

PARKS AND RECREATION COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Parks and Recreation 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 1, 2007.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

Ian Barry, Assistant Counsel
Tim Laube, Clerk of the Legislature
Rosalind Gazes, Budget Review Office
Tracey Bellone, Acting Commissioner of Parks
Brian Bielanski, County Executive's Office
Paul Perillie, Aide to Majority Leader
Greg Moran, Aide to Leg. Nowick
Debra Alloncius, Legislative Rep for AME
Dennis Brown, County Attorney's Office
Justin Littell, Aide to Leg. D'Amaro
Johann McConnell, South Yaphank Civic Association
John McConnell, South Yaphank Civic Association
And all other interested parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING COMMENCED AT 1:05 PM)

CHAIRPERSON NOWICK:

Will all Legislators on the Parks Committee please come to the horseshoe?

Good afternoon and welcome to the Parks and Recreation Committee. We'll stand for the salute to the flag led by Legislator Romaine.

SALUTATION

We have two cards this morning. Johan McConnell.

MS. McCONNELL:

The McConnells always come together. So if you get one, you get the other. It's not a separate thing.

Good afternoon. Johan McConnell, President of the South Yaphank Civic Association. I should bring these up first because I will be referring to these. There are two sets of pictures that I will be discussing. The first set of pictures is a sporting clay station number ten. There's a before picture that was taken on September 25th of '06 and an after picture that was taken on July 2nd of '07. The first set of pictures shows sporting clay number ten located the rear wooded area of the property. Please take note of the path and undergrowth. Remember that the range is located in the core preservation of the Pine Barrens.

Picture number two shows the damage to the same area after the use of golf carts. For anyone who plays golf you know there are strict rules about where the carts may be used in order to prevent damage to the course. Historically users of the range or any sporting clay course walk the course. These pictures plus others were presented to the Pine Barrens Commission on July 18, 2007.

The second set of pictures is the installation of the noise mitigation material on the walls of the shooting houses that were taken yesterday July 31st, 2007. The County is in the process of installing noise mitigation material on the walls of the shooting houses. The cost for this is \$36,093 not counting the salaries of the workers. The material will only be installed on the five skeet houses. There's nothing being installed on the trap bunkers or the sporting clay stations.

I would like to quote from the Hansen Noise Study Report prepared November 17th, 2004 from the LK McLean Study prepared August 2004. And the proposal submitted by the vendor in response to the RFP.

The Hansen Report. "Barriers are most effective when placed in close proximity to the source or the receiver. A Barrier may be placed at the back of the trap and skeet fields in the current location of the chain link fence. This barrier would need to be on the order of 17 feet high to provide the necessary mitigation. Barrier performance will change day to day and even through the day. They may still be situations in which the barrier does not provide enough mitigation. A long term solution would be to relocate the range to a more remote location. This new location should be located in a non-noise sensitive area or have the surrounding area designated as a noise park to prevent residential development from encroaching on the club."

L.K. McLean Associates, which was prepared in August of 2004, "it is expected that the installation of a barrier at least 17 feet high along the existing fence line at the trap and skeet would help to mitigate noise emanating from the this venue. It should be kept in mind that noise levels will fluctuate from day to day and even during any given day. Therefore, at times a wall may not be effective in preventing sound going into the residential area.

Installation of a barrier for a sporting clay area will not provide effective mitigation from the game. The Noise mitigation and environmental concerns as presented by the proposal submitted by the vendor; while we of course hope the County of Suffolk can wield its influence and convince the Town of Brookhaven to exempt the property from current noise control codes, we are prepared to proceed in any case. We've researched the project -- the problem and have found the Plywall sound control solution from Hoover Treated Wood Products to be the most effective means of noise abatement while keeping costs low and aesthetically high. After discussions with our consultants, it has been recommended that a 20 foot high wall will give us the sound radiation reduction we seek. The County made application for the noise wall to the Pine Barrens Commission on December 15th.

CHAIRPERSON NOWICK:

Could you Wrap up please?

MS. McCONNELL:

Sure. I just have about two more sentences. '04. The Commission ruled that, one, the project does constitute development under the State Pine Barrens Law and, two, deemed the request to be a core hardship application. The application was withdrawn from the County at the January 19th, 2005 meeting. And a letter written by Nicholas Gibbons, he stated that Parks with withdrawing our application at this time while several outstanding areas are addressed. When our proposal is finally complete, we will return to the Commission pursuant to state law. Putting noise material on the skeet houses is not going to mitigate the noise at the Trap and Skeet Range.

CHAIRPERSON NOWICK:

Thank you. John McConnell.

MR. McCONNELL:

Hi, good afternoon. John McConnell of South Yaphank Civic. It's tough to follow this expert here.

A couple of things. All the Legislators got an e-mail yesterday, I believe. I don't know how many read it. Things are escalating in the neighborhood. We've put up signs protesting the noise and the vendor and all this stuff here. And they're not only damaging the signs by running them over, but they're driving through the neighborhood because I see them come out of the trap and skeet harassing and making comments to people and kids at bus stops. And latest -- and this is very serious. And letters been sent to the newspaper. The latest, July 4th night at some point, somebody -- we can't prove it, but it's got to be a supporter of the range. They stopped their car and they shot at one of the signs. Okay. Three shots. The police were called. I was going to bring the sign in but I didn't have it. The person was working. I couldn't get the sign today. Probably about 1,000 pellet holes in the sign.

Also it scraped against a tree, bounced off the tree these pellets and went into the fence. The person, our neighbor, his backyard is -- backs up on Gerard Road. Went into the cyclone fence with slats in it. You could see the holes in it or the indentations. And luckily didn't have his dog out. Dogs. He's got two dogs. Might have hit his dogs. This is what's happening with this here.

And my last comment here is the fact that this never should have opened up in the first place. All the evidence we have, but 15 - 3 voted in the favor. That's kind of ridiculous at this point. That's why the lawsuit's here. But it seems that this vendor can do almost what he wants like there's not oversights. Kind of like the LIPA and the PSC, which has been in the paper recently. And I'm sure it's going to be discussed later with the PSC. It's almost like a sweetheart contract that -- where's the oversight? He just -- he goes on his merry way. Thank you very much.

CHAIRPERSON NOWICK:

Okay. Thank you. Tracey, did you want to address the Committee about anything?

ACTING COMMISSIONER BELLONE:

No.

TABLED RESOLUTIONS

CHAIRPERSON NOWICK:

Okay. Then I'm going to go into the agenda. **Tabled resolution 1596 appointing Effie Gicas as a member of the Suffolk County Vanderbilt Museum Commission. (Horsley)** I'm going to make a motion to table. She wasn't able to attend so --

LEG. D'AMARO:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Lou D'Amaro. All in favor? Opposed? 1596 is tabled. **(Vote: 4-0-0-1. Leg. Viloría-Fisher not present)**

1660, authorizing a management plan for the Commerdinger property. (Kennedy) I'm going to make a motion to approve.

LEG. ROMAINE:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Romaine. All in favor? Opposed? 1660 is approved. **(Vote: 4-0-0-1. Leg. Viloría-Fisher not present)**

1667, authorizing use of the Long Island Maritime Museum by the Rotary Club of Sayville for annual beefsteak fundraiser. (County Executive) Motion by Legislator Browning, second by myself. All in favor? Opposed? 1667 is approved. **(Vote: 4-0-0-1. Leg. Viloría-Fisher not present)**

1671, appropriating funds in connection with the improvements to county marinas. (County Executive) I'll make a motion, second by Legislator D'Amaro. All in favor? Opposed? 1671 is approved. **(Vote: 4-0-0-1. Leg. Viloría-Fisher not present)**

1672, linking county park fees for Community Emergency Response Team Volunteers to park fees for senior citizens. (Romaine) Legislator Romaine, what's your pleasure?

LEG. ROMAINE:

I'd like to move to approve.

CHAIRPERSON NOWICK:

Motion by Legislator Romaine to approve. I'll second that.

LEG. D'AMARO:

Just on that motion.

CHAIRPERSON NOWICK:

On the motion Legislator D'Amaro.

LEG. D'AMARO:

Just procedurally was this to go before the Parks Trustees? Did it? And was it approved?

CHAIRPERSON NOWICK:

Maybe Commissioner Bellone can come up and tell us.

LEG. D'AMARO:

My question was whether or not this was required to go before the Parks Commissioner?

ACTING COMMISSIONER BELLONE:

It actually was brought before the Parks Trustees --

LEG. D'AMARO:

Parks Trustees, rather.

ACTING COMMISSIONER BELLONE:

-- last year. And they had approved it at that time. However, I know that Legislator Romaine's going to make an amendment. We'll bring it before them again.

LEG. ROMAINE:

Right.

ACTING COMMISSIONER BELLONE:

We'll make a -- we'll bring it before them again in August before it gets to the full leg.

CHAIRPERSON NOWICK:

Okay. All in favor? Opposed? 1672 is approved. **(Vote: 4-0-0-1. Leg. Viloría-Fisher not present)**

Is there anybody else that would like to address the Committee?

LEG. D'AMARO:

Lynne, before you adjourn --

CHAIRPERSON NOWICK:

Yes. Legislator D'Amaro.

LEG. D'AMARO:

Just to go back while the Acting Commissioner is here, and welcome, I had the same question on 1660 which we already passed and approved.

CHAIRPERSON NOWICK:

And I believe that Commissioner Bellone -- this is the Commerdinger property.

ACTING COMMISSIONER BELLONE:

The Commerdinger property? It's just a management plan. It doesn't have to go before the Park Trustees.

LEG. D'AMARO:

Very good. Okay. Thank you.

CHAIRPERSON NOWICK:

Okay. I'll take a motion to adjourn.

LEG. ROMAINE:

Motion.

CHAIRPERSON NOWICK:

Motion by Legislator Romaine, second by Legislator Browning. All in favor? If not -- I think I beat you -- this meeting is adjourned.

(THE COMMITTEE CONCLUDED AT 1:17 PM)
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