friends, yes.

LEG. LINDSAY:

I see.

CHAIRPERSON FIELDS:

All right. I guess in order to get any money at all in fair market value, we have to approve it today and we'll have to work around the final points. I don't see any other way, because it's in the budget. So do you want to change that or should I? Do you want to withdraw it?

LEG. CARPENTER:

I still would feel more comfortable just getting it to the floor, discharging it, giving us that three weeks and addressing it on January 2nd. I think for us to approve it now, put it out there approved, sort of indicates that we're ready to go with this and I think, you know, the Chairwoman has kind of indicated that there is a subsequent meeting that's going to be held and there was some questions, Legislator Alden --

CHAIRPERSON FIELDS:

Here's what I would ask, that you pick a date very early in January.

COMMISSIONER GORDON:

Sure, okay.

CHAIRPERSON FIELDS:

To sit down and meet. That you reach out to Real Estate to find out who we have in the Department who works in the Appraisal Unit that can do it and will do it, and tell them that we want to pass this and we probably will pass it, so how are we going to make it work. And then we'll discharge without recommendation now, we'll wait the three weeks, go through a meeting, try to work on it and see if -- because it does impact the budget.

LEG. FOLEY:

What's the purpose of the meeting?

CHAIRPERSON FIELDS:

We've been meeting --

COMMISSIONER GORDON:

We have a committee put together to address the whole housing issue.

LEG. FOLEY:

Right. But how does that impact this particular resolution?

CHAIRPERSON FIELDS:

It was just refining how you would increase the --

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LEG. FOLEY:

This resolution doesn't prevent that from happening.

CHAIRPERSON FIELDS:

No.

LEG. FOLEY:

One is not necessarily tailored -- one is not contingent upon the other. This is setting the policy guidelines, again as I mentioned, and I think that being the case, we can still pass this resolution by approval and then the other portions of this, the way it's executed, the way it's managed, that can go on either simultaneously or after we pass the reso. We don't have to wait for -- we don't have to wait for all of the say management issues to be resolved before we pass the resolution. I think we can pass the resolution now.

CHAIRPERSON FIELDS:

Well, we won't pass it until the Organizational Meeting then.

LEG. FOLEY:

If it's on the Organizational Meeting. Could it be on the Organizational Meeting?

LEG. CARPENTER:

We just asked that question.

LEG. FOLEY:

I know, but if we approve things today and it's tabled -- all the resolutions that are tabled next Tuesday, are they automatically put on the Organization Meeting? I don't think so. I think that's done at the discretion of whom?

MR. SABATINO:

What I replied to Legislator Carpenter was that it will be a motion to table to the Organizational Meeting. That would be the action that would be necessary to make that event occur on that date, otherwise it's going to be tabled to the first regular meeting. So you have to make that decision.

LEG. FOLEY:

Fine.

CHAIRPERSON FIELDS:

So we have a motion to discharge without recommendation. I'll second the motion. All in favor? Opposed? Discharged without recommendation. (VOTE: 5-0-0-0) DISCHARGED WITHOUT RECOMMENDATION

I.R. 2152 (P) To implement retention of Technical Consultant in connection with Forsythe Meadows property damage. (Fisher)

CHAIRPERSON FIELDS:

2152. To implement retention of technical consultant in connection with Forsythe Meadows. Has this expired?

MR. SABATINO:

It did. And then this is the second version. It was refiled just to

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start the cycle again, but you can't approve it until you make a decision on which, if any, of the three --

LEG. FOLEY:

Motion to table.

CHAIRPERSON FIELDS:

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

I.R. 2155 (P) Modifying new investment policy for Suffolk County Vanderbilt Museum Trust Fund. (Cooper)

CHAIRPERSON FIELDS:

2155. Modifying new investment policy for Suffolk County Vanderbilt

Museum Trust Fund. Do we have a motion?

LEG. LINDSAY:  
I'll make a motion.

LEG. CARPENTER:  
Second.

CHAIRPERSON FIELDS:  
We have a motion by Legislator Lindsay, seconded by Legislator Carpenter.

LEG. ALDEN:  
On the motion.

CHAIRPERSON FIELDS:  
Legislator Alden.

LEG. ALDEN:  
We just have to be prepared to answer questions when this comes before the full Legislative body, they're going to pick up on the fact that if the trust fund drops below a certain level, that we're in deep trouble. Now, all of us know that that can do that in a blink of an eye, so if we're committing ourselves to whatever it is, it's a hundred thousand dollars a month I believe, we have to realize that tomorrow, the next day, a week from now or a month from now, that trust fund can drop down and at that point we can't just let this go for a year without revisiting it, we're going to have to make some kind of contingency plans for tapping into possibly principal, because that's really what we're committing here to. It's a no turnaround situation. If you commit to it, they're going to budget it whether that thing, whether the trust fund drops down to zero or drops down below 12.4 million or 12.2 million, so --

CHAIRPERSON FIELDS:  
Legislator Alden, you were out of the room and we did go through all of that.

LEG. ALDEN:  
I was listening.

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LEG. FOLEY:  
He was listening.

CHAIRPERSON FIELDS:  
Okay.

LEG. ALDEN:

Actually I was standing there with Brian Foley and we were discussing it in the hallway when you were going through that, so I just want to make that point very, very clear. We're approving something that in the blink of an eye that trust fund can be lower than 12.2. And even if you look at what Freddy Pollert wrote and the letter that Fleet wrote to him, they're saying judging by historic standards, they think it should be a safe policy.

CHAIRPERSON FIELDS:

How about then that we put as a regular condition of every Parks Committee meeting, Budget Review give us an update and a red flag, just a quick, you know, we're getting close, we're not getting close, we're okay, you know.

MR. REINHEIMER:

That's fine. I review the statements on a monthly basis anyway, so it's -- it would be very easy for us to give you a pick up date, no problem.

CHAIRPERSON FIELDS:

Does that help, Legislator Alden?

LEG. ALDEN:

That helps, but I'm saying that we're going to pass this out today, and I'm not saying not to pass it out today, I'm just saying that when it goes before the members, the other members of this body, they're going to have a question mark as far as, well, it could very easily go below 12.4 million. We've seen the market drop five hundred points in one day, so we really have to be able to explain to them the things that were said to us today, that we were committing to this so that they can budget for their salaries for next year, but it's something that requires almost, like you said, a monthly type of due diligence on our part.

CHAIRPERSON FIELDS:

Okay.

MR. REINHEIMER:

That's fine.

CHAIRPERSON FIELDS:

That's your job, Lance.

MR. REINHEIMER:

We would, without this request by Legislator Alden, alert you if it got down to 12.2 without even having you ask us for that, because that's a point where we would be concerned and we certainly would want you to be aware of the situation. But we can give you a monthly update of the market value of the fund distributions and where we are.

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CHAIRPERSON FIELDS:

Great.

MR. REINHEIMER:

That's not a problem.

CHAIRPERSON FIELDS:

So, motion to approve?

LEG. FOLEY:

Motion made by Legislator Lindsay.

CHAIRPERSON FIELDS:

Second the motion. All in favor? Opposed? Approved. (VOTE: 5-0-0-0)

APPROVED

I.R. 2234 (P) Adopting Local Law No. -2002, a Local Law establishing dog and cat run policy for County parks. (Binder)

CHAIRPERSON FIELDS:

I.R. 2234. I'll make a motion to table.

LEG. FOLEY:

Second.

CHAIRPERSON FIELDS:

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

#### INTRODUCTORY RESOLUTIONS

I.R. 2253 (P) Adopting Local Law No. -2002, authorizing County Department of Parks, Recreation and Conservation to construct dog runs within County parks. (Cooper)

CHAIRPERSON FIELDS:

I.R. 2253.

LEG. FOLEY:

Motion to table.

CHAIRPERSON FIELDS:

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

I.R. 2280 (P) Amending the 2002 Capital Program and Budget and appropriating funds in connection with improvements to County Golf Courses (CP 7166). (County Executive)

CHAIRPERSON FIELDS:

I.R. 2280. Amending the 2002 Capital Program and Budget and appropriating funds in connection with improvements to County golf courses.

LEG. CARPENTER:  
Motion.

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LEG. FOLEY:  
Second.

CHAIRPERSON FIELDS:  
All in favor? Opposed? Approved. (VOTE: 5-0-0-0) APPROVED

I.R. 2281 (P) Amending the 2002 Capital Program and Budget and appropriating funds in connection with improvements to historic sites and buildings - Meadowcroft Auto House (CP 7510). (County Executive)

CHAIRPERSON FIELDS:  
I.R. 2281. Amending the 2002 Capital Program and Budget and appropriating funds in connection with improvements to historic sites and buildings, Meadowcroft Auto House.

LEG. LINDSAY:  
I'll make the motion.

LEG. FOLEY:  
Second.

CHAIRPERSON FIELDS:  
What's the Auto House?

COMMISSIONER GORDON:  
It's the little, dilapidated building that's being held up by a tree.

CHAIRPERSON FIELDS:  
Okay. Motion to approve by Legislator Lindsay.

LEG. FOLEY:  
There's no one from the Friends living in there, is there?

COMMISSIONER GORDON:  
No.

LEG. FOLEY:  
Okay.

MR. SABATINO:  
Just to make the Committee aware of one global issue, offsets are

being used in the one you just voted on, the one you're about to vote on.

COMMISSIONER GORDON:  
I apologize, I should have said it.

MR. SABATINO:  
They're overlapping offsets with something that's going to be on the floor of the Legislature regarding the Quarter Master Building for the Sheriff and the police departments. I just want you to be aware that when we get to the floor on the 17th, there's going to be some back and forth. You can still vote on these today, it's not a problem.

LEG. CARPENTER:  
Excuse me, can I just say something? And, Lance, maybe you can

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confirm this. Earlier this afternoon Jim Spero told me that on that Quarter Master Building he had found other offsets, so there aren't any conflicts, because I know there's going to be a CN for that on Tuesday. If Budget Review has the speaker on in the back and they can come out and confirm that, we'd appreciate it.

MR. SABATINO:  
It wasn't intended to not allow a vote on this, it's just so you'd be aware in case we're making internal decisions on prioritizing.

MR. CLANCY:  
We're going to try to get Jim Spero to see if he can answer that.

CHAIRPERSON FIELDS:  
Why don't we just pass this then. We're not going to vote on it, we'll just go past it.

COMMISSIONER GORDON:  
Does that mean that there's a possibility that this money wouldn't be approved?

CHAIRPERSON FIELDS:  
Yes. That is a possibility.

LEG. ALDEN:  
Actually, it's a possibility.

MR. SABATINO:  
As of yesterday morning it was a -- I should say as of last night it was a possibility. Something changed in the data, I didn't mean to confuse the issue, but I wanted to have full disclosure. You may very well be right.

LEG. CARPENTER:

When I came in this afternoon, Jim had said that he believes that he has found other offsets.

MR. SABATINO:

Okay. We found one in your Committee, we defeated the one resolution which freed up four hundred and fifty thousand.

LEG. CARPENTER:

Seventy thousand. Four seventy-five, I believe.

LEG. LINDSAY:

How much was the overlap?

MR. SABATINO:

The overlap was substantial, because we were increasing the other project by two million, so --

LEG. FOLEY:

Two million?

MR. SABATINO:

It was two million dollars in total.

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LEG. FOLEY:

Was Quarter Master increasing that --

MR. SABATINO:

We freed up four hundred and fifty thousand on one of the resolutions we defeated. The only point it was, it was just to keep everybody aware of what was going on, not to hold up the vote on this, just so you're aware on Tuesday.

LEG. FOLEY:

Why don't we report them all out and then by Tuesday we'll have -- we'll know where we stand.

CHAIRPERSON FIELDS:

All right. So let's go back to 2281. We didn't vote on that one yet. 2281. Motion to approve, second. All in favor? Opposed? Approved. (VOTE: 5-0-0-0) APPROVED

I.R. 2282. Amending the 2002 Capital Program and Budget and appropriating funds in connection with improvements to historic sites and buildings - Timber Point Golf Course Clubhouse (CP 7510). (County Executive)

CHAIRPERSON FIELDS:

2282. Amending the 2002 Capital Program and Budget and appropriating funds in connection with improvements to historic sites and buildings, Timber Point Golf Course Clubhouse. I'll make a motion to approve.

LEG. CARPENTER:

Second.

CHAIRPERSON FIELDS:

Second by Legislator Carpenter. All in favor? Opposed? Approved.  
(VOTE: 5-0-0-0) APPROVED

I.R. 2286. Authorizing the transfer of certain properties to Suffolk County Department of Parks, Recreation and Conservation.  
(County Executive)

CHAIRPERSON FIELDS:

2286. Authorizing the transfer of certain properties to Suffolk County Department of Parks, Recreation and Conservation.

LEG. FOLEY:

Motion.

COMMISSIONER GORDON:

The Planning Department has requested that we table that.

CHAIRPERSON FIELDS:

Motion to table.

LEG. FOLEY:

Second.

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CHAIRPERSON FIELDS:

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

LEG. FOLEY:

And the reason for the tabling?

CHAIRPERSON FIELDS:

Tom Isles was here and he had some questions about it, so he asked to table it one time.

LEG. FOLEY:

Okay.

I.R. 2299. Amending the 2002 Capital Budget and Program and appropriating funds in connection with modification for compliance with the Americans with Disabilities Act (ADA) at the Suffolk County

Vanderbilt Museum (CP 7450). (County Executive)

CHAIRPERSON FIELDS:

I.R. 2299. Amending the 2002 Capital Budget and Program and appropriating funds in connection with modification. This is about ADA for Vanderbilt. I'll make a motion to approve, second by Legislator Carpenter. All in favor? Opposed? Approved.  
(VOTE: 5-0-0-0) APPROVED

I.R. 2302. Amending the 2002 Capital Budget and Program and appropriating funds in connection with restoration of Smith Point County Park. (CP 7162) (County Executive)

CHAIRPERSON FIELDS:

I.R. 2302. Amending the 2002 Capital Budget and Program and appropriating funds in connection with restoration of Smith Point County Park.

LEG. FOLEY:  
Motion.

COMMISSIONER GORDON:

This is not an offset, this was money that was designated in our Capital Budget this year. And if we don't appropriate it by the end of the year, we lose it.

LEG. FOLEY:  
It's absolutely crucial.

LEG. CARPENTER:  
Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Approved. (VOTE: 5-0-0-0) APPROVED

CHAIRPERSON FIELDS:

I have one question, Commissioner, and that is I.R. 1644 was a Local Law to establish a Code of Conduct for sports and recreational activities. I had asked Greg Lauri several times to work on this with me. I wrote him a letter and now it's expired and I have not heard

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from him, I have not gotten, received any --

COMMISSIONER GORDON:

I think he had a meeting scheduled with people to talk about insurance issues this week, so I'm sure that the report will be completed shortly.

CHAIRPERSON FIELDS:

I've sent him E-mails, I've sent him letters, he has been unresponsive, which is something that I would ask that you at least ask him to acknowledge my letters or my E-mails and respond to me in some manner.

COMMISSIONER GORDON:

Okay. But maybe in the future I might request that you correspond with me concerning that and I'll get the information from him.

CHAIRPERSON FIELDS:

Originally I spoke to you about it. The previous Commissioner said that he would have him work with me and that all I had to do was reach out for him, I did.

COMMISSIONER GORDON:

Okay. He is working on it.

CHAIRPERSON FIELDS:

Okay. But I would never know that except that you're telling me that.

COMMISSIONER GORDON:

Yes, I'm telling you.

CHAIRPERSON FIELDS:

And nothing has happened that I know of.

COMMISSIONER GORDON:

Okay. It's not completed yet, but he is working on it.

CHAIRPERSON FIELDS:

All right. But he can communicate that also. Legislator Carpenter.

LEG. CARPENTER:

I just want to publicly thank the Commissioner and everyone in the Department involved, I see Richard Martin is here, for all of your work on behalf of Sagtikos Manor and pulling it together. We had a very successful event last week. And subsequent to that, people are calling and coming out and offering to volunteer. They've got their first fund-raising event scheduled for late February.

COMMISSIONER GORDON:

February 23rd.

LEG. CARPENTER:

And it's just very, very exciting for the community and I just want to acknowledge all of your efforts on behalf of it.

COMMISSIONER GORDON:

Thank you very much.

CHAIRPERSON FIELDS:

And for the County, not just the community. Jim Spero.

MR. SPERO:

The resolution on the Quarter Master Building has been amended and it does not conflict, the offsets on that resolution no longer conflict with any other offsets on any resolution currently on the table.

LEG. CARPENTER:

Thank you very much.

LEG. FOLEY:

Currently on the table.

COMMISSIONER GORDON:

You made my Christmas.

CHAIRPERSON FIELDS:

You got everything you wanted, Commissioner.

COMMISSIONER GORDON:

Thank you and happy holidays.

CHAIRPERSON FIELDS:

Everyone have a wonderful holiday and thank you for helping us out with this Committee and all that you do. Thank you.

(THE MEETING WAS ADJOURNED AT 4:10 P.M.)

{ } DENOTES BEING SPELLED PHONETICALLY