

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

Minutes

A regular meeting of the Parks and Cultural Affairs Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on **June 22, 2005**.

MEMBERS PRESENT:

Leg. Jay H. Schneiderman, Chairman
Leg. Lynne C. Nowick, Vice•Chairperson
Leg. Cameron Alden
Leg. Angie Carpenter
Leg. Jon Cooper
Leg. William J. Lindsay

ALSO IN ATTENDANCE:

Mea Knapp, Counsel to the Legislature
Alexandra Sullivan, Chief Deputy Clerk
Ronald F. Foley, Commissioner of Parks
Charles Bender, Aide to PO's Office
Ben Zwirn, Assistant Deputy County Executive
Frank Tassone, Aide to Majority Leader
Eric Brown, Aide to Leg. Schneiderman
Greg Moran, Aide to PO's Office
Jim Spero, Director of Budget Review Office
Jill Moss, Budget Review Office
Jaqueline Caputi, Assistant County Attorney
Kevin LaValle, Aide to Leg. Losquadro
Paul Perillie, Aide to Minority Caucus
Vito Minei, Director of Division of Environmental Quality

Ed Hogan, Aide to Leg. Nowick
Terry Pearsall, Aide to Leg. Lindsay
Warren Greene, Aide to Leg. Alden
Barbara LoMoriello, Aide to Leg. Cooper
Pattie Gallatin, Long Island Alzheimer's Foundation
Joni Altner
Steve Gittleman, Vanderbilt Museum

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary

(THE MEETING COMMENCED AT 11:33 AM)

CHAIRMAN SCHNEIDERMAN:

Good afternoon. I'd like to call this meeting to order of the Parks and Cultural Affairs Committee this 22nd day of June 2005. If you all will rise and join us for the Pledge of Allegiance led by Legislator Nowick.

(SALUTATION)

CHAIRMAN SCHNEIDERMAN:

We have cards. We have a public hearing scheduled. It was scheduled for eleven, though Economic Development ran late. So, I want to jump right into that. First, let me just make sure that it's been properly noticed?

MS. SULLIVAN:

It's been properly noticed. Affidavits are in proper order.

CHAIRMAN SCHNEIDERMAN:

Thank you, Sandy. Okay. So this is the public hearing. **Adopting local law to amend the composition of the Suffolk County Vanderbilt Museum Commission to ensure geographic diversity.** Is there anyone who wishes to be heard on this? Steve.

MR. GITTELMAN:

Good morning. My name is Steve Gittelman. I am President of the Board of Trustees of the Suffolk County Vanderbilt Museum. I thank you for this opportunity to address you in this public hearing.

In its recent reaccreditation review of the museum, the American Association of Museum's field team provided an historic review of governance problems at the institution. And declared that after a 25 year struggle, we have finally proved to their satisfaction that we have overcome the governance problems that have haunted this institution since its creation.

The governance problem had placed the museum, and I quote "in some rather sharp contention with the American Association of Museums". And I continue, "this is mentioned not to tar the museum now with the same brush, but to acknowledge its professional history and recognize its current achievements and strong contrast to the former situation. Their view is that, and I quote, "the governance structure clearly and effectively advances the museum's mission. The Museum Trustees unmistakably understand their roles and responsibilities and have an understanding of and appreciation for the future of the organization. They all serve on at least one committee with the Development and Fund Raising Committee and are very active and spirited.

The museum staff and Board operate under an institutional code of ethics." Their view was that the relationship between the Board and Suffolk County government is exemplary. Further, they viewed that the Board works extremely well with the staff.

I have been on the Board for approaching 16 years now. And after all these years, we have been unable to staff the Board. This is the first time in our history where we have managed to reach 15 members. That in and of itself is an achievement that should not go without notice. When I arrived 15 years ago there were only three trustees.

Nassau County has just announced that they are struggling to create groups of friends to support their failing museum system. We have been privileged to cherry pick a few trustees from Nassau. They, in turn, have sought the counsel of some of us. These new trustees broaden our geographic reach and have brought more funding to the institution than any others in the history of the museum.

Given that the American Association of Museums has just blessed the manner in which we govern, given that we have what I view as a terrific Board that functions well, given that the Board has never been at full complement, it is you, the Legislature, that deserve a compliment for the fine work that you have accomplished in choosing the Board that we currently have. I ask you now why change what works so well? There is an old over-used expression. If it ain't broke, why fix it?

We serve at the pleasure of this Legislature and the people of Suffolk County. Being a Trustee of the Suffolk County Vanderbilt Museum is not a right but a privilege. And we are committed to working with any new structure that you might devise.

And I just thank you for giving thought to the institution. And I'm here •• I would like to answer any question you might have if that's appropriate.

CHAIRMAN SCHNEIDERMAN:

Any questions for Mr. Gittelman? Thank you, sir. Anyone else wishing to be heard at this public hearing? I make a motion to close.

LEG. LINDSAY:

Second.

CHAIRMAN SCHNEIDERMAN:

We have a second by Legislator Lindsay. Any opposed? Carried. **(Vote: 6/0/0/0)**

We have two yellow cards for public speakers. The first I'll bring up is Joni Altner speaking on the Eco•Tech Park proposal.

LEG. COOPER:

I think you have to just lower it, Joni.

MS. ALTNER:

Hi. My name is Joni Altner. And before you is a proposal for Suffolk County Echo•Tech Park, ecology and technology park. I was testifying at a public hearing for the North Shore embayment Study. And a reporter spoke to me following•up the public hearing. And we had a long conversation and she threw out a question of how do you get people to change? I was questioning the studies, nitrogen load levels and how they arrived at those figures. And the question of how do you get people to change the way they do things, fertilize their lawns and live our lives very unenvironmentally friendly at the moment. And I thought about it and thought about it. And I thought, aside from the draconian banning all pesticides and fertilizers there had to be a way to get •• I'm sorry, I have a cold •• there has to be a way to get people to change their behavior through a positive experience.

And so I thought about creating a park where you could go to the park and see different alternatives to lawns. You could see the new cars that have alternative sources of energy. They're not fueled by gas. And see windmills and products that could be used in the home, more environmentally friendly than products that we are currently using or exposed to.

And I brought the idea to Legislator Cooper and prepared this presentation. And I've been doing a lot of research and found that I don't think there would be a shortage of companies that would want to participate with funding and product support. And the goal of Echo•Tech Park would be to break down the barriers of fear and unfamiliarity with new technology. I don't think it's that people don't want to do the right thing, it's that we're not aware that there are alternatives out there and some of them are unfamiliar to us and unavailable.

And the idea would be that the County would provide the park space and that private funding would fund and the companies would stock the park space that we use for the Eco•Tech Park portion of the park. So I'd like you to read the proposal and consider it.

CHAIRMAN SCHNEIDERMAN:

Thank you. I have either a question or comment from Legislator Alden, and then Legislator Cooper.

LEG. ALDEN:

Hi. Thanks for coming down. I just was looking through your proposal. Why would you like to link it to a new purchase?

MS. ALTNER:

I've advocated for open space for a lot of different parcels, not only in my area but other areas and I'm a proponent of open space initiatives. And my experience has been, some of the things I was told at different public hearings, is that if you have a specific purpose for a new open space purchase, that that would be easier to get than just getting land and just leaving it empty.

LEG. ALDEN:

But my point is you're limiting yourself ••

MS. ALTNER:

No.

LEG. ALDEN:

•• because Suffolk County owns, you know, like thousands of acres basically. And I'm just, you know, off the top of my head I'm thinking, because the Commissioner is sitting right behind you, maybe even over in West Sayville or someplace that we already own might lend itself to, you know, this type of, you know, demonstration project basically because that's what you got here, a whole bunch of different things. Our new purchases, or Coindre Hall, you know, something we already own might, you know, like it might really lend itself to this type of development. Whereas if you just want it in something that we've got to go out and buy, you know, a lot of the property that we're buying now is, you know, farms, to preserve those, but also, you know, things that are ecologically sensitive type of properties that, you know, you are not going to be able to do anything like this on, so ••

LEG. COOPER:

If I could, through the Chair. Actually my resolution does open it up to existing County owned parkland.

LEG. ALDEN:

Yeah, but, Jon, you got all these ideas •• I see it right in here. This is where you got these ideas from.

LEG. COOPER:

Absolutely. This all came from Joni. This is her baby.

LEG. ALDEN:

No, but •• as you're, you know, the person that brought forth this idea I would hope that you might be, you know, open to the suggestion that maybe if we go forward with this that it might go on an existing park.

MS. ALTNER:

Absolutely, but there were also •• I thought about the Kings Park site or there's a site near Stony Brook University, the ••

LEG. ALDEN:

In Kings Park we're not going to have too much success in trying buying ••

MS. ALTNER:

Flower Field.

LEG. ALDEN:

•• you know, if Suffolk County buys. But •• because New York State has got a whole bunch of things going on there.

MS. ALTNER:

But I wouldn't be opposed to an existing •• I think the most important thing is it's an educational program. And wherever it's done, as long as it's accessible by roadways, people could actually use it.

LEG. ALDEN:

And you envision us •• just we'll provide the property, private industry provides the demonstrations and the exhibits and things like that.

MS. ALTNER:

Yes.

LEG. ALDEN:

You know, Suffolk County is not going to have money to go and invest in those things.

MS. ALTNER:

Exactly. No.

LEG. ALDEN:

But we're going to be responsible for the upkeep.

MS. ALTNER:

Well••

LEG. ALDEN:

Unless you envision private companies coming on and going into contract with us to, you know, keep the property up?

MS. ALTNER:

Yeah. One of the things ••

LEG. ALDEN:

That's a big selling point, because if we don't have any more outlay of cash after just purchasing the property it's easily sold.

MS. ALTNER:

That's the goal.

LEG. ALDEN:

Okay, good.

MS. ALTNER:

I really don't want it to become a burden to the people of Suffolk County. I want it to become a benefit to the people of Suffolk County.

LEG. ALDEN:

Good. Thank you.

CHAIRMAN SCHNEIDERMAN:

Legislator Cooper.

LEG. COOPER:

Thank you. I did want to reiterate that Joni, who is a constituent of mine brought this idea to me and I just loved the concept from the outset.

As she mentioned, the goal is that there really be no burden, economic burden, on Suffolk County at all from this initiative. And I •• and I believe Joni •• have already reached out to a number of companies that we thought might be potential sponsors. And we have •• actually every firm that I have approached immediately said that they wanted to participate through the corporate sponsorships of one type or another.

So, I think that this has tremendous potential as an educational tool for students throughout Suffolk County, a way to educate individual residents on alternative energy technologies, alternatives to chemical pesticides, alternatives to lawns and not just an educational fashion but in a fun way. And best yet hopefully at no cost whatsoever to Suffolk County.

The Park's Commissioner will have a lot of •• through the resolution the Park's Commissioner will have a lot of discretion. We'll make the ultimate decisions as to the most appropriate park. There will be a process put in place to invite I guess RFP's from corporate entities or individual sponsors that might wish to contribute financially to this endeavor. But I think it has the potential for being a win•win situation for everyone involved. Thank you.

MS. ALTNER:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, Legislator Cooper. Okay. Thank you, Joni. Our next speaker is Pattie Gallatin representing Long Island Alzheimer's Foundation.

MS. GALLATIN:

Good morning and thank you very much for having us here. My name is Pattie Gallatin. I'm the Executive Director of the Long Island Alzheimer's Foundation. With me today behind me is my colleague, the Director of Special Events, Jennifer Cardos.

We are here at the committee's request regarding our request for a permit to use Gardiner County Park on Sunday, September 18 for our pet walk fund-raiser and to answer any questions that the committee may have.

This is a very important fund-raiser for us. It's our fourth year doing this event. We have used Gardiner County Park the previous two years. And I can personally assure the committee that we have been very respectful of the park and that I have personally walked the park after the event to ensure that it was clean and well cared for and the park staff was with me while I did my inspection.

Last year we had approximately 200 people attend this event. Each year it has raised more money for us. The money that we raise from this event is earmarked for support of our Memory Lane Club, which is the social model adult day program for people in the moderate to advanced stages of Alzheimer's disease. The funding supports a number of cognitive stimulation activities such as pet therapy, music therapy, dance therapy. These therapies are known to slow the progress of the disease. There is no cure for this disease. All we can do at this point is treat it with certain medications and attempt to slow the disease with stimulative activities. In addition to the actual clients being served by this program, their caregivers get the critical respite that they need. This program is open five days a week from ten in the morning until four in the afternoon.

I would also mention to you that our organization directly touches 450 people a week through various client and caregiver support groups in home respite; and another million people annually through our newsletter, our coping and caring conferences, our website, our workshops and special events such as these. This event is also a beautiful day. It gives our caregivers a sense of normalcy and a pleasant experience.

We also speak out of our concern. We know that this permit application resolution has been tabled a number of times. The event is in September. We're now in June. We're coming up on

needing to get our publicity underway, so we would respectfully request that the committee give this application its expeditious approval. So thank you very much. And I would be more than happy to answer any questions that you may have.

CHAIRMAN SCHNEIDERMAN:

Okay. Thank you. Legislator Carpenter.

LEG. CARPENTER:

Thank you. I'm really glad you came down and gave us an overview of the event. Now, you said that in the past you had about 200 participants. What day of the week does this take place and what's the date?

MS. GALLATIN:

It's September 18, it's a Sunday. People come in and register at nine in the morning. The walk itself begins at 10:30. We've also had a number of other activities going on before the walk itself begins. We've had, for example, the American Kennel Club Education Coalition there. We have had veterinarians there. We've had a pet psychic. We have a number of pet related activities that go on.

LEG. CARPENTER:

It starts •• registration opens at 9. The walk starts at 10:30. At what time is it completed?

MS. GALLATIN:

Around 12:30.

LEG. CARPENTER:

Okay. Because you've been there I know you were aware of the fact this is a passive park and it's a very popular park especially on a Sunday. The parking is a little bit limited there. And the access, you know, when the park is filled, there is the overflow unpaved lot that hopefully is going to be paved because I put money in the budget for it. But do any of the cars then go and park outside on Montauk highway?

MS. ALTNER:

No, no. It's been our experience the last two years using the park there was ample parking. When you say there are 200 people there, usually people come together like a husband and

wife will come with their dog. So, it's one car.

LEG. CARPENTER:

But you still have people from the public ••

MS. GALLATIN:

Yes.

LEG. CARPENTER:

•• who are used to coming to the park that are going to be coming there. And are not going to be pleased they are turned away because they have no place to park.

MS. GALLATIN:

We've not had ••

LEG. CARPENTER:

•• because there's an event going on.

MS. ALTNER:

We've not had anyone turned away. No one has had to park on Montauk Highway. And we've had members of our staff directing traffic and helping people to park. We've not had a problem.

LEG. CARPENTER:

All right. I would just ask that •• and I will make the motion to approve this resolution today. But I am going to ask that you monitor this closely because as events like this tend to grow, if you start seeing that you are going to have more than you've normally had in the past participating, that we contact the precinct or at least the police contact my office and that we arrange for some sort of police coverage because it is an extremely dangerous stretch of Montauk Highway. In fact, near the entrance of the park •• to the park you'll see flowers nailed to a telephone pole because there was a tragic fatal accident there not too long ago. And it wasn't the first time it's happened. So, I would just ask that, you know, we keep in contact and that this be monitored. And then if this continues to grow, that again because of the constraints of the physical layout of this facility, that you might want to look at, you know,

parks where there is more space that could be more accommodating. And Legislator Alden just indicated to me that Coindre Hall might be just that kind of place. But thank you.

MS. GALLATIN:

What was the name of that place?

LEG. CARPENTER:

Coindre Hall in Huntington.

LEG. ALDEN:

You should talk to Legislator Cooper. It's a regular dog park.

LEG. CARPENTER:

There's a dog park there.

LEG. ALDEN:

It's a regular dog park.

MS. GALLATIN:

Okay. Well, thank you very much.

LEG. ALDEN:

There's his aide right there.

MS. GALLATIN:

And we certainly do want to be accommodating. In my other life I'm the Vice President of the Long Island Kennel Club. So, I know about traffic control and having a pleasant experience and a safe experience. So, thank you.

LEG. CARPENTER:

Thanks for coming down.

MS. GALLITIN:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Legislator Lindsay, did you ••

LEG. LINDSAY:

I just had to ask about the dog psychic.

CHAIRMAN SCHNEIDERMAN:

Are you in need of one?

LEG. LINDSAY:

I've never •• I've never experienced it before. And I just wanted to know what's that all about?

MS. GALLATIN:

People ask questions of the psychic as it pertains to their dog, you know, like what is their dog feeling or thinking or do they like what I'm feeding him or her, you know. Just like you go to a human psychic.

LEG. LINDSAY:

The psychic isn't a dog?

MS. GALLATIN:

No.

LEG. LINDSAY:

It's a person.

MS. GALLATIN:

The psychic is a human. You have to watch Animal Planet and some of these shows on TV. There are a lot of pet psychics out there.

LEG. ALDEN:

But wait a minute. This is like a dog whisperer?

MS. GALLATIN:

Yeah.

CHAIRMAN SCHNEIDERMAN:

All right. Thank you. Stay tuned.

MS. GALLATIN:

You're very welcome. Thank you for your consideration.

CHAIRMAN SCHNEIDERMAN:

Stay tuned. All right. Can we have some decorum here? Through the Chair, please. Legislator Nowick, did you have a question? All right. Is there anyone else who wishes to be heard in the public portion? Okay. At this point we'll move to the agenda. Okay.

TABLED PRIME

CHAIRMAN SCHNEIDERMAN:

1347 authorizing use of Blydenburg county park by the Kidney and Urology Foundation for a 5K walk. Motion by Legislator Nowick ••

LEG. LINDSAY:

Could I have a question?

CHAIRMAN SCHNEIDERMAN:

Do I have a second? I'll make a second. All right. On the motion.

LEG. LINDSAY:

Yeah. This and the next resolution, I think we talked about it in the last committee cycle about some kind of uniform policy where •• you know, concerns about, you know, charities and whether we waive fees for some and not others. I would feel more comfortable with the whole thing if we just had some kind of uniform policy that we go by. I don't object to it coming before the committee but ••

CHAIRMAN SCHNEIDERMAN:

Motion to table.

LEG. LINDSAY:

No, I'm not saying it's waiving the fee but ••

LEG. NOWICK:

The future. You're looking at the future.

LEG. LINDSAY:

Yeah.

CHAIRMAN SCHNEIDERMAN:

We'll table it and amend it.

LEG. LINDSAY:

A general policy if it's a not•for•profit charity, we allow them to use the park and pay the fees. Is that our general policy?

LEG. CARPENTER:

That's our general policy but if I could respond through the Chair?

LEG. LINDSAY:

Waiving the fee is another issue.

LEG. CARPENTER:

That's another issue; but to authorize the use of the park, it requires a resolution. It has to come before the committee.

LEG. LINDSAY:

I realize that.

LEG. CARPENTER:

Okay. And we don't want to change that.

LEG. LINDSAY:

No, I'm not suggesting that we change it.

LEG. CARPENTER:

Okay.

LEG. LINDSAY:

But, you know, if it's a legitimate charity, regardless of the sponsor or the charity, we're going to approve it; something like that.

CHAIRMAN SCHNEIDERMAN:

That's my understanding.

LEG. CARPENTER:

Exactly.

LEG. LINDSAY:

Okay.

LEG. CARPENTER:

But as far as the policy towards whether or not fees are to be considered to be waived, that would be a separate issue that you might want to, you know, go through the Commissioner and address.

LEG. LINDSAY:

Why don't we talk about that now while we're talking about the whole thing?

LEG. CARPENTER:

Sure.

LEG. LINDSAY:

If it's all right with the Chairman.

LEG. CARPENTER:

But I just think it's important, if I could, to never deviate from the policy of bringing these resolutions before the committee.

LEG. LINDSAY:

I'm not suggesting that.

LEG. CARPENTER:

Because I think we need to know what's going on. And the perfect case in point is this one that's before us now. No one knows the individual parks in the districts better than the legislators that represent the district. And I do know if this thing were to grow to have, you know, three or 400 participants, it would really be a problem. And the Commissioner's office would be inundated with phone calls on Monday morning, you know, for people complaining that they couldn't get into the park, you know, a possible traffic fatality happening, you know, outside on Montauk Highway if the adequate police presence wasn't there. It's a very dangerous area.

LEG. LINDSAY:

Well, if you wanted to know how many people are going to attend that, why don't you ask the psychic?

LEG. CARPENTER:

There you go. Maybe that's what they're going to do.

LEG. LINDSAY:

Mr. Chairman, could we hear from the Commissioner about if there is ••

CHAIRMAN SCHNEIDERMAN:

Oh, yes.

LEG. LINDSAY:

I realize it comes to us but is ••

CHAIRMAN SCHNEIDERMAN:

I'd like to recognize Commissioner Foley.

LEG. LINDSAY:

Do you screen these things before they get to us?

COMMISSIONER FOLEY:

We do. We work very closely with most of these groups who propose to have these events like we did with the Long Island Arborists at Sagtikos Manor. And we provide police coverage for traffic control to our capabilities. If we think it gets beyond what we can do, we ask the precinct for help. And I don't think we've ever been denied that.

As far as the fees go, I think we do have a general policy. And that is to apply the fee schedule that the Legislature and County Executive has approved everyone who's requesting an event. As Legislator Carpenter points out, each one of these fund-raising events must come to you for approval. And they do. And as in both of these, the fee is included in that resolution.

CHAIRMAN SCHNEIDERMAN:

Okay. Legislator Lindsay. Can we hear from the ••

LEG. LINDSAY:

County Executive.

CHAIRMAN SCHNEIDERMAN:

Sure. Mr. Zwirn. I'll recognize Mr. Zwirn at this point.

MR. ZWIRN:

Thank you, Mr. Chairman. The County Exec's position has been is •• just for some consistency; that some groups pay fees, some groups don't. And if the Legislature wants to change the policy or modify the policy, that's up to the Legislature. The County Executive certainly has no objection to that. But some groups get the parks for free, some get a reduced rate. Legislator Caracciolo put in the smorgasbord approach last week with •• it's two bills for every activity. One with a half fee, one with no fee. And he just wants it just to be consistent. That's all. These two groups, I can speak personally for the Long Island Alzheimer's group. I know a good friend of Legislator Carpenter's and myself, the state Senator Mike Balbone. And state Senator Balbone was instrumental in getting them their headquarters that they have today. And Janet Walsh who founded that organization lived in my old home town of Port Washington and did a marvelous job. So I know that that group and I'm sure this other group is all outstanding groups doing the right thing. And Commissioner Foley does his due diligence. The County Executive is just asking for a consistent policy. That's all.

LEG. CARPENTER:

If I could speak to this through the Chair on this? The issue of the policy.

CHAIRMAN SCHNEIDERMAN:

Legislator Carpenter.

LEG. CARPENTER:

I think it's important for us to remember, too, that these groups •• you know, unless it is something where there's no fee being charged, it's not a fund•raiser, it's just •• and you mentioned the Long Island Arborists Society. There was not a fee charged that day, was there?

COMMISSIONER FOLEY:

(Shaking head no)

LEG. CARPENTER:

Because the Long Island Arborists Society took on •• excuse me, Legislator. Thanks. The Long Island Arborists Society took this on as their volunteer project for the year. They do one a year. And they came to Sagtikos Manor working with the department and everything, spent about five or six hours on a Saturday morning. There were over 100 professional landscapers who came in and did what equates to about \$50,000 worth of landscaping work at Sagtikos Manor. So, in that instance, you wouldn't be charging the fee. All right? But when the Long Island Alzheimer's Society or whatever the group it is, is having a fund•raiser, they're charging an admission fee or an entry fee for the event, it's all part of the costs of, you know, doing the fund•raiser. Whether they're having it at a park or they're having it at a restaurant and having a cocktail party, there's a cost associated with the event and they're charging for it.

And for us to consider waiving the fee when they're, you know, in essence raising funds, albeit for a good cause, we have a fiduciary responsibility because these parks are being supported by taxpayer dollars. And I think the County Executive's very right in saying that we need to, you know, apply a policy on a very consistent basis. And to be waiving the fees when a fee is being charged is not appropriate. So, I think the policy that's in place is probably fine.

LEG. LINDSAY:

I want to respond. But this is general discussion. I think it's very good.

CHAIRMAN SCHNEIDERMAN:

I understand.

LEG. CARPENTER:

Yeah. The policy that's in place with a schedule of fees, if maybe during the budget process we want to look at what those fees are and maybe adjustments there, that might be a way to do it. But I think the policy that's in place now probably should stand and be supported.

LEG. LINDSAY:

If I may?

CHAIRMAN SCHNEIDERMAN:

Legislator Lindsay.

LEG. LINDSAY:

And that's exactly where I was going. If, you know, it's a worthwhile charity and they're having an event and are not using it as a fund-raiser, you know, whether it be •• for whatever reason, the Arborists really is not an event. They're doing something for us. They're providing free labor. So that isn't really what •• I mean I wouldn't even consider that as an event. But, you know, certain charities do have events at our park where there is no fees charged for whatever reason. And, yeah, that is something that I would agree with you wholeheartedly. Maybe in that case we should consider waiving the fee.

LEG. CARPENTER:

They're covering our expenses.

LEG. LINDSAY:

Right. If there is •• if it is acting as a fund-raiser, yeah, I agree with you. It should be part of doing business, you know. They're collecting money. And we have to •• it costs us money to •• for them to use our facility. And we should be reimbursed. And I agree with you.

CHAIRMAN SCHNEIDERMAN:

Commissioner, do you know •• getting back to the resolution at hand 1347, I believe the date in the resolution is wrong because it's •• it talks about an early June date for this event. When is the actual event for this 5K walk, do you know?

COMMISSIONER FOLEY:

I am not certain. I was going by the information in the resolution.

CHAIRMAN SCHNEIDERMAN:

All right. I have gotten word that the sponsor wants this tabled. I just don't want to make, you know, them lose out on this event because we're not going to be in session next month. So, I will make the motion to table. The legislation contains a June 5th date?

COMMISSIONER FOLEY:

It does say June 5th.

CHAIRMAN SCHNEIDERMAN:

Maybe it's already happened.

MR. ZWIRN:

If you could discharge it without recommendation and get it to the floor and then ••

LEG. LINDSAY:

Yeah.

CHAIRMAN SCHNEIDERMAN:

He asked for it to be tabled. The person who sponsored it asked for it to be tabled.

MR. ZWIRN:

Okay.

CHAIRMAN SCHNEIDERMAN:

Let's just table it. There might be a new date. Okay. I'll make a motion to table. Is there a second on tabling?

LEG. COOPER:

Second.

CHAIRMAN SCHNEIDERMAN:

Second, Legislator Cooper. All in favor? Any opposed? Passed and carried. **(1347•05 tabled. Vote: 6•0)**

Moving on with the agenda to **1382, authorizing the use of Gardiner County Park by Long Island Alzheimer's Foundation for its Pet Walk Fundraiser.**

LEG. CARPENTER:

Motion.

LEG. COOPER:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Carpenter, second by Legislator Cooper. Any opposed? Passed and carried. **(Vote: 6•0)**

1443, to establish an Ecology and Technology (Eco•Tech) Park in Suffolk County.

LEG. COOPER:

Motion.

LEG. LINDSAY:

Second.

CHAIRMAN SCHNEIDERMAN:

There's a motion by Legislator Cooper, a second by Legislator Lindsay.

LEG. ALDEN:

On the motion.

CHAIRMAN SCHNEIDERMAN:

On the motion, Legislator Alden.

LEG. ALDEN:

I would just like to ask for the Commissioner's comments. Is this ready to go or should we hold off on this? This is 1443 about establishing an Ecology and Technology Eco•Tech Park in Suffolk County.

COMMISSIONER FOLEY:

It's not ready to go. I mean, we don't have an RFP prepared or anything like that. And I support the concept here very much. And I think what we ought to be doing is looking at places where people are already going and seeing if we can retrofit existing buildings or existing programs. And then do some interpretation of what those improvements and economies are and teach people where they are. Doing an RFP to establish a new park would be difficult for us. It would take some time. But if it's spread across a number of places, I think it would be •

CHAIRMAN SCHNEIDERMAN:

Could you come back to us and ••

LEG. ALDEN:

My question would be to the sponsor, then. Would you be willing to just change it as the Commissioner just suggested and •• or hold off on it for one cycle and then ••

LEG. COOPER:

Well, it's not time sensitive. So, if the Commissioner has some concrete suggestions, a better way to accomplish the same goal, then, I'd be amenable to that.

LEG. ALDEN:

Let's do it for one cycle.

CHAIRMAN SCHNEIDERMAN:

There's a motion to table by Legislator Alden.

LEG. COOPER:

Commissioner Foley, if you could reach out to my office and ••

COMMISSIONER FOLEY:

I'm sorry to be late in doing this.

LEG. COOPER:

No problem.

COMMISSIONER FOLEY:

I apologize.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Cooper. All in favor of tabling? Any opposed? **Resolution is tabled.**

(Vote: 6•0)

Resolution 1581 linking County Park fees to County Emergency Response Team Volunteers.

LEG. ALDEN:

I'm actually going to make a motion to table. And I'll explain my motion before somebody makes a second if that's okay with you.

CHAIRMAN SCHNEIDERMAN:

Okay. There's a motion to table by Legislator Alden.

LEG. LINDSAY:

I'll second.

CHAIRMAN SCHNEIDERMAN:

A second by Legislator Lindsay.

LEG. ALDEN:

I think there might be different ways to do this rather than give a book to a 17 or an 18 year old that's going to be, you know, collecting fees. And then they would have look up the

category of who gets a reduced rate, who gets no rate, things like that. So, I brought it up with the sponsor to maybe look at some kind of an issuance from County Parks, that if we're going to let people go in for free, you know, maybe get a separate type of a pass or something printed up for that day or something along those lines. We're not going to put •• we don't want to put more of a burden on point of sales for these kids. And then that's really what we have out there. So I thought there might be a cleaner, easier way to do this. So, that's why I'm making a motion to table.

CHAIRMAN SCHNEIDERMAN:

Okay. All in favor of tabling? Any opposed? So tabled. **(1581 Tabled. Vote: 6•0)**

Resolution 1586, to waive fee for use of the County showmobile for the Riverhead Blues Festival.

LEG. ALDEN:

Motion to table subject to call.

CHAIRMAN SCHNEIDERMAN:

I would just •• it should be really withdrawn or defeated. If it hasn't been withdrawn now, I suppose we can table it and let him withdraw it.

LEG. LINDSAY:

Second.

CHAIRMAN SCHNEIDERMAN:

All right. Motion to table subject to call by Legislator Alden, second by Legislator Lindsay. All in favor? Any opposed? **Tabled subject to call. (Vote: 6•0)**

INTRODUCTORY PRIME

Okay. **Resolution 1640, to establish Community and Youth Services Program for the Boys and Girls Club of Suffolk County, Inc at Sheep Pasture Road in Port Jefferson/Setauket, New York.**

LEG. CARPENTER:

This was already kicking around for a very long time. It looks like it's back again.

CHAIRMAN SCHNEIDERMAN:

Yeah, I have actually a question on this. We don't typically go this long with these things. We usually •• no more than, I think, five years. This, I think, is looking for ten years. Is that correct, Counsel?

MS. KNAPP:

I think it's more.

LEG. NOWICK:

Two five•year extensions.

CHAIRMAN SCHNEIDERMAN:

Yeah, so it's more than we typically commit the County; is that right, Commissioner?

COMMISSIONER FOLEY:

It varies. We've got contracts that are this long for concessionaires any way. I don't think that's precedent setting. We've got tens and two fives.

CHAIRMAN SCHNEIDERMAN:

And what is this one? This is a ••

LEG. ALDEN:

Ten and two fives.

CHAIRMAN SCHNEIDERMAN:

Ten and two fives. So, it's a 20•year commitment?

COMMISSIONER FOLEY:

Yes.

CHAIRMAN SCHNEIDERMAN:

It seems long to me.

LEG. LINDSAY:

What is it, five year renewals?

CHAIRMAN SCHNEIDERMAN:

Renewals, yeah.

LEG. ALDEN:

Motion to table.

LEG. LINDSAY:

It locks us into ten ••

CHAIRMAN SCHNEIDERMAN:

For 20 years.

LEG. LINDSAY:

Does it lock us in for 20?

CHAIRMAN SCHNEIDERMAN:

Counsel?

MS. KNAPP:

It's ten with two five•year options.

COMMISSIONER FOLEY:

Right.

MS. KNAPP:

I'm not sure if the SEQRA is complete. Perhaps the Commissioner ••

COMMISSIONER FOLEY:

I don't think SEQRA is complete. It's been reviewed by Trustees but ••

CHAIRMAN SCHNEIDERMAN:

Okay. In the interim since we won't be able to act on this today, it would be nice to see an amendment that was more consistent with similar arrangements that we've seen for similar organizations.

LEG. LINDSAY:

I'll make a motion to table and I'll talk to the sponsor.

CHAIRMAN SCHNEIDERMAN:

Thank you, Legislator Lindsay. There's a motion by Legislator Lindsay, second by Legislator Alden. All in favor? Any opposed to tabling? **So tabled. (1640•05 tabled. Vote: 6•0)**

LEG. ALDEN:

This next one I think Darth Vader wants to make the motion on.

CHAIRMAN SCHNEIDERMAN:

Resolution 1652, declaring Theodore Roosevelt County Park out in Montauk a dark sky park. I will make the motion on that. Is there a second?

LEG. ALDEN:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Alden. On the motion.

LEG. COOPER:

Explanation first.

CHAIRMAN SCHNEIDERMAN:

Okay. There's a precedence for this throughout the country. What basically a dark sky park •• we don't have one in Suffolk County. We have some parks that would qualify, but particularly out in Montauk where the skies are the darkest anywhere on Long Island, particularly if you go out towards the lighthouse where this park is located, it certainly would meet the standards for

a dark sky park. What a dark sky park does is two things. It recognizes the night sky as a resource worthy of protecting. And as the park evolves in terms of planning, there aren't a lot of places on Long Island where you can go out at night and see the Milky Way across the entire sky. In fact, most places you can't even see the Milky Way any more. So, it's a •• it's something that's very special.

And in the bill that we passed earlier which Legislator Cooper and I had cosponsored about future light fixtures that in deed affects all future light fixtures in Suffolk County so that they are full cut off, this affects all the fixtures current and future at the park. And in particular •• there is a bill coming up about putting an observatory at this location. It would be in coordination with those observations that you can really turn those lights down to enhance the experience during those observations. Fair enough.

LEG. COOPER:

This may be more of a question for legislative Counsel. I was just curious as to whether Suffolk County jurisdiction extends to the Milky Way.

CHAIRMAN SCHNEIDERMAN:

In our minds or in the Charter?

MS. KNAPP:

Well, I believe that the jurisdiction of the Suffolk County Legislature is unlimited.

LEG. COOPER:

Is the right answer.

LEG. NOWICK:

So do we.

CHAIRMAN SCHNEIDERMAN:

Commissioner Foley.

MR. ZWIRN:

That's a scary thought.

COMMISSIONER FOLEY:

Changing the light fixtures is not at all problematic. There's not a lot of light there now anyway. So, it won't be very costly. The one thing I think we have to think about is the third resolve that talks about making the park available to educational groups and other groups who make reservations in advance. I think it extends our responsibility to protect those people using it at night when it's •• which implies maybe some staff and some kind of management that we don't provide now. We do have nighttime activities in some parks which are ironically very well lit at night. But this is not a place where we have a nighttime operation currently.

CHAIRMAN SCHNEIDERMAN:

Commissioner, there are groups actually that do do star•gazing out there, set up telescopes up at night. So ••

LEG. ALDEN:

They're trespassing.

CHAIRMAN SCHNEIDERMAN:

Montauk School, I've always assumed they were doing it with permission. But the Montauk schools have been doing this for years on a somewhat regular basis. But they set up their own telescopes.

MR. ZWIRN:

The liability issue, though, if you have no light •• I don't know how •• I just have a question for myself. How would this work? And I'm probably one of the few people who have been out there to this park. And I don't think it is lit. Mea has been to •• okay.

LEG. ALDEN:

I have been there.

MR. ZWIRN:

Because it's east •• it's east of the Village of Montauk. I mean, it's on your way to France. And it is dark. But I just don't know what the liability for the Parks Department •• for the County is. Is it •• what kind of lighting do you propose to have there? Is the parking lot lit or not?

CHAIRMAN SCHNEIDERMAN:

Right now the parking lot currently is not lit. There are some small lamp posts on the way to that parking lot, which should be relatively easy to swap out and relatively inexpensive. From a liability stand point I can't answer that question per se, but, you know, the County's insurance • the County's self-insured, I believe, right?

MR. ZWIRN:

Right. We would be insured if somebody fell during the day. If they fell in a park that was, you know ••

CHAIRMAN SCHNEIDERMAN:

Well, I think if we're self-insured, I don't think it stops at night. Insurance extends day or night. It doesn't mean •• there are certain types of lighting that actually are compatible with observing that do provide some ground light. So, I don't see that as an issue. There are a lot of universities and parks that do have observatories like this. In fact, there's an observatory out at Vanderbilt Planetarium. I'm not sure what you do with •• with the lights there when •• if that facility is open at night, I assume it is. At the Vanderbilt Museum.

MR. ZWIRN:

Is that an indoor observatory or is it ••

CHAIRMAN SCHNEIDERMAN:

Vanderbilt Museum has a small observatory.

MR. ZWIRN:

And was this to be outside? I mean people would be standing outside in the park?

CHAIRMAN SCHNEIDERMAN:

We're talking •• we're mixing two separate resolutions. This resolution is for a dark sky park.

MR. ZWIRN:

Okay.

CHAIRMAN SCHNEIDERMAN:

We can talk about the merits of the other when we get there. Legislator Lindsay.

LEG. LINDSAY:

My comment is that I certainly don't object to this resolution especially •• and defer to •• it's in your district and whatever. Would you consider modifying it, though, to take out that resolve clause about guided tours at night to make the Commissioner feel a little bit more at ease about potential liability?

CHAIRMAN SCHNEIDERMAN:

It really has to be in there because how do you enjoy the dark skies unless you can't enter the park at night. Right now there is a sign that says park closes at dusk. And this really •• we'd have to open up that park in the evenings. So to take that out, it would make the resolution meaningless.

LEG. LINDSAY:

But I think the Commissioner's concern is about •• what was the clause that you ••

COMMISSIONER FOLEY:

It says make the park available to educational groups and other groups that make reservations in advance to utilize Theodore Roosevelt County Park.

LEG. LINDSAY:

Which kind of indicates that we're going to run some kind of organized program. I don't think you're objecting to the park being open at night. It's just the reservation part kind of indicates that we're going to run some kind of organized programs there which means we'd have to staff it which isn't in your budget? Is that your concern?

LEG. ALDEN:

I can address part of that. My interpretation when reading this, it's always subject to rules and regulations as brought forth by the Commissioner. And if it's almost like a permit, then, the Commissioner could set a fee for that. And also set conditions that would cover. So, we're just giving him an overall philosophy. And it would be subject to the Commissioner as far as executing it.

CHAIRMAN SCHNEIDERMAN:

If I can clarify, too? I didn't, you know, within the resolution didn't want to create the situation since it's a dark sky park that anybody can go there at any time, you know, with a group. So, by putting this in, it's a kind of qualifier. It says yes, you can go at night but you do have to make a reservation through the Park Commissioner.

COMMISSIONER FOLEY:

And I don't want to overstate my concern with this. It just implies a change in the way we're managing Parks to nighttime operations where they may be very limited now. And that •• there may be a cost to that at some point in the future.

CHAIRMAN SCHNEIDERMAN:

Can I say, though, that this resolution is consistent with the master plan for that park, which does include star•gazing activities. So, there's a motion and a second. All in favor? Any opposed? Passed and carried. Thank you. **(1652•05 approved. Vote: 6•0)**

Resolution 1653, appointing members of Suffolk County Board of Trustees of Parks, Recreation and Conservation.

LEG. NOWICK:

I'm going to make a motion to table just for one cycle.

CHAIRMAN SCHNEIDERMAN:

Motion to table by the sponsor, second by Legislator Alden. All in favor? Any opposed? **So tabled. (Vote: 6•0)**

Resolution 1654, amending the 2005 capital budget and program and appropriating funds for the purchase of equipment and construction in connection with an astronomical observatory at Third House. I'll make a motion. Is there a second? Second by Legislator Alden. On the motion, Legislator Lindsay.

LEG. LINDSAY:

Yeah, I'm sorry, I don't have the resolution in my book for some reason. They left it out. What's the cost of this and what's the offset?

CHAIRMAN SCHNEIDERMAN:

This resolution is \$200,000. I have made a request for an additional \$25,000, but it didn't make the cycle. But that amendment will follow. Let me explain what this is because we did just do this in the capital budget for next year. I'm not sure what the status of that was in terms of the County Executive. We have an opportunity this year to move forward during the construction of Third house, to take advantage of that period when the park will be closed. There's also kind of an unusual opportunity to buy some equipment. But I understand there's a process the County must go through. That's available right now from a de-commissioned observatory in Arizona. I'm going to pass around some pictures.

What this is is actually relatively a small observatory. It's a 16-foot dome that you could purchase. It's a 24-inch telescope. It's a university grade telescope. This project is in conjunction with Stony Brook University which will be running a lecture series and providing the technical assistance. It's supported by the schools and in particular Montauk School where the science teachers with Phd's, for physicists who's supporting and providing technical assistance for this project. It's fully computer automated so it actually can be run from that location or a remote location such as Stony Brook University can actually move the telescope and view what's being seen in that telescope from the university.

And it's an exciting project. There's nothing like this on Long Island. It would be used broadly by the County, by the colleges. Suffolk Community College would be able to use this. Stony Brook would be able to use it. The high schools and elementary schools and intermediate schools.

The Third House property, we've already scoped out •• scoped •• no pun intended •• scoped out a site at that property that's adjacent to where the comfort station is so that •• so students or families who are doing observations would have the ability to use the restroom there. There's utilities there. And there are also cabins at that facility, too. So, I know Montauk's a long way and star-gazing often goes late at night. As we develop that site into a nature center, this would tie into those components. As you do your environmental studies, you can also include star-gazing, looking at the ring of Saturn or the spot on Jupiter or some of the nebular that are clearly visible.

As I pass this around, you'll see some of the photos of celestial objects that are clearly visible. These are from a 24-inch telescope, you know, similar specifications. So, you can see the type of experience a young person might have looking through a telescope like this. It's fairly awesome. And I'd like to move this forward so we can get going on this issue out of Pay•As•You•Go funding. Okay. We had a motion and a second.

LEG. LINDSAY:

The question •• my question was Pay•as•you•go. The other question I have is how much money are we spending at Third House in this capital budget and next year's capital budget?

MR. SPERO:

Well, off the top of my head I can't •• hold on. I can find out what we appropriated last year for Third House.

CHAIRMAN SCHNEIDERMAN:

While you look that up, I want to point out one thing. In the recent capital budget we approved, I think, \$2.9 million to replace the projector at the Vanderbilt Planetarium. A good cause so students can see a simulation of the night sky. And in Montauk we actually have the real thing. This is really a fraction of the cost to provide ••

LEG. LINDSAY:

Okay. But my point is that was part of the capital budget. Now what we're doing is we're adding onto the capital budget.

CHAIRMAN SCHNEIDERMAN:

In essence, if this goes through Pay•As•You•Go, we don't need it in the capital budget. It won't be an item that actually gets funded next year.

LEG. LINDSAY:

Yeah, but, how far are we going to stretch Pay•as•you•go? I mean we •• in part of the capital budget, we just moved a whole bunch money from bonds to Pay•As•You•Go. It isn't •• I think we've probably over spent what we have in Pay•As•You•Go or ••

LEG. CARPENTER:

Budget Review is here.

CHAIRMAN SCHNEIDERMAN:

Yeah, Budget Review is here. I think there's 11 million.

MR. SPERO:

Last year we appropriated 500,000 for Third House improvements. That was part of that omnibus funding resolution that was done by the Legislature in 2004. The Third House project as other historic buildings •• as with other historic buildings are funded out of an umbrella project. So, in the project itself you can't identify specifically when you look at the funding what's exactly for Third House. Our capital program report, though, should have some kind of a break down.

CHAIRMAN SCHNEIDERMAN:

The Commissioner may be able to answer this. We are putting a new roof on Third House. That construction's beginning this fall. I believe we had about a million dollars in place for that roof and the exterior. And then we have a half million in place for the interior repairs; is that correct?

COMMISSIONER FOLEY:

I think it was 800,000 and 500,000. It's looking like 1.3 million to restore the place. But it is an important historic building. And all of these historic properties, and there are many of them that are going to require this kind of treatment, are very expensive to get back in shape.

CHAIRMAN SCHNEIDERMAN:

And we've been waiting for this roof repair for a good ten years now.

LEG. LINDSAY:

I don't object to spending this money on this historic building. My objection is that it should go through the capital budget process whether it be identified in the County Executive's portion or it be put into the omnibus. We haven't even finished voting on the omnibus yet and already we're going back to add more capital projects to it. And I just think that's wrong. I think that's what the capital budget process is all about.

CHAIRMAN SCHNEIDERMAN:

This is for this year. Trying to take advantage of an opportunity for this year.

LEG. LINDSAY:

Put it in the '05 budget.

CHAIRMAN SCHNEIDERMAN:

I'm sorry.

LEG. LINDSAY:

Why didn't you put it into the '05 budget, last year?

CHAIRMAN SCHNEIDERMAN:

I did put it in for the '06 budget, but I'm trying to take advantage of an opportunity that we have because the construction is this year and because there's potentially a scope that's worth about 400,000 that's being de-commissioned that we can get for •• within the \$200,000 budget shipped here, set up. It's an opportunity we're not going to have much longer. And I'd like us to seize it if we could.

MR. ZWIRN:

Mr. Chairman, but it is in the '06 budget. It was a budget amendment, I know, submitted.

CHAIRMAN SCHNEIDERMAN:

Did the County Executive sign that?

MR. ZWIRN:

Yeah, I'm sure he did.

CHAIRMAN SCHNEIDERMAN:

Okay.

MR. ZWIRN:

I wouldn't bet the ranch on it, but I don't know.

CHAIRMAN SCHNEIDERMAN:

Okay. So we •• there's a motion and a second. All in favor? Any opposed?

LEG. LINDSAY:

I oppose.

CHAIRMAN SCHNEIDERMAN:

Okay, one opposed, Legislator Lindsay

LEG. COOPER:

Abstain.

CHAIRMAN SCHNEIDERMAN:

And one abstention, Legislator Cooper. Okay. Passed and carried. **(1654•05 approved. Vote: 4•1•1•0. Legislator Lindsay opposed. Legislator Cooper abstained)**

Resolution 1683, amending the 2005 capital budget and program and appropriating funds accepted by the Legislature from the ISTEA Transportation, Enhancement Program for restoration of Black Duck Lodge at Hubbard County Park, Flanders, Southampton, New York. Has this been amended? I heard there was an amendment to take this away from bonding and move it to Pay•As•You•Go funding? Do we have information on that?

COMMISSIONER FOLEY:

I don't, no.

CHAIRMAN SCHNEIDERMAN:

Mr. Zwirn. This one has not been amended? Several have been amended.

MR. ZWIRN:

That's correct.

CHAIRMAN SCHNEIDERMAN:

And this is not one of them. Can you tell us which ones have been amended?

MR. ZWIRN:

They were before Public Works yesterday.

LEG. CARPENTER:

Public Safety.

MR. ZWIRN:

Public Safety. And I think •• yeah, there were three of them; three or four of them that we changed from serial bonds to Pay•As•You•Go. But not all of them have been ••

LEG. CARPENTER:

Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:

Legislator Carpenter.

LEG. CARPENTER:

BRO, is this an appropriate Pay•as•you•go resolution or not? This is 1683.

MR. SPERO:

Yeah. The funding for historic structures has not been Pay•as•you•go. Those improvements are usually bonded. You can make any project a Pay•As•You•Go project. You don't have to make this a Pay•as•you•go project.

CHAIRMAN SCHNEIDERMAN:

Okay. Is there a motion to approve? It's worth 40,000?

LEG. LINDSAY:

I made a motion.

CHAIRMAN SCHNEIDERMAN:

We had a question from Legislator Alden for the amount on the bonds.

LEG. LINDSAY:

It's a grant, isn't it?

COMMISSIONER FOLEY:

400,000 of this is a state grant.

CHAIRMAN SCHNEIDERMAN:

But there is a county bond involved with it, is there not?

MR. SPERO:

Let me look at the resolution a minute. Yeah, there would have to be an accompanying bond resolution with this.

CHAIRMAN SCHNEIDERMAN:

How much is that?

MR. SPERO:

\$45,000.

CHAIRMAN SCHNEIDERMAN:

Right, \$45,000.

MR. SPERO:

And 400,000 in state aid is also being appropriated. So, we have 45,000 county serial bonds, 400,000 in state aid.

CHAIRMAN SCHNEIDERMAN:

All right. Is there a motion to approve?

LEG. LINDSAY:

Motion.

CHAIRMAN SCHNEIDERMAN:

By Legislator Lindsay.

LEG. COOPER:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Lindsay, second by Legislator Cooper. All in favor? Any opposed?

Approved. **(1683•05 approved. Vote: 6•0)**

1687, appropriating funds in connection with improvements to County campgrounds.

Keeping with the agenda we have in front of us, 1687 appropriating funds in connection with improvements to County campgrounds.

LEG. CARPENTER:

A motion on 1687.

CHAIRMAN SCHNEIDERMAN:

Okay. There's a motion by Legislator Carpenter, second by Legislator Lindsay. All in favor?

Any opposed? **(1687•05 approved. Vote: 6•0)**

LEG. LINDSAY:

Cameron, are you going to make a motion on the next one?

LEG. ALDEN:

No, I'll second yours.

CHAIRMAN SCHNEIDERMAN:

Can I •• on that last one, Commissioner, can you just explain that a little bit?

COMMISSIONER FOLEY:

That's just a continuing capital effort to improve campgrounds. This one will fund the second phase of a new restroom building in Indian Island County Park. It includes some handicap accessibility work at Cupsogue and restroom facility at West Hills County Park plus a number of incidental things spread around the County campground.

CHAIRMAN SCHNEIDERMAN:

And that's all bonded? The one point one million twenty•five thousand?

COMMISSIONER FOLEY:

Yes.

CHAIRMAN SCHNEIDERMAN:

Okay. **Resolution 1688, appropriating funds in connection with the improvements to county golf course, West Sayville and Indian Island.**

LEG. CARPENTER:

Is this Pay•as•you•go?

CHAIRMAN SCHNEIDERMAN:

This is a \$100,000 bond.

LEG. ALDEN:

It's already been bonded.

CHAIRMAN SCHNEIDERMAN:

Is that correct, BRO? Has this already been bonded?

MR. SPERO:

This is appropriating \$100,000 for golf course improvements.

CHAIRMAN SCHNEIDERMAN:

Okay. So, there's a motion to approve by Legislator Nowick, second by Legislator Lindsay. All in favor? Any opposed? **1688 passes. (Vote: 6•0)**

1711, naming County park in East Hampton "The Edward Vincent Ecker, Sr, Park."

Okay. Let's get a motion and a second and I'll discuss this.

LEG. COOPER:

Motion.

CHAIRMAN SCHNEIDERMAN:

There's a motion by Legislator Cooper, second by Legislator Alden. On the motion. Edward Ecker passed away last year. He was a former Deputy Park Commissioner for the County. He was also a Commissioner of Jurors for the County. He was a former supervisor of the Town of East Hampton; very active throughout Suffolk County. I think if you pull out the resolution, you'll see more about his life. And we just very recently, though without much fanfare, acquired 20 acres on the water on Fort Pond Bay out in Montauk adjoining a town park which bears a pier that's named after Edward •• the same individual. There's a fishing pier there. And there's a movement to try to take that whole area and name it after this individual, Mr. Eckard.

LEG. NOWICK:

He gave you the •• (inaudible)

CHAIRMAN SCHNEIDERMAN:

No, he did not. He passed away last year. The County purchased this. We closed on it probably a month after I took office as a Legislator. It was something that preceded me. There you go. But it's an excellent acquisition for the County. And this would name it. And I think also there is some money in here to clean up the area. I think there's about \$200,000. No, I'm sorry. There's no money in this one. This is just simply naming. We did in the capital budget, I think, we did the money for the •• to clean this site up. Okay. There's a motion and a second. All in favor?

LEG. LINDSAY:

On the issue.

CHAIRMAN SCHNEIDERMAN:

Okay. On the motion, Legislator Lindsay.

LEG. LINDSAY:

We've had some discussions about creating some kind of naming group, committee, commission. Has anybody sponsored that legislation yet? Simply because to create some kind of criteria in terms of naming things or whatever. I don't object to this resolution per se. But I'd like to see us have some kind of criteria before we start naming things after people, you

know. For example, do they have to be dead to name something after them?

LEG. ALDEN:

Obviously not in Suffolk County.

LEG. LINDSAY:

What do you mean by that, Cameron? Wow. But I think that would be a good idea if •• I don't know if we have anything in the pipeline as far as this is concerned. If not ••

LEG. COOPER:

Well, Bill, if you don't have anything in the works, I'll make a request, but I'll give you dibs.

LEG. LINDSAY:

I know, Jonathan, you would like to sponsor that but ••

CHAIRMAN SCHNEIDERMAN:

All in favor? Any opposed? Thank you. Passed and carried. **(1711•05 approved. Vote: 6•0)**

Resolution 1716, amending the capital program and budget and appropriating funds in connection with improvements to certain athletic fields within the Babylon School District and authorizing a joint use agreement.

LEG. ALDEN:

Now this sounds like Pandora's box.

LEG. NOWICK:

It does.

CHAIRMAN SCHNEIDERMAN:

All right. Is there a motion and a second so we can discuss this?

LEG. LINDSAY:

I'll make a motion.

CHAIRMAN SCHNEIDERMAN:

Motion for the purpose of discussion by Legislator Lindsay, a second by Legislator Carpenter. On the motion. Let's go to Legislator Alden first. Did you want to speak on this? This is Pandora's box.

LEG. ALDEN:

Well, just if you look at the title, now I'm not so sure that the Babylon schools are going to be able to make a lot of fields available to everybody in Suffolk County. And that's usually a criteria that you have to look at.

LEG. LINDSAY:

According to the resolution, and I'd like to hear from the Commissioner, and I just read the resolution now, Babylon is going to sign some kind of agreement with us to make their athletic fields available to county residents providing that we put some money into the improvements. And they're putting in money. But I'm not sure whether we've ever done this before. And I'd like to ask how it would work, too. If I might, Mr. Chairman, if we could hear from the Commissioner. Commissioner Foley, are you familiar with this resolution?

CHAIRMAN SCHNEIDERMAN:

Commissioner Foley.

COMMISSIONER FOLEY:

I don't have the latest version of it, but it's been our position up to now that things have to be non-exclusive in use for County residents. And I presume that's what the resolution says.

LEG. LINDSAY:

It does.

COMMISSIONER FOLEY:

It makes it proportionate to the amount of funding contributed to the improvements.

LEG. LINDSAY:

But how would that work?

COMMISSIONER FOLEY:

I don't know how that would work.

MS. CAPUTI:

Could I comment, maybe?

LEG. LINDSAY:

Well, gees, if you don't know how it would work ••

MS. CAPUTI:

I might be able to shed a little light on it if I could speak.

LEG. LINDSAY:

Mr. Chairman, the County Attorney wants to ••

MS. CAPUTI:

I think it would probably be in the nature ••

CHAIRMAN SCHNEIDERMAN:

I recognize the County Attorney.

MS. CAPUTI:

Oh, thank you •• in the terms of the license agreement or some kind of contractual arrangement between the district and the County. It would set forth terms of use. And I reviewed this yesterday. The resolve clause just says in the terms of the agreement. The whereas clause does specifically say proportionate to the use because the County is giving a greater percentage of the funding here. That might help. So, our office would, you know, be diligent to make sure that any •• the agreement specified that.

LEG. LINDSAY:

Budget Review, where does the money come from on this? \$600,000?

MR. SPERO:

It came from one of the sewer projects that wasn't •• estimated that the funds •• and that project will be spent this year. I don't recall the sewer district. I don't have the resolution in front of me.

LEG. LINDSAY:

What is the •• we have a program under the Land Preservation Program that allocates some money for improvements to parks, don't we?

MR. SPERO:

Project 7178 we have allocated funding as part of that capital project for improvements to active parklands.

CHAIRMAN SCHNEIDERMAN:

Legislator Alden.

LEG. ALDEN:

Here's what my main concern is. If we watch what's going on with the school boards and the budgets that they put up this year, there's a lot of school budgets that are being defeated. There's a lot of board members that are being thrown off and new people elected. The responsibility •• the primary responsibility to develop these fields lies within the school district. Now what we have here is reaching out to Suffolk County. And I'm not sure if it's a good thing or a bad thing, but I can see what the problem might be. We're reaching out to Suffolk County to take some of that financial burden off of a school district. If this one's passed, I know for sure •• and I represent at least five, six school districts, you know, they're going to come to me and they're going to ask me for money to help them with their budgets. And there's 18 Legislators, which would cover every school district in Suffolk County.

Now, I don't know if we should be in the business of supplying cash to develop school athletic fields. I mean, it's a real good concept to allow more kids to get out there and play on these fields, but these are improvements that normally the primary responsibility is the school district and taxpayers of that school district. And for us to go and use, you know, another taxing authority •• and that's what we are, Suffolk County •• to go and improve a school district property, I think we're going down a very, very dangerous path.

LEG. LINDSAY:

If I might.

CHAIRMAN SCHNEIDERMAN:

Legislator Lindsay.

LEG. LINDSAY:

Yeah. I think every one of us experienced the same problem in our districts. There isn't enough places for our kids to play anymore. And in my particular district, for the longest time I've been looking for some vacant property that maybe the County could buy •• develop another county park that they could use. And the land just isn't available. Right or wrong, the school districts are, you know, land rich and cash poor. A lot of times they have the property but they don't have the resources to develop the property that they have. This could be an answer to some of that problem. I see what you're talking about, Legislator Alden. You know, if this does fly and does work, yeah, I'm going to explore this concept myself because my kids in my district need places to play as well, you know.

LEG. ALDEN:

I would think, you know •• the other alternative would be that we re•double our efforts and we find an industrial building or we find some land for Smart Growth or whatever else. And even if we have to spend a little bit more money for the County to go in, buy something that might have to be, you know, demolished and then build a ball field on it ourselves and enter into a contract with the local Little Leagues or things likes that. At least we're allowing the use of that property. This is going to have to be restricted at some •• you know, to some degree anyway because if we're improving a school district's ball fields, the school district is going to use those. So, there's •• maybe it's a proportional benefit, but it's still •• it's a school district that is passing off some of its financial obligation to us.

LEG. LINDSAY:

If I might, Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:

Legislator Lindsay.

LEG. LINDSAY:

Budget Review, what I was talking about before, isn't there a Greenways Program where we can use funds for ••

MR. SPERO:

It's supposed to be a matching •• it's a matching fund program.

LEG. LINDSAY:

But that's where the County owns the property; is that correct?

MR. SPERO:

We buy the property.

LEG. LINDSAY:

Right.

MR. SPERO:

And we come up with some arrangement with some local jurisdiction.

LEG. LINDSAY:

So this is matching but we don't own the property.

MR. SPERO:

Yeah, this is 60/40 match.

LEG. LINDSAY:

Okay. And I'd just like to hear what the Commissioner thinks about this type of arrangement.

CHAIRMAN SCHNEIDERMAN:

Commissioner Foley, if you wish.

COMMISSIONER FOLEY:

Thank you. There's no question about the demands for fields. We're trying to find solutions for

those across the County where we can. I don't dare opine on this arrangement. It's bigger than I am. I don't know what kind of a precedent it sets. It's tough for •• you know, we could put all the teeth in it in an agreement. It's impractical to think we'll be out there monitoring who's there. I don't know how we would do that.

CHAIRMAN SCHNEIDERMAN:

I'm going to make a motion to table this.

LEG. ALDEN:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Alden. All in favor?

LEG. COOPER:

I'll oppose.

CHAIRMAN SCHNEIDERMAN:

Are you sure?

LEG. COOPER:

Yeah.

CHAIRMAN SCHNEIDERMAN:

All in favor of tabling? We have myself.

LEG. ALDEN:

It fails.

LEG. CARPENTER:

I'm not opposed to tabling.

CHAIRMAN SCHNEIDERMAN:

Okay. Legislator Carpenter voting to table. So the tabling is carried with Legislator Lindsay and

Cooper opposing. **(1716•05 Tabled. Vote: 4•2•0•0. Legislators Cooper and Lindsay opposed)**

Okay. That concludes our agenda. I'm sorry, before we adjourn we have a question from County Attorney.

MS. CAPUTI:

Legislator Schneiderman, I just have a question. I'm sorry. What's happening with the resolution 1567 that was on for public hearing? It's not on the agenda. Isn't it usually carried over to be voted out or something?

CHAIRMAN SCHNEIDERMAN:

I'll make a motion to table.

LEG. COOPER:

Second the motion.

CHAIRMAN SCHNEIDERMAN:

Just give me the number again on the resolution.

LEG. LINDSAY:

1657.

MS. CAPUTI:

I understand the public hearing was closed but what's going on with it?

CHAIRMAN SCHNEIDERMAN:

Okay. Motion to table 1657 by myself, seconded by Legislator Cooper. On the tabling motion, Legislator Lindsay.

LEG. LINDSAY:

As the sponsor of this resolution, you know, I don't object to it being tabled for one cycle. But I intend to try and move it at the next committee meeting. And the reason for it is we spend a lot of money at the Vanderbilt Museum year after year. And I think that we had quite a debate

on the last appointees. And I think we should have •• all have the opportunity to appoint someone to that board.

CHAIRMAN SCHNEIDERMAN:

You know, I'll be happy to withdraw my tabling motion and allow it to be voted on, but it may not be the result that you were hoping for.

LEG. LINDSAY:

I'm not objecting to the tabling. And I said I will go along with it for one cycle.

LEG. CARPENTER:

May I speak to this?

CHAIRMAN SCHNEIDERMAN:

On the motion, Legislator Carpenter.

LEG. CARPENTER:

I'd like to speak to this issue. And I really appreciate where you're coming from. And no one is denied the opportunity as a Legislator to appoint someone to the Vanderbilt Museum Board of Trustees. It's just a matter of, you know, knowing when an appointment becomes available and, you know, putting a resolution in in a timely fashion to address the vacancy.

And I for one have always been supportive of trying to spread the economic distribution of the trustees because I feel very strongly that if it's just clustered in the immediate vicinity of the museum, you're not going to get the broad support for projects from this body. You're not going to get the broad support from across the County, you know, financially for events and so forth. However, I think to think that we're going to have an 18 member board plus perhaps functioning is not going to work.

And what I would suggest, and you know I'd ask you respectfully to consider this and if not I might consider doing it, is to change the resolution or put in a resolution to create an advisory board. An advisory board of 18 members that would be advisors to the policy makers of the board; that they would meet on a quarterly basis or three times a year. It would be a feeding

ground, if you will, for board members because then you can see them function to see if they really participate, if they participate in events, if they really contribute, if they come to meetings. And, you know, offer their expertise from the various geographic locations throughout the County that we all represent. And the day•to•day operations that are overseen, you know, and the policy set by the governing board would remain intact the way it is. But you'd create this •• and it's a mechanism that's used •• I know hospital boards use this, Southside Hospital, for one, has a very active advisory board, Good Sam. It gives us that depth that you want without tying the hands of the people that have to function as the board members.

CHAIRMAN SCHNEIDERMAN:

On the motion.

LEG. LINDSAY:

I appreciate your ••

CHAIRMAN SCHNEIDERMAN:

I want to go on this, too.

LEG. LINDSAY:

I appreciate your comments, Legislator Carpenter, but the comments are almost contradictory in the sense that in one sense you said that we have a hard time finding 18 people to serve. We do have 15 now. All right? And to create another board with another 18, I don't see any value in that at all. The current composition of the board is very regional. It's all in, you know, north•west or a great deal of the appointees are from the northwest part of the County, as well as two Nassau County residents. And what this was an attempt to do is to allow legislators from without •• throughout the County to appoint someone from their district. If they choose not to, then they certainly can, you know, give their appointment to another Legislator or hear from another Legislator. And I just think in light of the amount of money that we spend at the Vanderbilt, that there should be a broad base of oversight.

CHAIRMAN SCHNEIDERMAN:

I'll let Legislator Carpenter respond. And I'd like to go on the record on this.

LEG. CARPENTER:

I don't think I said that we would have a hard time filling the 18. I think the fact, and Mr. Gittleman spoke to the fact that there were times that they only had a, you know, a few numbers of trustees was only because this body wasn't exactly diligent in realizing that there were appointments, realizing that appointments •• that there were vacancies, that there wasn't necessarily that communication between the board and this body. That doesn't exist now. There is that communication. And I think that we are looking at those appointments. And we are aware when appointments are coming up. But it would be unwieldy for a board of 18 to have to muster a quorum of at least ten members for each meeting. Right. Do you serve on a board? I mean, you must.

LEG. LINDSAY:

I have served on many boards.

LEG. CARPENTER:

All right. And there are many times it is difficult to muster a quorum. And I served on this board. Okay? It's up in Centerport. The meetings are held up in Centerport. It is not easy to get to. I live on the south shore. It was a major commitment from me to go to board meetings that went sometimes 'til one in the morning. And at the time that I served on the board, we had a gentleman who was very dedicated who served who lived out east. He was out in Riverhead. Bill Talmadge was his name. He was very committed to the board. But it was very, very difficult for him to get to the board meetings. I think if we look at the concept of an advisory board, you get that oversight, you get that participation. And you also have an opportunity to create a growing •• an incubator, if you will, of potential board members to select from. And you don't necessarily have to do it by resolution. There are other boards that we make appointments to where you just file the name with the Clerk of the Legislature. They have to file a resume and, you know, sign an affidavit. But it's a less formal structure but still, you know, formal in a way and very legal. And I think you don't tie the hands of the board in trying to do the business for the museum.

CHAIRMAN SCHNEIDERMAN:

I'd like to comment on this, too, as the Legislator from the eastern most portion of the County. I don't actually like either idea. I don't think we need an advisory committee to the board. And

I don't think we need to change the board to make it geographically represented. I think that makes sense if you're talking about like a planning commission or a planning council to make sure the whole county's involved on county-wide regional issues. This is a museum that's located in the western end of the County. And you want the people who are on the board to be able to go there on a frequent basis, not just for board meetings, but to see how the museum is doing, to get ideas. And you're going to actually, I think, by doing this, if it were to go through, it would actually hurt the museum by forcing people who have less of an interest to be participating on a board when we should be having people who are deeply interested in that museum on that board. So, I can't support it. But I'll support a tabling motion unless you want me to withdraw that and call the vote on it.

LEG. LINDSAY:

Mr. Chairman, I think I've told you three times already I support a tabling motion. I don't know •• do you want me to put it in writing?

CHAIRMAN SCHNEIDERMAN:

No.

LEG. LINDSAY:

All right?

CHAIRMAN SCHNEIDERMAN:

Okay. So ••

LEG. LINDSAY:

I'm not done yet. I'm not done yet. Because I want to respond to what you just said. The millions of dollars that are spent at the Vanderbilt comes out of taxpayers' money all over this County. And there should be oversight on a regional basis throughout the County; not just from the small section of where this museum exists.

LEG. CARPENTER:

Can I respond?

CHAIRMAN SCHNEIDERMAN:

We're not talking about the funding. We're talking about representation.

LEG. LINDSAY:

Exactly. And the board is the body that oversees the finances of that institution.

CHAIRMAN SCHNEIDERMAN:

Legislator Carpenter.

LEG. CARPENTER:

I think with all due respect, Legislator Lindsay, I think the financial oversight has to come from this body when we appropriate resolutions. Certainly the day-to-day operations, and they set the policy, the trustees do. And they bring, you know, things to us. But to ask or expect a volunteer member of the board to really be •• I'm not suggesting that they not have fiduciary responsibility because as a board member, they do. But the financial or fiscal oversight and the decisions on whether we continue to invest in everything rests with this body. That's our responsibility to the taxpayers of the County.

LEG. LINDSAY:

When's the last time you looked at the ••

CHAIRMAN SCHNEIDERMAN:

Hold on. We need decorum here. Legislator Carpenter is not finished with her comments. Then, Legislator Lindsay, I'll be happy to recognize you.

LEG. CARPENTER:

I'm very, you know, much involved in reviewing. I look at the minutes. Do you read the minutes of the Vanderbilt Museum Board of Trustees?

LEG. LINDSAY:

No, I don't.

CHAIRMAN SCHNEIDERMAN:

Questions should go through the Chair, please.

LEG. CARPENTER:

I thought you do.

CHAIRMAN SCHNEIDERMAN:

Okay, we're not going to have a dialogue between two legislators. So, through the Chair. Legislator Carpenter, are you finished with your comments? Thank you. Legislator Lindsay, do you have further comments?

LEG. LINDSAY:

No, I don't have further comments. But as far as the agenda, there's two resolutions tabled subject to call up. One is by myself and one's by Legislator Cooper appointing Mary Ann Neil to the board which was rejected.

CHAIRMAN SCHNEIDERMAN:

Legislator Lindsay.

LEG. LINDSAY:

I just want to withdraw that to clean up your agenda.

CHAIRMAN SCHNEIDERMAN:

That's fair, but I'd like to finish with the discussion at hand and then bring that matter up. Legislator Cooper, do you have comments on the bill before us?

LEG. COOPER:

Rather than belabor the point, I do have some concerns over the resolution. But I'll withhold my comments.

CHAIRMAN SCHNEIDERMAN:

Legislator Alden, on the resolution before us.

LEG. ALDEN:

I would just ask Legislator Lindsay if he'd consider tabling it for one cycle?

CHAIRMAN SCHNEIDERMAN:

He has. Okay. All in favor of tabling? Any opposed to tabling? The resolution is tabled. That was resolution 1657.

Now, Legislator Lindsay, you had a question about two resolutions. You were going to withdraw them?

LEG. LINDSAY:

Motion to withdraw.

CHAIRMAN SCHNEIDERMAN:

Okay. There's a motion to withdraw by the sponsor. Oh, they're not your resolutions.

LEG. COOPER:

Well, 1465 is.

CHAIRMAN SCHNEIDERMAN:

1465 is your resolution. Okay. I'm sorry. Okay. We are adjourned. Thank you.

(THE MEETING CONCLUDED AT 1:05 AM)

DENOTES SPELLED PHONETICALLY