

**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 August 2, 2006.

**MEMBERS PRESENT:**

Leg. Lynne C. Nowick, Chairperson  
Leg. Vivian Vilorio•Fisher, Vice•Chairperson  
Leg. Kate M. Browning  
Leg. Jon Cooper  
Leg. Cameron Alden  
Presiding Officer Lindsay, Acting Member

**ALSO IN ATTENDANCE:**

George Nolan, Counsel to the Legislature  
Richard K. Baker, Deputy Clerk  
Jill Moss, Budget Review Office  
Ben Zwirn, Assistant Deputy County Executive  
Paul Perillie, Aide to Minority Caucus

Fran Siems, Presiding Officer's Office

**THE FOLLOWING SPOKE ON RESOLUTION 1738:**

Edward Kaspshak  
Richard Seewald  
John McConnell  
Johan McConnell  
Sue Davis  
Richard P. O'Brien  
Nick Guida  
Justin Notartomaso  
Joanne Steigerwald  
Joe Cavaliere  
Anthony Martinello  
Mark Wroobel  
John L. Cushman  
Michael Weygand  
Bill Raab  
Bob Meoli  
Richard Valent  
Michael Giammona  
Bill Marshall

**MINUTES TAKEN BY:**

Lucia Braaten, Court Stenographer

***[THE MEETING WAS CALLED TO ORDER AT 11:07  
A.M.]***

**CHAIRPERSON NOWICK:**

I'd like to call this meeting to order. I apologize for the delay. I was in two other committees. Could we stand, please, for the salute to the flag, led by Legislator Alden?

***(Salutation)***

Good morning, everybody. We have a few cards here. Edward Kaspshak. As you well know, it's three minutes.

**MR. KASPSHAK:**

My name is Edward Kaspshak. I live at 1106 Hyman Avenue in Bay Shore. I have a couple of issues to take up.

I am against closing this range. I am a handicapped person. I have my Suffolk County cards here for the Parks Department for handicapped. This range is the only handicapped range open on the Island. To close this range would deny me my rights. If the range is closed, I'll go to the ACLU. That's one issue.

Next issue is Mrs. Browning at the last meeting here made a statement at the end about a pool and about led shot being found in a pool and that this pool was shot. I challenge this statement on a question I'd like to see police reports, insurance investigative reports, insurance claim numbers, and everything else, all of the pertinent information that goes along with this statement. To come out and make statements without presenting the rest of the facts that go along with it are a problem, and a lot of that has been going on.

My big issue, though, is the handicapped access, and I'd like to know what the County parks are going to do if this range is closed to allow me to go shooting. And that's pretty much all I have to say.

**CHAIRPERSON NOWICK:**

Thank you, Mr. Kaspshak. Richard Seewald. On deck, John

McConnell.

**MR. SEEWALD:**

Good morning. I have been a resident of Smithtown and Suffolk County for over 55 years. During that time, my family, my grandchildren, all my children, friends and acquaintances have availed themselves of the facilities offered by the Parks and Recreation Committee. We thoroughly enjoy them, and I especially, the Suffolk County Trap and Skeet Range. I am an enthusiastic and obsessive shooter. I know it took a Herculean task to get it back in operation because of underlying problems, quote, unquote, and I am just here to state that as far as I'm concerned and you're concerned, Ms. Nowick, the range will never close. Thank you.

**CHAIRPERSON NOWICK:**

Thank you. John McConnell, and on deck, Sue Davis.

**MR. MC CONNELL:**

Good morning. My name is John McConnell, I live in Yaphank, pretty close to the trap and skeet. I'm here to voice my opinion that we would like to see this closed. First of all, it's opened and it's still under construction. They don't have a CO, I believe. And where did these people go for the five years? There's been a lot more homes that are, you know, built in the last couple of years close by. A lot of them didn't know that there was a range there, okay? But the thing is, handicapped, there's a ramp there. Well, you could put ramps on, you know, other shooting ranges. Okay? We're not against •• we're not taking away their sport, but we think it just doesn't belong there. And, hopefully, the resolution, you know, will pass. Okay? Thank you very much.

**CHAIRPERSON NOWICK:**

Thank you. As Chair, I've just •• Mr. McConnell, just as Chair, I'm going to ask the same question to several of you. You live close to the range?

**MR. MC CONNELL:**

Yes, I do.

**CHAIRPERSON NOWICK:**

Okay. And you've lived there how long?

**MR. MC CONNELL:**

Five years, five•and•a•half.

**CHAIRPERSON NOWICK:**

And was the range there when you built your home or moved into your home?

**MR. MC CONNELL:**

The range was open for about six months.

**CHAIRPERSON NOWICK:**

It was. Okay, thank you.

**MR. MC CONNELL:**

Okay.

**CHAIRPERSON NOWICK:**

Sue Davis. And on deck, Richard O'Brien.

**MS. DAVIS:**

My name is Sue Davis. I live on 145 Gerard Road. I am the closest person to the shooting range and I feel that the shooting

range is not safe. They are close to my house and you can read what's on their hats when they're shooting and you could hear what they're talking about. There was no barriers. They need ear cups to shoot and I need them to stay in my backyard. They were so inconsiderate to shoot in somebody else's backyard. You can see them shooting standing in my front yard. The only thing blocking them from me is a chain link fence. The shooting range is not secure. I can get into the shooting range by walking down to the fire road right next to my house.

We aren't sure if anyone is checking the size of the shells they are using, since the shot •• they are shooting towards my house now. Large pellets can travel up to a mile, and I believe that it says it on the bigger boxes of the shells. They should be using steel shot instead of led shot to eliminate the release of led.

On Sunday they've been starting at nine, ten in the morning. Only last Sunday they started at 9:30. We can't use our backyard during the weekend on our time off, because they're using the shooting range on their time off and it's too loud. So • • let's see. So where's the noise barriers for behind my house, and they opened anyway.

I'm inviting any Legislator who opened •• or I'm inviting any Legislator who voted this open in my backyard so they could see what they did. And the pool was reported in Yaphank. You could look it up. I went to Maine that year and the man that was running it, I think his first name was Charlie, bribed my son with five dozen clams, because I was away, not to tell me what happened. And that's all I have to say.

**CHAIRPERSON NOWICK:**

Thank you, Miss Davis. And just I'm going to be asking this question just so I can get a feel for this. You have lived there how long?

**MS. DAVIS:**

Twenty•five years.

**CHAIRPERSON NOWICK:**

And when you first moved there, was the range open or not?

**MS. DAVIS:**

Yes.

**CHAIRPERSON NOWICK:**

You moved there •• the range was in existence behind your house?

**MS. DAVIS:**

Yes.

**CHAIRPERSON NOWICK:**

Okay. Thank you.

**LEG. ALDEN:**

I have one question, though.

**CHAIRPERSON NOWICK:**

Yeah, sure.

**MS. DAVIS:**

Sure.

**LEG. ALDEN:**

Now, you did report it to the police?

**MS. DAVIS:**

Yes.

**LEG. ALDEN:**

And what did it come back as? Did they ••

**MS. DAVIS:**

They just gave me a piece of paper, you know, police report.

**LEG. ALDEN:**

The field report with a C.C. number on it, right?

**MS. DAVIS:**

Yes.

**LEG. ALDEN:**

It had a C.C. number? Nothing ever happened after that, no investigation, no ••

**MS. DAVIS:**

No. I actually mailed half of the pellets to the Legislator at the time and I kept half of them, and we didn't have any response.

**LEG. ALDEN:**

And the police didn't ask to see the pellets?

**MS. DAVIS:**

No, but I still have them.

**LEG. ALDEN:**

Did a detective come out and look at the pool?

**MS. DAVIS:**

No.

**LEG. ALDEN:**

Wow. Thanks.

**CHAIRPERSON NOWICK:**

Thank you. Richard O'Brien, and on deck, Justin Notartomaso.

**MR. O'BRIEN:**

Hi. Good morning. Richard O'Brien, 4 Monterey Lane, Yaphank, New York. Cease fire, it's been on the headlines, but not in our country. But here we are today talking about a noise level. I live over 700 yards away from this range, and I'm asking for a cease fire. Bursting in the air, shell after shell from 9 o'clock to 5 o'clock. Is that what we want in a community? I think not. I don't think you want that. I challenge any one of you to sit in my backyard from Wednesday to Sunday and understand the uncomfortable level that we have. We can't walk in the park with our dogs. We go running hearing gunshot shells? There's no barriers. There is no noise abatement. So we're hearing this over a half a mile away.

Every time the Legislature talked about growing as a community, then we use this as going back to where it used to be? We're opening up a power plant because we want to modernize, we built homes around this area, and we want to go back to that area? We want to have shooting going on in our backyards? Because that's what it's come to. I've called the Code and Law Enforcement. They've been down there with the decibel levels. I can't even imagine what they are. So please don't try to play that number game with us. I want you to come

to our yards and hear what's going on a half a mile away. This is not just on Gerard, it's in our whole development. You could hear it down Yaphank Avenue. So, when we go running in the park, we got to hear this? I don't think that's what we want. I don't think we want that as a community.

And you have to understand that the noise level that we're referring to is not a firecracker noise. And those of you who have been around guns, I hope you know. I mean, it's so loud that the people there shooting have to wear these earmuff type of things that they wear on jet fighters. So could you imagine what •• if they're wearing that? Aren't they concerned? I understand the handicapped and people in Bay Shore and Smithtown, they've got places to go, but they have to understand our situation, too. And you guys, as Legislators, I hope that you understand that. We're at our wits end here to hearing this.

I have kids, 17 year old kids, can't even study for an SAT test out in my backyard because of the noise level. If that was a party, that everybody would be there, cops would be there closing my house down. How come we're not closing this place down? The noise level is out of control. And I don't believe we have in our books the noise level that allow them to go on and shoot every single day like that.

Please, take a stand. Close this down. Find the solution, the solution of keeping it open. And loud is not a solution. That should not be there. I beg you guys to look for a clear and smart solution to this. Until then, cease fire. Close this. Make them stop. Thank you.

**CHAIRPERSON NOWICK:**

Thank you, Mr. O'Brien. And I'm going to ask you the same question. How long have you lived there?

**MR. O'BRIEN:**

Five years.

**CHAIRPERSON NOWICK:**

And was that open when you moved there or not?

**MR. O'BRIEN:**

Yes.

**CHAIRPERSON NOWICK:**

It was open already?

**MR. O'BRIEN:**

Correct.

**CHAIRPERSON NOWICK:**

I don't know. Maybe I could ask you this, Legislator Browning. Does your town have any ordinances as far as noise?

**LEG. BROWNING:**

Yes, there is.

**CHAIRPERSON NOWICK:**

But does it not supercede this, or is it only after a certain hour?

**LEG. BROWNING:**

There are noise ordinances, but I'm not exactly sure what the specifics are, and I don't want to ••

**CHAIRPERSON NOWICK:**

It might be something to look into.

**MR. O'BRIEN:**

Mrs. Nowick, it's funny, I've made, I'm going to say, at least ten phone calls to the Code Enforcement. Not one person knew the code, and there was zero enforcement in this safety area. The men and the women who work there came to my house, they sat in the driveway, they sat in the street. If they went around the corner because there was a sump, as we know it, recharge basin, the noise echoed even louder.

**CHAIRPERSON NOWICK:**

So you say that your Town Code Enforcement did not know the code.

**MR. O'BRIEN:**

When I asked them on the phone, no, they did not know. They were looking at it. They said they were going into the Law Clerk.

**CHAIRPERSON NOWICK:**

And did you ever get the answer?

**MR. O'BRIEN:**

No, to this day.

**CHAIRPERSON NOWICK:**

What town is that? Who's the Supervisor?

**MR. O'BRIEN:**

Brookhaven Town Supervisor. Foley?

**LEG. ALDEN:**

Brian Foley.

**MR. O'BRIEN:**

Foley.

**CHAIRPERSON NOWICK:**

Because you might want to find that out. I'm sure the Supervisor's Office could give you that.

**MR. O'BRIEN:**

Yeah.

**CHAIRPERSON NOWICK:**

Thank you.

**MR. O'BRIEN:**

Well, I think that's something that you all as a park service might want to know that, so when you see these decibel readings from right at the parking lot to 500 yards away, 700 yards away, that's a no-brainer.

**CHAIRPERSON NOWICK:**

Thank you, Mr. O'Brien.

**MR. O'BRIEN:**

Okay.

**CHAIRPERSON NOWICK:**

Justin Notartomaso, and on deck, Joanne Steigerwald.

**MS. MC CONNELL:**

Excuse me. We have two young children that are coming up. Could they come up together, just make •• it's Nicholas and

Justin.

**CHAIRPERSON NOWICK:**

Nicholas and Justin. Nicholas. Nicholas. Wait. Nicholas.

**AUDIENCE MEMBER:**

He should be right behind Joanne.

**CHAIRPERSON NOWICK:**

He filled out a card?

**MS. MC CONNELL:**

Nicholas filled out a card, yes. G•U•I•D•A. G•U•I•D•A,  
Nicholas.

**CHAIRPERSON NOWICK:**

I'm going to find it. Hold on.

**MS. MC CONNELL:**

Okay. If they could possibly come up together.

**CHAIRPERSON NOWICK:**

Oh, yes, I think that that would be okay.

**MS. MC CONNELL:**

They're a little nervous about doing this.

**CHAIRPERSON NOWICK:**

Yes.

**MS. MC CONNELL:**

Thank you very much. We appreciate that.

**CHAIRPERSON NOWICK:**

You can bring Justin Notartomaso and Nick Guida.

**MS. MC CONNELL:**

Yes. Thank you.

**CHAIRPERSON NOWICK:**

Yes. Please come up, young men. Please, state your name on the record, and you have two minutes.

**MR. GUIDA:**

Hi. I'm Nick Guida, the spokesperson of the South Yaphank Youth Committee. The South Yaphank Youth Committee is made of kids just like me. They really love our town and want to do things to help make a better place to live.

We are all very disappointed that the Trap and Skeet Range was allowed to open again. The Trap and Skeet Range doesn't do anything good for our neighborhood. In fact, it is bad for a lot of reasons. The first day it opened my little sister had an ear infection and she was up all night. The gunshots woke her up •• woke her up and •• again. My mom had to take her all the way to my •• all the way to my Grandma's house so she can sleep again.

I was at my sister's bus stop and I noticed that there was someone in the trap and skeet blowing dirt all over the place with a blower and it just got all over the town. And I'm concerned why the bus stop is only 100 feet from the shooting range. The bus for the elementary school comes after the guns start, and when we get off the bus, they're still shooting. That's all. Thank you.

**CHAIRPERSON NOWICK:**

Thank you. Very well done.

**MR. NOTARTOMASO:**

Hi. My name is Justin Notartomaso. I live on Gerard Road down the block from the gun range. I am trying to stop the gun range because almost every day it sounds like gunfire in my backyard. I have a baby sister and brother. At first my baby sister would cry and run into the house when she heard the gunfire. Now she is getting used to the sounds. I don't think it is fair to me, my sister or my brother that we have to hear loud gunfires all the time. My baby sister and brother should never have to be scared to play in their own backyard. A gun range should be a place where there are no homes and a place where kids should play •• where kids don't play. Please stop the gun range in Yaphank.

**CHAIRPERSON NOWICK:**

Thank you very much ••

**LEG. COOPER:**

Good job.

**CHAIRPERSON NOWICK:**

•• young man. And you could both be very, very, proud of yourselves to come here and speak before us, and you can tell your parents the same thing. Thank you.

**MR. NOTARTOMASO:**

You're welcome.

**LEG. ALDEN:**

Enjoy the rest of the summer.

**LEG. COOPER:**

Thanks, kids.

**CHAIRPERSON NOWICK:**

Joanne Steigerwald, and on deck, Joe Cavaliere.

**MS. STEIGERWALD:**

Hi. Good morning. My name is Joanne Steigerwald and I live at 3 John Court in Yaphank. My home is within 300 of the Trap and Skeet facility in Southaven Park. Since the facility opened, we can no longer enjoy our backyard. The sound of gunshot is maddening. The sounds can be heard inside our homes with the doors and the windows shut. We recently purchased our home and have no intention of selling it.

I take exception to be labeled a greedy homeowner by those that support the facility. Yes, I enjoy my home, and, like my neighbors, I take great pride in maintaining it. We maintained our homes to maintain the value and to maintain the neighborhood. I'm sure that this is what our elected officials encourage, yet, by opening this facility, the County has created another economically challenged neighborhood. No one would want this in their backyard or in their neighborhood. My days are now spent on the phone indoors, calling Code Enforcement, calling elected officials every time the guns start up. It is unbelievable, the noise.

It does not make any sense to open a facility that needs exemptions from County and Town laws, and has hazardous waste, required almost a million dollars in tax dollars to repair, and is having a negative effect on our health, quality of life and

natural preserves. Remember, we are talking about a recreational facility for a limited number of individuals and not an essential venue to Suffolk County taxpayers.

I also have a 30-second clip of the gunshot from standing right outside my back door on my deck. It's not •• I'm going to play it for you. It's not as good as being there hearing it live.

***[A TAPE RECORDING WAS PLAYED FOR THE LEGISLATURE]***

That's what you hear, me holding this up in the air, standing right outside my back door. It's just unbelievable. Thank you.

**CHAIRPERSON NOWICK:**

Thank you. And I'm just going to ask you the same question, Joanne. You have lived there how long?

**MS. STEIGERWALD:**

Just a year. Just a year.

**CHAIRPERSON NOWICK:**

One year. So, when you moved in, there was no trap and skeet?

**MS. STEIGERWALD:**

There was no trap and skeet, and there was no RFP out at that time, also, when we purchased the house.

**CHAIRPERSON NOWICK:**

And you were told that it was not going to open again from your real estate agent?

**MS. STEIGERWALD:**

We were told that the chances were slim to none that it would open. That was calling our County Legislator and the Parks Department.

**CHAIRPERSON NOWICK:**

You asked your County Legislator?

**MS. STEIGERWALD:**

Yes.

**CHAIRPERSON NOWICK:**

And that was?

**MS. STEIGERWALD:**

Brian Foley at the time.

**CHAIRPERSON NOWICK:**

And the Parks Department in your town or the County Parks?

**MS. STEIGERWALD:**

The County Parks.

**CHAIRPERSON NOWICK:**

And they said no, it was not going to open again?

**MS. STEIGERWALD:**

Yes.

**CHAIRPERSON NOWICK:**

Okay. Thank you.

**LEG. ALDEN:**

I have ••

**CHAIRPERSON NOWICK:**

Oh, excuse me. Legislator Alden.

**LEG. ALDEN:**

Just a point of clarification. I think you testified the last time you were here that •• because just now you said that there was no RFP out?

**MS. STEIGERWALD:**

Right.

**LEG. ALDEN:**

That's what was represented to you by a Legislator.

**MS. STEIGERWALD:**

I don't think the RFP came out until April of 2004 •• 2005, and we signed contracts in February.

**LEG. ALDEN:**

And the real estate agent is the one that told you that it would remain closed or ••

**MS. STEIGERWALD:**

No. We didn't talk to the realtor about it.

**CHAIRPERSON NOWICK:**

No, it was the ••

**MS. STEIGERWALD:**

We called our County Legislator.

**LEG. ALDEN:**

Okay.

**LEG. BROWNING:**

And they lived in Patchogue?

**LEG. ALDEN:**

Just a point of clarification.

**MS. STEIGERWALD:**

We lived in East Patchogue. We just moved to Yaphank.

**LEG. ALDEN:**

Okay. Thanks.

**CHAIRPERSON NOWICK:**

Thank you.

**MS. STEIGERWALD:**

You're welcome.

**CHAIRPERSON NOWICK:**

Joe Cavaliere, and on deck, Anthony Martinello.

**MR. CAVALIERE:**

Good morning. My name is Joe Cavaliere and I live about a quarter mile from the gun range.

Just briefly, this is quoted from the OSHA Safety and Health Administration on led. Airborne •• this is specifically for outdoor gun ranges. "Airborne led dust is a concern in outdoor ranges and contaminate the surrounding environment. Led

contamination in an outdoor environment can occur through water runoff and from wind carrying the lead off site. The process of removing spent bullets or the face of a berm can generate large quantities of lead dust." They also recommend do not load bullets in the home or any area where children frequent. "Wash hands and face before leaving the range. Wash range clothes separately from the rest of the family's clothes. Always load bullets in a ventilated area." Obviously, nobody in this room, including myself, is an expert on lead, but it's quite dangerous, and this is why gun ranges don't belong in the middle of neighborhoods.

Okay. Shooting is a hobby. Owning a home is a necessity. What is going on here today is a travesty and injustice. Why is an entire community and park being destroyed to appease a handful of shooters in distant towns? And they are from distant towns. Never would a legitimate shooter bully his way into an established neighborhood and destroy the peace, serenity and property values of thousands of families, nor would they want to be responsible for adding more lead to the already contaminated areas of the Pine Barrens.

The grandstanding and whining by the Trap and Skeet advocate portrays them as obnoxious, to say the least. They want to trample over anyone that prevents them from pulling the trigger. Good shooters have respect for other people's communities. Yaphank and the rest of Long Island has evolved over the past 50 years. In 2006, as I said before, is about families and housing, not shooting and polluting. The proposal to relocate, Dick Amper had mentioned this, to relocate the Trap and Skeet seems very fair to me. Everyone will benefit. Perhaps an alternate location about 300 feet from Mr. Levy's or Mr. Foley's bedroom window would be perfect. Waking up to

gunshots on a Sunday morning is so invigorating. No politician should have the power to ruin a neighborhood in order to appease powerful political lobbyists. Anyone politician who has not sat across the street from the gun range for five or six hours should abstain from voting on this matter.

Kate Browning is a hero in my book. She had the intellectual and moral courage to do what anyone else in this room would want for their neighborhood. She put the wellbeing of the homeowners first and the environment ahead of a hobby, and this is a hobby. We have homes and we're trying to protect our homes, regardless who was here first or second. According to that logic, we wouldn't have one mall in Suffolk County, we wouldn't have any advancements, nothing, everything would still be sticks, so that's ridiculous.

I urge you to do what is ethical and morally correct and support Resolution 1738. Thank you.

***(Applause)***

**CHAIRPERSON NOWICK:**

Thank you. And I just wanted to ask you the same question, sir. How long have you lived in this area?

**MR. CAVALIERE:**

Five years.

**CHAIRPERSON NOWICK:**

Five years. And when you moved in, was the gun range there?

**MR. CAVALIERE:**

It was shutting down. I called up the Town, the same as

everybody else did. There was very little activity. The building of the houses covered the gun noise. Didn't realize even it was there. What happened was they said it was shutting down and it did and that was the end of it, and they built ••

**CHAIRPERSON NOWICK:**

The Town told you it was shutting down? And it ••

**MR. CAVALIERE:**

Yes. I called up. I didn't know exactly who I spoke to, whether it was O'Leary or •• you know, I just called up.

**CHAIRPERSON NOWICK:**

Well, O'Leary was with the County, so ••

**MR. CAVALIERE:**

You know, I said, "What's going on with the gun range?" "It's shutting down," you know, they're in violation of this, that and the other and it's not going to be there, and then it was never there anymore.

**CHAIRPERSON NOWICK:**

So you moved in knowing •• thinking that it was shutting down and never to reopen.

**MR. CAVALIERE:**

That's correct, you know, and that's what we were told.

**CHAIRPERSON NOWICK:**

Okay. Thank you.

**MR. CAVALIERE:**

Okay.

**CHAIRPERSON NOWICK:**

Anthony Martinello, and on deck is Mark { Wrobuts} , with a "W".  
{ Warbuts} .

**MR. MARTINELLO:**

My name is Anthony Martinello. I'm a Suffolk County resident. I'm here this morning for one reason, that's to voice my support for the continuing operation of this facility. It is the only public sporting clays range on Long Island. Mark, who's going to speak next, is a bright young businessman who, if given the opportunity, will be an excellent administrator to this facility. Anything else I can say I'm sure you have heard before. Thank you very much.

**CHAIRPERSON NOWICK:**

Thank you, sir. Mark { Wrobuts} .

**MR. WROOBEL:**

Wroobel.

**CHAIRPERSON NOWICK:**

And I'm sorry if I mispronounced your name, but how do you say it?

**MR. WROOBEL:**

Wroobel.

**CHAIRPERSON NOWICK:**

Okay. And on deck is Johan McConnell.

**MR. WROOBEL:**

Good morning. My name is Mark Wroobel and I am the vendor

for Suffolk County Trap and Skeet. We've talked about many of these issues a million times. The only thing I'd like to discuss today is how well received we've been by the community, although there are a few homeowners here, and I mention a few, and, you know, they chuckle in the background, but it is the same three or four homeowners that have showed up. We've had at least 50 to 75 people within a quarter of a mile show up and use the facility already, and well over 500 people show up within the first two weeks bearing the fact that we've had 90 degree plus weather and basically half the time rain. We've done everything we can to do the right thing for this facility and just going to continue to do what we can. The amount of people that are going to use this facility in the future are going to be thousands, and the economic value of this range has clearly been seen.

**CHAIRPERSON NOWICK:**

Legislator Alden has a question.

**LEG. ALDEN:**

No.

**CHAIRPERSON NOWICK:**

Oh, okay.

**LEG. ALDEN:**

I didn't mean to interrupt him.

**CHAIRPERSON NOWICK:**

Oh, I'm sorry, I thought you were ••

**LEG. ALDEN:**

After he's done talking.

**CHAIRPERSON NOWICK:**

You can finish and then ••

**MR. WROOBEL:**

That's it. We've talked about these issues a million times and I just don't want to rehash them. We're open. I signed a contract with the County in good faith and I just hope that we're there for the next 20 years.

**CHAIRPERSON NOWICK:**

Thank you. Legislator Alden.

**LEG. ALDEN:**

What are your hours of operation?

**MR. WROOBEL:**

Wednesday through Sunday, from nine to five.

**LEG. ALDEN:**

Okay.

**CHAIRPERSON NOWICK:**

Thank you. Johan McConnell. On deck, John Cushman.

**MS. MC CONNELL:**

Good morning. Joanne McConnell. I'm President of the South Yaphank Civic Association, and I'd just like to address a question that you've been asking all of my residents as they have come up.

I purchased my house in 2001 and, yes, the range was open. However, in 1999, Suffolk County passed a noise ordinance. It

did not exempt the range until 2003. So, as a homeowner, when I purchased my home, I thought that the noise ordinance of both the County and the Town would protect me if I needed to have any protection. So I know that you've asked this of all the residents and I just wanted to clarify, that the range was not exempt from the Suffolk County noise ordinance until 2003. The decibel level is 65 decibels at the property line. That's the same sound level for the Town of Brookhaven, 65 decibels at the property line.

The Civic Association supports Resolution 1738. We wish to thank Legislator Browning for listening to our concerns, for visiting the range and for speaking with the surrounding homeowners. I would like to clarify a misconception that only a few homeowners are complaining. The Civic has presented Legislator Browning with a petition that had over 1,000 signatures. 75 homeowners, plus elected officials attended a demonstration in April on a rainy day. And over 350 letters have been sent to Executive Levy, Supervisor Foley, and Councilwoman Keppert. We have had Commissioner Foley and supporters of the range speak of the history of the Trap and Skeet. I, too, would like to speak to that history.

In the early '60's the property was purchased from the {Hart} Family by condemnation to protect the Carmans River watershed. In 1988, Suffolk County Legislator •• Suffolk County designated the Carmans River watershed and the Southaven County Park environmental critical areas to protect the groundwater. In 1993, New York State adopted Article 57 of the Environmental Conservation Law, creating the area known as the Pine Barrens. Southaven is designated to be in the core preservation area, the area of the Pine Barrens considered the most sensitive and needing the greatest protection. In 2001,

led contamination was found in the picnic area of Southaven Park and parking areas. Southaven was closed to the public for cleanup. In the May 2nd, 2001 Parks Committee meeting, Commissioner Scully reported, "We looked into the matter and determined that between 1993 and 1995, employees of the Parks Department utilized material that had been removed from the Trap and Skeet to stabilize roadways and placed the material in locations within the park. The Health Department conducted a study and determined that in some locations the levels of lead that were able to document were in excess of minimum level. That raised the issue with respect to the material placed in the park of the lead management and lead mobilities as it related to the range in a new light.

In November 17th in 2004, Nicholas { Givens } , Senior Environmental Analyst for the Parks Department, appeared before the CEQ with an application concerning the Trap and Skeet, a noise barrier. After much discussion, the CEQ decided that it was an unlisted action that should have coordination with the Pine Barrens Commission, the Town of Brookhaven, the local civic groups and concerned residents.

**CHAIRPERSON NOWICK:**

Miss McConnell, if you could just wrap up.

**MS. MC CONNELL:**

Okay. Basically, what happened was that CEQ never got to make that declaration. The resolution was passed with the SEQRA based upon Section 617.7. This section specifically deals with critical environmental areas, which Southaven Park has been declared in 1988. And in conclusion, there is ample evidence in the reported minutes of the Park Committee, the Board of Trustees of the Parks Department, CEQ, and other

agencies that the Trap and Skeet is located in the core preservation area of the Pine Barrens, and that the led found on the grounds could potentially threaten the groundwater.

**CHAIRPERSON NOWICK:**

Thank you. And I won't ask you the question, because you already told me the answer. And just so you know, I'm just trying to get a feel for the area since it isn't my district. And I was trying get a feel as to whether or not this area was Trap and Skeet and whether the homes built up after the Trap and Skeet was there, or whether the homes were there and then the Trap and Skeet built up, and that's the only reason I'm asking the questions.

**MS. MC CONNELL:**

Okay. I could answer that question. There were three homes. They're owned by the Glover Family, and they were there before the Trap and Skeet Range was. And in the early 1960's, Mrs. Glover was paid a nuisance fee by the Trap and Skeet because of the noise level. She received twelve hundred dollars a month.

**CHAIRPERSON NOWICK:**

From who?

**MS. MC CONNELL:**

From the Nassau Trap and Skeet Range, which was the first ••

**CHAIRPERSON NOWICK:**

From the private organization.

**MS. MC CONNELL:**

Right, from a prior organization who did it. So there has ••

there have been houses there before the Trap and Skeet was open.

**CHAIRPERSON NOWICK:**

So there were three homes there before and then ••

**MS. MC CONNELL:**

There was three homes directly across from the Trap and Skeet.

**CHAIRPERSON NOWICK:**

How many houses are •• have built up around there now?

**MS. MC CONNELL:**

We probably have over 200 new homes in the area. And in actuality, one of the newest developments does not have any mention of any active Trap and Skeet on their subdivision plan. This was recently done in 2005. There is no mention of an active Trap and Skeet on their subdivision plan.

**CHAIRPERSON NOWICK:**

This is your photo of your backyard?

**LEG. BROWNING:**

Susan.

**MS. MC CONNELL:**

No, that's ••

**CHAIRPERSON NOWICK:**

Oh, I'm sorry, this somebody else's.

**LEG. BROWNING:**

The lady with the pool.

**MS. MC CONNELL:**

Right.

**CHAIRPERSON NOWICK:**

Okay. Okay.

**MS. MC CONNELL:**

That's Sue Davis' backyard. It backs right up on it.

**CHAIRPERSON NOWICK:**

So, when you bought there, though, it was already working, the Trap and Skeet.

**MS. MC CONNELL:**

Yes. We bought in February of 2000. It had the problem with the lead contamination in the park itself in the summer, and the range closed in October of 2002.

**CHAIRPERSON NOWICK:**

Did you buy your home thinking that it was going to close or knowing that it was open? I was just curious.

**MS. MC CONNELL:**

We actually knew it was open, but if the noise became a problem for us, we felt that we would be protected under the Suffolk County noise law, and we'd also be protected under the Town of Brookhaven noise law. And just to clarify things a little further, I've been referred to as being anti•gun and a greedy homeowner. I do have a hunting license, I do shoot poppers at my hunt tests. I have taken private shooting lessons up at Sandanona, so I do know how to use a gun. I do not ••

**CHAIRPERSON NOWICK:**

What's a popper?

**MS. MC CONNELL:**

A popper gun is it doesn't shoot real bullets.

**CHAIRPERSON NOWICK:**

Oh.

**MS. MC CONNELL:**

It shoots like a blank. But what happens is I do know how to use a gun. I have friends who shoot. I support the •• I support it as a sport, it's just not the right location for it at this time.

**CHAIRPERSON NOWICK:**

Thank you very much.

**MS. MC CONNELL:**

Thank you.

**CHAIRPERSON NOWICK:**

John Cushman. On deck, Michael Weygand.

**MR. CUSHMAN:**

Good morning. Thank you. My name is John Cushman. I'm the President of SAFE, Sportsmen's Association Firearms Education. Unfortunately, you've seen my face many, too many times in the past five years on this issue. I'll try to be brief, but succinct.

I sincerely hope the previous speaker, in offering you information about how the nuisance fees were paid to the residents who were there when the range was there, that she's

not suggesting that the County start paying nuisance fees to anybody who lives near a facility that has undue noise. I don't think that would be appropriate.

**AUDIENCE MEMBER:**

Just close it down.

**MR. CUSHMAN:**

Second, the issue of the range has been debated since day one. The range has been there long before anyone else was there. A lot of the residents who built and bought their houses there knew it was there in addition. Second of all, the usual statement is you have a due diligence obligation of yourself. Go drive around the neighborhoods that you want to live and you'll find out what's there. That's how you decide. Are there a lot of children? If I have children, I want an area that has a lot of children. If I have no children, I don't want a lot of kids making noise out in the street, screaming and yelling and having a good time, especially in the summer when the windows are open and there's a pool available.

I used to live in the city. I lived near an El, less than a thousand feet from the El. That ran seven days a week, 24 hours a day, yet I didn't miss a night's sleep, and neither did anybody else. People who live near airports, the same way. The only people I object to are those who buy in an area, don't do the diligence they should, and then want to stop everything else after the fact. That's wrong. It's not appropriate, it's not correct. Is there a problem? Yes. Are they even giving the new vendor an opportunity to address those problems? No. They simply want it closed.

For the record, and as you Ladies and Gentlemen already know,

the record clearly proves the vendor who was there before violated his contract, did not do what he was supposed to do, and once the range was closed because he was thrown out, only then did this issue of lead pollution, environmental pollution issues come up. All of those were answered in depth and to a great extent. Do you realize there's more lead runoff on a highway after a rain storm because of the lead content? The amount of lead that's been deposited on this property for over 60 years has very little impact.

I'd like to read, if I may, I have a copy of Ms. Browning's amended bill, which I'm sure will be replacing the one that's now been tabled and which you will address in a little while. The first whereas, "Suffolk County has traditionally supported recreational hunting." Agreed. No problem with that. "Provided places for hunters and shooting enthusiasts." Again, no problem. "Suffolk County has operated a Trap and Skeet Range at this park for many years. Closed in 2001, reopened in 2005." The only reason we didn't open it within a year is because we were addressing concerns of those who lived nearby. And the County did do its due diligence, it did address those issues, it did answer them, so that's true. "However, Southaven Park Trap and Skeet Range is located in an environmentally sensitive area." It's been there for 60 years and the water table is not polluted, the air levels are not contaminated. There is no real problem there other than these residents would like the opportunity to close the facility and say, "I live across the street from a park." "Lead contamination generated by a shooting range can threaten groundwater." That's true, but we've now proven after 60 years of lead deposits there is, in fact, no contamination. "The facility was prohibited under the terms of the Pine Barrens." That's not true. It's just plain not true.

Five and a half years ago, Fred Towle, Legislator at the time who lived in the district, put in a bill to close the range permanently, immediately after the vendor was thrown out. At that time, we said, because it basically is the same as Ms. Browning's bill today, and that bill says you want to create a commission, you want to create a group of people, you want to look at other alternatives, and we said we had no problem with that. But until such time as you find another facility capable of doing it so that it won't represent a problem to anybody else, and you have it built and ready to run, this range should be continuing to operate until that time. Until then, no, we don't want it, because there's no incentive for the County Legislature or the people on it, or even the residents, to do anything to find another facility if you close this. There is an incentive, if you truly want it, and if there is another place we can go.

**CHAIRPERSON NOWICK:**

Mr. Weygand.

**MR. CUSHMAN:**

Sixty years of history.

**CHAIRPERSON NOWICK:**

Your time is up, if you could just wrap up.

**MR. CUSHMAN:**

No. I thank you for listening to me again. I hate to come back constantly and do this. This is •• it sounds like an adversarial position and it's not. We're on the same side. We do want to be good neighbors with every community out there, even those who may not like shooting. But I will tell you this, this is not a reasonable fair. This range should have been opened by the

County the day after it was •• that vendor was closed and we wouldn't be here discussing it. Be that as it may, I'm open for any questions you may have of me. Thank you again.

***(Applause)***

**CHAIRPERSON NOWICK:**

Michael Weygand.

**MR. WEYGAND:**

Good afternoon. My name is Michael Weygand. I live at 118 Gerard Road, Yaphank, and I'm in favor of Kate Browning's resolution.

I have two children and I live approximately a quarter mile away from this facility. It is very nuisance. I mean, I hear gunshots all the time. Saturday •• excuse me. Sunday afternoon, I'm trying to have a barbecue with family members and all I hear is bang, bang, bang, bang, Bang, bang, bang. They were supposed to do something about the noise. They never did anything, the noise. One of the reasons why they closed it, because they were supposed to do something with the noise. They haven't done anything with the noise. I'm asking you, please, do not sacrifice the quality of my life and my children's life and the 200 neighbors in the area for a bunch of hobbyists. This is a hobby. It's not essential for their living. This is where I live. This is where my children play. This is where my neighbors play. They can't even go in the backyard. My five•year•old son is going, "Dad, when are they going to stop the shooting?" My nine•year•old son says, "Dad, I can't wait until I'm 19 so I can move out and I don't have to listen to the gunshots." This should not happen. These are hobbyists, and most of them don't even live in Suffolk County.

They come out from Nassau County and say, "We have no place, we have no place." Well, Ridge is a really nice place, and Ridge has a facility for the handicapped. Ridge is only a few miles away. Ridge would be a great place for them to go. Okay? And it's built properly and it's ran by the Town of Brookhaven. So there is another place for these people to shoot their guns.

I'm not against guns, I'm against living in a war zone; okay? I'm •• my little five•year•old said to me, "Dad, is this what it's like to be in Iraq?" I'm like, "No, son, it's not." Okay? This should not be. We should not sacrifice the quality of our neighbors' and the neighborhood's life for a few gun enthusiasts, which is a hobby. It's not essential for their living. Okay? They do not live in this neighborhood. All they do is they shoot their gun to have some fun and then they go home to their nice quiet neighborhood.

And to answer your question, I bought my house in 2004. I did the investigation and they told me that the gun range was indefinitely closed and the chances of it opening is slim and none.

**LEG. ALDEN:**

Lynne.

**CHAIRPERSON NOWICK:**

Yeah. Go ahead.

**MR. WEYGAND:**

Okay. So when I bought the property, and I am not a greedy homeowner, because I paid fair market value, I did not plan on closing this Trap and Skeet so I can make a profit; okay? What I did is I bought it so I could give my •• better quality of life to

my children; okay? And I've been in Suffolk County for over 35 years. This is a Trap and Skeet that is sacrificing the quality of life of our children and our neighborhood. Thank you.

**CHAIRPERSON NOWICK:**

Can I just ask you a question?

**MR. WEYGAND:**

Sure.

**CHAIRPERSON NOWICK:**

You moved into your home in 2004. The Trap and Skeet was not there, it had been closed down?

**MR. WEYGAND:**

That's correct.

**CHAIRPERSON NOWICK:**

You were told by whom?

**MR. WEYGAND:**

I was told by Brookhaven Town officials, I'm sorry I didn't take their name, that it was closed indefinitely.

**CHAIRPERSON NOWICK:**

Indefinitely. This was by ••

**MR. WEYGAND:**

And there was a sign on •• I'm sorry, go ahead.

**CHAIRPERSON NOWICK:**

By legislation that Legislator Towle had put in five years ago and it closed down; is that how that happened?

**MR. WEYGAND:**

All I know is I called up the County •• excuse me. I called up the Town of Brookhaven and they also said it was closed indefinitely. If •• we have pictures of it, if you look on it, and it's right on the front gate it said, "Closed Indefinitely." And then someone, if you look at it, cut it out where it says "Indefinitely." Okay? So what I'm trying to say is these people were not greedy homeowners, they were under the impression that this was closed; okay? Now we are suffering for this, okay, at the hands of a few people, mostly probably residents of Nassau County that are sacrificing our quality of life.

**CHAIRPERSON NOWICK:**

And you mentioned there is an area in Ridge where there is a shooting range?

**MR. WEYGAND:**

That's correct.

**CHAIRPERSON NOWICK:**

And who owns ••

**MR. WEYGAND:**

It's a huge facility.

**CHAIRPERSON NOWICK:**

Who is that owned by, do you know?

**MR. WEYGAND:**

I believe the Town of Brookhaven.

**CHAIRPERSON NOWICK:**

Brookhaven.

**LEG. BROWNING:**

Town of Brookhaven.

**CHAIRPERSON NOWICK:**

Okay. And I think ••

**MR. WEYGAND:**

Okay. And there is handicapped facility there, too.

**CHAIRPERSON NOWICK:**

Okay. And that's only open to the Town of Brookhaven right now.

**MR. WEYGAND:**

No. I believe that's open to the general public.

**LEG. BROWNING:**

It's public. It's public. It's Town of Brookhaven.

**CHAIRPERSON NOWICK:**

Okay.

**MR. WEYGAND:**

So it's not like they wouldn't be able to shoot again. I mean, they would go less than five miles away and there's facilities where you can see it, they have •• I don't know the technical aspect of it, but they have surrounding hills, so that when they shoot it, the noise doesn't dissipate. So there is a place for them to go. We're not against guns, we're against the facility here, which was built years ago, but it was not built to the specs

that would currently be put into place.

**CHAIRPERSON NOWICK:**

And just quickly, that area in Ridge does not have surrounding homes or ••

**MR. WEYGAND:**

No. It's pretty far away from existing homes.

**CHAIRPERSON NOWICK:**

Okay. And I think Legislator Alden has a question.

**MR. WEYGAND:**

Sure.

**LEG. ALDEN:**

Did you know it was a County park and a County facility when you bought your homes?

**MR. WEYGAND:**

No.

**LEG. ALDEN:**

I'm curious why you called Brookhaven instead of the County of Suffolk.

**MR. WEYGAND:**

I called up County Parks and I called the County •• Town of Brookhaven, because I came from East Yaphank, which is only a few miles away, and I called up the both facilities.

**LEG. ALDEN:**

Okay. And what did they tell you when you called?

**MR. WEYGAND:**

It was closed indefinitely.

**LEG. ALDEN:**

The County of Suffolk said that it was closed indefinitely?

**MR. WEYGAND:**

The Parks. I called up the Parks •• the general number for the Parks Department.

**LEG. ALDEN:**

Okay. And now just that your testimony actually states that you don't like the fact that people come from outside of Suffolk County to shoot there, so if ••

**MR. WEYGAND:**

Well, it's supposed to be a Suffolk County park for the benefit of Suffolk County, and we have these gentlemen that come in and say, "I'm in favor for this park," okay, "but I live in Nassau County." I went to the facility and I walk my dog regularly around there, and I had, "Oh, yeah, I'm from Five Towns, I'm from Lawrence, I'm from Massapequa," I'm from all these other places. I'm like that's really nice, but you're disturbing the quality the quality of my life, you're disturbing the quality of life of my children, okay, but it's not in your backyard; okay? That's all I'm trying to say is, "You want to shoot, fine, but don't shoot in my backyard where I have to hear it."

That noise that you heard from that young lady's tape recording is what I heard on Sunday; okay? We were going to have a family picnic in the back, but we had to go inside because the

noise was deafening. So I have to be on a nice Sunday afternoon barbecue •• you have a barbecue and you have a barbecue in your backyard, you want to enjoy it. I can't. Why? Because of a few people that are having a hobby, and it's a hobby.

**LEG. ALDEN:**

But it's okay if they were from Suffolk, you're just ••

**MR. WEYGAND:**

I don't care where they're from.

**LEG. ALDEN:**

Oh, all right. Now you change •• that's a change of your ••

**MR. WEYGAND:**

I'm just saying that people there now ••

**LEG. ALDEN:**

No. Okay.

**MR. WEYGAND:**

•• are shooting.

**LEG. ALDEN:**

That's a change of your testimony.

**MR. WEYGAND:**

I don't care where they come from. You want me •• I could say it's ••

**LEG. ALDEN:**

Okay, fine. Thank you. Now your testimony is different and

now I can take it in that light.

**MR. WEYGAND:**

You want to be over•semantics, that's fine. But all I'm trying to say is ••

**LEG. ALDEN:**

I'm not being oversemantic or even getting down to the nitty •gritty. You testified before that your problem was people coming from Nassau County to shoot in your backyard and you have a problem with that because it's a Suffolk County facility. Now you have clarified your testimony to my satisfaction. Thank you.

**MR. WEYGAND:**

Fine. I'm sorry, was there any other questions?

**CHAIRPERSON NOWICK:**

I have a question you may or may not be able to answer.

**MR. WEYGAND:**

Sure.

**CHAIRPERSON NOWICK:**

From the time five years ago when the facility was closed down, do you have any idea how many like yourself built homes in the area or •• I don't know if they're new homes or moved into the area.

**MR. WEYGAND:**

Everything is new there. There has been over probably ••

**CHAIRPERSON NOWICK:**

It's all new, all those homes are new?

**MR. WEYGAND:**

All brand new.

**CHAIRPERSON NOWICK:**

So from ••

**MR. WEYGAND:**

I would say at least 200 homes have been put up.

**CHAIRPERSON NOWICK:**

Two hundred homes put up since the facility was closed down.

**MR. WEYGAND:**

That's correct.

**CHAIRPERSON NOWICK:**

So 200 people ••

**MR. WEYGAND:**

This is approximation.

**CHAIRPERSON NOWICK:**

•• thinking that the facility was not going to open up.

**MR. WEYGAND:**

That's correct.

**CHAIRPERSON NOWICK:**

Okay. I'm trying to get a feel. Thank you.

**MR. WEYGAND:**

If you drive around the neighborhood, you can see there's all different new developments going on. And as we speak, I mean, on Wednesday, on one side of my house I hear construction of new houses, and then the other side I hear the gun range. Thank you.

**CHAIRPERSON NOWICK:**

Thank you. Bob Raab.

**MR. RAAB:**

Bill Raab.

**CHAIRPERSON NOWICK:**

Oh, bill. I'm sorry.

**MR. RAAB:**

That's all right.

**CHAIRPERSON NOWICK:**

Even with my glasses.

**MR. RAAB:**

It's four letters, two are the same, and no one gets it right.

**CHAIRPERSON NOWICK:**

And I should certainly know by now, right?

**MR. RAAB:**

I would think so. Do I need this? I'll use it anyway. Good morning, everyone. My name is Bill Raab and I am a resident of Suffolk County. I have been for more than 20 years. I'm sorry to be in front of you again and taking up some of your time, but I feel that it's necessary.

We've heard a lot of things and we've heard these same things over and over again, and I thought that they were addressed each time we had a meeting and spoke about them, but, apparently, we need to go around once more.

I heard earlier testimony that there were three homes in •• directly opposite the Trap and Skeet range when it initially opened. Do the original homeowners own those houses now?

**AUDIENCE MEMBER:**

Yes.

**MR. RAAB:**

They do. You're certain of that?

**AUDIENCE MEMBER:**

Yes.

**CHAIRPERSON NOWICK:**

Who's answering?

**MR. RAAB:**

Okay.

**CHAIRPERSON NOWICK:**

We didn't say anything.

**MR. RAAB:**

I was going to say, a voice from above. Okay. Those three people may have something to say, but, as far as I'm concerned, when you buy a house, as we've heard before, due diligence is your responsibility. I moved next to a twelve •hundred•person school, which I didn't realize was twelve

hundred people, and I listen to school buses all day. Whose fault is that? Mine. If I didn't like school buses, oh, well. I don't really care for them, but I have to put up with them.

Okay. These people •• let's see. I've heard that it's like a war zone. Well, I've heard a war zone and, no, that's not it.

Let's see. Actually, when you're talking about noise, there was a County employee at the facility recently and was saying something to the vendor that it was a shame there was no one shooting. They were inside the building at the time, which is right next to the firing line, and it's a shame that there's no one shooting here so we could go and talk to them, to which the vender replied, "They're out there right now," and to which she opened the door and looked out, and, sure enough, they were shooting. And the noise was so horrible that you couldn't even tell from inside the building.

**AUDIENCE MEMBER:**

Sorry. I'm sorry.

**MR. RAAB:**

I don't chuckle and all of that when other people are speaking, no matter how silly they find the conversation. I tend to give them respect and I expect the same in return.

**AUDIENCE MEMBER:**

I apologize.

**MR. RAAB:**

Thank you. Okay we've brought out the kids. Well, my son is 14, he's going to be 14 soon, and he wants me to get him a 20 gauge {over and under} so he can go shooting, Mr. Wroobel can

actually verify that, because I spoke to him about it. So I didn't realize we were supposed to bring kids here for the sympathy thing, but my son wants to go shooting, so what's the problem?

I grew up on the water in Nassau County where people duck hunted 500 feet from my house, and I listened to this all growing up and it didn't turn me into anything horrible, at least I don't think so. There are those who would disagree.

Nothing good comes of this place? I think a lot of good comes from it. There are a lot of Nassau County and New York City residents who use it, the same as there are residents who use other facilities who come from other places. When we talked about the range at Ridge. Well, I had a conversation with the Scout Executive from Suffolk County Council of the Boy Scouts of America who welcomed another venue to take the boys shooting, because they find that they cannot accomplish what they need to, because the range at Ridge is too busy to accommodate them, though I find that that argument doesn't really hold too much water.

We hear how loud is it. We heard a tape. Judging by the ambient noise, I'm not an acoustics expert, but judging by the background noise on that tape, the tape player was played at full volume. And I have heard gunshots and everything, and I was at the facility just recently. And I'll wrap up. The noise is not quite as bad as everyone •• this big boogeyman of noise is not what everyone says. We've talked about lead. The studies have shown over and over that it does not leach into groundwater, so this whole argument is pointless. And I thank you all for your time. I could go on and on with this, but I've done that before and I think we have better things to do. Thank you.

**CHAIRPERSON NOWICK:**

Thank you.

**MR. RAAB:**

Questions?

**CHAIRPERSON NOWICK:**

Anybody have questions?

**LEG. VILORIA • FISHER:**

No.

**CHAIRPERSON NOWICK:**

No.

**MR. RAAB:**

Then I covered everything.

**CHAIRPERSON NOWICK:**

Bob Meoli. Meoli.

**MR. MEOLI:**

Good morning, or good afternoon. My name is Bob Meoli. I live in Miller Place. That is in Suffolk County. I'd like to see this range remain open. The closest sporting clays range that I know of is in.

New Paltz. That's 150 miles away, quite a drive. I wish I had my two sons here, they're 19 and 17. You can't get a 19 and 17 year old up before three o'clock in the afternoon, though, so they'd be here saying the same thing to keep it open.

In 1980, I purchased my first home in Dix Hills. Backyard was

on the Long Island Expressway service road, which didn't go anyplace but to local streets. By 1985, the construction was going to start. I decided let's get out of here before this road goes in. We left. The traffic was bumper to bumper in 1985. If I had come here and asked the Suffolk County Legislature to shut down the Long Island Expressway because the noise, you people would have laughed at me. So the Expressway was there, you could see it. You knew it was there.

This range has been there for 60 years. These people know it's there, so what's the problem? You bought your house knowing that there was something that you would find objectionable to. Some of the other places we looked were Kings Park. Right on the other side of Sunken Meadow Parkway was the Town of Huntington dump. Some years later we were reading a story about the people who had bought these homes, and one person said the real estate agent was •• said that the town dump was actually a bird sanctuary, so we had a good laugh on that. Another place we looked at was •• I recall was King Arthur's Court, was around the corner from Terminal Road in Setauket. We drove up Terminal and saw Northville Industries where there's gasoline tanks. We decided this was not the place to be. And they had that underground leak a few years ago and one of the homes that would have been affected would have been a home that we had thought about purchasing, but we didn't because we knew of a possible hazard there. That's why we chose Miller Place. And, you know, this range was there, these people knew it was there, but, yet, they still bought the houses anyway and now they find the noise objectionable. That's all I have to say.

**LEG. VILORIA • FISHER:**

Thank you.

**CHAIRPERSON NOWICK:**

I thought you were joking, because I live on King Arthur's Court, but in Saint James.

**MR. MEOLI:**

Oh, okay. That's another King Arthur's Court.

**CHAIRPERSON NOWICK:**

I thought you were trying to get my attention. Thank you.

**MR. MEOLI:**

Okay.

**CHAIRPERSON NOWICK:**

Does anybody have any questions?

**LEG. BROWNING:**

May I ask a question?

**CHAIRPERSON NOWICK:**

Yes.

**LEG. BROWNING:**

You said you lived in Dix Hills and you decided to get out because you didn't want to deal with the traffic. Am I correct in saying there's a sound wall now on the L.I.E. because of the problem; correct?

**MR. MEOLI:**

That was not there at the time.

**LEG. BROWNING:**

But there is today?

**MR. MEOLI:**

There is today.

**LEG. BROWNING:**

Okay.

**MR. MEOLI:**

And that's what I'd have in this backyard is this big wooden wall to look at instead of the sunshine and ••

**LEG. BROWNING:**

But there is a sound wall because of the noise issue. Okay.

**MR. MEOLI:**

Yeah.

**LEG. BROWNING:**

That's all I want to know.

**MR. MEOLI:**

Okay.

**CHAIRPERSON NOWICK:**

Thank you. Richard Valent. Valent.

**MR. VALENT:**

Good afternoon. My name is Richard Valent. I am from 2 Hemlock Drive, Syosett. I am asking that the range be kept open. I am a recent transplant to Long Island from

Philadelphia. While in Philadelphia, I was a member of a range that had been in existence for over 60 years in one of the most densely populated areas. It is a range that had similar facilities to those that we're talking about here today. Upon arriving Long Island, I sought out a facility to shoot and I learned that this range was closed. I tried to shoot at the Ridge range and found that I was only able to access the range intermittently, because it was overcrowded, particularly in the Fall in advance of hunting season, at which point you simply have to go without, or do what I did, which was commute back to Philadelphia to participate in a sport that I take advantage of.

My wife is a shooter, my three sons are shooters. The sport of trap and skeet is an Olympic sport. It is an NCA sport, it's not just a hobby. People take it as seriously as people take golf. And we know that accommodations are made throughout the Parks Department for golf in various municipalities, and accommodations should be made in this case for the range.

I am from outside of this town, but we do spend money and would spend money if we had a place to shoot. I know that these kind of ranges have events and shoots and matches where out of •• people from all other states come and would stay overnight, buy lunch, buy dinner, etcetera. I believe there is an economic impact that is very positive and should be kept in consideration.

Regarding the noise, I believe that anybody who buys property, generally speaking, retains an attorney to assist them with the closing of that real estate, and that legal opinions should have been obtained regarding whether or not this range was viable or could be reopened in the future. A failure to do that is on the purchaser, and should not be charged against people who have

been •• who will utilize the range or would •• or have in the past. The failure to obtain this requisite information or to obtain anecdotal information from their Legislators through a phone call instead of a written legal opinion is their neglect.

Finally, I would like a promise from the homeowners nearby that if they are so bothered by sound, that today they will go on the record, refusing in the future to utilize lawn mowers, leaf blowers, batting cages, nailguns or chainsaws on their property in the future, because they are so sensitive to noise. Thank you.

**CHAIRPERSON NOWICK:**

Thank you.

(Applause)

**CHAIRPERSON NOWICK:**

Michael Giammona.

**MR. GIAMMONA:**

Good afternoon. My name is Michael Giammona. I'm a 40•year •plus resident of Suffolk County.

I shot at the Suffolk County Trap and Skeet Range in its heyday. I was a member and a secretary of the Trail Masters Rod and Gun Club. And, yes, people did come from Nassau County, people come from Brooklyn, because the facility served a great purpose to bring a bunch of sportsmen together, and when the hunting season wasn't available, it gave us another sport or another venue to exercise our skills in hunting as far as pheasant hunting and deer hunting. And it brought people, again, from all over Nassau and Suffolk County, and we had

numerous •• I don't remember the amount of clubs, but there were a lot. We shot at three facilities. We shot in Ridge, we shot in Suffolk County Trap and Skeet Range, and we shot at the Sportsmen •• Peconic River Sportsmen Club, and we shot entirely winter league that was over a thousand rounds. And again, the range has served a terrific purpose.

Also, back in the late '80's and early '90's with the prior vendor, I was a hunter safety instructor and I held classes there for the younger generation who wanted to get involved with hunting, and what a better •• what a better way to take the young generation, the young kids who were going to come out and obtain a hunting license to teach them properly. They had on •hands experience with the shotguns at the range and it served a viable purpose. That's all I have to say.

And just for the one gentleman who accused us of being bullies, I just want to go on the record, I resent it. Thank you for your time. And I just want to go on the record that I am opposed to having the range closed. Thank you.

**CHAIRPERSON NOWICK:**

Thank you. Bill Marshall.

**MR. MARSHALL:**

Good afternoon, members of the Legislature. My name is Bill Marshall. I'm a former Budget Director for Nassau County. I now live •• I have a home in Bay Shore in Suffolk County now.

I'm opposed to the resolution under consideration to close the range. The range has been open now for over two weeks. It's already a financial success. It brings to the County operating dollars. It brings sales tax to the County. It brings to the

Brookhaven Town and its special districts their share of sales tax and revenue sharing.

And listening over the last few meetings that you've had and other meetings concerning the range, I wanted to get a feel for the area. I've been out there several times. But every time I go out there, I see more and more homes being built. I see signs talking about new developments. You only have to drive a few feet from where the range is and you'll see a sign up there with another developer putting up new home. I always thought there was like a hundred new homes, although at today's meeting I heard that there's two hundred new homes out there. And I just keep wondering why people keep •• if they don't like the range, why do they keep buying •• why are builders selling homes? And then I think about the other day I was out in Orient Point waiting for the ferry. And there was a guy on line next to me and he's talking about how he bought a home for \$150,000 and now it's worth \$450,000. Well, everybody on the line said, "Gee, where did you get a house?" He said, "Oh, it was a brand new house." He says, "It was in Yaphank on Gerald Road," or just off Gerald Road. I mean, these people knew when they got there and they bought the homes, they bought them cheap, and they knew that there was a range there and, you know, now they made some bucks on it. But to talk about how people shouldn't be coming from Suffolk County or from other places to use the range, that's stupid, too, because I went to the BonJovi concert in •• at the Meadowlands this weekend, they let me go. There was certainly sound out there, lots of loud sound with BonJovi playing, but I •• no one said, "You can't go to it, you're from Suffolk County." I went to see the mets a few weeks ago. Nobody in Queens told me I couldn't go to Shea Stadium. Nassau County doesn't prevent people to drive from Suffolk County and go see the Islanders that are playing. So all of

these type of things here are •• just don't make sense to me, and it doesn't make any sense to close this range that's making money. Thank you.

**CHAIRPERSON NOWICK:**

Thank you. Thank you, Mr. Marshall. I do not see any other cards. Is there anybody else that wants to address the committee? Hearing none, we're going to go on to the agenda. We're going to go right to Tabled Resolutions.

**TABLED RESOLUTIONS**

***Resolution 1156 • Linking County park fees for veterans for park fees for senior citizens.***

**LEG. ALDEN:**

Madam Chair, could you just skip over that, unless Jon's not coming back.

**MR. PERILLIE:**

He's coming back.

**LEG. ALDEN:**

Could we just skip it and see what ••

**CHAIRPERSON NOWICK:**

Okay. We'll go back to that one.

**LEG. BROWNING:**

Skip over it?

**LEG. VILORIA • FISHER:**

He made a request to table it?

**LEG. BROWNING:**

He wants it tabled?

**MR. PERILLIE:**

He made a request to have it tabled.

**LEG. ALDEN:**

Table?

**CHAIRPERSON NOWICK:**

Okay.

**LEG. ALDEN:**

Motion to table.

**LEG. VILORIA • FISHER:**

Second.

**CHAIRPERSON NOWICK:**

Motion to table by Legislator Alden, second by Legislator Vilorina •Fisher. All in favor? Opposed? 1156 has been ***tabled***.  
***(Vote: 5•0•0•0)***

***1464 • Establishing the "Suffolk County Park Corps" Volunteer Cleanup Program.***

**LEG. VILORIA • FISHER:**

I have a question for the Commissioner.

**CHAIRPERSON NOWICK:**

Legislator Vilorina •Fisher.

**LEG. ALDEN:**

You want to get a motion on it first or •• I'll make a motion to approve.

**CHAIRPERSON NOWICK:**

I'll second that for purposes of discussion.

**LEG. VILORIA•FISHER:**

Thank you. Commissioner, a few meetings ago I had suggested that this •• that 1464 seemed to replicate a resolution that I had introduced back in 1999 regarding park stewardship and the inclusion of different types of groups as park stewards under resolution with the County and agreement, and I had asked whether this duplicated that effort. Have you had a chance to look at that?

**COMMISSIONER FOLEY:**

I did not. I apologize.

**LEG. VILORIA•FISHER:**

Okay. I would just like to table this for one more ••

**LEG. ALDEN:**

I'll withdraw the motion and make a motion to table.

**LEG. VILORIA•FISHER:**

Thank you. If you could, Commissioner ••

**LEG. FOLEY:**

I will.

**LEG. VILORIA•FISHER:**

•• just so we could see that we're not replicating an existing

effort. Thank you.

**COMMISSIONER FOLEY:**

Okay.

**LEG. VILORIA•FISHER:**

Thank you.

**LEG. ALDEN:**

And if it is a •• if it's a new or an additional effort to what you already had passed, if it adds to it, I think that we should seriously consider it at that point.

**LEG. VILORIA•FISHER:**

Yeah, then we'll look at it, sure.

**LEG. ALDEN:**

Good.

**CHAIRPERSON NOWICK:**

Okay. So we now have a motion to table by Legislator Alden, second by Legislator Vilorina•Fisher. All in favor? Opposed? 1464 has been **tabled. (Vote: 5•0•0•0)**. Excuse me one second.

**LEG. COOPER:**

If you could record me with the majority on 1156, please.

**CHAIRPERSON NOWICK:**

1689 • Appointing a member of the Suffolk County Board of Trustees of Parks, Recreation and Conservation, Scott Hilary. Is Mr. Hilary here?

**MR. HILARY:**

Yes.

**CHAIRPERSON NOWICK:**

Could you please come up to ••

**MR. HILARY:**

Sure.

**CHAIRPERSON NOWICK:**

•• the table and introduce yourself?

**LEG. ALDEN:**

You have the option, you can either stand or you could sit down, whichever you feel more comfortable doing.

**MR. HILARY:**

Good afternoon, I think it is now.

**CHAIRPERSON NOWICK:**

Maybe you can tell us about yourself.

**MR. HILARY:**

Sure. My name is Scott Hilary. I reside in the Town of Southold. I have done so for all my life. I'm being appointed to this committee as a representative of the Town of Southold. My background's, which are applicable for my appointment, background in natural resources, youth education, environmental education, worked for Cornell Cooperative Extension services for 11 years as a professional for that organization in natural resources. Also have operated •• excuse me •• a large facility for that organization as the manager of a large program facility for the last seven years and I'm here if

you have any questions.

**CHAIRPERSON NOWICK:**

Legislator Alden.

**LEG. ALDEN:**

Do you have a sufficient amount of time to devote to ••

**MR. HILARY:**

Yes, I do. What I will do is any other •• I've been on many different committees. I've been chairs of committees for the Town of Southold and statewide committees. I will treat, as I've done with those committees, with the utmost professionalism in doing my due diligence and showing up to every meeting that is in my control. And as a professional, I will treat it as a professional position.

**LEG. ALDEN:**

Do you have any vision as far as where you want to try to take the ••

**MR. HILARY:**

Sure. I actually have a couple of thoughts, as I guess I have not heard what my expectations are from the committee, because this is the first time I'm seeing any folks on the committee. And like to hear what those expectations are, what my role may be. But in the Town of Southold specifically, there's a number of parklands that I, you know, have a lot of familiarity with. I would like to see maybe optimized for the Town residents and for the better of Suffolk County residents as well, Cedar Beach parkland, Peconic Dunes parkland. Now we have a lot of different land partners in the Laurel Lake property, as it's been in the press recently, so I have some vested interest

in that facility. I know that a lot of times we have parklands that kind of just lay dormant, let's say, and not used optimally. So maybe looking at what town resources there are to compliment what County resources there may not be in making those properties optimal as in recreational opportunities for the residents of Southold and Suffolk County as well.

**LEG. ALDEN:**

If you are voted in to the •• as Park Trustee, we look to you for guidance when we purchase open space or even when we purchase property for recreation purposes, so that would be part of, you know, like what we'd expect from you.

**MR. HILARY:**

Sure.

**LEG. ALDEN:**

A good analysis on •• you know, especially from where you are out in •• on the East End.

**MR. HILARY:**

Yes.

**LEG. ALDEN:**

The other thing that's a very large problem in Suffolk County is we have a whole bunch of acres of open space, we have a law on the books that we're supposed to have Park Rangers to take care of that, but we don't have the Park Rangers to take care of that and that presents a problem, because as soon as government buys a piece of property it gets misused. For instance, recreational vehicles that are on there and sometimes those interests collide with the legitimate users of the property,

so more passive type of use, rather than the destructive use. We're going to be looking to you, then, for some kind of solutions. Not that you should have it today, but ••

**MR. HILARY:**

Well, I do have it today.

**LEG. ALDEN:**

Well, that's good.

**MR. HILARY:**

And if a lot of folks have been hearing the word "stewardship", that's a newly used word let's say in the last five to ten years. And if you heard Dick Amper speak, that's something that he promotes that we're going to be looking to do for all of these open space land purchases in the future, and stewardship is a care•taker of the land. And being vested either as the Town of Southold or Suffolk County at large, we really need to implement some comprehensive stewardship plans. And that might be looking at how we currently manage our parklands, but also I think looking outside the box, how we may do that differently without maybe looking more of as a grassroots approach with volunteerism, rather than counting on a County budget, per se, and the patrol officers to manage those lands.

**LEG. ALDEN:**

Thank you.

**CHAIRPERSON NOWICK:**

Legislator Viloría•Fisher.

**LEG. VILORIA•FISHER:**

Thank you for being here, Mr. Hilary.

**MR. HILARY:**

Oh, you're welcome.

**LEG. VILORIA • FISHER:**

And for volunteering to do this.

**MR. HILARY:**

Yes.

**LEG. VILORIA • FISHER:**

So the background that you have, it looks like you will bring in a rich element to the Trustees, and they're a body that I've always respected greatly. And as far as stewardship, my very first meeting as Parks Chair, and when I first came into the Legislature, I was fortunate enough to chair the Parks and Environment Committee, and my first meeting with the Parks Commissioner was about stewardship, because we knew that we couldn't possibly manage all of the acres that we have. With the background that I see that you have as a 4•H Camp manager, and back in my district with the {Seawolves} Camp ••

**MR. HILARY:**

Sure.

**LEG. VILORIA • FISHER:**

•• certainly, you bring the kind of expertise and hands•on educational experience that might help us to shape the stewardship resolution that I did introduce in 1999, because I think we were mentioning here in the Legislature before you heard it from Mr. Amper. But we will look forward to that. I hope that you will have the time to attend as many meetings as possible. It's really important to have that kind of consistency.

**MR. HILARY:**

Yes. I'm committed to take personal time, if that's needed.

**LEG. VILORIA • FISHER:**

Okay.

**MR. HILARY:**

Yes.

**LEG. VILORIA • FISHER:**

We look forward to working with you.

**MR. HILARY:**

Okay. Thank you.

**LEG. VILORIA • FISHER:**

Thank you for being here.

**MR. HILARY:**

Yes.

**CHAIRPERSON NOWICK:**

Any other questions?

**LEG. VILORIA • FISHER:**

Motion to approve.

**CHAIRPERSON NOWICK:**

Motion to approve. Thank you, Mr. Hilary. We have a motion to approve.

**LEG. BROWNING:**

I'll second that.

**CHAIRPERSON NOWICK:**

Motion to approve by Legislator Viloría•Fisher, seconded by Legislator Browning. All in favor? Opposed? 1689 has been **approved. (Vote: 5•0•0•0)**

Mr. Hilary, you do not have to come on Tuesday to the Legislature. It will go to the full Legislature then, but you do not have to come and wait around. Thank you.

**1738 • Directing the Department of Parks, Recreation and Conservation to cease operation of the trap and skeet shooting range at Southaven County Park, Town of Brookhaven.**

**LEG. BROWNING:**

I make a motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Browning. Do I have a second?

**LEG. VILORIA•FISHER:**

I'm going to make a motion to discharge without recommendation so that this can go before the full Legislature. The reason for that is that I still have concerns about the Sixth Whereas, which indicates that the reopening is prohibited under the terms of the Pine Barrens Protection Act. I don't agree with that Whereas. I don't think that there has been the legal test for that. And so I believe that this issue should go before the full Legislature, and, therefore, I'm going to make a motion to discharge without recommendation.

**LEG. LINDSAY:**

I'm going to make a motion to table.

**CHAIRPERSON NOWICK:**

Okay. So the motion to table supersedes.

**MR. NOLAN:**

We're going to need a second.

**CHAIRPERSON NOWICK:**

Okay.

**LEG. ALDEN:**

Second.

**CHAIRPERSON NOWICK:**

Seconded by Legislator Alden. All in favor for tabling?

**LEG. BROWNING:**

Opposed.

**CHAIRPERSON NOWICK:**

Opposed is Legislator Browning.

**LEG. VILORIA•FISHER:**

I'm opposed.

**CHAIRPERSON NOWICK:**

And Legislator Viloría•Fisher is opposed to tabling. So the motion to table has passed, and 1738 is **tabled. (Vote: 3•2•0 •1; Leg. Cooper not present) (Legislator Lindsay was present and voted on the resolution).**

Will there be a time between now and the next meeting where we can get the answer that Legislator Viloría•Fisher needs on that Fifth Whereas?

**LEG. VILORIA•FISHER:**

Yes.

**MR. NOLAN:**

As to whether or not reopening the trap and skeet violated the Pine Barrens Act?

**CHAIRPERSON NOWICK:**

Yes.

**MR. NOLAN:**

I believe the County Attorney has taken a position on this. I know there's a representative from the County Attorney's Office here.

**LEG. VILORIA•FISHER:**

Actually, George, I'm sorry. If I might, I don't mean to interrupt you, but what I'm asking is that the sponsor of the bill remove that Whereas Clause, so that we don't have to answer that question in order to have this move forward. That's what •• that's what I'm actually asking is for an amendment to the resolution.

**CHAIRPERSON NOWICK:**

So then, actually, the motion to table would be •• work better either way, and you'll talk to the sponsor and see if you can have that removed.

**LEG. BROWNING:**

I would like to ask a question of BRO also.

**CHAIRPERSON NOWICK:**

Legislator Browning.

**LEG. BROWNING:**

If you don't mind. This question's for BRO. There has been some question about how this is going to be a money-making venue. How much money has the County currently spent to do cleanup?

**MS. MOSS:**

That's certainly a question that BRO can answer for you, but that's not a figure that I have right now.

**LEG. BROWNING:**

Okay. My estimation is around \$800,000 currently is what they've spent. You don't have what the •• what the County expects to gain in revenue from this?

**MS. MOSS:**

That's part of the fiscal impact that the BRO provided and that's approximately \$29,000 in annual revenue. But then there's also the question of terminating the contract, so there's a fiscal impact for that as well.

**LEG. BROWNING:**

Okay. But if the venue stays open, it's currently •• it will be about \$29,000 a year, and I believe we have already spent about \$800,000 to clean it up. So it's around about 20 years is what it's going to take to get back what we already put into it; correct?

**MS. MOSS:**

I'm sorry. What was the question?

**LEG. BROWNING:**

If we •• the County has spent approximately \$800,000 to do cleanup on this park; okay? The revenue is approximately \$29,000 a year?

**MS. MOSS:**

Correct.

**LEG. BROWNING:**

That's what you expect to get. So do the math. Maybe about 20 ••

**LEG. VILORIA•FISHER:**

Twenty•seven years.

**LEG. BROWNING:**

Okay. Okay, I was being generous. So 27 years it will take to recoup the money we've already spent.

**MS. MOSS:**

Correct.

**LEG. BROWNING:**

Okay. And, you know, one of the things I wanted to make very clear, I have a picture here. It's my husband and my children. And this is my son when he was about ten years old, and this is my husband teaching him how to shoot. My daughter here is about 14, teaching her how to shoot. I am not opposed to gun users. We have guns in my home. This is what I want to say is

this is no longer the correct place to have a shooting range. I did visit it on Saturday. One of the things that I stood in Susan's backyard and listened to the guns going off. I grew up in Northern Ireland. It sounded like where I grew up, listening to gunfire going off. I understand what these kids are saying. It is not appropriate for kids to have to listen to guns going off.

We hear about wars going on in Israel and in the Middle East and we feel bad for those children that have to listen to gunfire on a regular basis and I feel for these kids, because it's not fair to them. This is not the right location anymore. It is not where it should be anymore. We need to find an alternative location. And, Mr. Cushman, I am more than happy to help you do that. Whether this bill passes or not, I will continue to help you find a location.

**CHAIRPERSON NOWICK:**

Just a quick question to Counsel. This comes back to us at committee in two weeks, then it goes to the full Legislature at the end of August. Either way, whether it is •• if it goes out of committee, it goes to the Legislature at the end of August.

**LEG. ALDEN:**

It's got to be voted out of committee.

**CHAIRPERSON NOWICK:**

How long does it take before •• let's say this piece of legislation does get out of committee and it does get out of the Legislature and it is passed. How long does it take before this trap and skeet is shut down, or in the reverse?

**MR. NOLAN:**

It doesn't state a definite time period when they stop •• it has to

be shut down. It directs the Parks Department to do it, but I don't believe it sets a time frame.

**CHAIRPERSON NOWICK:**

So there is no time frame, it just •• is it an open-ended resolution?

**MR. NOLAN:**

It just directs the parks department ••

**CHAIRPERSON NOWICK:**

Does it say within 30 days or ••

**MR. NOLAN:**

It does not do that, no.

**CHAIRPERSON NOWICK:**

Okay. All right. Thank you.

**LEG. ALDEN:**

Through the Chair.

**CHAIRPERSON NOWICK:**

Legislator Alden.

**LEG. ALDEN:**

Not to overly •• you know, make this more complex than it is, but if you want a time line, you're looking at years before this could possibly be shut down, and I'll tell you what happens. After we go through the Legislative process and either the County Executive vetoes it or signs it into law, and then •• then the lawsuit starts. So we have a bona fide contract, a legitimate contract with an operator right now. That contract would have

to be brought before a Judge to see if our actions can void it and what the cost to the County would be in voiding that action. And I'm sure that a Judge is going to find some kind of numeric value to that. And then there's a whole bunch of other things that come into consideration when you close a County park or a County facility. If you've been using a County facility for one reason and now you close that and change it, there might be other ramifications and other implications as far as what might have to be done for remediation, or what might have to not be done for remediation. So it's not a matter of weeks, months, it's a matter of years before the court would actually decide, you know, which way to go with this. So an act of this Legislature to go and get some kind of a time line on that when you're involved with a contract, a bona fide contract with the County and no one's raised any issues that it's not bona fide, arms •length bargain, whatever you want to call it, then you're talking about years that that range could probably remain open, and that would be up to a Judge to actually take some action on that.

**CHAIRPERSON NOWICK:**

So then what I'm hearing is that even if this committee passes this on to the full Legislature and the Legislature passes this into law, at that point, that range could not be shut down because there is an existing contract?

**LEG. ALDEN:**

Possibly. You could put it in a Judge's hands to issue an injunction against the County taking any actions. The guys got a bona fide contract. It's a unique piece of property. It's a unique contractual relationship. So, therefore, a Judge is going to look at it, what are the damages? And he's not •• I'm not saying he's going to decide one way or the other, I'm just saying

that it could take possibly a long time to get a decision and ••

**CHAIRPERSON NOWICK:**

I just wondered. I'm not an attorney and I just wondered would you close it down first and then fight it or ••

**LEG. ALDEN:**

Here's another issue that a Judge is going to look at, because the argument's going to be that it's in the •• you know, the core of the Pine Barrens. He's also going to look at the fact that right next door to this operation in the core of the Pine Barrens they're building houses and they're building roads, and they're actually discharging water from roads into the Pine Barrens, which is very, very toxic. It's actually more toxic than what can •• we're seeing as far as a discharge off of this property. So there's going to be a whole bunch of issues that would be raised in connection with what happens with this piece of property and this business. So you can't put a time line on it, I don't think.

**CHAIRPERSON NOWICK:**

Counsel?

**MR. NOLAN:**

I was just going to say, I think it's impossible to say in terms of a time line, because, for argument's sake, if the Parks Department ceases operation, terminates the contract, perhaps there would be a lawsuit resulting from that. Whether or not the contract would get injunctive relief from a court, that's very speculative. So I think it's impossible to say how this would go down in reality if we pass this resolution.

**CHAIRPERSON NOWICK:**

Legislator Browning.

**LEG. BROWNING:**

Yeah. While you talk about the vendor, I mean, I do sympathize with the vendor, that he's being put in this situation. I think it was unfair for the County to do what they did in the first place. They should have stepped back. I mean, last •• yesterday, we've listened to, you know, the residents in Deer Park and the traffic light problem that they're having, and how some people needed to step back and pay attention to what the community was saying. Miller Pond, you know, the reality is we see that really isn't our issue, that was the Town's responsibility. They should never have built there in the first place. However, the County stepped up and they're willing to help these residents, and that's what I'm asking from the Legislators here today is the assistance for these residents. And, if the vendor, if this does cease operation and the vendor chooses to sue, we have on the other side, if it doesn't close, you're dealing with the Pine Barrens Society and the local residents who will be preparing to file a lawsuit within the next week.

**LEG. ALDEN:**

Madam Chair.

**CHAIRPERSON NOWICK:**

Legislator Alden.

**LEG. ALDEN:**

Not to beat a dead horse, but let's put this in a historical perspective. Many, many Legislatures have met in the past and have endorsed our facilities in Suffolk County. That includes golf, that includes shooting ranges, that includes all types of equestrian, all type of activities, a lot of which people don't like, they don't like them in their backyard. We've sited all types of

municipal buildings, we've sited all types of municipal, like even sewers. We've got sewer districts all throughout Suffolk County, nobody likes them in their backyard, but they were designed to do a certain specific task, and that was •• that was to attempt to keep clean water. So there was purposes, and this is a history of Suffolk County as far as sports and these facilities. Suffolk County's been, I think, in a right direction to provide opportunities to people to participate in sports, and also we've purchased a ton of land. We've provided that opportunity for open space.

Now, what you're asking to do, and let's •• you know, let's be straight on it, you're asking to overturn what a whole bunch of Legislatures have done in the past, and Legislators, as recently as just a couple of years ago when the Legislature voted to put some money into this facility to try to improve it. So I think that, you know, I'm not saying that the people don't have a gripe, that they've got noise in their backyard, I'm not being •• you know, like turning my back on something like that, but I think that, you know, if you look at a historic perspective, this facility was there. People bought next to this facility. They were lied to in some instances, as the testimony •• as the testimony establishes. Now, how much do we want to do, and that's really what you're asking, not •• I take a little bit of a difference when you start comparing this to like the L.I.E. and we tried to help people in Smithtown. I don't think that's the same situation here. You're asking to overturn what Legislative bodies have actually endorsed for many decades in Suffolk County. You're asking to establish a new policy in Suffolk County that we will not have a shooting range. Instead, there was an offer made earlier, and I think that maybe the solution might be to withdraw this and take Mr. Cushman up on it, because he certainly doesn't have any obligation to help us, but if he's

willing to volunteer his time, let him and a couple of people from Suffolk County go around and find a place to open up the shooting range and then you can close this one down, if it's inappropriate. But I think that's the way to proceed, rather than close something down that has been in operation in Suffolk County for decades.

So I disagree with the •• you know, the tact that you're taking or the approach that you're taking to it. And I'm sure that you would have 18 Legislators supporting you if you had another place that we could just transplant this to, it's more appropriate, and do it tomorrow and then close this down. I don't see a problem with that, but I do see a problem with taking it in this direction.

**LEG. BROWNING:**

Well, I'm not prepared to withdraw my bill. I will keep it as is. I will amend it if there is a need to amend it. And, again, I will not let this bill die. I am speaking for my residents. And I know the Legislators prior to me that represent the people in that community did not support the shooting range and I will continue that.

**(Applause)**

**CHAIRPERSON NOWICK:**

Yes, 17 •• go ahead. I'm sorry. Legislator Vilorina•Fisher.

**LEG. VILORIA•FISHER:**

Actually, Legislator Alden, I was taking the position that you had articulated very well during the last meeting, which is that we should take this to the full Legislature, so that we don't continue

to drag it out and have these people come time after time, and just let it out of here with a discharge without recommendation, so that it could be voted up or down on Tuesday, rather than continuing to drag this out.

**LEG. ALDEN:**

Well, I was rebuffed and I was voted against.

**LEG. VILORIA•FISHER:**

Pardon me?

**LEG. ALDEN:**

My motion was defeated, so ••

**CHAIRPERSON NOWICK:**

What was your motion?

**P.O. LINDSAY:**

This thing was tabled. Move on.

**LEG. VILORIA•FISHER:**

Well, I think I have a right to state why I wanted to have it discharged without recommendation.

**LEG. BROWNING:**

I'm willing to accept that.

**COMMISSIONER FOLEY:**

Madam Chair.

**CHAIRPERSON NOWICK:**

Yes.

**COMMISSIONER FOLEY:**

If I might, or when the time is right, just to clarify a couple of points. We kept pretty good track of the money spent to reopen this place. Less than \$300,000 of County funds was spent on cleanup and restoring the building to open the place. Less than 275 of private sector money has also been spent. He's approaching his commitment of 275,000. So I just wanted that on the record in light of earlier comments.

And regardless of all the legal permutations of cancelling this contract, doing so would have a very chilling effect on all future requests for proposals that came out of the Parks Department. He signed this contract in good faith. We acted in good faith when we solicited his involvement here. And we have all kinds of quality of concessionaires from mediocre to top-notch. Just from the early days of this operation, he looks like he's going to be one of the better ones. I don't think it's in the County's best interest to sign a contract like this where everything has gone through all the reviews and approvals and then walk away from it. I don't think that bodes well for the future of contracting with concessionaires in the County park system. Thank you.

**CHAIRPERSON NOWICK:**

Okay. 1738 has been tabled.

**LEG. BROWNING:**

Lynne, can I ask the Commissioner a quick question?

**CHAIRPERSON NOWICK:**

Legislator Browning.

**LEG. BROWNING:**

Last question. On Saturday I stopped by to see what the Trap

and Skeet was like. I went to Mrs. Davis' home and walked through the wooded lot next to her home. There is a chain link fence at the side of her home, there's the wood fence, and when you walk through the wooded lot, there's a chain link fence for a little bit, and then there's no longer anymore fencing, and I can walk onto the Trap and Skeet Range from that wooded lot. So one of my real concerns right now is it is currently opened. There is access for any child or animal to walk into the park while that's in operation. I'm very concerned about the safety. And is there any plans to do anything to close it off totally for the safety of the community?

**COMMISSIONER FOLEY:**

Yes, there is. We plan to replace that fence for •• it's about twelve hundred feet. We've run into some purchasing problems with the vendor who did the fence work within the park already, so we've got to iron out those problems and then that will be done.

**LEG. BROWNING:**

Sooner than later, please.

**COMMISSIONER FOLEY:**

Hopefully. This is •• these are all kind of technicalities we have to get passed, but it's our plan to do it as soon as possible.

**LEG. BROWNING:**

Thank you. Sorry. Go ahead.

**CHAIRPERSON NOWICK:**

Okay. Thank you. We'll go on to Introductory Resolutions.

**INTRODUCTORY RESOLUTIONS**

***1860 • Applying for a grant from New York State Department of Parks, Recreation and Historic Preservation for the restoration of Wereholme Scully Estate County Park.***

**LEG. VILORIA•FISHER:**

Motion.

**LEG. ALDEN:**

Motion to approve.

**CHAIRPERSON NOWICK:**

Motion to approve by Legislator Alden, second by Legislator Vilorina•Fisher. All in favor? Opposed? 1860 is ***approved. (6•0•0•0) (Legislator Lindsay was present and voted on the resolution)***

**LEG. ALDEN:**

Put me down as a cosponsor, please. ***1861 • Applying for a grant from New York State Department of parks, Recreation and Historic Preservation for the restoration of Sagtikos Manor.***

**LEG. ALDEN:**

Motion to approve.

**LEG. COOPER:**

Second.

**CHAIRPERSON NOWICK:**

Motion to approve by Legislator Alden, second by Legislator Cooper. All in favor? Opposed? 1861 is ***approved. (6•0•0•0)***

**•0) (Legislator Lindsay was present and voted on the resolution).**

**CHAIRPERSON NOWICK:**

**1862 • Applying for a grant from New York State Department of Parks, Recreation and Historic Preservation for the restoration of New Mill and Miller's House at Blydenburgh County Park. I'll make a motion.**

**LEG. COOPER:**

Second.

**CHAIRPERSON NOWICK:**

Second by Legislator Cooper. All in favor? Opposed? 1862 is **approved. (6•0•0•0) (Legislator Lindsay was present and voted on the resolution).**

**1863 • Authorizing use of the Long Island Maritime Museum by the Rotary Club of Sayville for Annual Beefsteak Fundraiser.**

**LEG. LINDSAY:**

I'll make the motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Lindsay.

**LEG. COOPER:**

Second.

**CHAIRPERSON NOWICK:**

Seconded by Legislator ••

**LEG. COOPER:**

Second.

**CHAIRPERSON NOWICK:**

Cooper. All in favor? Opposed? 1863 is ***approved. (6•0•0•0•0)*** (***Legislator Lindsay was present and voted on the resolution.***)

***1865 • Accepting the donation of three (3) all terrain vehicles from the Central Pine Barrens Commission for use by the Suffolk County Park Police.***

**LEG. COOPER:**

Motion.

**LEG. VILORIA•FISHER:**

Motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Viloría•Fisher, second by Legislator Cooper. All in favor? Opposed? 1865 is ***approved. (6•0•0•0•0)*** (***Legislator Lindsay was present and voted on the resolution.***)

***1868 • Appropriating funds in connection with improvements to newly acquired parkland (CP 7145).***

**LEG. VILORIA•FISHER:**

Motion.

**LEG. ALDEN:**

Motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Viloría•Fisher, second by Legislator Alden.  
All in favor? Opposed? 1868 is **approved. (6•0•0•0)**  
**(Legislator Lindsay was present and voted on the resolution).**

Hearing no further business, this meeting is adjourned.

**[THE MEETING WAS ADJOURNED AT 12:55 P.M.]**

**{ } Indicates Spelled Phonetically**