

PARKS, SPORTS & CULTURAL AFFAIRS COMMITTEE
Of the
SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Parks, Sports and Cultural Affairs 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 **September 5, 2003**.

MEMBERS PRESENT:

Legislator Ginny Fields, Chairperson
Legislator Jon Cooper, Vice Chairman
Legislator Cameron Alden
Legislator Angie Carpenter
Legislator Brian Foley
Legislator Lynne Nowick

ALSO IN ATTENDANCE:

Roger Podd - Aide to Legislator Postal
Erin Barbara -Aide to Legislator Fields
Sean Clancy - Budget Analyst/Budget Review Office
Michelle Isabelle Stark - Citizens Arts Advisory Board
Judith Gordon - Commissioner/Suffolk County Parks
Lisa Genci
Ann Maguire

MINUTES TAKEN BY:

Diana Kraus - Court Stenographer

(* THE MEETING STARTED AT 12:15 P.M. *)

CHAIRPERSON FIELDS:

Good afternoon. We're going to begin the Parks Committee meeting. We'll begin with a pledge of allegiance led by Sean from the Budget Review Office.

SALUTATION

CHAIRPERSON FIELDS:

Okay. We have three cards. We have Michelle Isabelle Stark. We have Lisa Greci and Ann Maquire in that order. So if we can start with Michelle Stark.

LEG. CARPENTER:

Are the cards in reference to any of the agenda items, the resolutions, rather?

CHAIRPERSON FIELDS:

We have Office of Cultural Affairs, Montauk Airport and the Little Red School House.

LEG. CARPENTER:

So can we just move these two resolutions first, these tabled resolutions?

IR 1404. To amend the user fee schedule for Suffolk County Parks. (COUNTY EXEC)

CHAIRPERSON FIELDS:

I would be happy to; so we will ask for your indulgence. We'll wait for the Commissioner to come on up in case --

COMMISSIONER GORDON:

Good afternoon, everybody.

CHAIRPERSON FIELDS:

I.R. 1404 to amend the user fee schedule for Suffolk County Parks.

COMMISSIONER GORDON:

Yes, and I brought amended copies again for you.

LEG. ALDEN:

Motion to table.

LEG. FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? **TABLED. (VOTE:6-0-0-0)**

I.R. 1406 to implement RFP Committee for Concessionaire Program at County Parks?

I'm going to make a motion to table.

LEG. ALDEN:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? **TABLED (VOTE:6-0-0-0)**

Okay. Do you want to talk about the amendments?

COMMISSIONER GORDON:

Well, the resolution that you have in front of you to be brief and to the point doesn't really differ I don't think all that much from what I have given you in the past with the exception of increasing the rates for camping for premium sites. That is sites that either have electric or have electric and sewer service. We just after this summer with the expenses that we incur involved in cleaning up the camp sites, collecting people's garbage, etcetera, etcetera, providing the utilities, we felt that it was warranted to do that.

The other -- the other issue that I think was changed from what I had given you earlier -- because I think the last time we gave this to you was either in April or May -- was to add a fee with the show mobile for the use of the generator as well as additional staging which requires us to have more staff on the unit itself. That's pretty much in a nutshell how it differs from what I had given to you in April or May of this year. And the total -- the total projected increased revenue based on this package is three hundred twenty thousand dollars.

CHAIRPERSON FIELDS:

Go ahead.

COMMISSIONER GORDON:

Three hundred twenty thousand dollars, I can probably bring in six additional supervisory staff into the Parks Department.

CHAIRPERSON FIELDS:

Legislator Carpenter?

LEG. CARPENTER:

Have you -- what is the feedback on this from the Park Trustees?

COMMISSIONER GORDON:

Park Trustees have approved it.

LEG. CARPENTER:

And what about the user groups? Especially the camping group?

COMMISSIONER GORDON:

The camping group -- we have a meeting scheduled with the Executive Board of the Committee for Camping -- I believe it's the last week of September. My last conversation with them when we first came to you was that they were in -- in agreement with it. What we did not do was increase and my staff still -- still insist that we should do this but I kind of made the decision not to -- just the regular camping where somebody pulls up and doesn't require electric or sewers we kept that the same. We didn't increase that.

LEG. CARPENTER:

Would this enable us to not come into a situation again where parks are closed?

COMMISSIONER GORDON:

I am hopeful that it would. If I could hire with this additional three hundred and twenty thousand dollars, if I can hire additional staff, then I think we could. I think we could come back to the seven-day-a-week operation for the summer.

LEG. CARPENTER:

I -- I know that you--you know, it's very hard to guarantee but I would almost say that for me personally in order to be supportive of this I'd have to have more than just hopeful but rather a commitment that we would not see a situation where parks were closed and campers were turned away.

COMMISSIONER GORDON:

Okay. Then I would make that commitment to you.

LEG. CARPENTER:

Okay. Thank you.

CHAIRPERSON FIELDS:

Legislator Alden has a question but I have a question. We just talked about show mobile. There has been a lot of discussion in -- at the full meetings about the show mobile. And one of the -- Legislator Guldi put in a resolution to sell the show mobile to Southampton for two dollars. We had requested --

COMMISSIONER GORDON:

Actually that came from the department.

CHAIRPERSON FIELDS:

Excuse me?

COMMISSIONER GORDON:

That came from the department. That came from my office; the request to do that.

CHAIRPERSON FIELDS:

The request to sell it for --

COMMISSIONER GORDON:

Yes.

CHAIRPERSON FIELDS:

-- two dollars?

COMMISSIONER GORDON:

Uh-huh.

CHAIRPERSON FIELDS:

Without asking George Guldi?

COMMISSIONER GORDON:

Ah, yes.

CHAIRPERSON FIELDS:

Wasn't it his resolution?

COMMISSIONER GORDON:

Well, he may have requested to sponsor it -- I don't know what -- but it came -- it came from -- it generated in my office.

CHAIRPERSON FIELDS:

All right. Well -- and there was further discussion about how much would it cost to repair it. And then passed that was the question of whether or not it could be used for a permanent fixture at one of the park sites perhaps for camping. You were going to come back and tell us how much the cost was to repair it and whether it could be used for permanent site.

COMMISSIONER GORDON:

I don't have an answer to the first part. We're still doing some investigation. But the second part we probably could find a permanent location for it in one of the parks. I don't -- I see that -- that's an easier question to answer. We have some concerns about the structure of the unit so

there is apparently an organization out there or a company that will retrofit these units. Rather than going back to the manufacturer to do that, there is apparently another company that does that. And I did -- I asked somebody on staff to get that information. He had not -- was not able to get it by this morning. But I'm sure sooner rather than later we can get that information.

CHAIRPERSON FIELDS:

Now I have a question for Budget Review. There was a discussion at the Ways and Means Committee or ELAP -- I forget -- about money -- it was kind of a sunset clause. And there was a group of -- there were a group of -- of amounts that had -- for instance one of the amounts was for a mammography unit that had -- the Commissioner decided not to buy the second mammography van and so the money then had to come out of the budget. Was anybody at one of those meetings? Brian Foley? Do you know the one I'm talking about, Roger? It was at -- anyway there was money left over in the -- for the show mobile, I guess. We had designated a certain amount to go toward the purchase of a new show mobile --

COMMISSIONER GORDON:

--in the Capital Budget?

CHAIRPERSON FIELDS:

-- and there was left-over money.

COMMISSIONER GORDON:

Oh, I'm not aware that there's any left over money. But I can check that, too. I can go back and check that also.

CHAIRPERSON FIELDS:

If we could get it from Budget Review. It was just on one of the committees on Monday or Tuesday. And it's kind of a sunset clause where after five years or after the Department doesn't spend the money, there's money left over and it has to have something done to it. Do you know the one? Five hundred and something dollars.

COMMISSIONER GORDON:

Yeah, I don't think --

CHAIRPERSON FIELDS:

Okay. But my point is this. If there's money left over that was supposed to be spent for the show mobile and it wasn't spent for the show mobile, and I'm -- I'm just not knowledgeable about this. If it's five hundred -- what was it? Five hundred -- five hundred dollars and change. Could that not go from the new show mobile extra money to the old show mobile?

COMMISSIONER GORDON:

Possibly, but five -- as I think I said to you the last time we met, I am positive that it's going to -- the low figure for retrofitting this unit is going to be ten grand. It could be as high as twenty or more. But I think the low figure is ten grand. So five hundred is -- is a drop in the bucket. But, yes, maybe it could if somebody -- if somebody considers that a capital expenditure, yes, it could be.

LEG. CARPENTER:

Well, you know, from my prospective that's a bargain. When the cost of a show mobile is a hundred thousand dollars if for ten to fifteen thousand we can retrofit it and maybe do it and have it permanently at the camp ground where most of the camping and the camping events takes place, we're in essence providing more service, providing more opportunities for the campers. And it kind of softens the blow if you're going to be raising fees. So, you know, I -- I for one would ask that you do whatever you can to make sure that we do get that show mobile fixed and, you know, sort of contact Southampton and tell them that, you know, you've re-thought -- basically giving them that show mobile.

COMMISSIONER GORDON:

The only problem is I didn't -- I did not plan for this in the Operating Budget. You know, we don't have the money available in the budget this year but I didn't plan for it in '04 either. So maybe that's something to consider while we're going through the operating process.

LEG. CARPENTER:

Well, maybe we can say that to the County Executive when he's preparing it to bring over here. You need to let them know that -- throw in another twenty to cover fixing that show mobile.

CHAIRPERSON FIELDS:

I guess probably what we're saying, too, is that if you're -- if someone is proposing raising fees to use our parks or services in the parks, then why aren't we giving them more instead of taking it away. And the second show mobile -- we did have two on the road at the same time at one

time for a very short period of time.

COMMISSIONER GORDON:

Yes, going back a number of years.

CHAIRPERSON FIELDS:

Legislator Alden; then Legislator Nowick.

LEG. ALDEN:

Commissioner, would you know as far as our revenues at this point how we're looking as compared to other years? Because I know we just went through --

COMMISSIONER GORDON:

We're down -- overall we're down this year but I -- I do want to tell you that for the month of July for both golf and beach fees we were up. We were up. I don't -- I didn't bring those figures with me but I think in both areas it was a combination of approximately two hundred fifty thousand dollars that we were up just for the month of July. The overall year -- the overall year we're -- we'll be down unless we have a banner, you know a great season in the fall which brings our golf revenues back up but I'm not real hopeful of that.

LEG. ALDEN:

We don't have another meeting until the end of October.

COMMISSIONER GORDON:

The end of October.

LEG. ALDEN:

Through the Chair if we could get that information kind of before --

COMMISSIONER GORDON:

On the revenue?

LEG. ALDEN:

Yeah, the revenue.

COMMISSIONER GORDON:

Oh, absolutely.

LEG. ALDEN:

Good.

COMMISSIONER GORDON:

Yes, absolutely.

CHAIRPERSON FIELDS:

That we -- that you fax it possibly to all of the legislators on this committee prior to the next vote on the fees. And also you said that the Parks Trustees approved the fees.

COMMISSIONER GORDON:

Yes.

CHAIRPERSON FIELDS:

Did they approve the amended fees?

COMMISSIONER GORDON:

Yes.

CHAIRPERSON FIELDS:

Okay.

COMMISSIONER GORDON:

They did. Also I think when I give you the revenue, I can't guarantee that I can give you the numbers through the end of September. We should be able to give you the numbers through the end of August but I think that that's probably enough to give you a flavor because that will probably be the bulk of the -- it's certainly the bulk of the summer season.

LEG. ALDEN:

And that would include like even green fees and --

COMMISSIONER GORDON:

Yes.

LEG. ALDEN:

-- the green card --

COMMISSIONER GORDON:

Everything.

LEG. ALDEN:

-- and all the camping fees?

COMMISSIONER GORDON:

Everything.

LEG. ALDEN:

You can break those down?

COMMISSIONER GORDON:

Uh-hum.

LEG. ALDEN:

Thank you. Even numbers -- I'm sorry, too. A request for the number of rounds of golf. I think we have that, too, right?

COMMISSIONER GORDON:

Okay.

LEG. ALDEN:

I got it off the computer a couple of times. When I was visiting Parks.

COMMISSIONER GORDON:

Okay.

LEG. ALDEN:

So --

COMMISSIONER GORDON:

But we can get that to you --

LEG. ALDEN:

Good.

COMMISSIONER GORDON:

-- because we have -- we do that on a fairly regular basis.

LEG. ALDEN:

Okay. Thanks.

CHAIRPERSON FIELDS:

Legislator Nowick?

LEG. NOWICK:

Just a comment to Legislator Alden. I would imagine with fifty-three days of rain, three cloudy days and forty-seven sun days, we're hurting.

COMMISSIONER GORDON:

We're hurting a lot.

LEG. NOWICK:

We're hurting, I'm sure. I'm sure of it.

COMMISSIONER GORDON:

And I said this to you earlier in the season, we are especially hurting on the golf courses.

LEG. NOWICK:

Oh, yeah. Who wants to go out with thunderstorms and rain and --

COMMISSIONER GORDON:

Well, not even just the loss of play. We're hurting physically on the golf courses. And I, you know, every time it rains my heart's in my throat. Its just -- it's a serious situation we're dealing with right now.

LEG. NOWICK:

But my question was -- that was just a comment -- my question was the show mobile, do we have a need for a second showmobile? And if so, what do you see --

COMMISSIONER GORDON:

Well, I think, Legislator Nowick, I think maybe Legislator Carpenter's idea of, you know, making it stationary in a park may be, you know, probably has merit. To take it out on the road as a second showmobile to go around to events, yes, people find out it's available people will probably call and want it. My problem is I don't have the staff to man two units. I definitely -- and I don't think we'll conceivably realistically have the staff in '04 to man two units.

LEG. NOWICK:

So if we spent the ten thousand dollars somewhere along down the line on the showmobile, would we use it that often if we don't have the staff?

COMMISSIONER GORDON:

Well, one of the things that we were thinking about was perhaps putting it out at Smith Point where we've got a licensee that does the food service out there and tries to do some entertainment along with his -- as part of his operation. And he does have bands that he brings in on a fairly regular basis. He may want to do that more often.

LEG. NOWICK:

So would he rent it?

COMMISSIONER GORDON:

No. Probably we would just set it up and leave it there.

LEG. NOWICK:

So it's not a money-maker? It's just there for the pleasure of the --

COMMISSIONER GORDON:

Yes.

LEG. NOWICK:

Okay. Thank you.

COMMISSIONER GORDON:

Although that's not -- you know, we can talk, discuss how we might do it, too. We're not necessarily committed to doing that.

CHAIRPERSON FIELDS:

There have been times when a couple of different groups have requested the showmobile and have been told no because it's out in Montauk and somebody in Huntington needs it or somebody in, you know, Sayville needs it, you know. And so they're told no so --

COMMISSIONER GORDON:

Uh-huh.

CHAIRPERSON FIELDS:

In my case I had an example of it. And I had to change the time of the affair just so we could get the showmobile. So, in -- you know, I had the ability because I had enough time to do that. But I can tell you that there have been other people that I've spoken to that have -- have not been able to get the showmobile because it's being used somewhere else at some other time especially in the summer time when there are multiple events all over the place. We can probably use three if we had the manpower.

COMMISSIONER GORDON:

Absolutely.

CHAIRPERSON FIELDS:

Yeah.

COMMISSIONER GORDON:

Oh, yeah, I think, yes.

CHAIRPERSON FIELDS:

Yes.

COMMISSIONER GORDON:

But we don't have the staff to man it. That's the problem.

LEG. CARPENTER:

May I?

CHAIRPERSON FIELDS:

You may. Take two steps, an umbrella --

LEG. CARPENTER:

Back to the possibility of putting it at Smith Point and somebody asked about would we charge for the use of it, it seems to me that might be an opportunity to recoup some revenue or to generate some revenue so that we would have dollars to keep it maintained properly whether it's painting or what have you. Because having it at Cathedral Pines and letting the Suffolk Committee For Camping use it to me is different and I wouldn't necessarily want to be charging a group like that. But if the concessionaire -- if a concessionaire at Smith Point Park is bringing in Johnny Maestro and the Brooklyn Bridge to do a concert, obviously we're paying for that or somebody is paying for that.

COMMISSIONER GORDON:

He's paying for that.

LEG. CARPENTER:

He's paying for that.

COMMISSIONER GORDON:

Uh, huh.

LEG. CARPENTER:

So part of the cost of that to the concessionaire for the use of a group that is generating an income or revenue that there would be, you know, whatever, two hundred dollar fee for the use of the stage for that group for the event if, you know, monies are being generated or made.

CHAIRPERSON FIELDS:

We just want to make sure it's not close to the water so that it gets eroded -- that it goes into the ocean.

LEG. CARPENTER:

Then it becomes a natural reef.

CHAIRPERSON FIELDS:

Legislator Nowick.

LEG. NOWICK:

I'm sure everybody here probably has done this before and knows this but just bear with me. We -- we have tried to take a showmobile like this and have somebody, a corporation or somebody be a sponsor, put their sign up, pay for the ten thousand dollars to --

COMMISSIONER GORDON:

No, we have not tried that.

LEG. NOWICK:

Maybe that's a thought.

COMMISSIONER GORDON:

That's a thought, too.

LEG. NOWICK:

We did that in Smithtown. We have a showmobile and we have a sponsor -- maybe two sponsors. They'll split it down the middle.

CHAIRPERSON FIELDS:

Maybe Tommy Hilfiger wants it.

COMMISSIONER GORDON:

Ralph Lauren.

LEG. NOWICK:

Tommy, anyone --

CHAIRPERSON FIELDS:

Okay. Naming rights. Alternative parks funding.

Any other questions? Michelle, would you like to -- do you have anything else that you wanted to --

COMMISSIONER GORDON:

I just wanted to bring up and I don't know whether I can wait until the speakers are finished, I wanted to bring up a resolution not on this agenda but that -- that you're going to have in front of you I think at your next meeting.

CHAIRPERSON FIELDS:

Go ahead.

COMMISSIONER GORDON:

Regarding the dredging project of Moriches Inlet. And we had requested additional monies. I believe it was one point three million dollars to be out of Capital offset money for -- there's going to be -- the Moriches Inlet is going to be dredged. And what we were trying to accomplish was to have the dredge material brought down further west at Smith Point to replenish the beach. Because it's probably anywhere from two hundred fifty to three hundred thousand cubic yards of sand which -- which could be beneficial. That's -- I believe that came out of the Public Works Committee as a discharge without recommendation because I think -- I wasn't at the meeting and I'm -- I may be speaking somewhat out of turn but I think that there was some question about the monies that the -- the projects that the money was taken from, that some people wanted to see those projects done. I just wanted to impress upon you the -- the need for doing something like that at Smith Point. And I guess Legislator Carpenter came out with some information recently about how important the beaches are to our economy. And I just wanted to re-emphasize that.

I do have to tell you, though, the Army Corps. of Engineers did bid the project. They bid the dredging of Moriches Inlet and Shinnecock Inlet as a combined project. The amount of money for bringing the sand further down the beach for us was much higher than we anticipated. There's also a problem with the bidding. There were apparently two bids and one of the bidders is questioning the second bidder. So there's a possibility that the project could be delayed. It

may be delayed into the spring. But I just wanted to impress upon you that if that happens, we would still need this money in place to get the sand further west down the beach.

CHAIRPERSON FIELDS:

Is there any kind of an environmental review that has to be completed before this happens because the sand is designated for a different spot other than where it was?

COMMISSIONER GORDON:

Yes. And that process has been completed.

CHAIRPERSON FIELDS:

On moving it in a different place?

COMMISSIONER GORDON:

Yes, uh-huh.

CHAIRPERSON FIELDS:

I would ask that you stay where you are because there may be -- some of these speakers may --

COMMISSIONER GORDON:

Fine. Okay.

CHAIRPERSON FIELDS:

Thank you.

Michelle Stark, come on up:

MS. STARK:

Hi, good afternoon. I'm here to inform the committee about the status of the Citizens Arts Advisory Board and to express my concern. Out of eleven members, nine members' terms have expired. Some as far as back as 1997. And I'm now in the process of giving work shops on the Suffolk County Cultural Arts Grant. And I expect the grant applications to be in for review by the end of November.

So I'm here to find out if there's something that can be done to -- to introduce resolutions to

appoint members of the board so that we have an official board to actually review the applications at the end of November.

CHAIRPERSON FIELDS:

Are they holdovers or are they vacancies?

MS. STARK:

They're -- well, the board can be anywhere from nine to fifteen members. So if you -- for fifteen members there would be four vacancies and there would be nine holdovers.

CHAIRPERSON FIELDS:

And do those nine people show up at all the meetings?

MS. STARK:

No.

CHAIRPERSON FIELDS:

And would -- and I can ask the rest of the committee -- would it not be an idea for your department to write to each Legislator to ask if they have someone in their community that would like to be on the committee; and if they would like to recommend someone or if they would like to have the same person that serves possibly from their community continue knowing that either they're not showing up for their meetings or being a real part of the committee?

MS. STARK:

Yes, I'd be happy to do that. And I would like to make you aware that there are to my knowledge five people who have contacted their Legislators and I believe copied you as well and sent their resumes and have expressed interest in serving.

CHAIRPERSON FIELDS:

They have sent the letter to their --

MS. STARK:

-- to their Legislator.

CHAIRPERSON FIELDS:

-- Legislator. Okay.

LEG. CARPENTER:

Could I -- could we get a copy of the names?

MS. STARK:

Yeah, I have a copy here. I have one copy but --

CHAIRPERSON FIELDS:

My aide will or the Clerk's Office will make some copies for the rest of the Committee.

MS. STARK:

Okay.

CHAIRPERSON FIELDS:

I think that will help.

MS. STARK:

Okay.

CHAIRPERSON FIELDS:

Thank you for coming.

MS. STARK:

Thank you.

CHAIRPERSON FIELDS:

All right. Bye.

The next speaker is Lisa Greci. And this is about the Montauk Airport. Do you want to have Chris O'Connor with you, then? So come on up.

MS. GRENCI:

Hello, I'm Lisa Greci. Thank you for having me back again. I was here I guess a month ago. And we were waiting for the aerial -- 2003 aerial photo of the Montauk Airport.

It did come in and I know some of the Legislators were not here at the last hearing. This is a 1976 aerial of the Montauk Airport and this is a 2003 taken last month. The last building permit ever issued on the airport was in '76 which is why --

CHAIRPERSON FIELDS:

Hold on. The one on the right to this panel is the old 19 --

MS. GRENCI:

-- '76.

CHAIRPERSON FIELDS:

-- '76. This one is 2003 on the left?

MS. GRENCI:

Correct. The reason for me coming forward is that I've discovered through documents that the County parkland which surrounds the Montauk Airport has been included in the FAA Adopted Master Plan and is also included in all of the town surveys that were submitted to date.

I did break it down fee title-wise and the deeds have been submitted to Mr. Foley. Everything in yellow is actually fee title of the airport; everything in pink is County parkland. And the County parkland is included in the Adopted FAA Master Plan. This is portions of it. All of these projects -
-

CHAIRPERSON FIELDS:

For the record, what you are explaining is that the airport expanded into parkland and you are attempting to show both visually and through record keeping of the parcels, that it is on county land.

MS. GRENCI:

That's correct. I do have documents submitted by the applicant that does state as early as July 17, 2000 that the proposed project is to reconstruct an existing taxiway to current FAA standards and remove on and off airport obstructions. The obstructions that are indicated to be removed were wetlands and shads and certain species, two of which are state-endangered.

There has been no SEQRA review. There's been no active building permits issued. The one permit that was issued last year for a taxiway is -- includes County parkland. It's a hand-run taxiway. As you can see there was no taxiway; just a small trail.

Now we have taxiway. And the border of the County parkland is -- is either part of the obstruction removal or possibly part of the taxiway itself. There's also been tie down in paving areas that were put in along the border or possibly over the border of the County parkland. We're not sure because we don't have a certified as-built survey. The Town is not demanding a certified as-built survey. And we don't have a current survey of the County parkland.

I think I spoke with Ms. Gordon about that. Those are the two things that someone would need to get to verify the actual encroachments. Above and beyond the fact that the FAA Master Plan calls for usage of the County land for tie-downs along the cross wind here as well as the northerly side -- excuse me -- the southerly side of the taxiway.

Under the -- the town was alerted to this and stopped all cease and desist in 1988 of actions through the planning process. Because this is a zoned A-three residential. It's preexisting non-conforming as it was in '76. And it did not meet town code under residential zone.

In addition to that the -- the addition of the easements claimed to be owned by the airport which is actually County land was pointed out as early as 1997 that it is clear that a significant portion of the proposed clearing is within the confines of the Montauk County parkland. Over two million dollars of FAA and New York State funding has been given to this project based on falsified records that I can find that includes county parkland.

It also -- there's been no SEQRA review, no public hearings, no notification of no less the neighbors but the adjoining County park. There has -- according to the FAA standards to take the funding which included runway, taxiway, drainage, lighting, tie-downs, paving, burying of a power line along the County highway, and several other minor -- Pappy and Beacon and all other projects.

The requirement for clearing is a hundred and twenty-five feet on either side of a runway for obstruction removal. And for the taxiway it was 44.5 on either side. No variance is found that was given to allow them not to clear. If they took the money and they did the project and the FAA stamped it, it's more than likely based on those numbers that it encroached onto County parkland as well.

My concern is that this is continuing. It's been designated as a reliever airport for Long Island MacArthur. And that we're going to get no help from the Town in stopping what's happening, investigating if there's encroachment on County land. And if the FAA is claimed to supersede all governmental agencies, are we ever going to get stuck with something that is not compatible with the area.

LEG. FOLEY:

Madam Chair?

CHAIRPERSON FIELDS:

Legislator Foley?

LEG. FOLEY:

I'll wait until Mr. O'Connor speaks.

CHAIRPERSON FIELDS:

Legislator Alden has a question, though, before you speak.

LEG. ALDEN:

When you say a reliever airport, what does that mean? What type of aircraft --

MS. GRENCI:

I've been having a hard time getting a straight answer from the FAA out of it. My understanding is that you have to have a site-based commuting carrier. And that you have to have at least ten annual based aircraft. I have not gotten a straight answer of whether it needs fuel or refueling. But by categorizing it as a reliever airport, it allowed it to obtain the AIP funding which is the Airport Improvement Funding.

LEG. ALDEN:

But a reliever -- I'm just going by the word because I haven't heard -- you know, I'm not really that familiar with it, but an alternate destination if say --

MS. GRENCI:

That's correct.

LEG. ALDEN:

-- Islip is socked in with weather, something like that, then they would divert to this?

MS. GRENCI:

That's correct. And I have that in writing from Mr. {Mineo}, I believe his name is, from the FAA. It's in the --

LEG. ALDEN:

So this would be certified for jets up to --

MS. GRENCI:

That's correct. We're not even sure because there's never even been a review of the Master Plan that the FAA adopted by our Town government or the County so --

LEG. ALDEN:

Isn't there -- there's different requirements for different types of -- for landing? I mean if you're building something like JFK, you have to have a certain thickness of composite on your runways. What's the -- do you know what the --

MS. GRENCI:

I have no idea because these projects were not put forth to local governmental agencies. They do tell you the runway length. I think it's approximately thirty-two hundred square feet in length. The width is eighty-five. This is also approximately thirty-three hundred in length with a twenty-five -- they're saying it's twenty-five but we don't know because we don't have a certified survey.

LEG. ALDEN:

And what's that cross thing you pointed out before?

MS. GRENCI:

This is a grass cross wind that was obtained. Now, as I went through the deeds it's hard to tell but it appears that the pink County goes right through the cross winds. And someone would have verify if that superseded or not. The cross winds in the master plan call for additional tie-down areas, some paving and so forth. But the deeds and covenants and restrictions on this

property, which was Indian land, which is why it's called Indian Field originally, now Third House, or what do you call Teddy Roosevelt --

COMMISSIONER GORDON:

Roosevelt.

MS. GRENCI:

Still Third House to us. But this cross wind includes tie-downs -- based aircraft tie-down as well as certain hangars. And it's unclear from my reading -- it appears to be in the easement on the south side of the -- of the County parklands. So until an as-built is done you'll never know.

LEG. ALDEN:

I just have one other question, too. You've done a lot of research on this. Have you uncovered or come across any type of applications to Suffolk County for use of their property or easements over their property or --

MS. GRENCI:

No.

LEG. ALDEN:

-- any of that type of documentation?

MS. GRENCI:

The only documentation that I have is a letter from Mrs. Lisa {Lacoya}, Planning Director in 1988, which basically says that, last fall the Planning Department reviewed the application to clear natural vegetated areas at and adjacent to the Montauk Airport. At and adjacent to. At the time a discrepancy between the amount of land depicted on the applicant's site plan and the amount described in the Tax Assessor's records was discovered. After the initial review we learned that the applicant once held four easements over portions of adjacent lands formerly owned by the Montauk Improvement Company now owned by the Suffolk County Parks Division. That was sent in by the airport owner who claimed that he did have a right over these easements. And I gave Judy a copy of that last time.

She goes on to state that the "Planning Department has conducted several conversations with Suffolk County officials who are unaware of any easements covering the Suffolk County

parkland. Most recently copies of deeds, abstracts of title and documents dating to 1957 were sent to me by Suffolk County officials which show no evidence of easements allowing the airport to clear into the Suffolk County parkland. And then it says however an opinion from the Suffolk County Attorney's office should be sought on this matter. The Planning Department has asked Steve Jones, Suffolk County Planning Director, to request an opinion from the County Attorney's Office. Some of the clearing for the runway rehabilitation obstruction removal projects involves Suffolk County parkland. Until the easement matter is resolved we do recommend that the Town Board proceed with resolutions supporting a grant from the runway rehabilitation obstruction removal project."

Since this letter the Town Board has passed eight resolutions authorizing funding for not only the runway resolution but the taxiway obstruction removal all in violation of our East Hampton Town Code.

CHAIRPERSON FIELDS:

What's the date of that letter?

MS. GRENCI:

This is dated February 18, 1998.

LEG. ALDEN:

I just have one further question. The designation of this as a reliever airport ties into MacArthur, that's a federal designation?

MS. GRENCI:

That's correct. And it was given as a -- on a recommendation from the New York State DOT, actually. I can read you the letter that -- we questioned that because they -- statistics in the-- the bogus FAA Adopted Master Plan states that's there's twenty-five thousand operations a year at this airport, which would break down over a five-month period ten hours a day to approximately take-off and landing every four minutes. We're lucky we get a plane a day.

So not only was the land boundaries misrepresented but the statistics included in it were also. And they were questioned at an informational. Now, there's never been a public hearing on this in our community at all. There's never been any review by a planning department other than to say what you've proposed does not meet our zoning and I'm sorry, you know, it's not allowable.

You have to either apply for a zone change or forget the project.

And look at -- at what has happened. It has happened over the last four years. And then the Town itself has adopted these resolutions authorizing matching money from the New York State DOT on projects that are not allowable under their own zoning. So it is considered a reliever. I think that it was -- it classified a reliever based on false information. My understanding is that it needed to have a minimum of take-offs and landings.

This is a letter dated August 30th, 1996 from Philip {Reto} the New York Airports District Office where he says that the "Montauk Airport can participate in the AIP Program as a privately owned reliever airport. It was designated a reliever airport by the FAA as a result of a recommendation made by the New York State Department of Transportation. The DOT made this recommendation following its preparation of the New York State Airport System Plan. This study reviewed the roles played by each airport in the state and examined how they contribute to the overall system of airports. The State Airport System Plan recognized this Montauk Airport as a reliever airport which provides suitable facilities to attract general aviation aircraft so they do not operate out of the nearby commercial airports such as Long Island MacArthur Airport where they would mix with the commercial aircraft and contribute to the existing and future congestion. The master plan for Montauk Airport identifies what is needed for the airport to continue its current role, not to change its role or character."

Well, they obviously in '96 changed the role and character. And again the documents appear to be falsified.

CHAIRPERSON FIELDS:

Judy, have you asked the County Attorney's Office for some input on this?

COMMISSIONER GORDON:

Yes, I have. And my most recent --

CHAIRPERSON FIELDS:

Who did you ask?

COMMISSIONER GORDON:

I've been dealing with Ted Sklar. My most recent conversation was that they indicated that we

probably should get a survey. And I've got to figure out who is going to pay for that.

CHAIRPERSON FIELDS:

Ah, facetious question. If someone comes in and takes our property, shouldn't we be doing something about that?

COMMISSIONER GORDON:

Yes. Yes. Absolutely.

CHAIRPERSON FIELDS:

Do we have surveyors in the County?

COMMISSIONER GORDON:

No, we would have to hire someone from the outside.

CHAIRPERSON FIELDS:

We don't have anybody in DPW that does surveying?

LEG. ALDEN:

There's one problem with using somebody in DPW. That's fine to maybe establish a fact in house but if this is going to involve what I think it's going to involve which would be a lawsuit, you can't use your own, you know, your own personnel as a witness.

CHAIRPERSON FIELDS:

No, but at least -- at least we can verify that they're correct.

LEG. ALDEN:

But then -- then you actually -- you've double expended -- you know, it's a double expense for the same thing.

CHAIRPERSON FIELDS:

If they're under our employ -- I'm not saying hire someone. I'm asking if we have anyone that works for Suffolk County that is a surveyor. And that's my --

LEG. ALDEN:

Right.

CHAIRPERSON FIELDS:

It's just a simple --

COMMISSIONER GORDON:

And I can't answer that Legislator Fields but that's a question that perhaps I should ask but my experience is that whenever we have surveys done, it's done by somebody on the outside.

LEG. FOLEY:

If I may, Madam Chair, there is a ready-made list of surveyors that both the Division of Real Estate as well as the Department of Public Works uses on a regular basis. And I've said this at the prior meeting and to the Commissioner, and also in writing is the fact that for starters we should be able to use someone from that list. And these are professional surveyors. They're not going to give an arbitrary or subjective as-built survey. They're going to give a survey as it should be given whether -- whether we hire them or someone else hires them. So I don't think there should be this concern because we hire them somehow that's going to prejudice or change the survey.

I think what we need to do and this is -- let me just finish the remark, please -- I think what we need to do is -- and this is to my way of thinking a very simple straight-forward administrative decision-making process. We've heard that -- the County Attorney has said that a survey has to be done. Commissioner of Parks has stated a survey has to be done. We have a ready-made list of surveyors who are on call by the County.

Those things -- those things being said, it should simply either be a telephone call or a letter, whether from Mr. Sklar or from the Commissioner of Parks requesting within the next forty-eight hours that a survey be taken by somebody on the list that we -- that we have on call any day of the week. And I'd like to just respectfully ask the Commissioner why can't -- why can't it be done in the way I just described it?

COMMISSIONER GORDON:

As I said, Legislator Foley, funding is an issue.

LEG. FOLEY:

As far as -- all right. Funding is an issue for the Parks Department. Is it an issue for the County

Attorney's Office?

COMMISSIONER GORDON:

That I don't know but I will find that out.

LEG. FOLEY:

Okay. As we all know, and certainly within your department, but in other departments there are surpluses within each department of a considerable amount of money. So if we're looking at ten thousand or fifteen or twenty or five -- I don't know how much the survey would cost but I can't believe -- counsel, you may know -- I can't believe it's more than twenty thousand dollars, I'd be surprised --

COMMISSIONER GORDON:

Hopefully not.

LEG. FOLEY:

Hopefully not. I know -- I think we all know for a fact and we could hear from the Budget Review Office that in any given department, in any given division of any given department, there's more than twenty thousand dollars in surplus monies in those particular areas. All that it would simply take, Madam Chair, is a budget modification. No need for even a legislative resolution. It can be done administratively so long as it's less than ten percent of that budget line. Can be transferred for this purpose. It's all very simple; it's all very straight forward.

CHAIRPERSON FIELDS:

What I think it says is that anybody can come into our County parkland and do whatever they want because we just can't handle it and we're just not going to handle it. And I think it's setting a precedent or maybe not even, it's just saying, for instance, if I want to build property and I have to get a building permit, if nobody's going to do anything about it, I'm just going to go do that. And I think it probably has to be done.

Who said they wanted to speak? You.

LEG. ALDEN:

Just one clarifying point. I agree with Legislator Foley and just so he doesn't think that I don't, my point is if this is going to lead to litigation, I would not want to see a County employee out

doing --

LEG. FOLEY:

I understand.

LEG. ALDEN:

-- the survey. I'd like to see somebody as you just pointed out --

LEG. FOLEY:

-- a certified surveyor who we have on a ready-made list, yeah.

CHAIRPERSON FIELDS:

So how can we actually move forward to make this happen?

LEG. FOLEY:

I would suggest, we have a General Meeting in two weeks time, week and a half's time on the 16th, I would ask through the Chair both the Commissioner but also Mr. Sklar to be available at that meeting to give us an update on where all this stands and how -- we think that after today's committee meeting the chair -- our office, your office, my office could speak -- well, you as Chair -- the Committee speak directly with Mr. Sklar's office, see where he is on this and not only where he is but where he needs to go on this. And then by the 16th report back to the general legislature on an update or progress on this.

CHAIRPERSON FIELDS:

Okay. I will officially write a letter to both the Commissioner of Parks and to Ted Sklar to ask that they both be present at that meeting to give a --

LEG. FOLEY:

And I would also suggest if the Budget Office over at the County Exec's Office is burdened with putting together the proposed budget for '04, we could I think have someone from our own Budget Review Office easily identify the ten to fifteen thousand dollars that would be necessary to do the survey.

MS. GRENCI:

Legislator Fields, if I might add, it would be very important that you require that the applicant

also have a filed-as-built survey. Everyone on file to date includes the County parkland. And until a survey is done as on site, we'll also be able to match up with the counties to see exactly --

CHAIRPERSON FIELDS:

Who's the actual applicant? What is the name of the --

MS. GRENCI:

Montauk Air Strip. I'm not quite sure --

CHAIRPERSON FIELDS:

Is that what it's called officially? Montauk Air Strip.

MS. GRENCI:

Yep.

LEG. FOLEY:

They don't -- through the chair they don't have an as-built survey on file?

MS. GRENCI:

No. And the Town --

LEG. FOLEY:

And that's required, is that not correct?

MS. GRENCI:

It is required, that's correct. And I just did get a summary from the Town Attorney's Office which is ambiguous because you -- in one instance he says that's correct, everything that's been done is illegal and doesn't conform to zoning; and then in the next instance he's saying well, the FAA supersedes town government and state and county.

LEG. FOLEY:

It may be showing municipal but it's a private airport.

MS. GRENCI:

So, I'm not getting anywhere locally. And the county is involved, their land is included in an FAA

Adopted Master plan as well as on certified surveys. And anything that you can do would be great.

LEG. ALDEN:

Madam Chair? Let me just --

LEG. FOLEY:

-- use a microphone, please.

CHAIRPERSON FIELDS:

You have to use the microphone.

MR. O'CONNOR:

It should be pointed out that the history of this airport has been one of moving forward, delays, stalled whenever it's run up against the roadblock. When it ran up against Lisa {Liquori} and the Town Planning Commission at the time, all efforts to improve the airport stopped.

When things changed to a more favorable atmosphere in the 2000's, these resolutions were passed and they were -- began immediately doing the improvements. Now if they were to totally adopt as Lisa said what the FAA approved, you would have planes tied down all along this taxiway, which certainly then you would also have to have further obstruction removal so it certainly would even encroach further into County-owned property.

So if they were to even implement the full FAA approved plan, you would have even more encroachment. So there's also not only issues of private encroachment but how far the FAA could go on in approving this project.

So at the very least I concur with what everyone else has been saying that there's enough anecdotal information out there that a survey must be done as well as an on-site survey. And there will be -- then we'll know what happens.

CHAIRPERSON FIELDS:

Legislator Alden; then Legislator Cooper.

MR. O'CONNOR:

I just wanted to answer your question about the jets and what determines that. It's pavement strength as you said. For example, in order to have like a Gulf Stream Two land at an airport like this, your pavement strength has to be at least a forty-eight thousand pounds per square inch. I don't know what the pavement strength is but I will tell you this, that the East Hampton Airport which is the municipal airport further to the west is not designated as a reliever airport. And they have pavement strength of forty-eight thousand per square inch. So it's kind of, you know, ambiguous if jets could actually land there. I know that there's one jet that does take off there on occasion. But if you were to read the improvements and what they could possibly do, they could be repaving this to forty-eight pounds per square inch and you could have a mini-jetport there.

LEG. ALDEN:

Pardon my comments, you know, I'm not really familiar with their documentation but as a reliever they're probably looking at the smaller type of planes and saying that this airport can take that type or accommodate that type of aircraft and that type of activity which would free up MacArthur so that it can continue with its growth as a -- more of a commercial jet. So they're probably talking about more recreational or private type of -- but again I'm not real familiar with their documentation.

The one thing that I want to make as far as a point, we can't require them to do on-site inspection. You know, that's pretty much the Town can do that or the federal government could do that. We can do a perimeter of our property. And if we find encroachments on our property, then we can take the appropriate legal action and that would probably be one of the things that we would do on discovery, ask them to submit documentation. But that I think is the way that we have to approach it.

But I want to make one other point, though, it's more systemic than just this. And with all do respect this is a major problem if what's going on is, you know, what's been alleged is true. I think it was brought up by Legislator Foley or the Chair, that some of our parks are being abused or misused. And, therefore, I think that it's the Legislature's job -- that's what we're elected to -- to make sure that we set some kind of policy here where we provide enough whether it be financial or whether it be, you know, just support or direction to make sure that we're doing the proper job on all our property. Because we've been acquiring properties, you know, at a like a break-neck pace but our park police at the same time have gone from -- and the Commissioner can correct me if I'm wrong -- approximately a hundred and fifty?

COMMISSIONER GORDON:

You just lost another one.

LEG. ALDEN:

So a hundred and fifty down to -- how many do we have on the force right now?

COMMISSIONER GORDON:

Right now I think we're at thirty-six.

LEG. ALDEN:

Thirty-six. So at one time we had approximately one-twenty, one-thirty, somewhere in that neighborhood?

COMMISSIONER GORDON:

Actually I think we had close to two hundred --

LEG. ALDEN:

Two hundred.

COMMISSIONER GORDON:

-- at one time.

LEG. ALDEN:

-- to patrol our parklands and to prevent something like this.

Because if we had enough patrol and if we had enough personnel to go out there on a daily basis --

COMMISSIONER GORDON:

Uh-hum.

LEG. ALDEN:

-- I'm sure that this is something that would have been caught, you know, instead of fifteen, twenty years later at the time that it would have occurred. We have a lot of this -- I mean I get calls, too, you know, our parks are being used by ATV or, you know, people with other types of

off-road vehicles and things. And that's an abuse to County parkland. So it's bringing up more of a systemic-type of a problem also we have to address.

MR. O'CONNOR:

I would agree with you. I mean I had conversations with former Commissioner Scully about that, an encroachment coming in just by people using those terrain vehicles.

CHAIRPERSON FIELDS:

Legislator Cooper?

MR. O'CONNOR:

Yeah. I just wanted to finish my point. The point is, is that as organizationally in the neighborhood -- neighborhood network does feel that we have to draw sort of a line in the sand on this, whether it's twenty feet, fifty feet. If private owners or residential property owners think that they can take ten feet, fifteen feet and no one will notice, they'll continue to do this. And unless we begin to set a standard and set the example, it will continually happen in Suffolk County.

CHAIRPERSON FIELDS:

Legislator Cooper; then Legislator Foley.

LEG. COOPER:

I had two questions; the first for Commissioner Gordon. Judy, what is the existing penalty for illegal encroachment on County parkland?

COMMISSIONER GORDON:

In terms of fines?

LEG. COOPER:

Fines, jail term, what have you.

COMMISSIONER GORDON:

You know, Legislator Cooper, I don't know if we have a fine per se. That's probably -- we have --

LEG. COOPER:

That may be part of the problem.

COMMISSIONER GORDON:

We have -- we have fines for ATV's. Certainly, we have that on the books. But for encroachment such as this, I don't believe so. I think encroachment such as this winds up in litigation.

LEG. ALDEN:

I can answer part of it. A Supreme Court action where the judge would sets damages.

COMMISSIONER GORDON:

Well, we did have an incident in the Pine Barrens a couple of years ago where somebody was caught red-handed and prosecuted. And part of the judgment was that they had to restore the site. So it could be --

LEG. COOPER:

But no penalty with that?

COMMISSIONER GORDON:

He may have had a penalty also of community service but the big nut he had to undertake was restoring the site.

LEG. COOPER:

And, Lisa, going back to the issue that you raised earlier of apparent submission of false documentation in support of the airport designation as a reliever airport, does the paperwork indicate anywhere who signed off on that false information or who submitted it?

MS. GRENCI:

Tri-State Engineering is the firm that was used. I believe it's Thomas {Gestane}. And that's been the firm all along. But the same information was put forth to the town. That was submitted, I'm assuming, to the DOT. I don't have the information that was used to get a reliever. I only have the Master Plan information that was adopted after its reliever status.

LEG. COOPER:

So they submitted the documentation to the Town, the Town forwards it to FAA.

MS. GRENCI:

No. They went directly to the FAA; and actually had an informational in the town to show us what they had come up with. And that was back in February of '96, which is when all of our alarms went off. And the neighbors contacted the FAA and asked them what are you talking about, we don't have this type of activity here, and we didn't have this yet.

There was just no taxiway, just, you know, this was not all done. This is only done within the last four years. And basically what they gave us was all this information about hangars and units. And then we investigated it further and realized that County parkland was included, that the FAA went ahead and adopted the plan without a public hearing.

And it contains County parkland, and it contains erroneous information that never received approval from our Town.

LEG. COOPER:

So the Town to your knowledge never had the opportunity to either affirm or deny the accuracy of the information that was submitted.

MS. GRENCI:

Well, interestingly enough I did find a resolution in 1996 by then Councilman {Nobel} that basically says to the New York State DOT, we have -- the Town Board of the Town of East Hampton with the enclosed resolution supports the matching state grant for the design of the runway rehabilitation and obstruction removal project. We have not reviewed the Airport Master Plan for the accuracy or the sufficiency of the supporting data. The need for runway improvement is very pronounced at this airport and I am hopeful of the rapid processing of New York State sharing in this improvement.

And this is '96. We alerted them to the fact in '96. Everything slowed down all the way to 1999. Nothing was done. The grants were sitting there from the FAA. And the new administration came in in the year 2000. And in the last three and a half years two point I believe one million dollars have been obtained. And every application and action that they had applied for previously has occurred.

And the documentation I have is from the Town's own records. So -- Building, Planning, Zoning and as well as the FAA records.

So with being an abutting neighbor, you were under state law required to be publicly noticed

under SEQRA. There's wetlands delineated right up to the airport on the County land. There was no public hearing, there was no public notice, there was no SEQRA. And in addition all of this violates our existing Town Code.

MR. O'CONNOR:

One of the things that Lisa found in her investigation that no lead agency was established. So no coordinated review ever happened. That's why the County was never informed. There is no records within the Town that says any type of lead agency was established. It's amazing but true.

We have contacted the Department of Transportation. And we are attempting to get those records to see because they could not approve the project without SEQRA being done under their regulations; however the project was approved.

Now, some in the town have said that maybe the DOT did SEQRA. Well, even if that was the case, there would be documentation to say that they have taken over as lead agency. And there would be a resolution allowing the DOT to be -- to have lead agency status. That never happened. Nevertheless, in order for the FAA to approve the project and approve the funding, they have to have approval by the DOT. And if DOT approved the project, then SEQRA would have had to have been done. If SEQRA was not done and the DOT approved the project and it cycled back to the town, that's other serious implications that will have to be dealt with.

CHAIRPERSON FIELDS:

Okay. So we will invite everyone to come to the next meeting. And what we'll do is copy those letters to you to let you know they have been requested.

MS. GRENCI:

Thank you.

CHAIRPERSON FIELDS:

And hopefully they will be responding.

LEG. FOLEY:

Yeah. What I would hope, Commissioner, as this committee is trying to be helpful with you to fill your responsibilities, is to impress upon the County Attorney not to wait until the 16th to, let's say, apprise us, or to wait until then to get direction from us. What we'd like is that

between now and then things be set in motion so that by the time the 16th rolls around he or yourself can definitively tell us on Tuesday the 16th that such surveyor has been --

COMMISSIONER GORDON:

-- hired.

LEG. FOLEY:

-- hired -- thank you -- has been hired to do the work and we expect it to be done in a, you know, in a certain period of time. And so if Mr. Sklar needs any other more direction than that either through you as the Commissioner or through the County Exec's office or if he speaks direct with the Chair of the Committee well before the 16th, then, you know -- we just don't want him to wait until the 16th to say what do you want me to do?

COMMISSIONER GORDON:

Okay.

LEG. FOLEY:

You know what I'm saying?

COMMISSIONER GORDON:

I hear you.

CHAIRPERSON FIELDS:

Okay. Thank you very much.

MS. GRENCI:

Ginny, I'd just like to say that there is a similar case although it didn't involve County parkland, which was the Spadaro Airport in Brookhaven. And Brookhaven Town did take Mr. Spadaro to court and lost initially and won on the appeal and was ordered by the Supreme Court to shut down because of the funds that were taken without the required Town review. So there is precedence; it has occurred. And what Mr. Spadaro has just done is applied for a zoning change. So that's been pending for years before the Town of Brookhaven, so just be informed. Thank you.

CHAIRPERSON FIELDS:

Thank you.

LEG. FOLEY:

Thank you.

CHAIRPERSON FIELDS:

The next speaker is Ann Maguire.

LEG. FOLEY:

Before we hear from Ms. Maguire, Commissioner, is there other documentation that you require -- the last time that you were here I had mentioned that I had submitted -- had given to you a copy of the -- of a rough survey that showed where the lots A, B, C and D that are owned by the County where it appears to be encroached upon. And part of the additional backup was the title search on each of those parcels that showed who had previously owned it and when it was transferred or conveyed to the Town of -- to the County of Suffolk. Is there other additional information that you need that you haven't so far been able to receive?

COMMISSIONER GORDON:

I think at this point really it's just the survey that we need now.

LEG. FOLEY:

Okay.

COMMISSIONER GORDON:

And then it will be up to the attorneys to decide.

LEG. FOLEY:

Okay. All right. Also, Madam Chair, today's stenographic minutes as well as the past Committee meetings stenographic minutes pertaining to the airport I would ask that the Clerk's Office submit those to the County Attorney as well; to Ted Sklar. Would that be helpful, Commissioner?

COMMISSIONER GORDON:

It couldn't hurt.

LEG. FOLEY:

It couldn't hurt. Okay.

CHAIRPERSON FIELDS:

Thank you. Thank you very much.

LEG. FOLEY:

Thank you.

MS. MAGUIRE:

Good afternoon. I have a few questions.

CHAIRPERSON FIELDS:

State your name for us.

MS. MAGUIRE:

Ann Maguire, on the Little Red Schoolhouse. I have a few questions regarding the Little Red Schoolhouse. It seems that we're not doing too well in our district of getting someone to dedicate this so it can be deemed historical. And going back to an article that was put out in the district back in March of 1987, Mr. O'Donohoe had told the people that the building would be added to the bounty of the county historic trust, the upper level will be renovated to a turn-of-the-century classroom and the lower level will be made handicapped accessible and used for senior programs. Is there any way that since the people voted on this, being told that this was going to happen to the building, how can we make this happen?

CHAIRPERSON FIELDS:

Commissioner.

COMMISSIONER GORDON:

Money. As I've said, as I've stated at previous meetings, I fully appreciate Mrs. Maguire's feelings about the building. And I know that the people of Elwood feel that it's got historical significance to them, but I have to look at the big picture county-wide. And unfortunately since the building was acquired, that's probably been the case. And monies, you know, we don't have a lot of money in our historic budget. Monies have been probably spent elsewhere. We've had a tenant in the building. You know, it's not that the building is falling down or anything like that.

The building has been taken care of. Has it been taken care of to the extent that the Elwood -- or people in Elwood would like to see it? Probably not. But that's the case with many of our buildings.

We have to prioritize with the resources that we have available. And I still think that, you know, if the library wanted to go ahead, that may be a good use for the building, because we don't have another use for the building. And we do have a group that's in there right now who I believe is moving in November, I don't think we have a drop-dead date from them yet, but I believe it's sometime in November. And I don't -- right now I don't have a use for the building, and I don't have another group waiting to move into the building.

So, if it does fall through with the library, we would probably have to find somebody else to go into the building so that we do have a presence in there.

MS. MAGUIRE:

May I ask you, is the library board still negotiating with you or talking to you about this building?

COMMISSIONER GORDON:

Yes, they are, but nothing's -- nothing's really in the works. I haven't -- I haven't talked to them in I think two weeks.

MS. MAGUIRE:

The problem with -- and I'm not against the library going in there, but there's just one little thing. The purpose of this building being put up for a vote was to take it off the backs of the Elwood people. And if the library goes in there, before they can use the building and they're talking about only using it on a temporary basis, the Elwood people would have to come up with almost a million dollars to renovate that building so that it was suitable to make it for libraries.

LEG. CARPENTER:

Excuse me, if I could, since you were asking a question. It seems to me that, you know, the Commissioner has been very gracious in answering the questions and everything, but some of the things that you're posing here as far as monies to be expended by the library, these are issues that you really need to bring to the library board. These are certainly not anything that we have any jurisdiction over as a Parks Committee.

MS. MAGUIRE:

No, it goes back to -- the point is that the people were told a certain thing on a vote when it was sold. They voted unanimously to sell it to the County to rid themselves of the building that it became County property. They were told certain things would be done when the County took it over. None of that transpired. So, actually, the people of Elwood were lied to.

LEG. CARPENTER:

Well, then you have to go back to the people that did the telling because it certainly wasn't this Parks Committee.

MS. MAGUIRE:

Oh, I know. Unfortunately Georgia and I are probably two of the old residents around. A lot of the new residents don't know anything about this. We haven't gone out public. We haven't gotten on soap boxes in Elwood to bring attention to this. We've been trying to work with this quietly.

The other thing I would like to know is, there was a neighbor who was pushing their debris.

COMMISSIONER GORDON:

Uh-huh.

MS. MAGUIRE:

Was anything done about that?

COMMISSIONER GORDON:

I can't say that it was absolutely picked up yet but we are in the process of doing that. We've been over there to investigate. I believe we've had the Park Police over there to try and determine if they could make any connection as to who did it.

MS. MAGUIRE:

So the person who did it will be charged for it?

COMMISSIONER GORDON:

Hopefully that's what may happen. I don't guarantee that but that's the direction that we would

try to move in.

MS. MAGUIRE:

Okay. And may I ask you are they having a cesspool problem at that building?

COMMISSIONER GORDON:

Yes, and that's our responsibility. It's not -- it's not a major -- it's going to come to a point where it will be a major issue. We were waiting for a piece of equipment that I believe we have in place right now and we're going to be getting to that.

CHAIRPERSON FIELDS:

Legislator Alden.

LEG. ALDEN:

Just one thing that you said I find very troubling, though. When you say to get this property off your backs --

MS. MAGUIRE:

Well, it's not really --

LEG. ALDEN:

The implication, though, is that you're going to put it on somebody else's back.

MS. MAGUIRE:

Well, it's going on the County -- you know, the taxpayers. But the thing is if the library goes in there and it's still a County building, the library has to come up with the money from the Elwood people to renovate this building.

LEG. ALDEN:

Right. I just find it a little bit troubling, though, when you say that you want to get it off of your back and you want to put it on mine.

MS. MAGUIRE:

I apologize for using that term. Because whether it's just Elwood people or the Suffolk County people, but it's just that to term -- to state it better, the people did not want to fix the building -- personally when I look at this schoolhouse in St. James on 25A -- they rented it, I believe, to an

attorney. That building is beautiful. We should have done that. But when they put it on for a vote to rent it to private people, the people said no.

LEG. ALDEN:

You're talking about the school district itself?

MS. MAGUIRE:

Yes.

LEG. ALDEN:

Have we explored giving it back to the school district?

COMMISSIONER GORDON:

No. Well, we --

LEG. ALDEN:

I think at this point there's two avenues; one Legislator Carpenter gave you and I'm going to give you another one. I think you really have to go back to your school district, your school board because I think that at this point the County might be considerably inclined to just give it right back to whatever -- whatever -- you know, whatever we paid for it, whatever. Give it back to the school district. And if you wanted to go and rent it to a lawyer who's going to, you know, do whatever you want with the building, that would be fine. Maybe even bring some revenues into the school district. But at this point when it's getting to be an argument over promises that were made and weren't kept -- and Legislator Carpenter pointed this out -- I didn't make that promise. And I certainly didn't want to assume a responsibility for a building, you know, and us take that off anybody's back and us, you know, like step up to the plate start paying a lot of money for something. And if you guys have a, you know, like a better idea for what should be done with it, that's called local controlling. And I would suggest that, you know, maybe go through your school board. If they make an offer to us and it doesn't even have to be one we can't refuse. I mean at this point --

CHAIRPERSON FIELDS:

Wait, wait. I don't know if it can be if it's parkland. Is it parkland? That's an alienation of parkland.

LEG. ALDEN:

You can always go back to another taxing jurisdiction. We can go and have it de-parked if that's what we need to have it done, to go back to the original --

CHAIRPERSON FIELDS:

That takes state --

COMMISSIONER GORDON:

Yes.

LEG. ALDEN:

Right. And it took state action to get it to be designated as a parkland.

CHAIRPERSON FIELDS:

I'm just saying it's not that simple to just give it back so --

LEG. ALDEN:

It is. They can accept it as parkland.

MS. MAGUIRE:

I would just like to -- I'm not here to fight to save the building. Because personally maybe they'll come a time when the best thing to do is level the building and clean the property. You know. That isn't the point. It's just that I'm very disturbed that and I know that I'm one of few probably who remember this issue, but when people vote on something, you know, being told how it's going to be and it doesn't carry through, it's kind of upsetting because you begin to think well, why should I bother voting? You know, you would expect when --

LEG. ALDEN:

Hold those accountable as Legislator Carpenter said before. Hold all those accountable that made those promises.

MS. MAGUIRE:

No, I think I'm going to call up Mr. O'Donohoe and find out why -- and the people who were involved because some of them still live in the area -- find out why this was not carried through. Perhaps they have a good reason for that.

CHAIRPERSON FIELDS:

Okay.

MS. MAGUIRE:

Just thank you for your time.

CHAIRPERSON FIELDS:

Legislator Nowick?

LEG. NOWICK:

Just one thing quickly. I'm not so sure the St. James Schoolhouse -- was that park property?

Because --

MS. MAGUIRE:

I really don't know.

LEG. NOWICK:

No, I think -- I believe that that was sold to a private individual in St. James who fixed it up.

First he was going to make a restaurant out of it but it was -- that was private.

MS. MAGUIRE:

And they have a sign out front that it was an original schoolhouse.

LEG. NOWICK:

Yeah, but it's -- just so you know it's not -- it was --

MS. MAGUIRE:

Oh, I know that.

LEG. NOWICK:

It looks pretty, though.

MS. MAGUIRE:

It's delightful, you know, it looks so cute. And then you look at what we have and, you know,

it's kind of sad but maybe the best thing to do is knock it down and clean it up. Thank you for your time.

CHAIRPERSON FIELDS:

Thank you for coming. Anybody else have anything? Motion to adjourn.

LEG. ALDEN:

Second.

LEG. COOPER:

I'd like to make a motion to be included with the majority on the earlier votes.

LEG. ALDEN:

Too late. I second his motion.

CHAIRPERSON FIELDS:

All in favor? Opposed?

LEG. COOPER:

Thank you.

(THE MEETING WAS ADJOURNED AT 1:30 P.M.)

***Legislator Ginny Fields, Chairperson
Parks, Sports & Cultural Affairs Committee***

{ } - Denotes Spelled phonetically.