

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, Hauppauge, New York on March 29, 2006.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

Presiding Officer William J. Lindsay
George Nolan, Counsel to the Legislature
Ian Barry, Assistant Counsel
Richard K. Baker, Deputy Clerk
Jill Moss, Budget Review Office
Ginny Suhr, Aide to Leg. Vilorio•Fisher
Ronald F. Foley, Commissioner of Parks
Ben Zwirn, Assistant Deputy County Executive
Paul Perillie, Aide to Minority Caucus
Vito Minei, Director of Division of Environmental Quality

Warren Greene, Aide to Leg. Alden
Barbara LoMoriello, PO's Office
Miles Borden, Parks Trustee

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary

(THE MEETING COMMENCED AT 12:35 P.M.)

CHAIRPERSON NOWICK:

Okay. Will everybody stand for the Pledge led by Legislator Vilorina•Fisher.

(Salutation)

CHAIRPERSON NOWICK:

Good afternoon everybody. We do have a card here today from a •• is it John or Johann?

MS. McCONNELL:

Johann.

CHAIRPERSON NOWICK:

Johann McConnell. Hi, Johann.

MS. McCONNELL:

Hi. Thank you members of the committee for allowing me to come and speak. The last time I had the privilege of speaking before your committee was in November and I was quite the novice about the procedure. I've learned quite a bit since then.

CHAIRPERSON NOWICK:

You know you have three minutes and we don't ask questions.

MS. McCONNELL:

My name is Johann McConnell. I'm President of the South Yaphank Civic Association. I come to speak today to you about the Suffolk County Trap and Skeet. I would like to read a letter that I received from Assemblywoman Patricia Eddington.

"I am in receipt of your recent correspondence in regarding Assembly Bill A6608. As you know, this bill would amend the Public Health Law in relationship to the application of local noise ordinance to certain sport shooting ranges. I am adamantly opposed to this bill. I was not consulted during the drafting of this legislation and will not support this bill should it come before me for a vote.

This bill would specifically impact upon the reopening of the Suffolk County Trap and Skeet Range in Yaphank which directly affects my constituents. I have contacted County Executive Steve Levy to make him aware of my opposition to not only this legislation, but also to the reopening of the Suffolk County Trap and Skeet Range."

In addition to that, I have had the privilege of meeting with my County Legislator Kate Browning, and we have made a request to her that if the monitoring wells in the Trap and Skeet could please be tested for the lead levels. They were last tested in 2001. At that time they were 20 parts per billion, and the State level is 25 parts per billion. It has now been approximately five years and those wells have not been tested to see if the lead has sunk deeper into the ground. So that is a request we've made to her.

In addition to that, I have a petition that I will be giving to Kate Browning

with over 500 signatures from residents of Suffolk, not only the residents of Yaphank, but all residents in Suffolk County.

"Whereas it is our belief that the Suffolk County Trap and Skeet Range located in the core preservation area of the Pine Barrens should have an environmental review study by the Pine Barrens Commission.

Whereas it is our belief that the Southaven County Trap and Skeet Range does not conform to the EPA best management practices for lead removal, allowing discharged lead bullets and shots to accumulate.

Whereas the Federal EPA, the Center for Disease Control and Prevention and the New York State have identified human exposure to all forms of lead as a major health concern in the United States.

Now, therefore, the undersigned urgently request and demand that the Suffolk County officials protect the health of County residents, protect the critical environmental area of the Carmens River watershed, and protect the core area of the Pine Barrens by rescinding the resolutions passed that support the reopening of the Suffolk County Trap and Skeet."

As I said, I would like to present these petitions to Legislator Browning. There is over 800 signatures on them. They come from all residents of Suffolk County and there are more petitions outstanding. These were the ones I had available for me today. Thank you.

CHAIRPERSON NOWICK:

Thank you. Legislator Viloría•Fisher has a question for you.

LEG. VILORIA•FISHER:

No.

CHAIRPERSON NOWICK:

I'm sorry. Strike that.

LEG. VILORIA•FISHER:

I'll ask the Commissioner.

CHAIRPERSON NOWICK:

Okay. Will the Commissioner please come up? Hi, Commissioner.

COMMISSIONER FOLEY:

Good afternoon.

CHAIRPERSON NOWICK:

Do you want to go over a few of them or do you want to go over them as we go along?

COMMISSIONER FOLEY:

Just a couple •• I've got to be at a meeting at one o'clock. I apologize for that. But ••

CHAIRPERSON NOWICK:

We're going to do it. Don't worry. You're done.

COMMISSIONER FOLEY:

Lauretta Fischer was here to talk about •• Lauretta Fischer was here to talk about the resolution about picking up some of these tax foreclosed properties. She had to be at a meeting prompted by the death of her mother. She apologizes. She just wanted you to know that this is •• there is a long list of small properties here that have gone through the tax foreclosure and redemption process. The County is currently paying taxes on them because the ownership of them has not been resolved. They are all in environmentally sensitive areas, either the core Pine Barrens or the master acquisition list or abutting currently owned parklands.

So the proposal here is to move these into County ownership finally, avoid the payment of \$44,000 a year in taxes, and make them part of Suffolk County parklands. If you have any questions I'll try to answer those.

LEG. ALDEN:

Is that a resolution?

CHAIRPERSON NOWICK:

It's 1327.

COMMISSIONER FOLEY:

This is 1327, yes

LEG. ALDEN:

Through the Chair. I think one of the key things that the Commissioner just stated was when the County takes over these parcels of land we pay local taxes. So it's key to move these things into a status where we don't pay those taxes.

COMMISSIONER FOLEY:

Right. Until the ownership is resolved, that's correct. And if you have any questions on anything else I'm here for those.

LEG. ALDEN:

Through the Chair.

LEG. VILORIA • FISHER:

Thank you, Commissioner. Commissioner, this is a number of small parcels as I understand it. Would any of those parcels be appropriate for affordable housing or are they all in the type of •• I don't have descriptions of the parcels here. They are all in the core? Is that ••

COMMISSIONER FOLEY:

They're not all in the core, many of them are in the core. There is only one there that who looks like it's of any size, and that's adjacent to Carls River County Park. I don't know the ••

LEG. VILORIA • FISHER:

So we're talking about parcels that are probably not appropriate for affordable housing either because they are in the Pine Barrens, they are probably either all in the Pine Barrens core or compatible growth and they are undersized parcels generally?

COMMISSIONER FOLEY:

Yes. They are a quarter of an acre, five one-hundredths of an acre, those kinds of things.

LEG. VILORIA FISHER:

Okay.

COMMISSIONER FOLEY:

One of them is ten acres. A lot of them are wetlands, too. I can't answer your question exactly for every parcel on here.

LEG. VILORIA FISHER:

Right. But we're trying to have a policy where whenever we're looking to take parcels, and I think Legislator Alden has introduced legislation that we want Real Estate to look at this, that at least before we have legislation like that we at least ask the question on the record to see if there is availability • a possibility of affordable housing.

COMMISSIONER FOLEY:

Yup. The brief conversation I had with Miss Fischer is that she has reviewed all of these and confirmed that they are environmentally sensitive in one way or another and would fit the category of being eligible for preservation as County parkland.

LEG. VILORIA FISHER:

Well, thank you.

LEG. ALDEN:

Through the Chair. I just want to bring this up and I'm glad the Presiding Officer is here. A number of years ago the Long Island Senior Games, they were having some financial difficulties, it didn't look like it was going to happen and then Legislator Lindsay and I put a budget amendment in and got them some money to do that. This year •• every year seems to be a problem with them and I'm going to float this idea to the Commissioner and to the committee.

In their bylaws, and they are a not-for-profit, in their bylaws there is a provision for an advisory board, and I'm thinking along these lines. Maybe

Nassau and Suffolk, the Legislatures, could sort of adopt the Senior Games, make them some kind of official games of Long Island, and then name some people to an advisory board. Because they have people that are giving their heart and soul to making the games run but they don't seem to be able to go out and get the, you know, funds. And it's not a lot of money. I think they said their budget is like right around 40 or \$50,000 to run the games each year. And that would include money that they get from, you know, participants and entree fees and things like that.

So I'm floating that idea and maybe we can put our heads together and maybe come up with some kind of a solution to the problem. Leave the not •for•profit in there to run the games, but establish an official •• establish the games as an official event for Nassau and Suffolk and then maybe establish this advisory group that might be good at going out and, you know, stirring up the funding to try to get the games on a solid footing. Some of the people that are actually in there running these games are a little bit elderly and, you know, we want •• I would probably want to see the Senior Games continue, you know, well into the future.

So I'm floating that and I'm actually, George, you know, if you could come up with some kind of an idea and as a resolution or something and then we'd •• maybe we'd run that over to the Commissioner and start, you know, throwing it around and maybe to our counterparts over in Nassau County and try to get something going on it.

COMMISSIONER FOLEY:

My comment on that would be I'd like to have a chance to look at, you know, what the recent history has been. I know it's a pilot program started by the State years ago and the theory was the counties or municipalities would take it over. And let's see what the health of the organization is, what their problems are, and maybe we can do that together.

CHAIRPERSON NOWICK:

Okay. We are going to go to the agenda, but before we do I just want to welcome my appointee to the Parks Trustee Commission, who I am very pleased to say has come to the meeting, Miles Borden. Miles, thank you very much for coming and for your interest. I very much appreciate it and

I'm sure we all do.

LEG. VILORIA•FISHER:

Madam Chair. I'm sorry, I know we are trying to make it a brief meeting, but I have a question about the Trap and Skeet testimony.

CHAIRPERSON NOWICK:

All right. We didn't get to that yet, did we?

MR. NOLAN:

It's not on.

LEG. BROWNING:

No, it is not on the agenda.

LEG. VILORIA•FISHER:

But the public •• the person who came to speak.

CHAIRPERSON NOWICK:

All right. Just one other thing before Legislator Vilorina•Fisher speaks. You'll just find with your paperwork an answer from the Department of Public Works in reference to the Vanderbilt project status. Just •• we won't go over that today, just take a look at it and if we have any questions at the next meeting we can certainly call in Public Works. Legislator Vilorina•Fisher.

LEG. VILORIA•FISHER:

Commissioner, there was someone here during public portion who referred to retesting to see what the lead levels were and we did do the testing in 2000. That's done by the Health Department, is it not, or?

COMMISSIONER FOLEY:

I believe it was. There were also some consultants hired to do some testing there.

LEG. VILORIA•FISHER:

And DEC had a part in it, too. For some reason I remember Peter Scully,

but he may have still been with the County at that time, so.

COMMISSIONER FOLEY:

Peter was the Parks Commissioner during some of that stuff, yeah.

LEG. VILORIA • FISHER:

Okay. That's why, okay. I couldn't remember which role he was in when he was there. But my question to you is this kind of testing could be done at any time. It doesn't have to •• it can be done after the Trap and Skeet Range is open again and just say that we might have a schedule of testing done.

COMMISSIONER FOLEY:

I suppose it could. We're adhering to every environmental regulation there is as we move toward reopening this facility. We have been reminded by the Federal Environmental Protection Agency that we have to work with them or should work with them. I don't think a have to is correct. But we should work with them in the development of a best practices management strategy for this place and we will be doing that.

LEG. VILORIA • FISHER:

Well, that makes sense, okay. And what about the environmental impact statement that the •• Mrs. McConnell spoke to. Haven't we gone through all of those processes?

COMMISSIONER FOLEY:

We have gone through a number of studies. We're talking with officials, with the Pine Barrens Commission to see what jurisdiction they have and what the requirements are for adhering to that. Those answers aren't all final yet, but we're working with those people.

LEG. VILORIA • FISHER:

Okay. So in other words, we're already on the road to covering all those bases and we're doing our due diligence to protect the health and safety of anyone who lives in that vicinity.

COMMISSIONER FOLEY:

As required by all the laws and regulations. We have no choice.

LEG. VILORIA • FISHER:

Okay. Thank you.

CHAIRPERSON NOWICK:

Okay. Ready?

Tabled Resolutions

1077 (Amending the 2006 Capital Budget and Program and appropriating funds in connection with the installation of cash control and security at Suffolk County Park facilities (CP 7186)).

LEG. ALDEN:

Motion to table.

LEG. COOPER:

Second.

CHAIRPERSON NOWICK:

Motion to table by Legislator Alden, second by Legislator Cooper. All in favor? Opposed? 1077 is approved. **(Vote: 5/0/0/0)**

1078 (Amending the 2006 Capital Budget and Program and appropriating funds in connection with a cash control pilot program at the Suffolk County West Sayville Golf Course (CP 7186)).

LEG. ALDEN:

Motion to table.

LEG. COOPER:

Second.

CHAIRPERSON NOWICK:

Motion to table by Legislator Alden •• same motion, same second. All in favor? Opposed? Approved. **(Vote: 5/0/0/0)**

1156 (Linking County park fees for veterans for park fees for senior citizens).

LEG. COOPER:

Motion to table.

CHAIRPERSON NOWICK:

Motion to table by Legislator Cooper, second by Legislator Alden. All in favor? Opposed? Approved. **(Vote: 5/0/0/0)**

Introductory Resolutions

1250 (Naming a 17•Acre Nature Preserve in the Town of East Hampton as the Barbara Barnes Hale Preserve).

LEG. VILORIA•FISHER:

Madam Chair, I have a question for Counsel on this briefly.

CHAIRPERSON NOWICK:

Yes, Legislator Vilorina•Fisher.

LEG. VILORIA•FISHER:

I understand that there has been a naming committee that's been set up by executive order for naming town •• I mean County properties. I'm not certain of that, but I would •• I don't know •• I'm certain that Barbara Barnes Hale is •• was someone who would be deserving of having this. However, if we have a naming •• I don't know if that's for the naming rights for selling it like we did with the baseball park or if it's for naming any piece of property.

MR. NOLAN:

The executive order from the County Executive has to do with trying •• establishing a task force to look at the possibilities to sell naming rights to County properties. I think you can act on this resolution.

LEG. COOPER:

Through the Chair. I did want to just mention that I do have a resolution that wasn't acted on last year but I re•filed it this year that would set up a procedure for naming properties or facilities like this. So not selling naming rights, but basically come up with a rationale for reaching determinations as to whether it's appropriate to name a facility after an individual. So I don't know whether you want to table this.

CHAIRPERSON NOWICK:

But that was not passed last year?

LEG. COOPER:

It wasn't passed last year.

CHAIRPERSON NOWICK:

Okay. So we can act on this now. So do I have a motion? Motion by Legislator ••

LEG. ALDEN:

Well, I have to ask, through the Chair, would that include like a background check and stuff like that on •• yeah, because that makes sense. You don't want to name something and then find out that he's wanted in like 30 states or something.

LEG. COOPER:

You're not referring to Barbara, I'm sure.

LEG. ALDEN:

No, no, no. No, I'm not.

LEG. COOPER:

I'm sure Barbara Barnes is a very nice individual.

LEG. ALDEN:

Absolutely not.

PRESIDING OFFICER LINDSAY:

But how do we know who these people are?

LEG. COOPER:

But that's the problem. In some cases we don't know who these people are.

LEG. ALDEN:

Let's make a motion •• I'll make a motion to table it for one cycle. I don't think it's got a lot of pressure on it, and then maybe Jay could come down and just, you know, tell us who the person is and whether it would fit the criteria that you're starting to set forward.

MR. ZWIRN:

Madam Chair, can I just? If I can just interject. This park is already named after this individual. It's a town/County •• it was a partnership and the town named it after this woman who was a town resident. So this would be naming the park after the same person who the park is named after already. It's not exactly a real stretch.

LEG. ALDEN:

We can't do that? I'll withdraw my tabling and I'll make it a motion to approve.

LEG. COOPER:

I'll second the motion.

PRESIDING OFFICER LINDSAY:

Could I ask a question, though? Why do we have to do this if it's already named after this person?

MR. ZWIRN:

I don't think you have to do it, but I think the •• my Legislator is taking a leadership position on the East End on this one.

COMMISSIONER FOLEY:

Well, and we had a little bit to do with that, too, in the department. They

came in and said we named this after this lady, do you object. I said well, we don't object necessarily, but we do have an ownership interest there and maybe the Legislature ought to have a role in endorsing what you have done or not.

CHAIRPERSON NOWICK:

Okay. Motion to approve by Legislator Alden, second by Legislator Cooper. All in favor? Opposed? 1250 is approved. **(Vote: 5/0/0/0)**

1317 (Authorizing license agreement with Kaelin's Concession for camp store/snack bar concession at Cedar Point County Park).

LEG. COOPER:

Motion to approve.

LEG. VILORIA • FISHER:

Second.

CHAIRPERSON NOWICK:

Motion by Legislator Cooper, second by Legislator Vilorina • Fisher. All in favor?

LEG. ALDEN:

Actually, how are we looking on this one, Commissioner?

COMMISSIONER FOLEY:

This is the incumbent. Does a good job. He was the only bidder on this.

CHAIRPERSON NOWICK:

That'll do it.

COMMISSIONER FOLEY:

It is very rural, not a whole lot of interest in it. We'd like him to be approved.

LEG. ALDEN:

Sounds good.

CHAIRPERSON NOWICK:

Okay. All in favor? Opposed? 1317 is approved. **(Vote: 5/0/0/0)**

1318 (Authorizing the lease of one "Gem Car" from the Town of Babylon for use by the Suffolk County Department of Parks, Recreation and Conservation).

LEG. COOPER:

Motion to approve.

CHAIRPERSON NOWICK:

That's the Global Electronics Motor Car. Motion by Legislator Cooper, second by Legislator Vilorina•Fisher.

LEG. ALDEN:

On the motion.

CHAIRPERSON NOWICK:

On the motion, Legislator Alden.

LEG. ALDEN:

This doesn't have anything to do with former Legislator Bishop and the Town of Babylon? I know that there was an attempt to put some money into a field over there, to throw some money that way. Is this ••

LEG. VILORIA•FISHER:

No. This is a little Gem car. Those little teeny cars.

LEG. ALDEN:

What kind of terms do we have on the lease? You know, a million plus might raise some eyebrows.

COMMISSIONER FOLEY:

We get it for a dollar. The town had more of these than they needed. They were willing to loan us one and this formalizes the arrangement.

LEG. ALDEN:

Oh, wait a minute. You got some people on your staff that •• no, actually the Deputy Commissioner, right?

COMMISSIONER FOLEY:

Sometimes it's who you know.

LEG. ALDEN:

Okay. Good. There you go.

CHAIRPERSON NOWICK:

All in favor? Opposed? 1318 is approved. **(Vote: 5/0/0/0)**

1319 (Authorizing use of Blydenburgh County Park by the Care Center for its Annual Walk for Life Fundraiser). I'll make a motion. Second by Legislator Alden. All in favor? Opposed? 1319 is approved. **(Vote: 5/0/0/0)**

1322 (Authorizing use of Blydenburgh County Park by Habitat for Humanity of Suffolk for their Annual Housewalk Fundraiser).

LEG. COOPER:

Motion.

CHAIRPERSON NOWICK:

Motion by Legislator Cooper, second by Legislator Vilorina•Fisher.

LEG. VILORIA•FISHER:

I'll second it and I'll recommend that my colleagues go to this walk. It's great and Habitat for Humanity does so much in affordable housing in Suffolk County.

CHAIRPERSON NOWICK:

Second with a recommendation. All in favor? Opposed? 1322 is approved. **(Vote: 5/0/0/0).**

1327 (Authorizing the transfer of certain properties to Suffolk

County Department of Parks, Recreation and Conservation). I'll make a motion to approve.

LEG. COOPER:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Cooper. All in favor? Opposed? 1327 is approved.
(Vote: 5/0/0/0).

1334 (Appropriating funds in connection with improvements to Old Field Horse Farm (CP 7176)).

LEG. VILORIA•FISHER:

Motion.

CHAIRPERSON NOWICK:

Motion by Legislator Vilorina•Fisher.

LEG. COOPER:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Cooper. All in favor? Opposed? 1334 is approved.
(Vote: 5/0/0/0)

1404 (Authorizing extension of soccer field agreement with Mastic Sports Club).

LEG. BROWNING:

Motion.

CHAIRPERSON NOWICK:

A motion by Legislator Browning.

LEG. COOPER:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Alden. All in favor? Opposed? 1404 is approved.
(Vote: 5/0/0/0).

Do I have a motion to adjourn?

LEG. ALDEN:

Motion.

CHAIRPERSON NOWICK:

Yes, I do. Second by myself. All in favor? Opposed? Meeting is adjourned.

**(THE MEETING CONCLUDED AT 12:55 PM
_ _ DENOTES SPELLED PHONETICALLY**