

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 Thursday, November 20, 2003.

MEMBERS PRESENT:

Legislator Ginny Fields, Chairperson
Legislator Jon Cooper
Legislator Cameron Alden
Legislator Angie Carpenter
Legislator Brian Foley
Legislator Lynne C. Nowick

ALSO IN ATTENDANCE:

Paul Sabatino, Counsel to the Legislature
Jim Spero, Budget Review Office.
J. Lance Mallamo
Steve Gittleman
Linda Burkhardt, Aide to PO Postal
Catherine Stark, County Executive's Office
Lillian Barbash

MINUTES TAKEN BY:

Diana Kraus - Court Stenographer

(THE MEETING WAS CALLED TO ORDER AT 12:10 PM)

CHAIRPERSON FIELDS:

Welcome to the Parks Committee meeting. And we'll begin with the pledge of allegiance led by Co-Chair Jon Cooper. Legislator Jon Cooper.

(SALUTATION)

CHAIRPERSON FIELDS:

Okay. I guess we will begin with quick discussions. Montauk Airport survey status. I guess, Commissioner, if you could --

COMMISSIONER GORDON:

I had a discussion this morning with the Commissioner of Public Works. And he indicated to me that I believe it was Monday they went out to go through the list of surveyors. And I needed to speak to somebody else in DPW. I wanted to get more exact information from him prior to the meeting, but he and I didn't reach each other by phone this morning. So, I don't have an exact date. But hopefully it would be started prior to our next meeting. And I can certainly alert the Committee to the status of that as soon as I have the dates involved.

LEG. FOLEY:

Through the Chair. Thank you, Commissioner, for that update. I had spoken with Public Works myself. And we will follow-up with some questions with them at next week's Public Works Department meeting -- Committee meeting, rather. And, what you're saying today is basically what I was also told the other day. So initially they were looking at doing it in January. And I said, well, you know, there could be snow and ice on the ground. You may not be able to determine whether there's been any clearing or encroachment. And that they need to do it prior to the snow and ice. So just as you say, from my understanding their intention is to do it before the end of the year.

COMMISSIONER GORDON:

It sounded to me that way, too, but I don't have the exact date.

LEG. FOLEY:

Thank you. Thank you for that follow-up.

CHAIRPERSON FIELDS:

Okay. I notice Lillian Barbash is in the audience. Can you come on up, because we're going to --

you can pick there or at the front desk, wherever you feel more comfortable. Good afternoon. Just make sure the microphone is in front of you with the -- it's on. I can hear it.

This is on for re-appointment. And I know that judging from -- did everyone get the backup? Judging from your background, you have certainly been a great part of culture and music within the County and probably more than the County. I just -- I guess the first thing I want to ask you is how you see that Committee working; and is there anything that you can see or that you would like to see it improved or how it could be improved.

MS. BARBASH:

The last year was my first session as a member of the Citizens Advisory Board. And I must say I was overwhelmed with the number of applications we received. And it was very gratifying to see what attention was paid to each of the applications, to each of the applicants. The Board itself is a very diverse board of people from all over the County. And that was an eye-opener to me because basically I work -- my office is in Islip. And I kind of get involved with what I'm doing. And I didn't realize the magnitude of the work that's done by the Advisory Board. And I was really honored to be asked to be on it again.

CHAIRPERSON FIELDS:

Just on a personal note, I want to thank you for all that you've given for the philharmonic. That's a great program.

MS. BARBASH:

I'm glad you brought that up because we already have the date for next summer's concert. And I want to have you all circle your calendars because I'd love for you all to come. It's Saturday July 17th. Legislator Alden was there for the first time last summer. And I think he probably was a little overwhelmed by the number of attendees. I think we had over 50,000 people attending the concert.

CHAIRPERSON FIELDS:

Better yet, did you like the music, Cameron?

LEG. ALDEN:

Actually, I had gone in the past. I hadn't gone for more than a decade.

MS. BARBASH:

But he never told me he was coming. We could not recognize him.

LEG. ALDEN:

I used to just sit in the audience. And then this year when I was walking through, I think that Lillian grabbed me and said, Cameron, why don't you come into the reception and things like that.

MS. BARBASH:

Right.

LEG. ALDEN:

But even twenty years ago when I had a boat, I used to go by boat and walk over.

MS. BARBASH:

That's why I didn't see him because I was sort of back stage a lot of the time.

LEG. ALDEN:

And sometimes I'm in the campgrounds with a couple of other people that are drinking -- they're drinking beer, I'm not. But things like that are going on.

MS. BARBASH:

But in any event, you know, we'd like to invite all of you to come and be VIP's. You don't have to go to the campgrounds. You can, if course, if you wish. Some people start -- we get calls already about when the concert date is going to take place. And because people reserve their campsites now for next summer. And, the other date I'd like you all to circle on your calendar is March 18. And that's -- I believe it's a Wednesday or Thursday. We'll be having our kick-off party at Carlisle On The Green, who hosts it. So it doesn't come out of our budget. And they're very generous. And they host this very, very lovely party at Carlisle On The Green. So those are the two dates I'd like you -- of course the Arts Council does a lot of other -- you know, presents a lots of other concerts. And this year for the first time we'll be working with the Bolton Center. And we moved our free winter concerts over to the Bolton Center which is a new facility on Main Street in Bay Shore.

CHAIRPERSON FIELDS:

The old Regent Theatre.

MS. BARBASH:

Yes, yes.

CHAIRPERSON FIELDS:

Thank you. Does anyone else have questions or comments?

LEG. CARPENTER:

I would just like to comment, thank the Chairperson for her kind remarks and echo our gratitude for all you've done for the arts and your willingness to serve again as a member of the Advisory Board. I know you bring quite a deep perspective given your involvement for so many years. If you look at the resume, and realize that Lillian was one of the founding members of the Long Island Philharmonic in addition to working with bringing the New York Philharmonic free concert to Hecksher. Now this will be the 26th year.

MS. BARBASH:

26th year, but 27th concert.

LEG. CARPENTER:

Right.

MS. BARBASH:

It's the only one left outside of the city, believe it or not. It's the only free New York Philharmonic concert outside of New York City. Westchester canceled their's last year. And Nassau cancelled their's many years ago. And we're still going strong. And we're going to have another one July 17th, so all of you, please, come.

CHAIRPERSON FIELDS:

Great.

LEG. CARPENTER:

Thank you very much. I would like to, if no one else has any questions or comments, I'd like to make a motion to take this out of order and approve.

CHAIRPERSON FIELDS:

I do have one more comment. I know a lot of Legislators get annoyed when I ask for re-appointees to come before the Committee. But my purpose is two-fold. Number one, for any of Legislators who have not had the privilege of meeting people that take time and effort to work

on different boards; but secondly that you can share some of your background so that they know more about you or know more about what programs you work on that are important. So that has been my policy at least in this Committee. And for that I thank you for sharing the information. I think we all even learned something else about the free concerts today. And thank you for everything that you do. And I will second that motion to take it out of order. And I'll make a motion to approve.

IR 1875 - To appoint Lillian Barbash as a member of the Suffolk County Citizens Advisory Board of the Arts. All in favor? Opposed? **Approved. (Vote: 6 - 0)** Thank you again.

MS. BARBASH:

Thank you very much. And, please, all of you do come March 18 and July 17.

CHAIRPERSON FIELDS:

Second discussion would be Suffolk Trap and Skeet Status.

COMMISSIONER GORDON:

Nothing has changed since the last meeting.

CHAIRPERSON FIELDS:

Okay. Camping facilities. Now, this came up because Legislator Foley forwarded a letter from one of his constituents who had apparently has gone to the campgrounds for quite a number of years. Legislator Foley, do want to discuss this?

LEG. FOLEY:

Commissioner, do you have copy of a letter from Mr.{Nudo} that --

COMMISSIONER GORDON:

No, I don't. I may have it in my office if I got a copy.

LEG. FOLEY:

You were supposed to. One was supposed to be sent to you. Why don't we do this. Through the Chair, that if you haven't had a chance to review it --

CHAIRPERSON FIELDS:

Do you have a copy, Erin? Give it to her, please.

LEG. FOLEY:

We have a copy here, but I don't know whether she'd be prepared to talk about it today. I know we're going to have one more Committee meeting. But it outlines in some detail some of the difficulties he's had at the park and at the campgrounds.

COMMISSIONER GORDON:

No, I haven't seen this one.

CHAIRPERSON FIELDS:

I thought you had also received a copy.

LEG. FOLEY:

I think so. So we could hold this over until the next Committee meeting?

CHAIRPERSON FIELDS:

Okay. All right. Thanks. Next on the agenda is Indian Island campground expansion. I have this on the agenda because there were some things that occurred yesterday in CEQ. We established what had happened and what will happen. And I don't think there's a need to discuss that again today. Unless anyone else has anything that they would like to talk about, we could go right to the agenda.

COMMISSIONER GORDON:

Great.

CHAIRPERSON FIELDS:

Okay. **IR 1404 - To amend the user fee schedule for Suffolk County Parks.**

MR. SABATINO:

Excuse me, Madam Chair, that's been stricken by the six-month rule. That's off the agenda. And so is **IR 1406 - To implement RFP Committee for Concessionaire Program at county parks.**

CHAIRPERSON FIELDS:

Great. Thank you.

IR 1838 - Establishing Task Force to study a need for an ATV park in Suffolk County.

But I have faxed a letter, a written letter, to Legislator Crecca. I have not yet received an answer so I'll second the tabling.

LEG. FOLEY:

Motion to table.

CHAIRPERSON FIELDS:

All in favor? Opposed? **Tabled. (Vote: 6 - 0)**

IR 1846 - Appointing Joanna Ferraro-Levy as a member of the Suffolk County Citizens

Advisory Board for the Arts. This lady apparently is going to be here next month. So, I'd make a motion to table. All in favor? Opposed? **Tabled. (Vote: 6 - 0)**

IR 1864 - Implementing dog run program at Coindre Hall.

LEG. COOPER:

Motion to approve.

CHAIRPERSON FIELDS:

Legislator Cooper, do you have anything that you want to talk about with this? No? The purpose is of the bill?

MR. SABATINO:

This is the final stage of the implementation saga of Coindre Hall. And this one is the one that now takes up the Huntington Town offer in a resolution they adopted to provide for the requisite construction and maintenance of the dog run. That was one of the conditions, if you recall, that was spoken about verbally, but the Town kept its word. They passed a resolution. They're committing to that work. And now we need to authorize our side of the equation to execute that agreement with the Town. And then we'll have the maintenance and construction work in place pursuant to agreement and resolution.

LEG. CARPENTER:

I just want to check this also is for a dog run at West Hills; correct? Even though the title doesn't reflect it, it probably should.

MR. SABATINO:

In the body of the bill, it's --

LEG. CARPENTER:

No, I know it does in the body of the bill.

MR. SABATINO:

In the body of the bill, it's for both; right.

LEG. CARPENTER:

All right. So I think just for the purposes of disclosure so that everybody understands when they see it on the agenda, maybe we could make that recommendation that it say it in the title, too.

CHAIRPERSON FIELDS:

Legislator Cooper, can I just ask you one question? When we had talked about disease or animals that might not have had their shots, I understand that when you do -- when a dog has the appropriate amount of shots and so forth, they cannot be groomed unless they have that, they can't be boarded unless they have that, is there a way that -- I'm asking if maybe you can make sure that no dog would be allowed in the dog park unless they have a tag or --

LEG. COOPER:

That's actually the intention. There's still some details that have to be worked out, but the dogs will have to be not only vaccinated, but also spayed or neutered in addition.

LEG. ALDEN:

Commissioner, if this is implemented, so it calls for both West Hills and up here at Coindre Hall, that the Town of Huntington will provide the money and basically take care of all the costs as far as installing fencing and any of the physical types of things we have, as far as enforcement, and then I have a second question as far as liability, but enforcement as far as who uses it, how they use it, whether dogs get in fights in there, whether dogs get out of that area and things of that nature, whether the -- some of the matter or whatever you want to call it, would be properly disposed of, things of the nature, how do you anticipate that --

COMMISSIONER GORDON:

Well, I think I have a lot of faith in the people that will use the facility that they will enforce it to some extent on their own. But the Town as part of this has also made the commitment to have

their code enforcement officers go over and do that for us also. And we have checked, you know, the County Code to make sure that they are able to do that. And we've determined that they are able to do that. And obviously our park police, too, when they were in the area.

LEG. ALDEN:

Good. But they'll be there on a daily basis to make sure that the abuses aren't occurring?

COMMISSIONER GORDON:

That's my understanding, yes. And that's what I would like to codify in this agreement.

LEG. ALDEN:

Good. But it's not.

COMMISSIONER GORDON:

Well, I think when we write the agreement, we'll do that.

LEG. ALDEN:

So, you're going to come back to us with the agreement.

COMMISSIONER GORDON:

I can certainly do that.

LEG. ALDEN:

Good. The second part is Suffolk County is self-insured.

COMMISSIONER GORDON:

Yes.

LEG. ALDEN:

Now, if we are actually allowing dogs now -- in our official policy, we're allowing dogs to get together and run in here, has anybody gone to the County Attorney or Paul Sabatino and gotten an opinion from Legislative Counsel?

COMMISSIONER GORDON:

We would probably go to Insurance and Risk. And I'm not sure if we've done that. I thought we may have earlier on in the process, but I really don't remember, Legislator Alden.

LEG. ALDEN:

Because honestly if this passes and we're still self-insured --

COMMISSIONER GORDON:

I would think that the Town may be amenable to giving us some kind of
a --

LEG. ALDEN:

An indemnification.

COMMISSIONER GORDON:

Yeah, I think that maybe.

LEG. ALDEN:

Or we might end up having to impose some kind of user fee to that we could purchase insurance just for that. There's a specific risk in allowing this type of activity. So we might want to explore that. And I definitely, if this gets passed, I'm definitely going to explore the possibility of passing some kind of further legislation that would take that risk off the taxpayers of Suffolk County and put it on the users at that point or Town of Huntington if they're willing to come forward and indemnify us and hold us harmless.

CHAIRPERSON FIELDS:

Counsel, it says here in the first resolve, consistent with local law 17-2003 as may be acceptable to the Suffolk County Department of Law. What does that mean?

MR. SABATINO:

Okay. Just two things. One, I want to clarify a point. The reference to West Hills was a reference to the local law which authorizes the facilities at both sites; however, this resolution in terms of the construction and maintenance agreement is limited to Coindre Hall because that's what the Town had agreed to when they came before us. The reference to the other one is just for informational purposes. With regard to that clause that you just referred to, Madam Chair, the second part of the clause is just giving the discretion to the Law Department to put in -- there's a whole bunch of standard clauses to go in, like their insurance clauses. There are severability clauses, there are duration clauses. I mean, they're just standard clauses. Those are the ones that the second part refers to. The first part is just to make certain that local law 17 of 2003 which said that there could be the -- there could be the dog run for the off-leash

purposes, it'll be specifically for the unleashed, you know, pet dogs. And it's got to be consistent with that law which says it's limited to, I think, it was actually pet dogs and pet cats if I remember correctly. But it can't be for other kinds of unleashed animals. So that it's consistent with the means within the perimeters of that law which was limited to the dogs and cats.

CHAIRPERSON FIELDS:

Would people come under unleashed?

LEG. ALDEN:

I have just one further question. Paul, maybe you can answer this for me. But there is a law on the books that animals, if they're out in public have to be on leashes. Is that a New York State law? Years ago it was referred to as the muzzle law. I know Chairwoman of this Committee would --

MR. SABATINO:

That's locality; by locality, but the famous one you're referring to is New York City. There's no Suffolk County wide law that says that.

LEG. ALDEN:

Or New York State wide law.

MR. SABATINO:

New York State wide law. There may be ordinances in towns -- I know some of the towns are more stringent. I know New York City has it. It was a big deal at the time that they did it. I can't think of a town off the top of my head, but there might be one that --

LEG. ALDEN:

Would we supersede -- if Huntington has an ordinance that provides that all animals be leashed or muzzled, that type of thing, would we actually supersede that law by creating this dog run?

MR. SABATINO:

Well, you would only to the extent of the County park facility. If the Town says you can't do it in general, we can't pass -- we wouldn't be able to pass a law saying in general you could do it, but on County park facility you could.

LEG. ALDEN:

You could. Okay, thanks.

LEG. NOWICK:

I just wanted to ask Legislator Alden a question. When you were referring to the insurance, were you concerned that the cost of our insurance would go up because of claims or -- what was the concern there?

LEG. ALDEN:

Here's what happens. If any claim is made now in Suffolk County and it's against the County, we as taxpayers end up paying that. And we've seen -- I was on Ways and Means years ago, but that's the Committee that actually deals with settlements and authorizing payments for lawsuits that are against the County for County action. So right now the County is taking an action and allowing dogs to run unleashed. If one of these dogs gets loose and say, for instance, gets out of this confine and bites someone, the County's going to get sued. If there's activity inside where somebody's got a pedigree animal and another animal attacks that and kills or maims or injures that, there can be a lawsuit against the County because we're authorizing that activity. There can be a lawsuit against us for damages, medical expenses, all kinds of things. So it could occur dog against dog or dog against human. It can be any type of activity that would result in lawsuits that could possibly result in the County paying. Because we don't have an insurance agent or an insurance company that we turn to and say, okay, here's all these claims, now you pay out. We pay dollar for dollar for any claims that we're responsible for. So now we're going above and beyond what the normal activities would be.

LEG. NOWICK:

Right. I think your concern is that there are more dogs there.

LEG. ALDEN:

The activity is completely different now from what's permissible by law.

CHAIRPERSON FIELDS:

You're increasing the liability because you're opening it up to a risk.

LEG. ALDEN:

To a risk. And if you went to an insurance company and you said we're going from this activity to this activity, they would say, okay, you're increasing the risk, you're taking on all this other type of liability, now we're going to make an assessment as far as what we're going to charge you for a premium --

LEG. NOWICK:

Yeah, that what I was asking.

LEG. ALDEN:

-- to cover for potential losses and things like that. So we self-insure.

LEG. NOWICK:

I understand.

LEG. ALDEN:

So we're actually taking that risk upon ourselves. And if we could pass that risk off to someone like, for instance, Huntington, if they'll indemnify us for the activity because they're going to build the fencing. Now, if they do it in a manner that's improper or allows a dog to get through and there's a lawsuit because of that, we are the owners of this property. We're the ones that get sued. We, in turn, can inter-plead some other entity, but we're the ones that are ultimately going to be responsible. So I was just looking to cover the taxpayers of Suffolk County. If there's some way of disbursing that risk, or, you know -- and there are ways. There's mechanisms. We can require people that are going to avail themselves of that service to pay into a fund that we might want to go and buy insurance with. That's why I said that I'll be looking at different options if this is passed to minimize the risk to Suffolk County.

LEG. NOWICK:

I understand.

CHAIRPERSON FIELDS:

Legislator Cooper. But, Legislator Nowick, we just in the Ways and Means Committee last meeting approved \$9 million in settlements. So what Legislator Alden is saying is a problem.

LEG. COOPER:

I just wanted to throw into the mix, it's my understanding that dogs are currently allowed in

County parks, County beaches off-leash if they're hunting dogs. And so carrying that same logic, I guess you would want hunters who bring their dogs with them for hunting purposes to also pay whatever the insurance cost is.

LEG. FIELDS:

And it's not just that. Gardiner Park is filled with hundreds of dogs in West Islip.

LEG. CARPENTER:

I don't know about hundreds.

CHAIRPERSON FIELDS:

No, they are. I've gone there a number of times. There are an awful lot of --

LEG. CARPENTER:

Not at one time.

CHAIRPERSON FIELDS:

I'm just saying, even ten, you know. But there are dogs that are in many of our County parks, so, you know, that is something that I think we will end up having to address either through a situation or preemptive --

LEG. ALDEN:

Anywhere there's liability, we should be looking at limiting our liability on the part of the taxpayer.

CHAIRPERSON FIELDS:

Yes. Okay. So you made a motion to approve?

LEG. ALDEN:

Yes.

CHAIRPERSON FIELDS:

I'll second the motion. All in favor? Opposed? **Approved. (Vote: 6 - 0)**

IR 1871 - adopting local law number - 2003, a Charter Law to abolish division of sports and recreation. Where are we on this? Oh, this was -- the Omnibus excluded that whole department anyway so how do we address this?

MR. SABATINO:

You're correct, Madam Chair, the Omnibus Resolution has abolished that division budgetarily. You now need a local law to take it out of the -- out of the County Charter. The public hearing was recessed at the last meeting, so you can't deal with this bill until that Public Hearing is closed. Presumably it will be closed on December 2nd; then you can vote on it at the meeting of December 16. But this law does have to be adopted at some point just to clean up the County Charter.

LEG. CARPENTER:

Motion to table.

CHAIRPERSON FIELDS:

Is it possible -- are we allowed to discharge without recommendation assuming that --

LEG. CARPENTER:

You can't.

MR. SABATINO:

No.

CHAIRPERSON FIELDS:

Okay. Second the motion. Somebody seconded it?

LEG. FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? **Tabled. (Vote: 6 -0)**

IR 1875 we already did.

IR 1952 - Appropriating funds in connection with the revitalization of the William and Mollie Rogers Waterfront at the Vanderbilt Museum, Centerport. Here we go. We have our troops coming up.

LEG. FOLEY:

Madam Chair, I have a one o'clock meeting to attend at the Department of Health. It's well

known for the record today's the Great American Smoke-out. And as the Chair of the Health Committee, I normally attend those events. And at one o'clock we're going to be giving an award to the young student who has come up with the most innovative advertisement combating smoking. So with that said, we now in the past that when the Vanderbilt issues have come up before this committee, they can go on for quite some length of time. So what I would like to -- Madam Chair, I said in times past when issues of the Vanderbilt have come before us, it's for an extended period of time. And I notice that there is --

CHAIRPERSON FIELDS:

I know what you're going to say. You're going to ask if we can go through all the bills first.

LEG. FOLEY:

No, no. That's not what I'm going to ask. What I'm going to ask is to take 2013 out of order.

CHAIRPERSON FIELDS:

I would like to ask a lot of questions about 2013.

LEG. FOLEY:

About the PAL --

CHAIRPERSON FIELDS:

Yes. I don't know where it is. I don't know what backup we have. I don't know anything about it. So --

LEG. FOLEY:

All right.

CHAIRPERSON FIELDS:

I mean unless -- you know.

LEG. FOLEY:

So you're not ready to move on 2013 anyway?

CHAIRPERSON FIELDS:

Unless the answers are forthcoming rapidly, I'm not.

LEG. FOLEY:

Okay.

CHAIRPERSON FIELDS:

You don't have any background? Does anyone know where it is?

LEG. ALDEN:

Are we the primary?

LEG. FOLEY:

Yes, we are. It says --

LEG. ALDEN:

Why would we be the primary on a construction project?

LEG. FOLEY:

I don't know.

CHAIRPERSON FIELDS:

And why are we giving money to the PAL for football equipment? There's a lot of questions I have about it.

LEG. FOLEY:

It will probably be tabled then today; is that correct, Madam Chair?

CHAIRPERSON FIELDS:

I would like to unless we had all the answers. So, I apologize, but maybe we'll get right through these.

Okay. **IR 1952 - Appropriating funds in connection with the revitalization of the William and Mollie Rogers Waterfront at the Vanderbilt Museum, Centerport.** Go ahead.

MR. MALLAMO:

Good afternoon, ladies and gentlemen. Lance Mallamo, Executive Director of the Suffolk County Vanderbilt Museum. I'm here to ask your support of the three resolutions on the agenda today; two are for capital projects, capital project number 7427 and 7437. I have distributed to you to you a memo and some photographs and a map that concerns the need for these projects, which I hope is self-explanatory. We can answer any questions on them as well as the issue of renewing our endowment guaranty for the year 2004.

MR. GITTELMAN:

Steve Gittelman, President of the Board of Trustees, Suffolk County Vanderbilt Museum. If I could draw your attention to photograph three, I want to show you something that is very exiting to us at the museum. And there it is, the first leg of the waterfront. Picture that a boardwalk.

CHAIRPERSON FIELDS:

Which part of it?

MR. GITTELMAN:

The entire length.

CHAIRPERSON FIELDS:

No. I mean where the sand is or in place of the fence?

MR. GITTELMAN:

Where the sand is.

MR. MALLAMO:

The boardwalk is on top of that seawall.

CHAIRPERSON FIELDS:

Inside or outside of the fence? So it's raised, then, you're saying, above it?

MR. GITTELMAN:

Right. If you look at photo two, that shows the seawall. If you look at photo three, you show that as a spin-off bi-product of the seawall, we have created a space for beautiful boardwalk, which will give Suffolk County a new destination utilizing the museum's water front at a very low cost because the seawall had to be done separately. And we've designed it so that the boardwalk could become an integral part of the seawall. And, as you can see, it is a fabulous view into Northport Harbor and takes advantage some, I guess, it's seven or eight hundred feet.

MR. MALLAMO:

About 850 feet. The previous seawall was only three feet high. And that was washed out in a nor-easter in 1991. The tides have changed in this area dramatically so the current seawall was raised up -- they actually built a new one in front of the old to eight feet from three feet to prevent that happening. When we have high tide, the water literally goes right up to that seawall. But that enabled us to create the space for this promenade. I think what's most

significant there, you also see the staircase going down to the beach. That is the first time we've had access to the beach from the Vanderbilt Museum property. For fifty years guests have been coming to the museum, but have never been able to physically walk on the beach because there was no physical way to get down from the wall onto the beach itself.

MR. GITTELMAN:

In a very low profile way, what has occurred is that we have created a magnificent vantage point for the public to better utilize museum grounds that will give the museum -- make the museum a destination that I think you might agree equals any on Long Island and perhaps any in the northeastern corridor. The portion you're looking at leads to the seaplane hangar which anchors a boardwalk that goes from the seaplane hangar to the boat house. And that waterfront will complete a circular flow of traffic that is pictured on the schematic that we have provided to you. The funds that you are currently being asked to provide are only for planning money for the waterfront project between the seaplane hangar and the boathouse.

CHAIRPERSON FIELDS:

I just want to understand, in your cover sheet you say that there's a million dollar gift to the museum for development of a dinosaur exhibit. The other money that you're looking for is County money, \$125,000 to do planning only. And the revitalization money that you actually will need comes from where?

MR. MALLAMO:

It's included in the capital budget. It's going to be funded over the next three years.

CHAIRPERSON FIELDS:

So the County will be paying how much?

MR. GITTELMAN:

I believe it's one million four hundred eighty-five thousand, Lance? In that area.

LEG. ALDEN:

I just have -- maybe one of you could answer it probably a lot better and then we'll go over to Budget Review. But in the scheme of things, how many more projects do we have going with the -- because I know we were doing some improvements for safety and electrical. And then we had some restoration going and things like that. But where does this fit in with the restoration work? Is that progressing? And I know we've got some money that we're going to be expending in the near future. And we're expending some right now for some restoration work.

MR. MALLAMO:

Absolutely, Legislator Alden. And I know there's a number of you I have appointments with already. I have been trying to set up appointments with each Legislator to explain where we are with the projects.

LEG. ALDEN:

I apologize. I got your letter and I just didn't get a chance to get back to you.

MR. MALLAMO:

That's fine; because I'm more than happy to have you come up and I can show you physically or I can come explain it visually at your office. We're really starting to wind down. Most of our projects are either underway or actually nearing completion. Some of the big ones are finally nearing completion. As you can see right here, the seawall is about 90, 95% complete. What this project does, it really helps us. You know, one of our big problems at the museum, I have to laugh, people say Long Island is flat, but it certainly isn't at the Vanderbilt Museum. The topography is very, very difficult for people to get to. So to get down to the seaplane hangar or the boathouse, currently we have no physical way to get from one to the other. You have to go back up almost to the main gate of the museum and then go back down again. We're now working on the seaplane hangar. The funding for that was appropriated. We've issued the design contract to the firm so that's underway. At the boat house we have the Cornell Cooperative Marine Science Research Center that was put in there several years ago. Last year we began the first Sea Stars Marine Camp.

CHAIRPERSON FIELDS:

Can I interrupt? On the picture that you've included, you're talking about particular buildings. Can you just tell us as you're describing them to Legislator Alden where they are?

MR. MALLAMO:

Certainly. The seaplane hangar would be on the left. If you look very close you see a plane in there. Our plans for that building is to develop that into a temporary exhibition center. This is exhibitions that will be held in that building for a period of years. When we say temporary, we don't mean a couple of months. The building at the end on the right is the boathouse. That's the building that Cornell currently uses for the Marine Science Program. Using that building is the first time the museum is doing major research in, I think, a half century. The staff at Cornell monitor Long Island sound daily for changes in the pollution levels in the sound. Collectively we recently implemented a new program for the first time at the Vanderbilt. We have a oceanarium show in the planetarium on the die off of the Long Island Sound lobsters. We got some major

grants to put that on.

It's the first time we're doing a marine science program for the public and for education programs in the planetarium. It gives us the opportunity not only use the planetarium in a different way, but to provide a different type of venue to help increase revenues at the museum. That's been very well received that type of program. But the physical accessibility issues of getting to these two buildings, it's very difficult for public to access them. So what we're trying to do with the series of boardwalks is not only link these two buildings so that people can go down once, travel laterally to the other, and then go back up or actually go from the main building, public service building at the museum, the planetarium. That's why we have these lateral boardwalks that go back and forth. We have done a preliminary engineering study to develop these in a way where you can actually do it with a wheelchair. And, if you know, the incline of this hill, I think it's over 80%. It's really a very steep hill.

So we know there's going to be -- this is going to end up being a quarter mile long because it has to zig-zag back and forth. But we have thousands of school kids that come to the museum every year. We can use the flora and fauna of these wooded hill sides at the museum for the first time for educational programs where, you know -- I know many of you have been to the museum. We have 43 acres. Right now we're really only using 16. We've got all this acreage sitting there that nobody's ever been to because you can't get through it.

LEG. ALDEN:

Specifically 7427, the capital gift or the one million dollar gift to the museum, that's not -- to my recollection that wasn't tied directly to this project, but it was tied more to the restoration of the hangar. The part that Suffolk County would be contributing to would be the restoration, not specifically to --

MR. MALLAMO:

It was the donor's understanding because the donor had requested specifically that the waterfront be named in their honor. And that the waterfront and the seaplane hangar project be carried forth. And in the resolution that accepted that gift, I think that was a resolution where that was done, re-naming occurred and created that capital project at that time. There was not a capital project for that prior to that.

LEG. ALDEN:

But it's not tied into this portion of the project; right? It's not contingent upon this specific portion of the project?

MR. MALLAMO:

Well, it was the donor -- it is the donor's understanding that the waterfront development project is going to go forth.

LEG. ALDEN:

Right. And that's what we're doing, though. We're about 90% complete with that. But this was -- this is like an enhancement to that --

MR. MALLAMO:

No, no. No, that hasn't -- we're talking two different things. The original project is not in the waterfront development. That is in the restoration of the seawall. That was an incidental bi-product of the seawall restoration. The seawall was raised, created the space for the boardwalk. But the boardwalks have not been implemented as of yet. That's occurring in this project. That's what this project is doing.

LEG. ALDEN:

I just have one other question. It's a little bit off-track from this, but the projector, what's the -- I know we had problems with the projector. And to replace it was a couple million; it was like over a million dollar project. Right?

MR. MALLAMO:

Yes.

LEG. ALDEN:

Because it was breaking down.

MR. MALLAMO:

Right.

LEG. ALDEN:

And that kind of thing.

MR. MALLAMO:

Right.

LEG. ALDEN:

But at one time you said that you were going to forego replacing that projector. And we did other projects.

MR. MALLAMO:

Yes.

LEG. ALDEN:

Where are we with that projector? Is it still operating and functional?

MR. MALLAMO:

The projector is still operating. We've done one major overhaul of it to keep it on track. We have another one scheduled. They're going to come down from New Hampshire. On January 25th we'll be closed for five days while it gets another major overhaul. We know it's on its' last legs. But we're doing everything we can to keep it going. I really have to give kudos to our staff at the museum, our technical staff who we have had some snafus with it this year. And they've been able to in-house correct those deficiencies. So we are keeping our fingers crossed.

LEG. ALDEN:

Look into your crystal ball. When would you be coming before us asking for -- it's a little bit short of a million dollars; right?

MR. MALLAMO:

We are in the planning stages of that of project right now. And I think that's in the capital budget for next year, the first phase of that funding.

MR. SPERO:

I think so.

LEG. ALDEN:

Then just one other quick thing, the acquisition across the street, have we fully blended that into educational programs? Is it restored, is up and operating? Is it generating the cash that you thought it was going to do?

MR. MALLAMO:

It is generating the cash on the property side. We're not able to use the building publicly right now until we put in handicap bathrooms. That's the state construction codes. That is also in the capital budget. And DPW has done the designs on those. That's all complete. I believe that's in the capital budget for next year or the year after.

LEG. ALDEN:

So it actually could be -- might not be next year; it might be 2005?

MR. MALLAMO:

I don't have the capital budget in front of me but --

LEG. ALDEN:

If you have it, how much --

MR. MALLAMO:

It think it was an expenditure of about \$110,000.

LEG. ALDEN:

For handicap --

MR. MALLAMO:

Right. The building -- when you talk about restoration, it really didn't need any restoration. We put the security system in. And that building's in tip-top shape. Aside from putting in the handicap bathrooms and a ramp. That's what's necessary to get that building publicly used right now.

LEG. ALDEN:

So you said it's generating income now?

MR. MALLAMO:

The property is. We do have -- you know, people want wedding photographs, things like that. So we are using it in that way. We've also to the second floor moved administrative offices because we're never able to use the second floor publically because there are not two staircases in the building. We do have the right -- authority to use them for offices. So that has allowed us to free up space elsewhere in the museum property. We've been able to expand programs.

So that has increased our revenues.

LEG. CARPENTER:

I have some concerns. You know, I see this new project. And it really sounds exciting and something I would like to see happen having been so supportive of the museum for all of these years. But I'm concerned because I can't imagine that everything else that needs to be done has been done before we embark upon something that's brand new. And this is only planning money. And I hear the questions that Legislator Alden asked. We know the projector's coming on line to be replaced because, I mean, you guys were here practically crying and pleading for us to appropriate the money for the projector because of the severity of the situation. And yet we are okay with that for now. I'm concerned that we are not moving forward. I'd rather see us do what we need to do with Normandy with those handicap bathrooms and get that up and running and have that space available to the public and hopefully generate some revenue before we embark on something that's brand new. I know that you have contacted my office also. And we've been through operating budgets and everything else for the Legislature. So time has kind of gotten away from us. But I think that before we move forward with this, we really need to look at this a little bit more globally. There are other issues. There are other resolutions. And I would ask that we table this. I really think we should do that.

CHAIRPERSON FIELDS:

We have a motion to table, I guess.

LEG. COOPER:

I'll second the motion.

CHAIRPERSON FIELDS:

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

The next would be **IR 1953 - Appropriating funds in connection with improvements to the Planetarium at the Vanderbilt Museum.**

MR. MALLAMO:

Well, this project also kind of speaks for itself. We had identified some issues at the Planetarium a few years ago concerning the age of our windows and doors, which are the original, which were put in 1970. These are single-glazed windows that leak terribly. They're not energy

efficient and the doors don't even close properly. We noticed we had a major problem with the doors when they suddenly didn't fit the frames. And when we started to investigate that, we discovered some major cracking occurring in the areas of the building that had been rectified about seven years ago. They had discovered that a portion of the building was actually sinking. And they had done some major jacking. They pulled up the concrete floor and installed a 60-foot deep concrete column under that section of the building to hold it up. This is an area -- the Planetarium is built on an area that was a tennis court. And was a tennis court built on a hillside. So fill was used to erect the tennis court. So there are engineering issues that DPW now thinks the issue from seven years ago was actually more radical than they envisioned.

And what they suspect it maybe is something called a Swedish dish, in which if you can manage this, if you take a bowl, turn it on its side and then kind of shift it, they think that may be what the land is doing. But they feel that they don't have the capacity to undertake that study right now. So they have requested that we come in and seek funds to do an engineering analysis of what the problem is with this building. So this project had started out a -- more of a renovation. We know we need the doors and windows anyway, but we need the planning funds to plan for that. This is not construction money we're looking at here. This is also planning a project to see what it's going to take to repair the engineering issues in the building as well as to correct some of the damage that has occurred.

CHAIRPERSON FIELDS:

Legislator Carpenter.

LEG. CARPENTER:

Thank you. So actually what we will be seeing is that the doors and windows will be replaced; correct?

MR. MALLAMO:

Yes.

LEG. CARPENTER:

Okay. And what about photograph six, the cracks in the wall of the proposed planetarium cafe?

MR. MALLAMO:

Yes, that is scheduled to be repaired as well.

LEG. CARPENTER:

Okay. And the proposed planetarium --

MR. MALLAMO:

And I don't know -- you really don't see it in that photo, Legislator Carpenter, but where -- if you look up where the steel beams of the ceiling meet the wall, the concrete around those beams has actually broken out. You can actually see day light through that wall right now. So there is some major issues going on in there.

LEG. CARPENTER:

Yes. I do want to ask you what is the time table for the planetarium cafe?

MR. MALLAMO:

Well, we had actually started implementing that. And when we took the wall area down to renovate and saw the cracks on the inside, up to that point we'd only noticed them on the outside, we brought DPW in and they said don't do anything until we have an engineer come in. So when we get that issue resolved and how we're going to handle that, we're ready to go. We've identified the area. We have a tremendous need for a cafe.

LEG. CARPENTER:

Absolutely.

MR. MALLAMO:

The biggest criticism we have from people --

LEG. CARPENTER:

Absolutely. And this is something that is going to be revenue-generated. There's a safety issue here. It's a problem that exists today. DPW is suggesting that corrected measures be done, you know, quickly. I'd be pleased to take a motion to approve this.

LEG. COOPER:

Second the motion.

CHAIRPERSON FIELDS:

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

We're on IR 1993 - Modifying new investment policy for Suffolk County Vanderbilt Museum Trust Fund. Maybe Budget Review could discuss this a tiny bit.

MR. REINHEIMER:

This is a continuation of the current investment policy whereby the Vanderbilt receives distribution from their endowment of \$100,000 each month. The hundred thousand dollars is comprised of income and dividends and the balance is made up by realized capital gains.

CHAIRPERSON FIELDS:

Do you recommend that we follow through on this legislation or do you have another recommendation or how do you feel about this?

MR. REINHEIMER:

I have no recommendation for you. This is a past practice that's been going on. The Vanderbilt budget assumes that this policy will be extended. The concerns that the Committee had last year about the endowment being able to support this, it seems that the endowment has reversed. It's up \$400,000 since January. And that also includes a distribution of \$900,000. So that the estimated return -- total return is about 6% this year. It seems that the concern of the Legislature of the endowment falling below \$12 million is not coming to be. So there seems to be sufficient realized capital gains from prior periods for this. And the endowment is increasing in value. Since last month -- since the period between the value at the end of September and the value at the end of October, the account has increased \$169,000. And that's after distribution of one hundred thousand. So the endowment fund seems to be doing well. As far as policy, that's up to the Legislature.

CHAIRPERSON FIELDS:

Legislator Alden.

LEG. ALDEN:

We've authorized this. And when does it expire?

MR. REINHEIMER:

December 31st of 2003.

LEG. ALDEN:

We actually don't really have to take action on this today because last year I believe that we had our investment -- you have an advisor, right? And then you have a company that is a trustee or something like that of the endowment. They came before us and they told us that they were under a -- I guess at that time they were readjusting the portfolio and their strategy had changed a little bit. And they had advised us that they were making certain moves to improve the performance of the trust. Would they be available to come in maybe at our next committee meeting? When's our next Committee meeting?

CHAIRPERSON FIELDS:

Two weeks. It'll be before December.

MR. SABATINO:

The 11th of December.

CHAIRPERSON FIELDS:

That's two days before -- no, no. Actually December 31st it expires. So we have a couple of weeks before.

LEG. ALDEN:

If we allow this out today, I think it will be all right with me. But I'd want to see a presentation from them at the next meeting. Or I think more appropriately would be that we have them here. And then we can make a determination whether to allow it to go out or whether to continue this policy or whether a further adjustment has to be made in their investment strategy. But one way or the other, I wouldn't feel comfortable about actually voting on this until I hear from our investment advisors for it.

CHAIRPERSON FIELDS:

Who -- Lance?

MR. REINHEIMER:

Fleet Investment Services continuously monitors this and makes adjustments to it according to the market on a -- almost a daily basis or monthly basis. They've done extensive re-positioning of the fund this past year.

LEG. ALDEN:

And I have a whole bunch of questions of them as far as what their projections going forward

and what other types of adjustments they have to make. But, go ahead, I'm sorry to interrupt you.

MR. REINHEIMER:

The point I just want to make is that this fund is, from what I can see, Fleet continuously monitors and makes adjustments. And with the knowledge that they have to remit 1.2 million dollars each year; so they are trying to position the funds so that it can provide that. But, right, as far as details, that is best to answer by Fleet Investment Services.

CHAIRPERSON FIELDS:

Okay. So who would invite them to our meeting?

MR. REINHEIMER:

Budget Review can invite them.

CHAIRPERSON FIELDS:

Okay. I'd appreciate that. And we'll put it on the agenda for discussion at the next meeting.

MR. MALLAMO:

I think our concern is that this is resolved before the end of the year.

CHAIRPERSON FIELDS:

Well, I think if we have a meeting in two weeks, and then we have our next Legislative meeting on December --

MR. SABATINO:

16th. The Committee will meet on the 11th and the regular meeting will be the 16th.

LEG. ALDEN:

Because I wouldn't want to see mass lay-offs or anything like that or bouncing checks or, you know, just a shut down of the museum. So we do have until the end of the year to --

MR. MALLAMO:

We appreciate that.

LEG. CARPENTER:

Also, too, I think if we employ that strategy those of us who want to see this pass, it will make it easier once it gets to the full floor for us to be able to say that Fleet came in, you know, the Committee asked the questions and so forth. I think the likelihood of it passing is greater than having it pass now and then find out Tuesday that we don't have the support.

LEG. COOPER:

I'll make a motion to table.

LEG. CARPENTER:

Second.

CHAIRPERSON FIELDS:

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

The last we have is **IR 2013 - Appropriating funds for construction of Suffolk County Police Athletic League Fields, Town of Islip**. And I don't know where these PAL Leagues are. I don't know much about this. I don't know whose district this is in. Does anyone?

MS. BURKHARDT:

Madam Chair, I just wanted to let you know that this is not Maxine Postal's bill.

CHAIRPERSON FIELDS:

Whose is it?

MS. BURKHARDT:

It's a County Executive's bill. It was an error on the sponsor.

LEG. CARPENTER:

Yes, it says it on the bill. On the bill it says it.

CHAIRPERSON FIELDS:

Is it customary for the County to pay for -- to pay \$150,000, or maybe not that number, but customary for the County to pay for construction of PAL Leagues on town-owned property?

LEG. ALDEN:

I might be able to partially answer that, but Paul Sabatino certainly can speak to that. In part of our acquisition programs, where we acquire, you know, properties that we're going to build either ball fields or soccer fields or whatever for the active recreation, we've done this in a number of places.

CHAIRPERSON FIELDS:

Wait a second. Let me interrupt for one second. It says here that it's in Central Islip. I am the Legislator for that district, not Legislator Lindsay until December 31st; and even at that point it's Legislator Montano.

LEG. ALDEN:

I'm not making a pitch for this.

CHAIRPERSON FIELDS:

No, no, but you said Legislator Lindsay.

LEG. ALDEN:

I thought it was in Holbrook. That's where -- the main PAL complex is in Holbrook.

CHAIRPERSON FIELDS:

Okay. So just continue. I just was interrupting because it startled me that I wasn't told anything about this.

COMMISSIONER GORDON:

And I have no information.

LEG. ALDEN:

Right. And I don't know where they're taking the money from, whether it's from that program or whether it's from, you know, whether it comes out of budget. So I would think, minus a presentation from the County Executive's side, the need for this and where they want to do this from, I would say we table and just -- they should really get some --

COMMISSIONER GORDON:

In the meantime I can certainly try to find out more information about it also.

CHAIRPERSON FIELDS:

Well, not only that but they have in the budget \$100,00 it says for football fields, 10,000 for fencing, \$2,000 a pair for goal posts, 10,000 for bleachers, 2,000 for team benches, 2,000 for maintenance equipment, 2,000 for field equipment and 22,000 for storage concessionaire of equipment. And just to me seems strange that we would be putting \$150,000 --

LEG. ALDEN:

Well, that's a stadium that they're building. And if they're doing that in your legislative district, I would assume that, you know, the first thing they should do is come to your office and brief you on the project. And then come here and brief the rest of us. So, I'm just a little bit surprised. I make a motion to table.

CHAIRPERSON FIELDS:

Motion to table.

LEG. CARPENTER:

Second.

CHAIRPERSON FIELDS:

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

LEG. NOWICK:

Madam Chair?

CHAIRPERSON FIELDS:

Yes.

LEG. NOWICK:

I would like to ask that IR 1875, that I would be put in the majority on that vote.

CHAIRPERSON FIELDS:

Okay. Do we have to make a motion? Motion to re-consider --

LEG. CARPENTER:

Second.

CHAIRPERSON FIELDS:

-- for the purposes of adding Legislator Nowick to the vote. All in favor? Opposed? Okay.

Anyone else want to address the Committee? Okay. Motion to adjourn. Thank you.

Thank you. Everyone have a nice Thanksgiving.

(THE MEETING WAS ADJOURNED AT 1:08 PM)

{ Denotes spelled phonetically }