

**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 January 11, 2006.

**MEMBERS PRESENT:**

Leg. Lynne C. Nowick, Chairperson  
Leg. Vivian Vioria•Fisher, Vice•Chairperson  
Leg. Cameron Alden  
Leg. Kate Browning  
Leg. Jon Cooper

**MEMBERS NOT PRESENT:**

Leg. Jon Cooper • Excused

**ALSO IN ATTENDANCE:**

Presiding officer William Lindsay  
George Nolan, Counsel to the Legislature  
Richard K. Baker, Deputy Clerk  
Ronald F. Foley, Commissioner of Parks

Ben Zwirn, Assistant Deputy County Executive  
Jill Moss, Budget Review Office  
Paul Perillie, Aide to Minority Caucus  
Vito Minei, Director of Division of Environmental Quality  
Barbara LoMoriello, PO's office

**MINUTES TAKEN BY:**

Diana Kraus • Court Stenographer

**MINUTES TRANSCRIBED BY:**

Alison Mahoney • Court Stenographer

***(\*The meeting commenced at 11:41 A.M.\*)***

**CHAIRPERSON NOWICK:**

Good morning, everybody, and welcome to the Parks Committee meeting. Please stand for the Pledge of Allegiance led by our new Legislator, Legislator Browning.

***Salutation***

Goods morning, everybody, and welcome. Today we do not have any matters to be voted on, but we are going to have a short presentation by Commissioner Foley. Commissioner, would you like to come on up? Just before you start, I just would like to mention that Legislator Cooper has an excused absence.

**COMMISSIONER FOLEY:**

Okay, thanks. Did you tell Jim Morgo his had to be short?

**CHAIRPERSON NOWICK:**

If he was going to be here •• which he is not, by the way •• don't worry, I would tell him that, after that last hour and a half.

**COMMISSIONER FOLEY:**

I'll take some of his time. Well, congratulations to everyone. And thank you for being interested to serve on this committee. We work very closely with the Legislature and enjoy that partnership.

I've got just •• you're being handed a packet of kind of public information about all your parks and programs and things that we do. And many of you I realize no what we do already, but I'd like to take a few minutes to remind you and spend more time answering your questions than talking at you, if that's all right.

The department manages 19 developed parks. And by developed parks I mean places like Smith Point and Southaven, West Hills. And in addition to that, manages hundreds of parcels of undeveloped, protected open space that may approach 50,000 acres; we're not certain of the number. The Real Estate Department is going through a complete inventory and helping us figure out exactly what that number is. There are four golf courses; Bergen Point, West Sayville, Timber Point and Indian Island which is in Riverhead. Four marinas; two at Timber Point, one at Shinnecock and the Long Island Maritime Museum Boat Basin is kind of managed as a marina. Eight campgrounds that are in the traditional sense where people come with campers and tents and set up. And four outer beach camping areas which are very fluid depending on erosion which I'll talk more about later, but outer beach camping is taking a self•contained four•wheel•drive unit out on the outer beach of a park, at \\_Shagwan\\_ Point in Theodore Roosevelt County Park in Montauk, Shinnecock East, Cupsogue and Smith Point. And it's •• by saying it's a fluid situation, it really is related to water.

\\_Shagwan\\_ Point in Montauk has 110 places that campers could go maybe on Thursday; by Friday there may only be 25. The erosion effects there or so variable that the number of campers out on the beach varies from day to

day, literally, hour to hour. The same thing is true particularly last year at Smith Point. We have a serious erosion problem there, it is limiting access to the outer beach severely. We probably lost \$700,000 in revenue that we would have collected from people buying outer beach permits that just didn't show up because they knew they couldn't get out on that six miles of ocean front at Smith Point. Last year would have been a record-breaking revenue year if hadn't been for the effects of erosion and the effects of ten days of rain in October on the golf courses.

We also manage the County's •• the County-owned historic properties in Suffolk County. There are more than 200 historic buildings in this Parks Department that we're responsible for. And they are overseen by three people; a Director of Historic Services and two people in that department, along with a crew of historic preservation maintenance people that operate out of Cathedral Pines. We do all this, and a lot more that I'm just not going to get into now, with about 200 permanent employees and we add 350 seasonals in the summertime and some are carried on throughout the year.

The Park Police Department, which is a separate entity from the Sheriff or the Suffolk County Police Department is made up of 40 officers and administrators. We have two guarded swimming beaches, Smith Point and Cupsogue, and two guarded inland beaches, one at \\_Meshutt\\_ and one at Sears Bellows. Then there's all the other things that are not predominant but exist in the Parks Department, nature hikes, catering halls, canoe rentals, wildlife rescue places, playgrounds, boat rentals, fresh water and salt water fishing, boat watching and much more.

Over the last two years, a number of things have changed or changes have been started in the department. Probably the most prominent one which was conceived of by the County Executive and supported by the Legislature is the establishment of an Environmental Stewardship Team. It's three environmental specialists and about a dozen laborers and labor crew leaders who are out in the field dedicated to cleaning up illegal dumping on a lot of this open, protected space that's really never really been managed before. Signing the boundaries, properly maintaining trails so there aren't erosion problems and create water quality problems, cleaning up waterways and ponds; that's all funded out of the 477 Account for water quality

improvements.

Just kind of a rather boring but institutional initiative we've undertaken is just improving the internal accountability of the department. Watching over how funds are collected, how they get to the bank, how they're accounted for, checking on the performance of our concessionaires and making sure they're adhering to the requirements in their contracts. There were attempts in the past to control the cash handling in the department, but there are no good, basic systems to control everything. We're steadily putting those in place. It's not exciting, interesting work, but I think it's necessary.

Part of that effort is the establishment of a completely new reservation and point of sale system which will begin in its infancy on January 16th. We depended on an off-site operated reservation system for years. It just was not updated as often as it should have been. And it really wasn't serving our needs for both public service and for accountability. So this new system is one that we will own. It's provided by a Long Island company and we have •• so far the support has been terrific because these people are just up the street, so to speak, and they're there every time you need them. They're going through training now. The four campground facilities will go on-line this coming Monday; it's a real test, we're going to see how this thing works. But people will be able to make their reservations for the summer months starting on Monday for Smith Point and all the other major campgrounds. And then we'll move in to the rest of it, golf and all the other aspects of our operation between now and the beginning of May. So there will be bumps along the way and you may hear complaints about it; I hope you do if people are concerned about it and get those back to us. This company seems to be very responsive and willing to respond to whatever problems we have. So that's coming in this year.

And we no longer have to pay a per transaction fee to some off-site company. We'll own this system, all the revenue comes to the County and it's ours to keep. The fees we were paying in the past were about 150,000 a year.

I mentioned beach erosion. It's occurring in significant ways at Smith Point,

Indian Island, \\_Meshutt\\_ , almost any waterfront property we have and we have a lot. With DPW kind of managing the whole thing, we went out on the street with a project to spend \$2 million on dredging and nourishing the beach at Smith Point. There are only four companies in the nation who are capable of doing this job. They're all so busy down south in New Orleans and Mississippi. Nobody bid on the project; we're in a serious dilemma now. We've got a very starved beach at Smith Point, no means of restoring it over the winter. By the time we get to April, environmental windows close, we can't do anything. So we don't •• we're in mother nature's hands completely right now. There's nothing we can do to bolster ourselves against winter noreaster storms.

So we're keeping our fingers crossed, say a couple of prayers, hope we get through the winter okay and then we may bring some sand back and keeps our beach in good shape. And there is, as I said earlier, a direct correlation to our revenue from the health of that beach in particular.

Another initiative we're doing is trying to get all of our concessionaires to adhere to what they said they would do in their contracts. And that sounds like a simple matter, it's a knock•down, drag out fight, particularly in the area of capital improvements. If they said they're going to spend \$250,000, we want them to prove that's what they did and that's what they'll do. It's been very contentious. Apparently no one held them closely to the line in the past and we're trying to educate them that we're serious about this and we're going to pursue it. And we are.

Campground improvements. It's interesting, when some people think about campgrounds they think about people passing through, that these are all tourists. In Suffolk County, 85% of the people who camp in Suffolk County campgrounds are Suffolk County residents. So when we invest money in these campgrounds, we're returning a benefit directly back to Suffolk County taxpayers. And we're going through the whole system incrementally improving things, paving roads that go through the campground so people aren't breathing dust all the time. They're staying there. Putting in electricity and water at places where we think we should, improving the restrooms, all the things that make a camping experience enjoyable.

And there will be a few that we think shouldn't get those improvements.

The campground at Cedar Point which is in East Hampton, we think ought to stay fairly rustic so people who like that kind of thing still have a place to go, so we're going through a master plan for that park that kind of retains that rural, rustic feel versus the highly developed or more aggressively developed ones we have.

Some time this year •• and again, proposed by the County Executive and approved by the Legislature •• would be the establishment of a parks foundation. We think there are non•government entities out there who are willing to share finances and support for increased cultural programs and athletic events and environmental education and possibly even some park improvements with us, if we give them a vehicle to contribute money that is dedicated to those kinds of things. So we're, working on the proposals and the legalities of establishing this foundation. And as has been proven in many other park departments around the country and a couple on Long Island, it can be a really very successful way to give a department flexibility beyond what it can achieve just through tax dollars.

Lastly is the matter of park fees. We have a very lengthy and some say very confusing fee schedule that is multi•pages long. It doesn't serve the public well and it doesn't help us when we're trying to tighten up the accountability for cash and revenue in the system. We're researching our own fee structure and those of surrounding counties and the State and other municipalities to develop a recommendation to bring back to you some time later this year to just streamline this thing, make it more understandable to us and to the public and to enhance our revenue accountability procedures that we're working on in other areas. So that's something we'll be coming back to you later on.

That's really what I have to say and I'd be happy to answer any questions you have or expand on things.

**CHAIRPERSON NOWICK:**

I did have one question. You were speaking about a new program for reservations. And I know that you spoke about reservations for camping and that eventually you said it would go over to the golf courses. Now, you have a reservation system now at the golf courses where you can do it on

•line; that system, that's run by a company other than the County?

**COMMISSIONER FOLEY:**

Yes.

**CHAIRPERSON NOWICK:**

So they take a percentage of the profits on that?

**COMMISSIONER FOLEY:**

They take a per transaction fee, and that rolls up to about \$150,000 a year.

**CHAIRPERSON NOWICK:**

For the four golf courses or for everything?

**COMMISSIONER FOLEY:**

It's for everything. The majority of the activity there is golf and camping.

**CHAIRPERSON NOWICK:**

Okay. So you think that eventually that will come full circle, we'll have all of our reservation system on this new program.

**COMMISSIONER FOLEY:**

Not eventually, by the time the golf courses open they'll be making reservations on this new system.

**CHAIRPERSON NOWICK:**

Oh, they will, okay.

**COMMISSIONER FOLEY:**

The contract with the out-of-state provider is over. He was done December 31st.

**CHAIRPERSON NOWICK:**

Now, the golf courses in the County are open all year with this nice weather, right?

**COMMISSIONER FOLEY:**

No, they're not.

**CHAIRPERSON NOWICK:**

They're not, okay.

**COMMISSIONER FOLEY:**

They're closed January 2nd and they'll ••

**CHAIRPERSON NOWICK:**

Well, of course, how would they know, last year it was snowing at this time.

**COMMISSIONER FOLEY:**

Yeah, one would expect it to be a little more in climate than it's been recently.

**CHAIRPERSON NOWICK:**

Right, but maybe that will be good for us for Smith Point.

**COMMISSIONER FOLEY:**

It could be; that would be great.

**CHAIRPERSON NOWICK:**

I just wanted to ask you a question and pick your brain about something. How many green key cards are •• have been issued or are out there? I don't know how else to put that.

**COMMISSIONER FOLEY:**

Yeah, I'll have to find out. I knew the number once and it's not floating in my head, but I'll find out.

**CHAIRPERSON NOWICK:**

Well, all right, so let me go a step further with the green key and tourist key card; that's one in the same card?

**COMMISSIONER FOLEY:**

It is one and the same card with different fees applying, depending on your situation.

**CHAIRPERSON NOWICK:**

Okay. A green key card for a resident, how do you reissue that or reup that? Does that just expire and that you wait then for a resident to come back and ask •• fill out an application for a new green key card; is that how that works?

**COMMISSIONER FOLEY:**

Essentially, yeah. It's a three year card and ••

**CHAIRPERSON NOWICK:**

Three years.

**COMMISSIONER FOLEY:**

•• it's renewed either by people paying attention to their expiration date, they come back in, or ••

**CHAIRPERSON NOWICK:**

I have a card but I forget how much it is for the three years.

**COMMISSIONER FOLEY:**

That's how it usually gets renewed. It's \$20 for the three years, unless you're in a discounted category; then it's 9. But people usually renew it when they come in to do some kind of transaction and they find out it's expired, that's where they do it. With the old system they had to wait six to eight weeks to get their card in the mail. Our new system they'll get it on the spot, it will have a photograph on it and they'll be ready to go.

**CHAIRPERSON NOWICK:**

This is what I wanted to ask you, and maybe we could •• and maybe this is not a good idea but maybe we could work together a little on this. If we could find out how many green key cards are out there and if there would be any value to having an automatic renewal. In other words, Costco sends me an automatic renewal form, somehow when you get those in the mail you're

very inclined to say, "Oh, good, quick, I'll just put a check in the mail or I'll do it quickly." With the green key, people don't renew unless it's time for them possibly to use the golf course or whatever. I'm wondering if maybe it would behoove us to send out renewals, because there are a percentage of people who when that comes in the mail, it's more convenient; "Oh, my card expired." So maybe in many cases you could be saving •• you could be getting green key fees for six months which we might not have had. This may or not be economically feasible, but maybe we could just take a look at it.

**COMMISSIONER FOLEY:**

It's good idea and it's one I hope we can do, but there's one glitch in it ••

**CHAIRPERSON NOWICK:**

I'm sure.

**COMMISSIONER FOLEY:**

•• and it's the same glitch that applies to •• I would like people to be able to buy a green key card on•line, but we've got to be very careful that we get sufficient proof of their current residency to make sure they're getting the fees they're supposed to be paying. Because if people ••

**CHAIRPERSON NOWICK:**

Could they do that with a copy of their license?

**COMMISSIONER FOLEY:**

Well, maybe. Can you do that on•line or can you do that ••

**CHAIRPERSON NOWICK:**

Well ••

**COMMISSIONER FOLEY:**

You know, we have to be careful. There are a number of established ways to establish your residency, but it's kind of a pain in the neck. And I've seen clerks wanting to be helpful and letting something slide and, you know, I don't blame them for that, but we have to careful about that, proof of residency.

**CHAIRPERSON NOWICK:**

I guess that also would matter •• that's why it would matter how many cards are out there. If the number is ridiculously high then it might be too much of an ••

**COMMISSIONER FOLEY:**

Yeah. I think I know it, but I don't dare give you the number because I'm not sure it's right.

**CHAIRPERSON NOWICK:**

Approximate?

**COMMISSIONER FOLEY:**

Charlie, how many are out there?

**MR. BENDER:**

I wouldn't venture that, I don't know.

**COMMISSIONER FOLEY:**

You see?

**CHAIRPERSON NOWICK:**

Okay, we'll talk about it the next time we get together.

**COMMISSIONER FOLEY:**

Okay. Yep, I'll get that to you.

**CHAIRPERSON NOWICK:**

Any questions from the committee?

**LEG. VILORIA • FISHER:**

Yes.

**CHAIRPERSON NOWICK:**

Legislator Viloría•Fisher?

**COMMISSIONER FOLEY:**

Legislator.

**LEG. VILORIA•FISHER:**

Hi, Commissioner. How are you doing?

**COMMISSIONER FOLEY:**

Good. How are you?

**LEG. VILORIA•FISHER:**

I'm glad you said that about keeping Cedar Point very rustic, because that's where we like to camp and we hate to be places with RV's and all these people with TV's. We like rustic camping. If I want to watch TV I'll stay home.

I did want to ask you about parks has cultural arts venues. During the summer months I'm very active with the Long Island Shakespeare Festival out of Suffolk Community College. And I've provided venues in my district; we don't have too many County parks in my district. But are there cultural arts •• are there parks that provide venues for cultural arts programs such as this during the summer months to attract families to our parks and are they marketed?

**COMMISSIONER FOLEY:**

There are parks that I think can be venues. They aren't currently unless a concessionaire is doing something of their own. Some concessionaires have live music. Smith Point is one. And it's very popular, but I think there's a lot more we can do if we use our imagination. That's one of the driving forces behind this proposal to do the foundation, you know, we'll get outside money to support this so we're not taking it from taxpayers and see if we can build a cultural performing arts series in the parks.

**LEG. VILORIA•FISHER:**

Well, with the Long Island Shakespeare Festival, I think we had spoken about this briefly because I was looking at underserved communities where

we wanted to bring Shakespeare to communities where they would not ordinarily see live performance of theatre. And what we did in our community is that when we brought the Shakespeare Festival to the Three Village, we sought sponsors •• private sponsors who provided the funding to produce the plays there. And I suppose we could do that throughout Long Island. But as the year progresses, as we get closer to summer, we'll re •visit this and I'll ask you for appropriate venues, particularly in underserved communities where we would like that outreach.

I have two more questions. Forsythe Meadow Preserve, is there anything happening with that lawsuit, is there any ••

**COMMISSIONER FOLEY:**

I haven't checked on it recently. I know there's some activity there.

**LEG. VILORIA • FISHER:**

The last time I attended the Park Trustees meeting there was a presentation by Liz Harrison, but I haven't heard any update on that.

**COMMISSIONER FOLEY:**

I haven't either. We provided some commentary on that, on the effects of that development on the preserved property and I haven't heard anything since then.

**LEG. VILORIA • FISHER:**

And the Old Field Farm being used as a launch for West Meadow Beach; has there been any more conversation regarding that issue?

**COMMISSIONER FOLEY:**

Lots of conversation, very little movement. And again, there are complications in that idea; you know, who owns that waterfront, how much of it do they own, what are our rights? Even though we own land there ••

**LEG. VILORIA • FISHER:**

But we do know that the bottom is owned by somebody else.

**COMMISSIONER FOLEY:**

Right. And as rarely occurs, there are covenants in our ownership documents that limit what we can do. So I'm not sure what the future of that idea is. We are continuing to operate it as a horse show facility and hope to do something about the very deteriorated buildings there, improve some, maybe get rid of some others.

**LEG. VILORIA • FISHER:**

Thank you.

**COMMISSIONER FOLEY:**

You're welcome.

**CHAIRPERSON NOWICK:**

Legislator Alden.

**COMMISSIONER FOLEY:**

Legislator.

**LEG. ALDEN:**

Hi, Commissioner. My first question would be do you think you have enough people on staff to do the compliance type of checks that you mentioned before?

**COMMISSIONER FOLEY:**

I think we're •• we certainly made progress. Both the County Executive and the Legislature, you have supported our request for more. And my answer is going to be frustrating. I don't know. You know, I don't want to load us up with a whole bunch of people looking over everybody's shoulders that we don't need, so we're approaching it in an incremental way. Something we're going to do different this year that again, the County Executive supported and you approved, is the hiring of some college interns, like accounting students, to come in and be our field auditors. We'll have them to bring them in early, get them trained by our permanent audit staff and put them out in the field, tell them what to look for, report back to us on compliance with the new procedures we've developed. So we're trying a number of different things as we go along that are employee•dependent, and I'm not

ready to say whether we have enough or ••

**LEG. ALDEN:**

Okay. I want to throw out another idea that, you know, I brought it up from time to time, but it's almost like the concept of a triple net lease rather than •• you know, we have almost like a progressive •• we have a lease on the property for, you know, a concessionaire, but then we also have thresholds like if they do X amount of business, then we get more money and then if they go over another threshold then we get more money, and that seems to me like really hard to •• you know, like for us to go out there and make sure that they comply with that. Also, it's an incentive for somebody to cheat, basically, on it.

Since most of the things we're dealing with are cash•type businesses, I think we should explore, you know, if we want to try to streamline a little bit, just like a net lease on the property. So if say for instance it's a caterer, let's go out in the marketplace and see what a caterer pays for when they rent, you know, like a building that they're going to use for catering and maybe go more to some •• that type of a model or even just •• not do it, but at least to explore whether that would be easier for us, whether we can, you know, get market rents on the properties and then not have to worry about, you know, if you do five million, if you do ten million or anything in between. It almost seems to me that, you know, it would clean up the compliance end of it and we would have, you know, more of a predictable type of revenue stream.

**COMMISSIONER FOLEY:**

It's a debate I've had for 25 years in various parts of my life in the parks business, and it's never been adequately resolved. There are some places where a flat rate license fee seems to be the appropriate thing. There's other places where if you do that and you didn't guess right, you might be missing some significant amount of revenue if someone comes in and really does a bang up job of creating business. It's unresolved in the parks business, I think. So I think it deserves more consideration, we ought to discuss it further. We need to be careful that we apply each scenario to the right location or the right scenario to the right location.

**LEG. ALDEN:**

Good. But I think it's incumbent on us, especially in this committee, just to at least get a little bit of dialogue going in that regard and see if •• because if we can streamline it •• and God bless somebody, if they can come in and they do a fantastic job and they bring in millions of dollars where, you know, like hundreds of thousands were coming in before, to me, that's what America was built on, that type of entrepreneurial spirit. You know, it might make it a little easier for us to just keep track of them.

**COMMISSIONER FOLEY:**

It requires less oversight, there's no question about that.

**LEG. ALDEN:**

Yep. Thank you.

**CHAIRPERSON NOWICK:**

Any other questions? Motion to adjourn by Legislator Browning, second by Legislator Viloría•Fisher. All in favor? Opposed? This meeting is adjourned. Thank you very much, Commissioner.

**(\* The meeting was adjourned at 12:09 P.M. \*)**

**Legislator Lynne Nowick, Chairperson  
Parks & Recreation Committee**

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