

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 November 21, 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 (excused absence)

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
Jill Moss, Budget Review Office
Kevin LaValle, Aide to Leg. Losquadro

Paul Perillie, Aide to Minority Caucus
Ed Hogan, Aide to Leg. Nowick
Terry Pearsall, Aide to Leg. Lindsay
Warren Greene, Aide to Leg. Alden
Barbara LoMoriello, Aide to Leg. Cooper
Craig Kessler, Ducks Unlimited
Ray Zaccaro, Suffolk County Citizens Advisory Board for the Arts

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING CONVENED AT 11:10 PM)

CHAIRMAN SCHNEIDERMAN:

Good morning. I'd like to call this meeting of the Parks and Cultural Affairs Committee to order. If you all will rise and join us for the Pledge of Allegiance. I'll ask Legislator Nowick to lead us in the pledge.

(SALUTATION)

CHAIRMAN SCHNEIDERMAN:

Do we have any yellow cards for speakers? We have no presentations. All right. Commissioner, did you want to address us on any matter before we move the agenda?

COMMISSIONER FOLEY:

Nothing in particular unless you have questions.

CHAIRMAN SCHNEIDERMAN:

Okay. I'll recognize Legislator Nowick.

LEG. NOWICK:

Yeah. It's not in the form of a question. Commissioner, I just wanted to take an opportunity to thank you and your crew for the work you're doing on the Little School House. It's made people in the area very, very happy. They've been sending me pictures. And I wanted to thank you for being so efficient in doing that.

COMMISSIONER FOLEY:

Well, that's okay. That's our job.

LEG. NOWICK:

But you did it well.

COMMISSIONER FOLEY:

It turned out a little bit more expensive than we thought, you know. We discovered asbestos in the siding. We had to remove it all and dispose of it, but they're putting it back together.

LEG. NOWICK:

You made a lot of people in that area very happy. Thank you.

COMMISSIONER FOLEY:

Thank you.

CHAIRMAN SCHNEIDERMAN:

I also thank you for taking the time to meet with me yesterday out in Montauk to look at that Third House Facility and discuss also the observatory. So, why don't we move the agenda. We'll go to Tabled Prime.

TABLED PRIME

CHAIRMAN SCHNEIDERMAN:

Resolution 1443•• oh, I'm sorry. Let's hold off on the agenda for one second. I do have one yellow card now. Craig Kessler from Ducks Unlimited speaking about resolution 2025. Craig, if you'll step forward. You have three minutes, Craig.

MR. KESSLER:

Good morning. Thank you, Mr. Chairman, members of the Committee. I'm here to speak on behalf of Resolution 2025 authorizing Parks Commission to enter into a stewardship agreement with Ducks Unlimited. I just thought if I had the opportunity I might take a few moments to talk a little bit about the project.

I did send you all a piece of correspondence yesterday by fax. Hopefully you had a chance to review that. So, I won't take too much more time this morning, but I did want to be here should you have any questions and maybe just explain the project in somewhat more detail.

Simply stated Ducks Unlimited is a private non•profit conservation organization that already has a longstanding relationship with the Parks Department, most specifically at Hubbard County Park in Flanders where we have a number of activities on the slate currently. We've also done some previous work at other sites such as the wetlands immediately behind the headquarters at West Sayville; also at Orient Beach and some other locations that we are scheduled to work on.

The Beaver Dam Creek project specifically is exciting in that it is a very instrumental part of the implementation of the South Shore Estuary Reserve Program. Again, this is something the County Executive has signed on to when it was implemented. And moving into the implementation phase, I think, is something that will be good for the South Shore Estuary Reserve as a whole.

We've currently already completed a project at Beaver Dam Creek but not on County lands. So, this project that we're discussing under this resolution

would extend the work that's already been done on about nine acres of property that was owned by the Post Moral Foundation; and now replicate the success of that project on county parkland on the west side of the creek of which the County owns about 13 acres.

So, we've had numerous discussions with the Parks Department and some of the other Legislators in whose district this is about the willingness and desire on the part of the Parks Department to extend this type of a successful environmental wetland restoration project onto county parkland. So, that's the reason for the resolution. I hope that you'll support it.

And as I indicated in the correspondence yesterday one of the vehicles that we can provide to the County is to leverage any monies expended by the County with federal, state funds of which several have already been secured. \$30 thousand in federal funds; and \$275 thousand in state funds for this site. But I believe that's just the beginning because of the success and the accolades that the other project has gotten. I believe you'll see additional funding coming into that project.

So, that's a brief overview of the project. If you have any questions I'd be happy to answer them.

CHAIRMAN SCHNEIDERMAN:

Okay. Any questions? Okay. Thank you, Craig.

MR. KESSLER:

You're welcome.

CHAIRMAN SCHNEIDERMAN:

Moving onto the agenda, **Resolution 1443 to establish an Ecology and Technology Park.**

LEG. COOPER:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by the sponsor, second by Legislator Alden. All in favor?

Any opposed? **Resolution is tabled. (Vote: 5•0•0•1. Legislator Lindsay not present)**

Resolution 1581, linking County park fees for Community Emergency Response Team Volunteers, Medical Reserve Corps Volunteers and Volunteers in Police Services to park fees for senior citizens.

LEG. ALDEN:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Alden, second by ••

LEG. NOWICK:

Second.

CHAIRMAN SCHNEIDERMAN:

•• Legislator Nowick. All in favor? Any opposed? **Resolution 1581 is tabled. (Vote: 5•0•0•1. Legislator Lindsay not present)**

Resolution 1657, a local law to amend the composition of the Suffolk County Vanderbilt Museum Commission to ensure geographic diversity.

LEG. COOPER:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

There's a motion to table by Legislator Cooper, second by Legislator Alden. All in favor? Any opposed? **1657 is tabled. (Vote: 5•0•0•1. Legislator Lindsay not present)**

1736, linking County park fees for veterans to park fees for senior citizens.

LEG. COOPER:

I was wondering, Commissioner Foley, whether the Parks Trustees have

come to any decision regarding this?

COMMISSIONER FOLEY:

They have not. The previous one was tabled. This one they have not even considered yet. With these two resolutions being in the process, I've asked our staff to do an analysis of park fees in similar jurisdictions around us. I would like to come back at some point with a recommendation on a whole new fee structure; one that's more understandable than the one we have now. So, that may take some time. We're working on putting something together that's fair and affordable for everyone.

LEG. COOPER:

Okay. Well, thank you. A motion to table.

CHAIRMAN SCHNEIDERMAN:

All in favor? Any opposed? **1736 is tabled. (Vote: 5•0•0•1. Legislator Lindsay not present)**

1966, to authorize a license agreement with Montauk Observatory Incorporated. And we're waiting on a CEQ determination. I don't know if it was made this morning at CEQ.

COMMISSIONER FOLEY:

I believe it was.

CHAIRMAN SCHNEIDERMAN:

It was?

COMMISSIONER FOLEY:

It was. It was approved as a Type II Action. I think we have to come back with a plan •• detailed plan when it's ready.

CHAIRMAN SCHNEIDERMAN:

Okay. Although I'd like to approve it then today, I do have a problem with the title. And let me ask Counsel if that's a problem because there is no donation of a telescope, which the title suggests. The telescope would be owned by Montauk Observatory Incorporated.

MS. KNAPP:

Are they donating the use of the telescope to the ••

CHAIRMAN SCHNEIDERMAN:

The use •• it will be operated by Montauk Observatory. It wouldn't be operated by the County. It will be open to the public. There may be a fee involved, you know, for user groups.

LEG. ALDEN:

You have a problem then.

CHAIRMAN SCHNEIDERMAN:

If that's a technical problem, then we'll just •• I'll table it, we'll fix the title and we'll bring it back.

LEG. ALDEN:

Yes, I think you should.

CHAIRMAN SCHNEIDERMAN:

Okay.

MS. KNAPP:

The title has no legal force and effect. It's basically the substance of the resolution that is •• what has some legal force and effect. And to the extent that the substance of the resolution is correct ••

CHAIRMAN SCHNEIDERMAN:

Yeah, it is.

MS. KNAPP:

It is?

CHAIRMAN SCHNEIDERMAN:

I believe so, yeah.

LEG. ALDEN:

Mr. Chairman?

CHAIRMAN SCHNEIDERMAN:

Yes.

LEG. ALDEN:

Then the question would be to legal Counsel, if there's no force and effect •• legal force and effect of the title, can that just be changed because this would actually be a misleading title.

COMMISSIONER FOLEY:

Mr. Chairman? Although CEQ is approved, this would still have to go before the trustees as well. So, that step has not been completed yet.

CHAIRMAN SCHNEIDERMAN:

Okay. Thank you. Just on the record before we move on, it's fresh in your mind, you were out there yesterday, could you speak to what transpired yesterday out at Third House and your feelings about the project?

COMMISSIONER FOLEY:

Well, I think the observatory will be a nice amenity to what should be in the future an environmental center of sorts for Suffolk County residents and visitors. I was a little troubled by the proposed locations before we got there. After we toured the site and looked at everything, I think we came up with a spot that's relatively perfect for •• I think it's great for the observatory. It's good for the historic integrity of the property. So, I can see now better than I could yesterday how it's a doable improvement to the park and, I think, one that will benefit the public.

CHAIRMAN SCHNEIDERMAN:

It's an adaptive reuse of the existing buildings.

COMMISSIONER FOLEY:

Correct.

CHAIRMAN SCHNEIDERMAN:

Okay. So, I made a motion to table, second by Legislator Alden. All in favor? Any oppose? **1966 is tabled. (Vote: 5•0•0•1. Legislator Lindsay not present)**

INTRODUCTORY PRIME

CHAIRMAN SCHNEIDERMAN:

Moving onto **Introductory Prime, 2025, authorizing Suffolk County Department of Parks, Recreation and Conservation to enter into a stewardship agreement with Ducks Unlimited for Beaver Creek Dam.**

Is there a motion?

LEG. COOPER:

Motion to approve.

LEG. CARPENTER:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Cooper, second by Legislator Carpenter. All in favor? Any opposed? **Approved. (Vote: 5•0•0•1. Legislator Lindsay not present)**

2094, to appoint Raymond F. Zaccaro as a member of Suffolk County Citizens Advisory Board for the Arts.

LEG. CARPENTER:

Motion.

LEG. COOPER:

Second.

CHAIRMAN SCHNEIDERMAN:

Okay. There's a motion and a second. A motion by Legislator Carpenter, a second by Legislator Cooper. Why don't we •• Ray, if you'll come forward to

the table so we can grill you. How are you? I think most of us know Ray.

MR. ZACCARRO:

Hello.

CHAIRMAN SCHNEIDERMAN:

Why don't you start by identifying yourself and telling us why you're interested in serving in this capacity?

MR. ZACCARRO:

Okay. Well, my name is Ray Vince Zaccaro. I am Executive Director of the Babylon's Citizen's Council on the Arts. I have been active in cultural organizations throughout Long Island and the metropolitan area for most of my life. As the head of one of the major arts organizations on Long Island, I feel that it would be a great opportunity to lend my insight and also to learn about what funding options are available for different cultural programs. And I'd like to help out in any way I can, reviewing grant applications and helping to make decisions on programs that, I think, are really worthwhile.

There are a lot of wonderful things going on in Suffolk County in particular. Some really beautiful programs. There's a lot of energy and enthusiasm about cultural affairs, the arts and the like. And I'd like to be a part of it.

CHAIRMAN SCHNEIDERMAN:

Thank you, Ray. Our Deputy Presiding Officer and Treasurer elect has a question. Legislator Carpenter.

LEG. CARPENTER:

Good morning, Ray; nice to see you.

MR. ZACCARRO:

Nice to see you.

LEG. CARPENTER:

How long have you been the Director of the Babylon Arts Council now?

MR. ZACCARRO:

I started in July of last year so a little more than a year; about a year and a half. Not quite.

LEG. CARPENTER:

And in that short tenure he really has elevated the profile of the Babylon Council.

MR. ZACCARO:

Thank you.

LEG. CARPENTER:

And I want to comment you for that.

MR. ZACCARO:

I appreciate that.

LEG. CARPENTER:

There's so much more coming out of that area of the County as far as programming. A major event that took place, the Babylon Bay Fest, which was new, and I know that you guys participated in that. And I think that it's important to have that west end participation on the Citizen's Advisory Board. This is an outstanding appointment. I'm honored to support it. And I thank you for your willingness to participate on that level. It's very, very important. Thank you.

MR. ZACCARO:

Thank you very much, Legislator Carpenter.

LEG. ALDEN:

Mr. Chairman?

CHAIRMAN SCHNEIDERMAN:

Legislator Alden.

LEG. ALDEN:

Just a question to Counsel if I can ask? Is this a vacant position?

MS. KNAPP:

This place was formerly held by Sean _Conane_ whose term expired on June 27th, 1999. And he's been in a holdover status since then.

LEG. ALDEN:

What was the situation?

MR. ZACCARO:

Sean's actually a member of our Board of Directors. And he was unable to continue serving with his other duties.

LEG. ALDEN:

You took him outside? Last guy standing; that was it?

MR. ZACCARO:

I took him outside. I roughed him up a little bit. No. He actually recommended me to Legislator Bishop.

LEG. NOWICK:

Motion.

LEG. CARPENTER:

We have a motion already.

CHAIRMAN SCHNEIDERMAN:

There's already been a motion and a second. And no further comment? Okay. All in favor? Any opposed? **(Vote: 5•0•0•1. Legislator Lindsay not present)**

Congratulations, Ray.

MR. ZACCARO:

Thank you very much.

CHAIRMAN SCHNEIDERMAN:

You don't need to •• well, you're familiar with our routines having been a volunteer at the Legislature. But your name will now be forwarded to the

full Legislature. You don't need to be there for that. And I'm assuming that you can confirm there. Congratulations.

MR. ZACCARO:

Thank you. I appreciate it.

LEG. COOPER:

You can start making the big bucks.

MR. ZACCARO:

In non-profit? Good luck. Thanks.

CHAIRMAN SCHNEIDERMAN:

2102, appropriating funds in connection with the stabilization of historic structures and buildings at County Parks.

LEG. CARPENTER:

Motion.

LEG. COOPER:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Carpenter, second by Legislator Cooper. All in favor? Any opposed? **Approved. (Vote: 5•0•0•1. Legislator Lindsay not present)**

2110, appropriating funds in connection with the stabilization of historic structures and buildings at County Parks.

LEG. CARPENTER,

Motion.

CHAIRMAN SCHNEIDERMAN:

There's a motion by Legislator Carpenter, second by Legislator Nowick. All in favor? Any opposed? **Approved. (Vote: 5•0•0•1. Legislator Lindsay not present)**

2138, renaming Warbler Woods County property in the Town of Brookhaven as the Dennis Puleston •• I don't know if I'm pronouncing it right •• Warbler Woods Preserve.

LEG. COOPER:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

There's a motion by Legislator Cooper.

LEG. NOWICK:

Does anybody know who he is?

CHAIRMAN SCHNEIDERMAN:

I'd like to hear from the Commissioner on this because I remember when I wanted to name something, I went through kind of a lengthy procedure. Why don't we hear from •• it's in the resolution. So if we could just take a moment and read into the record •• Mea.

MS. KNAPP:

Again, my information is obviously not from personal knowledge, but from the •• reading from the resolution. A long term resident of Brookhaven, a key discoverer of the impacts of DDT on Osprey. He apparently •• I believe he died five years ago. He was an expert naturalist testifying in Suffolk Courts back in 1966 presenting scientific evidence showing that the DDT thinned egg shells. And this was one of the events that led to the creation of the Environmental Defense Fund in 1967 with Mr. Puleston as the first Chairman. By the time he had passed •• I'm sorry. By time he passed the leadership baton of the board five years later •• I'm not sure he has passed away •• they had •• EPA had banned DDT in the United States. He wrote a book called the Nature Journal, a Naturalist Here on Long Island. Oh, he did die June 8th, 2001 at the age of 95.

LEG. NOWICK:

Okay. I'm in agreement.

CHAIRMAN SCHNEIDERMAN:

Is there any •• is there a particular process? Is there an advisory committee that these things go through or Park Trustees when we do a naming?

LEG. COOPER:

That's a resolution of mine to create a commission, but it's been stuck in committee for a few months.

CHAIRMAN SCHNEIDERMAN:

Commissioner, do you have any comment on naming one of your parks as this resolution intends?

COMMISSIONER FOLEY:

There was a committee established in 2001 resolution 709•2001. But, you know, in some situations where Legislators or the County Exec deem this person to be meritorious of this, and I think Mr. Puleston certainly is, the Legislature, I believe, can do as it wants. So, this is one of two you have before you today.

CHAIRMAN SCHNEIDERMAN:

Okay. I think Ben Zwirn had something to say.

MR. ZWIRN:

I know earlier this year we did one in Montauk.

CHAIRMAN SCHNEIDERMAN:

Yes.

MR. ZWIRN:

And that didn't go through a particular process.

CHAIRMAN SCHNEIDERMAN:

No.

MR. ZWIRN:

It was just somebody from the community that was well known and

respected.

CHAIRMAN SCHNEIDERMAN:

Former Deputy Park Commissioner.

MR. ZWIRN:

Yeah. I'm just saying. I'm not criticizing. I'm just saying I don't think there's •• I think we've talked about formalizing it at some point.

CHAIRMAN SCHNEIDERMAN:

Right. But we did go through a similar process of discussion about worthiness. I think you had a recommendation. You had no objection to that park being named. So, I just want to make sure we're consistent here.

COMMISSIONER FOLEY:

No. And I have no objection to this one either. I think his accomplishments are significant. It's great to have a Suffolk Park that recognizes those.

CHAIRMAN SCHNEIDERMAN:

Okay. Any other comments? Cameron Alden.

LEG. ALDEN:

Just quickly, I'd be inclined to support this today. But I think in the future it probably would be a worthy effort on our part to, you know, just run it past the committee and establish some kind of criteria and things of that nature similar to what we do with monuments that we want to erect even over at the Dennison Building. And there's a couple of other procedures for Suffolk County ••

MR. ZWIRN:

I think the County Executive would be in full support of that.

CHAIRMAN SCHNEIDERMAN:

Okay. So, was there a motion and a second?

MS. SULLIVAN:

There was no second; just a motion.

CHAIRMAN SCHNEIDERMAN:

Who made the motion? Jon, you made the motion. Okay. Legislator Alden making a second. All in favor? Any opposed? **Approved. (Vote: 5•0•0 •1. Legislator Lindsay not present)**

Resolution 2147, naming County Parkland in Blue Point as Bryan Anderson Memorial Park. We should have a similar discussion.

LEG. NOWICK:

Can I also know Bryan Anderson is and why he has a park named after him, please.

CHAIRMAN SCHNEIDERMAN:

Well, he hasn't yet.

COMMISSIONER FOLEY:

Because •• if I may Mr. Chairman, because this came before the Park Trustees already and they approved it, Mr. Anderson was apparently a local resident who looked after the property where there was a former laundry development, made sure it was cleaned up, did maintenance on the place himself, picked up litter, things like that. This particular piece of land is a small corner lot that his family and a civic group have cleaned up and improved and want to do more. We said you can't do more without getting some formal blessing to do so. This is just part of the process of us entering into a contract with them to put a structure there, a gazebo and some other things and take care of the place.

LEG. CARPENTER:

Is this gentleman alive?

CHAIRMAN SCHNEIDERMAN:

No. Well, it's a memorial park.

LEG. CARPENTER:

Well, it says he is a devoted husband so I wondered, then •• it doesn't say •

LEG. CARPENTER:

Is he or was he?

COMMISSIONER FOLEY:

He was.

MR. ZWIRN:

Some people would think he still is. It depends.

LEG. CARPENTER:

Has he past?

COMMISSIONER FOLEY:

I believe he has.

MS. KNAPP:

I'm reading just from the resolution. He died at the age of 45 in July of 2003.

LEG. ALDEN:

According to Mr. Zwirn's remarks, we're getting into a whole different realm here.

CHAIRMAN SCHNEIDERMAN:

All right. Do we have a motion?

LEG. ALDEN:

I'll make a motion.

CHAIRMAN SCHNEIDERMAN:

Okay. Jon made a motion. Legislator Cooper made a motion. Second by Legislator Alden. All in favor? Any opposed? **Approved. (Vote: 5•0•0 • 1. Legislator Lindsay not present)**

TABLED SENSE RESOLUTIONS

And we have one tabled sense resolution. This has passed. **Sense 61**
Sense of the Legislature declaring September 10th •• yes •• 2005
"Suffolk County Beach Day." Is there any reason why we would go back
in time here?

COMMISSIONER FOLEY:

I think this was a victim of the process. It was desired to memorialize the
Nature Conservancy's Environmental Festival they had at Smith Point. But I
think the festival occurred before this got before you. And that's why it's ••

LEG. CARPENTER:

Motion to table subject to call.

CHAIRMAN SCHNEIDERMAN:

Or defeat it.

LEG. ALDEN:

No motion.

CHAIRMAN SCHNEIDERMAN:

Then it's going to stay on the agenda.

LEG. CARPENTER:

It fails for lack of a motion.

CHAIRMAN SCHNEIDERMAN:

Oh, it fails for lack of a motion. Or table subject to call, either way. What
do you guys want to do?

LEG. NOWICK:

Make a motion, have a second, then it fails.

LEG. COOPER:

Don't do that. Make a motion table subject to call.

CHAIRMAN SCHNEIDERMAN:

Okay. There's a motion to table subject to call by Legislator Cooper, second by Legislator Carpenter. Any opposed? Tabled subject to call.

(THE MEETING CONCLUDED AT 11:35 AM)

DENOTES SPELLED PHONETICALLY