

PARKS AND RECREATION COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Parks and Cultural Affairs Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on November 14, 2007.

MEMBERS PRESENT:

Leg. Lynne C. Nowick, Chairperson
Leg. Vivian Vilorio-Fisher, Vice-Chairperson
Leg. Kate M. Browning
Leg. Lou D'Amaro
Leg. Edward P. Romaine (Not present)

ALSO IN ATTENDANCE:

Legislator Daniel P. Losquadro, Sixth District
George Nolan, Counsel to the Legislature
Ian Barry, Assistant Counsel
Renee Ortiz, Chief Deputy Clerk
Lance Reinheimer, Assistant Director of Budget Review Office
Jill Moss, Budget Review Office
Brian Bielanski, County Executive's Office
Justin Littell, Aide to Leg. D'Amaro
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Fran Siems, Legislative Aide
Gail Lolis, County Attorney's Office
John Fritz, Park Trustee
Miles Borden, Park Trustee
Effie Gicas, Suffolk County Vanderbilt Museum
And all other interested parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING COMMENCED AT 1:13 PM)

CHAIRPERSON NOWICK:

Good afternoon, everybody. I'd like to call this meeting to order. We'll start with the salute to the flag led by Legislator -- I would say D'Amaro, but he might be upset, so Legislator Vilorio-Fisher.

SALUTATION

Good afternoon and welcome to the Parks and Recreation Committee. We're going to just start out a little differently today and I'm going to ask Legislator Losquadro, if he -- I understand he would like to address the committee, so I'll give you the first shot.

LEG. LOSQUADRO:

Thank you. Before you today is a bill that has been tabled on a couple of occasions, IR 1817, regarding the screening of employees in the -- seasonal employees in the Parks Department to be checked against the sex offender registry. And the -- we've gone over this with the County Attorney's Office. Is there a representative from the County Attorney's Office here that perhaps could discuss this?

We made some of the changes that were requested. In speaking with our Counsel's office we did not feel that the other changes were substantive or really made any difference in the legal effect of this legislation. This is something that we're trying to get in place so the Parks Department can plan as they go into next season to hire those seasonal employees. I would really rather have this in place sooner rather than later so they can be ready to deal with this. Have you seen the version with the latest changes that we had made?

MS. LOLIS:

Yes, I have.

LEG. LOSQUADRO:

Could you comment on the differences that you still see between what you would like and where we are right now?

MS. LOLIS:

Well, in speaking with Dennis Brown, who has been working on this, his concern was that -- was that the County's legislation mirror as best as it could the State law. And the most recent changes that Mr. Brown had recommended, it just made it a little bit more in line with the State law as it is. Does it make it legally defective, we don't believe it does. It is just that it was just a little bit cleaner to add those additional changes.

LEG. LOSQUADRO:

I have to tell you, I mean, the difference between saying Suffolk County residents or specific individuals or the general public really doesn't seem like it cleans it up all that much to me. This is -- it's not really a substantive change in my mind. I mean, I think we can say Suffolk County residents and it's pretty clear. I know the State language may be a little bit different.

I know the initial concern when I had put this in was obviously some of the subjectivity and obviously we from a legal standpoint, human resources standpoint, we never want to open ourselves up to potential litigation and I think we addressed all of that. Once we did that then we started getting into this minutiae of the difference between our language and the State language and, quite frankly, in working with our Counsel's office, again, we didn't really feel that these changes were all

that substantive. So I would ask the committee that we consider moving this out today. Obviously I can't make a motion to take it out of order, but I would request.

CHAIRPERSON NOWICK:

Is that like a request from you?

LEG. LOSQUADRO:

It would be, yes.

CHAIRPERSON NOWICK:

Okay.

D.P.O. VILORIA-FISHER:

Do we have a quorum?

CHAIRPERSON NOWICK:

Yes, we do. We do have a quorum and we have a request from our colleague because I know that you are on your way.

D.P.O. VILORIA-FISHER:

I'll make a motion to take it out of order.

CHAIRPERSON NOWICK:

We have motion by Legislator Viloria-Fisher to take 1817 out of order. I'll second that. And now all in favor? Opposed? 1817 is before us.

1817-07, Requiring the screening of all applicants for seasonal employment in the Parks Department. (Losquadro).

I'll take a motion first and then you want to ask on the motion or you want to ask --

D.P.O. VILORIA-FISHER:

Just before I make the motion, if I could, because Legislator Losquadro has been speaking about it. We had spoken about that discretion language. Was that one of the changes that was made, because that was more substantive if I recall.

LEG. LOSQUADRO:

Yes. That was actually made early on in the process. Soon as the County Attorney's Office brought that up we did address that. Obviously that was something that, you know, myself being an insurance person, I never want to expose the County to any undue liability. So we made those changes regarding subjectivity and discretion on the -- we cleaned up the discretion portion on the part of the Commissioner of the Parks Department.

D.P.O. VILORIA-FISHER:

Right. That was second resolved, right, that you changed? That was the one that had discretion, the language using the word discretion.

LEG. LOSQUADRO:

Yes, I believe so.

D.P.O. VILORIA-FISHER:

Okay. I'm seeing now, right, that that's been left out. Okay. I'm going to make a motion to -- go ahead.

LEG. D'AMARO:

Well, you can make your motion.

D.P.O. VILORIA-FISHER:

I'm going to make a motion to approve.

CHAIRPERSON NOWICK:

Okay. We have a motion by Legislator Viloría-Fisher and I'll second the motion. And I see that Legislator D'Amaro has a question.

LEG. D'AMARO:

Yes. Thank you. Just through the Chair to Legislator Losquadro. So the language as we saw in the original bill empowered and directed to in his or his discretion disqualify any applicant. That's been omitted from the revised version?

LEG. LOSQUADRO:

Yes, it has been changed. There's amended copy as of October second that changes that language. It was a minor change, but from a legal standpoint I'm sure you can appreciate that --

LEG. D'AMARO:

So directed to disqualify. So if you are on the list you're disqualified.

LEG. LOSQUADRO:

Correct.

LEG. D'AMARO:

Okay.

CHAIRPERSON NOWICK:

Maybe could we hear from our Counsel on this.

MR. NOLAN:

A person is not automatically disqualified if they appear on the list, on the sex offender registry. If they are on the registry, the Commissioner can disqualify somebody if they pose an unreasonable risk to the residents of Suffolk County and he has to consider a number of factors that are in the Correction Law in reaching that determination. If he determines that the person poses an unreasonable risk to the residents of the County, then he will disqualify that person. You have to have that language in this resolution.

LEG. D'AMARO:

Why is that?

MR. NOLAN:

Because the Correction Law put in protections for people who have been convicted of crimes when they were seeking employment. You can't have a blanket local law saying that if you were convicted of a certain crime you cannot hold a job or get a license. You have to weigh factors that are enumerated in the Correction Law to determine that the person is dangerous and then you can disqualify them.

LEG. D'AMARO:

So under the old version even if the applicant was determined to pose an unreasonable risk, they were still discretionary to the Commissioner.

LEG. LOSQUADRO:

Yes.

LEG. D'AMARO:

Now if there is an unreasonable risk found then at that point they are directed to disqualify or whatever we're doing.

LEG. LOSQUADRO:

Correct.

LEG. D'AMARO:

There was also a question about the third resolved clause. Was any of the language changed on that clause?

LEG. LOSQUADRO:

I don't have the previous version in front of me. I know there were several changes that were made.

CHAIRPERSON NOWICK:

I have it.

LEG. D'AMARO:

We have it here. That clause goes to whether the applicant for seasonal employment poses an unreasonable risk necessitating disqualification from seasonal employment, the Commissioner shall consider. Was there a change to that resolved as well?

LEG. LOSQUADRO:

I'm just looking through my previous notes. If you give me a second.

LEG. D'AMARO:

It looks like you changed the section.

LEG. LOSQUADRO:

Yes.

LEG. D'AMARO:

Ms. Lolis, do you know if there was a change to that clause?

CHAIRPERSON NOWICK:

I have the original version here.

LEG. LOSQUADRO:

I'd ask Counsel if they can compare the two. I don't have the previous one in front of me.

LEG. D'AMARO:

The original clause referenced Article 23A of the New York Correction Law. The new third resolved clause references a specific Section 753.

LEG. LOSQUADRO:

That was a request that was made by the County Attorney's Office which we did put in, yes.

MS. LOLIS:

That's the section that actually lists the eight factors that should be considered.

LEG. LOSQUADRO:

Right. I just got a copy of the previous, the original version, and yes, it was changed to the specific section of the Correction Law that was requested by the County Attorney's Office.

LEG. D'AMARO:

Okay. Thank you. Thank you, Legislator Losquadro. I appreciate it.

LEG. LOSQUADRO:

Thank you.

CHAIRPERSON NOWICK:

Okay. I have a motion by Legislator Viloría-Fisher and a second by myself. All in favor? Opposed? It looks like 1817 has been approved. **(Vote: 3-0-0-2 Not Present: Legislators Browning and Romaine.)**

LEG. LOSQUADRO:

Thank you very much.

CHAIRPERSON NOWICK:

You're welcome. We will go on with presentations. I'd like to say on behalf of Legislator Viloría-Fisher and myself it is nice to see that the County is not worried about the price of oil because it's freezing in here as usual.

How about we'll bring up John Fritz from the Board of Trustees.

MR. FRITZ:

Congratulations on everybody's reelection. My name is John Fritz. I'm Park Trustee from the Town of Babylon. I'm also the Chairman of the Sporting Advisory Board and the Sportsmens representative to the Leisure Services Committee, which I don't believe is in existence anymore, but it was at one time.

I'm here today because several weeks ago I talked to Legislator Lindsay about some of the projects in the County parks and he recommended that I come before you and give you an update on what I'm trying to get done along with other trustees.

Number one on the list at that time was a fishing pier at Smith Point County Park, who is buried somewhere in the Corps of Engineers permit process. After contacting Senator Schumer's office and several other people it finally got approved and I believe right now it's in DPW's hands in order to go out for bid. So that thing seems to be resolved except it has not been built yet after several years.

The second project is a handicapped boardwalk into the bay at Cupsogue County Park. The reason for that is -- I gave you a bunch of pictures that the County parks people have taken, Nick Gibbons, I believe. It shows the destruction of the wetlands and also there is no other area in eastern Long Island where handicapped people can access the wildlife on the marshes. And a boardwalk of this type would be a very beneficial thing, I believe, for handicapped and senior citizens, plus it will stop the destruction of the marsh. I think County Parks did draw up plans and I think they are in the hands of DPW, which I believe they have to be revised and which is a very long process. So maybe I'm asking you if somebody could look into DPW's, you know, workload and see if they could put it near the top.

The other item on the agenda is a fishing access site at Route 105 in Indian Island. What the fishermen are doing now, they are parking on 105 and walking down and fishing under the bridge on the ripwrap. Now, State Parks is not against this and they are having a meeting with DEC in the near future to look at this and other projects in that area.

And the last item on my agenda is a behind the dune campsite at Montauk County Park, Teddy Roosevelt County Park in Montauk. The Montauk master plan for the County park indicates 200 campsites on the outer beach, but due to Piping Plover and due to severe erosion, that number cannot be reached. So it was thought instead of sending these campers home back to the western Long Island after making the trip out there, that they would be provided with a {perimitive} campsite on the spoil area behind the dune. Now, we have met with the local people out there on

several occasions. It would not be a hook-up, it would be a {primitive} campsite, only overflow from the outer beach. It would not go beyond the 200 campsite limit and it would not be in lieu of outer beach camping. If the outer beach camping is accessible due to natural forces then we would prefer the outer beach. This is not anything that would break the rule of the master plan in Montauk County Park.

And thank you for your attention. If you have any questions I'll try and answer them.

CHAIRPERSON NOWICK:

Mr. Fritz, thank you for coming here and taking your time to give us a little bit of an overview. I do have your material, which I'll give back to you and I will be looking into the handicapped ramp at Cupsogue. We'll check with DPW.

And also, I just wanted to say thank you to Miles Borden for being here as well as a member of the Park Trustees. It's nice that you take the time and you care enough to see what's going on. I appreciate it. Thank you. We'll give this back.

MR. FRITZ:

With those papers, I mean, if you want to give them to the Commissioner or something, because I borrowed them from them.

CHAIRPERSON NOWICK:

Okay. We'll just give them right back then to the future Commissioner.

LEG. D'AMARO:

Also, if I could chime in on that.

CHAIRPERSON NOWICK:

Yes, go right ahead.

LEG. D'AMARO:

I also appreciate that you took the time to come down and actually review these County sites and make some recommendations. The last two you mentioned, the fishing access, is that a capital project right now that the County maintains, or is that something that's being proposed?

MR. FRITZ:

It's being proposed. It hasn't gotten that far yet.

LEG. D'AMARO:

And the Montauk site, same situation?

MR. FRITZ:

Well, that only takes a little bit of clearing of the brush that's overgrown, that spoil area. I think that's going to be done in-house with County Parks. I think it just has to be -- I think Bill Sickles was talking about something like 40 sites that they could accommodate in the back. And we're just -- basically just a parking area where they can stay until the outer beach is open again.

LEG. D'AMARO:

Okay. And the first two, the fishing pier and the handicapped boardwalk are existing County projects?

MR. FRITZ:

They are in the pipeline, yes. The boardwalk, I believe I was told that the County Parks did draw up the plans and sent them to DPW. It's in the capital budget which I gave Legislator Nowick. I'm not sure of the process, if it's written in there it's in granite or it's written in air and could be overlooked. I don't know.

CHAIRPERSON NOWICK:

We should find out the number, where it lands.

LEG. D'AMARO:

Okay. Thank you.

D.P.O. VILORIA-FISHER:

Hi, John. Good to see you.

MR. FRITZ:

Hi. Good to you see you again.

D.P.O. VILORIA-FISHER:

I just have a question about the cell towers. Is that coming before CEQ again next week?

MR. FRITZ:

You know that's -- you mean in Montauk?

D.P.O. VILORIA-FISHER:

Yes.

MR. FRITZ:

That's bounced back and forth. I think it's like a snail's pace going forward. I'm not sure -- maybe Miles, do you remember if they went to --

D.P.O. VILORIA-FISHER:

Because I had read something you had sent me in my office regarding the cell towers. I was wondering if it was coming before CEQ again.

MR. FRITZ:

I could find out tomorrow.

D.P.O. VILORIA-FISHER:

It's okay. It's next week and I'm a member of CEQ. I was just curious if you know if there was anything new that was being presented or, you know, if you had any new information.

MR. FRITZ:

That's Dick White's thing.

D.P.O. VILORIA-FISHER:

Yeah, that's true. Actually you're right, it was Dick White who sent it to me, it wasn't you. I'm blaming everything on you, John. You're here.

MR. FRITZ:

That's all right. The only other thing, I went before CEQ with the boardwalk at Cupsogue with Nick Gibbons and it was approved there.

D.P.O. VILORIA-FISHER:

That was approved, yes. Okay. Thank you, John.

MR. FRITZ:

Thank you all.

CHAIRPERSON NOWICK:

Okay. Thank you. We'll go to the agenda and then we'll bring up John Pavacic and we'll also bring up Effie Gicas. So, tabled resolutions.

Tabled Resolutions

1596-07, Appointing Effie Gicas as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 9) (Horsley)

Would you like to come up and address the committee, please.

MS. GICAS:

Yes. Good afternoon.

CHAIRPERSON NOWICK:

Would you like to tell us a little bit about yourself?

MS. GICAS:

Hi. My name is Effie Gicas. I'm currently a second grade teacher at PS 214 in Queens. I've recently graduated from Hofstra with my graduate degree in administration in May of '07.

CHAIRPERSON NOWICK:

I was just looking at your resume and, as we usually do, we ask questions of people that might be interested in serving on the Board of the Suffolk County Vanderbilt Museum. In the past, have you worked in committees or done any work with historic buildings or anything like that? Have you had experience like this before? Do you have a background in this at all?

MS. GICAS:

No, do I not. I do not. I would be honored to work with the museum. I know it's one of the largest. I'd love to see more and new programs, educational programs for children and work with the curriculum and integrate the standards.

CHAIRPERSON NOWICK:

Okay. So you haven't had any past experience and I see somebody -- did you want to ask a question? Legislator Viloría-Fisher has a question for you.

D.P.O. VILORIA-FISHER:

Thank you for coming down and thank you for being willing to give this kind of time to the community. A few years ago I nominated someone from my district who was a retired high school English teacher. I recently attended the gala at the Vanderbilt and I was told by the people at the Vanderbilt that Gretchen, who was my nominee, as a teacher has introduced a great many ideas to the Vanderbilt. And you as a second grade teacher would bring that different perspective at the other end of the educational spectrum.

But I see that you teach in Queens. You live out here, I know how time consuming it is to teach. You've just finished some of your graduate work so at least you don't have that. But will you have the time to put into this, to try to bring those standards, and I know that we try to integrate the standards in different areas, but that is time consuming. Will you have the time to give to this?

MS. GICAS:

Absolutely. I will have the time available.

D.P.O. VILORIA-FISHER:

Okay. All right, because that is the important part here. And the meetings are in the evening. Is your microphone close or on? It's just that you are soft spoken.

MS. GICAS:

Yes.

D.P.O. VILORIA-FISHER:

Okay. We really appreciate having another educator because it is a facility that does have a lot of outreach, all of the local school districts go there and it would be invaluable to have your input. But I just wanted to ask that you would have that time.

MS. GICAS:

Would the meetings be in the evening or during the day because --

D.P.O. VILORIA-FISHER:

They are in the evening.

MS. GICAS:

Okay, then that is fine.

D.P.O. VILORIA-FISHER:

The Trustees meetings are in the evening, aren't they always?

MR. NOLAN:

Yes.

D.P.O. VILORIA-FISHER:

When I was Parks Chair I used to go to the meetings and they were in the evening, right, Lance?

MR. REINHEIMER:

Yes.

MS. GICAS:

That's not a problem.

D.P.O. VILORIA-FISHER:

Okay. Thank you.

CHAIRPERSON NOWICK:

Thank you. And I would also say that it's nice to see somebody interested in volunteering for our museum and bringing all you have to offer as a second grade teacher and a lot of good, new ideas. And it's time consuming and it's wonderful that you'll be giving of your time because all of us are very busy and we appreciate it. Thank you.

MS. GICAS:

Thank you.

LEG. D'AMARO:

I'll offer a motion to approve.

CHAIRPERSON NOWICK:

Okay. We have a motion by Legislator D'Amato, second by Legislator Vilorio-Fisher. All in favor? Opposed? 1596 has been approved. **(Vote: 3-0-0-2 Not Present: Legislators Browning and Romaine.)**

And it won't be necessary for you to come and spend the day here on Tuesday. This will be on Tuesday's agenda but it won't be necessary for you to come. And thank you again.

MS. GICAS:

Okay. Very good. Thank you very much.

D.P.O. VILORIA-FISHER:

Thank you for coming.

CHAIRPERSON NOWICK:

1817 has already been on the agenda. We'll go to Introductory Resolutions.

Introductory Resolutions

1966, Reappoint member to the Suffolk County Board of Trustees of Parks, Recreation and Conservation (Alexander Glenn McKay). (Pres. Off.)

I'll make a motion.

D.P.O. VILORIA-FISHER:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Vilorina-Fisher. All in favor? Opposed? 1966 is approved. **(Vote: 3-0-0-2 Not Present: Legislators Browning and Romaine.)**

1998, Approving a license agreement for Jason Gerondel to reside at Farm Cottage, Unit 141, at Blydenburgh County Park, Smithtown. (Co. Exec.)

Just to ask the question, I assume that the -- there's a rent on that?

D.P.O. VILORIA-FISHER:

Yeah, it's here. It's \$1,000 a month and it will increase to \$1,475 in September of 2008.

CHAIRPERSON NOWICK:

And that sounds like it's within our frame. So motion by Legislator D'Amaro, second by Legislator Vilorina-Fisher. All in favor? Opposed? 1998 is approved. **(Vote: 3-0-0-2 Not Present: Legislators Browning and Romaine.)**

1999, Approving a license agreement for Derek Rogers to reside at Meadowcroft Cottage, Unit 101, at Meadowcroft County Park, Sayville. (Co. Exec.)

And you have that there also, don't you, Legislator Vilorina-Fisher?

(Legislator Kate Browning entered the meeting)

D.P.O. VILORIA-FISHER:

Yes. Do you want me to read the rents into the record?

CHAIRPERSON NOWICK:

Yes, would you please?

D.P.O. VILORIA-FISHER:

Mr. Rogers is an Environmental Analyst for the Parks Department. Rent will be \$687.50 per month with semiannual increases until it reaches \$1,025 per month in September 2008.

LEG. D'AMARO:

Motion.

CHAIRPERSON NOWICK:

Motion by Legislator D'Amaro. Second by myself. All in favor? Opposed? 1999 is approved. **(Vote: 4-0-0-1 Not Present: Legislator Romaine.)**

2000, Approving a license agreement for Robert Fulton to reside at House #1, Unit 119A at Prosser Pines County Park, Middle Island. (Co. Exec.) Legislator Viloría-Fisher, just give us the background, please.

D.P.O. VILORIA-FISHER:

Mr. Fulton is a Parks Police Officer. The rent will be \$850 per month with semiannual increases until it reaches \$1,000 per month in September of 2008.

LEG. D'AMARO:

Motion.

CHAIRPERSON NOWICK:

Motion by Legislator D'Amaro, second by myself. All in favor? Opposed? 2000 is approved. **(Vote: 4-0-0-1 Not Present: Legislator Romaine.)**

2001, Approving a license agreement for James Calder to reside at Caretaker's Cottage, Unit 131, at Timber Point County Park, Great River. (Co. Exec.)

D.P.O. VILORIA-FISHER:

Mr. Calder is a Deputy Sheriff. Rent will be \$1,000 per month with semiannual increases until it reaches \$1,600 per month in September 2008, and that is not including green fees.

LEG. D'AMARO:

Motion.

CHAIRPERSON NOWICK:

Motion by Legislator D'Amaro. Second by myself. All in favor? Opposed? 2001 is approved. **(Vote: 4-0-0-1 Not Present: Legislator Romaine.)**

2002, Approving a license agreement for James Carleton to reside in the apartment in Black Duck Lodge, Unit 136, at Hubbard County Park, Flanders. (Co. Exec.)

D.P.O. VILORIA-FISHER:

And talk about a view. Okay. Mr. Carleton is a Laborer in the Parks Department. Rent will be \$829.50 per month with semiannual increases until it reach \$1,000 per month in September of 2008.

CHAIRPERSON NOWICK:

Same motion, same second. All in favor? Opposed? 2002 is approved. **(Vote: 4-0-0-1 Not Present: Legislator Romaine.)**

I see the Commissioner is sitting here, future Commissioner.

2007, Confirming Commissioner of County Department of Parks, Recreation and Conservation (John W. Pavacic). Welcome. I will give you a few minutes if you would like to address the committee. You're on.

MR. PAVACIC:

Thank you very much, Madam Chairman and members of the committee. I'm honored to be here before you today. My appearance today is a culmination of over 20 years of work in the public sector. And I must say that during my few weeks on the job thus far I have been summarily impressed by the breadth and depth of the Parks Department and its mission. It's a fantastic opportunity for me to be here and to be considered for this position.

I have had a long, long standing interest in open space and the environment and would very much welcome your support and approval today. Thank you.

CHAIRPERSON NOWICK:

And I know that you've probably been to all of our individual offices and answered many questions. And I know that you and I talked about taking a look at the Bergen Point Golf Course which I find is a disappointment and we spoke about that. And I'm sure we will get at opportunity to take a look and see that it improves over the next year, hopefully. Did anybody else have any questions?
Hello, Kate.

LEG. BROWNING:

He's got my laundry list.

CHAIRPERSON NOWICK:

Do you have questions?

LEG. D'AMARO:

I do.

CHAIRPERSON NOWICK:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you, and Mr. Pavacic, welcome. And, as our Chair, I have had the opportunity to meet with you in my office as well and I appreciate you coming forward and looking to serve Suffolk County. We certainly have an impressive resume and we had a nice discussion about what your vision would be for the County parks going forward.

I just want you to answer one question for me. Looking at your resume, you have a lot of environmental experience, which is not necessarily administering parks. Can you tell me how that experience helps you in the Parks Commissioner position?

MR. PAVACIC:

Certainly. First of all, in my prior position with the Department of Environmental Conservation I saw firsthand a lot of applications from government agencies, including the Parks Department, and often interacted with those agencies and others related to that such as State Parks.

In addition, I have served since the enactment of the Central Pine Barrens Law in 1993 in a variety of positions, so I have been intimately familiar with the preservation of open space, acquisition of open space, and management of those lands. In fact, in a prior position with the Town of Brookhaven I played a key role in developing the town's first nature preserve program. I drafted the initial legislation for that and so I do have, I would say, a fair amount of experience in regard to concepts that are related to the Parks Department. If one considers that the County Parks Department, the majority of the lands are natural open space. It's unlike what you would find on a town or village level or you have very active ball fields, soccer fields and so forth. The majority of the County's lands, with the exception of golf courses and marinas, are pretty much natural open space and requiring passive uses.

In addition, in my last position I was responsible for the busiest Environmental Permits Office in New York State. The Department of Environmental Conservation divides up New York State into nine regions with Long Island being region one. And our office at Stony Brook was singularly the -- the single busiest one of all nine regions, head and shoulders above those. So it required a constant amount of work to administer in that program, keep things on track, and I think my experience there in over ten and a half years will help me greatly and is intimately related to the work of the Parks Department.

LEG. D'AMARO:

How many years was that did you say?

MR. PAVACIC:

About ten and a half years.

LEG. D'AMARO:

Ten and a half and so you were administering that permit division, is that what it was?

MR. PAVACIC:

That's correct.

LEG. D'AMARO:

Okay. So you have also then experience in running a department administratively as well as the interaction between the environmental concerns and how that relates to caring for County parks.

MR. PAVACIC:

That's right. I will also add that when I was with the Town of Brookhaven my last three years there were as the Assistant Director of the Environmental Protection Division. And again, I was a manager there, ran a program. A lot of the work I oversaw had to do with the review of subdivisions and development projects in the Town of Brookhaven and managing that program.

LEG. D'AMARO:

Okay. Thank you very much.

MR. PAVACIC:

You're welcome.

CHAIRPERSON NOWICK:

Legislator Viloría-Fisher.

D.P.O. VILORIA-FISHER:

Thank you for being here, Mr. Pavacic. And as was mentioned by the Chair and by Legislator Lou D'Amaro, you did take the time to come to my office as well and we had quite a long discussion because of my interest in parks and your vision and I appreciate the time that you spent with me, but I still have more questions.

There have been a few projects or County parks which I believe have been stalled in their mission. One of them is in my district and one not, but it's adjoining my district and I personally made great use of it and that's Deepwells. I would like to see Deepwells come back to the position that it had once held. It was something where I know that my community used extensively, the tea parties were very popular, you know, with the dramatizations and it's something that we do miss. I believe that it was a jewel among our County historic buildings and still is. But I would like to see the community enjoy it more.

The other is quite a bit more problematic, and Gail Lolis may know about this. Several years ago I had a resolution that would lead to a licensing agreement between the County and the Boys and Girl Club for the use of a piece of County property that had been a sand mine years ago and we were going to convert it to active use with the Boys and Girls Club, developing fields and using it. But unfortunately it has been a bureaucratic quagmire and this is now a piece of legislation that's about five years old and we haven't been able to make this happen. As matter of fact, the Boys and Girls Club had to develop facilities somewhere else. And we have different clubs, such as the Three Village Little League and the Little League of the Three Villages, who are without fields. We want to be able to resolve this so that our kids can have someplace to play ball.

So I'm just, you know, those were -- we got so involved in more general conversations when you were at my office that I didn't mention this which is quite important to my district. So I'm hoping we can just get this off the dime and let this happen.

MR. PAVACIC:

Sure. I'd welcome the opportunity to meet with you again to discuss those in more detail.

D.P.O. VILORIA-FISHER:

Okay.

MR. PAVACIC:

And find out for you where they are in our department.

D.P.O. VILORIA-FISHER:

I will make myself available at your earliest convenience. It's really important because we want to start seeing something happening for the kids.

MR. PAVACIC:

Understood.

D.P.O. VILORIA-FISHER:

Thank you.

CHAIRPERSON NOWICK:

And I hate to overwhelm you, but Legislator Viloría-Fisher brings up something very interesting and just so I can bring you up to date on Deepwells just a little bit. Through what we call, I think it is the Friends of Deepwells and Scott Posner, there are during the summer now movies out on the lawn for the children. I think it's every Wednesday night there are concerts.

D.P.O. VILORIA-FISHER:

Every Wednesday is acoustic --

CHAIRPERSON NOWICK:

There is acoustic night. So because of that stewardship, if you will, Deepwells is certainly getting on the map. And John, I wanted to ask you also how you felt now that we are bringing this up. That particular area has a few beautiful historic homes, one of which the County owns already, Deepwells. There is the General Store there and also there is a new acquisition that we have also, a 300 year old home. That's the -- I call it the Mill Home. And then Smithtown also, Smithtown Arts Council has a home there.

The point is from St. James all the way into Legislator Viloría-Fisher's district are a lot of historic homes. I would like to work with you on creating what I would call a little bit of an historic district maybe, and maybe it would be a good way to bring people into the area because Long Island is known as a tourist area. And maybe when you get your two feet on the ground we can work together on that a little bit.

MR. PAVACIC:

I'd certainly like to explore that with you. I have some familiarity with historic districts. When I was at the Town of Brookhaven there was a State historic designated district in Miller Place and so there are provisions for creating a State one. I'm not sure how it would fit into the County's Historic Designation Program, but certainly -- at least those properties that are not County owned, but certainly would welcome the opportunity to discuss that with you and explore that.

CHAIRPERSON NOWICK:

There's a lot going on there, farms, and I think there are ways that we could make that work for the County a little bit more proactive.

MR. PAVACIC:

I know there's also -- there was a plan developed for the -- I believe it's the North Shore Heritage Trail. It was a Statewide program.

D.P.O. VILORIA-FISHER:

And this is on that trail. This is right along that trail.

MR. PAVACIC:

And so this would be one of the destinations on that. So certainly that would fit into that master plan that was developed a few years ago. So I would welcome the opportunity to discuss it with you further.

CHAIRPERSON NOWICK:

That would be wonderful. I'd like to do that in the coming year.

MR. PAVACIC:

Okay. Will do.

CHAIRPERSON NOWICK:

Are there any other questions? If not, since Mr. Pavacic is in the Town of Smithtown I think I will make the motion. Second by Legislator Vilorina-Fisher. All in favor? Opposed? Motion 2007 is carried. Congratulations. **(Vote: 4-0-0-1 Not Present: Legislator Romaine.)**

MR. PAVACIC:

Thank you so much. I really appreciate it.

CHAIRPERSON NOWICK:

I don't believe you have to come to the meeting on Tuesday either unless any of you think that there is a problem.

MR. PAVACIC:

I believe, yeah, I was already asked to attend, so I will be there.

CHAIRPERSON NOWICK:

Okay. Then we'll see you then.

MR. PAVACIC:

Thank you. I will remain here if you have any other questions on any of the other items that I could answer.

CHAIRPERSON NOWICK:

Well, I'm going to give this back to you. This is from John Fritz. This is some of the paperwork.

MR. PAVACIC:

If I may, I could just respond to Mr. Fritz's one query regarding the Smith Point pier. It has, as he said, it has received now all of its regulatory permits. I was contacted by Ted Godek, the County architect, to arrange for a meeting between his staff and my staff to discuss now finally implementing that. So we will be setting that up in the future and hopefully moving on that fairly quickly.

CHAIRPERSON NOWICK:

See that? You are already on the job. Thank you and we'll see you on Tuesday.

MR. PAVACIC:

Thank you very much.

CHAIRPERSON NOWICK:

2010, Authorizing a license agreement with Windows On The Lake, Inc., for beautification of County parkland along Lake Shore Road, Lake Ronkonkoma. (Co. Exec.)

Counsel, what does that mean? What are they doing there?

MR. NOLAN:

Apparently this group has or this corporation has been doing maintenance and upkeep on County property near the lake as part of the Adopt-A-County-Park Program which was established in 1993. So they've had a license agreement to perform certain maintenance and work there. This is to authorize a new license agreement for another five years.

CHAIRPERSON NOWICK:

Okay. Motion by Legislator Browning, second by Legislator D'Amaro. All in favor? All opposed? Any opposed? 2010 is approved. **(Vote: 4-0-0-1 Not Present: Legislator Romaine.)**

2013, Appropriating funds in connection with fencing and surveying for County parks (CP 7007).

D.P.O. VILORIA-FISHER:

I have a question about this.

CHAIRPERSON NOWICK:

Legislator Viloría-Fisher has a question.

D.P.O. VILORIA-FISHER:

Yes. If someone from the County Executive's Office can come forward because I'm concerned about the fact that we're bonding \$25,000. I did speak with some people from the County Executive's Office regarding pay-as-you-go monies for this so that we don't continue to bond small amounts of money. Has a change been made?

MR. BIELANSKI:

I don't have the answer to your question at this moment.

D.P.O. VILORIA-FISHER:

Then I'll make a motion to table.

LEG. D'AMARO:

I'm going to second that motion. This, according to the notes that I have, says this resolution, and maybe Counsel correct me if I am wrong, was bonding 25,000 to survey Berkley Jackson County Park. I mean, is this something that we do in-house or is this contracted out?

MR. NOLAN:

I would assume if they are bonding out, they are probably contracting it out.

LEG. D'AMARO:

So it begs the question then, or, you know, maybe there's other surveying services throughout the County perhaps can be consolidated with this rather than doing one bond. I mean, there are so many open ended questions with this that I would support the tabling motion. Maybe we can get some more information.

MR. NOLAN:

I would only add that, I mean, this is an existing capital project. It's appropriating money that's already in the Capital Budget and Program. It probably covers lots of different fencing work around the County. This is just probably part, I would ask Budget Review to confirm that, probably part of a

larger capital project.

LEG. D'AMARO:

I see. So there's a capital project for fencing and this is appropriating -- maybe BRO could answer that.

MR. REINHEIMER:

That's correct. This is a project for fencing which is a general project for several County parks.

LEG. D'AMARO:

What's that project number, if you have it.

MR. REINHEIMER:

It's 7007. This is, as Counsel says, this is as adopted in the Capital Program. According to the whereas it does appear to be for one County park, but this is a project that is used -- and other County parks also. So it's for surveying in order to put the fencing up in various parks.

LEG. D'AMARO:

What's the total authorized amount for that capital project? Do you have that information?

MR. REINHEIMER:

We'll have to get that. I can get that for you in a second.

D.P.O. VILORIA-FISHER:

Lance, what I'm reading is that it is fencing and surveying of various County parks and it's just listing capital project 525 being \$25,000.

MR. REINHEIMER:

Yes, it's capital project 7007. That's the fund, 5-25-5.

D.P.O. VILORIA-FISHER:

Okay.

MR. REINHEIMER:

Yes, that's the capital project.

D.P.O. VILORIA-FISHER:

Okay. So is there any reason why that couldn't be paid for with pay-as-you-go?

MR. REINHEIMER:

No. There's -- that's policy of the Legislature.

D.P.O. VILORIA-FISHER:

And there is money in our pay-as-you-go.

MR. REINHEIMER:

We have -- we appropriated a little over \$2 million in pay-as-you-go. The adopted 2008 budget uses that money for fund balance, however. But there are appropriations. So that's policy whether you use those appropriations or not.

D.P.O. VILORIA-FISHER:

So there is money in it.

MR. REINHEIMER:

Yes.

D.P.O. VILORIA-FISHER:

There's \$25,000 in it that we can use.

MR. REINHEIMER:

In pay-as-you-go?

D.P.O. VILORIA-FISHER:

Yes.

MR. REINHEIMER:

That's correct.

D.P.O. VILORIA-FISHER:

Okay. I made a motion to table. It was seconded.

LEG. D'AMARO:

Yeah, I did. But it's not so much -- the capital project is there existing and there are funds, authorized funds, in the project. And we've already approved that through the capital budget. This would simply appropriate. The problem is that it's a very small appropriation for the bonding amount.

D.P.O. VILORIA-FISHER:

That's exactly why I'm making the motion to table.

CHAIRPERSON NOWICK:

Are you trying to say that this is part of the bigger and this just completes the project, Legislator D'Amaro?

LEG. D'AMARO:

Well, that's why I'm asking what's the balance, because if the balance is \$25,000, then that would be the end of the project.

MR. REINHEIMER:

Yeah, this is an ongoing project. The \$25,000 is what is scheduled in 2007. I'm going to check, there's probably funds in 2008. I'll check that in a second.

LEG. D'AMARO:

Lance, if you use pay-as-you-go funds for this, does it correspondingly reduce the capital project by the same amount?

MR. REINHEIMER:

No. The total sum of the capital project remains the same. It's just the funding source is changed. There is \$275,000 in the adopted capital program for fencing in 2008.

CHAIRPERSON NOWICK:

There's how much in there?

MR. REINHEIMER:

Two-hundred and seventy-five thousand in the 2008 Capital Budget.

CHAIRPERSON NOWICK:

For fencing?

MR. REINHEIMER:

For fencing.

CHAIRPERSON NOWICK:

But this 25,000 is an additional.

MR. REINHEIMER:

This is for the planning which is generally surveying so they know where to put the fences.

CHAIRPERSON NOWICK:

Where to put those fences that we've already put in the capital budget.

MR. REINHEIMER:

For next year. There's money scheduled next year. The planning money was in '07, the construction is in '08 and in '09 and subsequent years.

CHAIRPERSON NOWICK:

Legislator D'Amaro, did you have other questions?

LEG. D'AMARO:

I just -- common sense would tell me that if we're going to appropriate from that capital project we should be appropriating more than \$25,000, but if the projects aren't there at this time and ready to go forward, that's not feasible for surveying services.

MR. REINHEIMER:

Right. This is just the planning funds for that. So this is just the first step, to survey.

LEG. D'AMARO:

It's very inefficient.

CHAIRPERSON NOWICK:

I have a motion to table by Legislator Vilorio-Fisher. Second -- do I have a second on that?

LEG. D'AMARO:

I'll second it.

CHAIRPERSON NOWICK:

Second by Legislator D'Amaro. All in favor? Opposed? We are going to table 2013 for some additional information, method of funding. **(Vote: 4-0-0-1 Not Present: Legislator Romaine.)**

2014, Appropriating funds in connection with Energy Savings and Parks Compliance Plan (CP 7188). (Co. Exec.) Now, where do these funds come from?

D.P.O. VILORIA-FISHER:

It's bonds. It bonds \$100,000.

CHAIRPERSON NOWICK:

Okay. I'll make a motion.

D.P.O. VILORIA-FISHER:

I'll second.

CHAIRPERSON NOWICK:

Second by Legislator Vilorio-Fisher. All in favor? Opposed? 2014 is approved. **(Vote: 4-0-0-1 Not Present: Legislator Romaine.)**

Motion to adjourn by Legislator Vilorio-Fisher, second by myself. All in favor? Opposed? The

meeting of the Parks and Recreation is adjourned.

**(THE MEETING CONCLUDED AT 2:00 PM)
{ } DENOTES SPELLED PHONETICALLY**