

**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 15, 2007.

**MEMBERS PRESENT:**

Leg. Lynne C. Nowick, Chairperson  
Leg. Vivian Vilorio-Fisher, Vice-Chairperson  
Leg. Kate M. Browning  
Leg. Lou D'Amato  
Leg. Edward P. Romaine

**ALSO IN ATTENDANCE:**

William J. Lindsay, Presiding Officer of the Legislature  
Ian Barry, Assistant Counsel  
Renee Ortiz, Chief Deputy Clerk of the Legislature  
Alicia Howard, Legislative Aide  
Jill Moss, Budget Review Office  
Rosalind Gazes, Budget Review Office  
Tracey Bellone, Acting Commissioner of Parks  
Ben Zwirn, Assistant Deputy County Executive  
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  
Fran Siems, Legislative Aide  
Kara Hahn, Director of Communications  
Lou Brida, American Legion Post 155  
Jeff Murphree, Director of Land Management, Southampton  
Garrett Swenson, Town Attorney, Southampton  
Charles Bellows, Town of Southampton  
Tim Rumpf, Town of Southampton  
And all other interested parties

**MINUTES TAKEN BY:**

Diana Kraus, Court Stenographer

**MINUTES TRANSCRIBED BY:**

Denise Weaver, Legislative Aide

**(THE MEETING COMMENCED AT 1:05 PM)**

**CHAIRPERSON NOWICK:**

Good morning. I'm going to start the meeting with the salute to the flag led by Legislator Viloría-Fisher.

***SALUTATION***

**CHAIRPERSON NOWICK:**

Good morning and welcome to the Parks and Recreation Committee. We do have a card. We do have a card here, Lou Brida. Did somebody fill out a card? Lou Brida?

**MR. BRIDA:**

Yeah, that's me.

**CHAIRPERSON NOWICK:**

Oh, yes. Come on up.

**MR. BRIDA:**

Thank you.

**CHAIRPERSON NOWICK:**

Good morning. Afternoon. Oh, I keep thinking it's morning. We used to have this meeting in the morning.

**MR. BRIDA:**

Hi. My name is Lou Brida. I'm from Lake Ronkonkoma. And I'm here to read an invitation. It says there's a grind party August 24th, 2007. Ten dollars for guys, five dollars for girls, we have pizza, soda, music. It's 8 PM to 10 PM, game of skate, ten dollars to compete August 25th, 5 PM, first place a \$100 gift certificate and second place Bones wheels.

The reason why I read this invitation, and I'm going to give it to you, I found this invitation on the stage area at Raynors Beach Park. There was actually two of these, one on each pole that holds up the awning of the stage. Now, that park is not supposed to be attended by skateboarders, yet there are so many of them that they actually put invitations up in the park. And they're still constantly there. And they're jumping off that stage and they're destroying the brick all around it. So far they've probably completely annihilated about 250 brick around that stage area, I mean to pieces, like you couldn't even take one brick out. It would ball in your hand.

You know, it's got to the point now where they've made complete fools out of the Suffolk County Police Department, the Park Police and about every parent that tried to do something about it. I mean they actually jumped on police cars with their skateboards. They call the Park Police a joke; all right.

We tried to do something about it. We tried to get them a skateboard park in Lake Ronkonkoma at Walter's Estates. It turned out that the Civic Associations and the Chamber of Commerce and the American Legion and the Historical Society probably picked the wrong park. Because this little park was, you know, had a nice grassy field to it. And the local residents all around to it was very close. And they decided to storm Brookhaven Town Hall and -- at the meeting. And Mr. {Macy} declared that there was no longer going to be a skateboard park. It was a state park, which is good, because at the end I was against it as well.

I made a trip over to Atlanta, Georgia. I saw the largest skateboard park in Atlanta, Georgia. It's in

Dunwoody. It's 4770 North Peachtree and it's an outstanding park. I have photographs of it if anybody wants to see it. I think the time has come, though, to let some of these skateboarders back into the Raynors Beach Park.

And I just want to read the rules real quick and I'm done. I would like you to consider opening Raynors Beach Park to skateboarders and bikers in the lower area where all the trails are, if you're familiar with that. The rules are: Helmets are mandatory, all patrons must complete a signed waiver to skate or bike, Skaters under 18 must have a parent or legal guardian sign the waiver on-site, children 11 and under must be accompanied by an adult and no boomboxes, no metal pegs on the BMX bikes. There also -- because this is a regular skateboard park they don't allow scooters or Heelys either but that doesn't matter if you let them in Raynors Beach Park.

I want to -- you have a copy of this. I think you should consider it because there's no control otherwise unless, you know, they sign these waivers and they wear helmets and they're going to be there anyway.

**CHAIRPERSON NOWICK:**

Mr. Brida --

**MR. BRIDA:**

Okay.

**CHAIRPERSON NOWICK:**

-- your point is well taken. And we certainly will discuss it with the Commissioner in reference to the Park Police. But it's interesting that you put this in front of me. I, too, made a trip when I was down south, down in Florida. I went to see this skate park like you're talking about.

**MR. BRIDA:**

Yeah.

**CHAIRPERSON NOWICK:**

And it's a beautiful facility. And I went several times because I -- living in the Town of Smithtown, I couldn't help but wonder why don't we have something like this. And just like you say, first of all it's beautifully manicured, it's taken care of. Mandatorily they have to wear helmets and knee pads and elbow pads. They have to sign waivers. In that particular one it's -- they each pay five dollars entry because it covers the insurance. And there's always full police protection. Parents are there, certain ages, it's a wonderful idea.

This is a very good point. And this is probably going to be something that's necessary soon if we're having this many problems. So I thank you for bringing it to our attention.

**MR. BRIDA:**

Oh, you're welcome. And I, you know, personally I think the Suffolk County Police are trying to do a good job but skateboarders are not priority, you know.

**CHAIRPERSON NOWICK:**

Well, you know, if they're sneaking there and they're skating off -- and you said it was off a stage?

**MR. BRIDA:**

Yeah, the stage right next to the Veteran's Memorial. Oh, by the way, they threw 60 stones at the Veteran's Memorial. You could count all the marks at the Veteran's Memorial, too.

**CHAIRPERSON NOWICK:**

Well, if they're sneaking down there and they're skating off a stage, it's a dangerous thing. What you're showing us here is, of course, it's monitored, it's well taken care of.

So again, thank you for bringing it to our attention. And certainly we'll be talking with the Commissioner a little later and just -- she's sitting here so she knows about what we're saying. And there's probably pros and cons but at least it's out there.

**MR. BRIDA:**

I think it's time for our County Executive to stand up and fight against the vandalism. I think he should actually go on the 24th right into the -- into this party and go up to the people that are running it and say well, how about whatever it costs to repair all the park. How about asking them for the money? You know --

**CHAIRPERSON NOWICK:**

You know what, I didn't get an invitation to that skate party.

**MR. BRIDA:**

Huh?

**CHAIRPERSON NOWICK:**

I didn't get the invitation.

**MR. BRIDA:**

Well, you got this one. I'm going to leave it.

**CHAIRPERSON NOWICK:**

Okay. Thank you. We have another card here, Garrett Swenson.

**MR. SWENSON:**

Thank you, Madam Chairwoman. I think it might be easier if Mr. Murphree preceded my comments; that's our Director of Land Management from the Town of Southampton. So I'm going to defer to him with your permission.

**CHAIRPERSON NOWICK:**

Sure. Who is this?

**MR. SWENSON:**

This is Jefferson Murphree, Director of Land Management --

**CHAIRPERSON NOWICK:**

Okay. We have a card from his as well.

**MR. SWENSON:**

-- for the Town of Southampton. And then I'll follow-up.

**CHAIRPERSON NOWICK:**

Sure.

**MR. SWENSON:**

Thank you.

**MR. MURPHREE:**

Good afternoon everybody. I'm Jefferson Murphree, Town Planning and Development Administrator for the Town of Southampton. With us today is Garrett Swenson, Town Attorney, Charles Bellows, the Chairman of our Landmarks and Historic Ward and also Tim Rumph, the Town's Consultant and Landscape Architect.

We're here today because of a very wonderful issue that's a joint County and town effort. And that is the relocation of the historic Flanders Big Duck. Right now it's located at the Sears Bellows Park, which is a County park. And the proposal is to relocate it back to its historic site, which is farther up

the road formerly owned by the {Esgee} family.

In 1988 the Duck was relocated from the {Esgee} family site as a result of development and pressure. The developer was proposing a subdivision, did not want the Duck on the property and was proposing to demolish it. The County rescued it. It brought it back on its own to where it exists today and the County should be commended for that.

The residents of Flanders believe the Duck is their heritage. It is their cultural center. It is their historic hamlet center and they want the Duck properly located next to the hamlet center next to the water.

The County -- I'm sorry -- the town purchased the property in 2001 using its community preservation fund. And you'll see on the map we did not only buy the property where the duck was situated, we bought approximately 30 acres around it as well. This is part of a larger park effort on the part of the town. And I'll describe that to you very briefly in a moment.

In order to do this, the Town and the County are entering into a 100 year renewable license agreement. Garrett Swenson, has a copy of that draft agreement with him today and can share that with you. On July 18th of this year staff met with your Council on Environmental Quality and gained its approval with 18 conditions; and that is a part of the license agreement. On July 19th, staff met with the County Trustees, County Park Trustees and gained their unanimous approval on this effort.

As I previously mentioned, this is the historic site of the Big Duck. It was originally located in the Town of Riverhead. And that should not be overlooked. It was moved in approximately 1937 to where we want to put it back.

In terms of environmental context we had extensive analysis done on the archeological and wetlands investigation. We have a conditional DEC wetland's permit and we have performed an archeological survey of the property and finding little evidence of any historic or archeological artifacts.

As I mentioned, the relocation of the Duck is a centerpiece of a much larger effort. The Town has retained Tim Rumph who is here today; can answer any questions you may have. And we're proposing a 30 acre park to which the Duck will be the centerpiece. If I could just show you, this is an artist rendering of a concept plan for the Duck. The Duck is located on State Route 24 along the front in its exact location. If you drive by along State Route 24 today, the foundation -- the old foundation has been removed and the new foundation, which is exact copy of where it exists today, is being poured as we speak.

This is not going to be an active park with ballfields and soccer fields and that sort of active recreation. This is going to be a passive recreation area. It's going to have meadows to which the community can have cultural events, can have community events such as carnivals, parades and that sort of thing. And one of the agreements with the County is is that you may also be allowed to use this park as well. This for the enjoyment of all the residents of Suffolk County, not just the town residents.

We have had -- hired engineering company to take a look at the -- make sure that the Duck is in structural strength and is found to be more than structurally sound. The County has down an excellent job in maintaining the Duck. We're looking at a target date of around September 14th to move this Duck subject to getting all of our ducks in a row.

**CHAIRPERSON NOWICK:**

Oh, good. Okay, thank you for that presentation.

**MR. MURPHREE:**

Sorry, I couldn't help myself.

**CHAIRPERSON NOWICK:**

And I liked the punch line. And then there was Mr. Garrett Swenson also that wanted to speak.

**MR. MURPHREE:**

That is correct.

**CHAIRPERSON NOWICK:**

Did you want to?

**MR. SWENSON:**

Thank you, Madam Chairwoman, members of the Committee, ladies and gentlemen in attendance. I can answer any questions you have on the nuts and bolts of the move.

The proposal would be to grant the County a 99 year license agreement for the foundation and approximately 10 feet around it per the request of your Parks Department. That would be essentially County property. The County would continue to own the Duck itself. The County would continue to operate the Duck as an attraction and for the promotion of tourism.

Important to the County Executive, the annual Duck lighting will continue to be conducted by the County. That's expressly stated in the license agreement along with any other events or promotions the County wishes to undertake simply through the issuance of a facility use permit from our of Superintendent of Parks.

The Town will pay everything from soup to nuts. The Town will move the Duck. The Town will remove and demolish the existing foundation and restore that area to its original condition. The Town will move the Duck onto the new foundation. The Town will make sure that all utilities and all necessary hookups are in place. The Town will ensure those are accomplished. The Town is liable for any damage whatsoever to the Duck in the move, heaven help us. The Town will then maintain the grounds around the Duck, everything up to feathers and will continue to maintain it in a manner consistent with the desires of your historic personnel.

Basically the town is going to accommodate the County in any way possible to ensure that this is returned to the Flanders community. I have copies of the proposed license agreement. If you'd like, I can hand them to your Clerk or distribute them. I don't know who that person is here.

***(Documents distributed)***

What we're hoping to do is perhaps have this on the next legislative session to authorize the license agreement. And I obviously have a little homework to do to make that happen. But I think that this is a win/win for everyone involved so I don't anticipate any major problems.

**CHAIRPERSON NOWICK:**

The target date was September 14th?

**MR. SWENSON:**

Yes.

**CHAIRPERSON NOWICK:**

We don't have a resolution on right now, but I guess you're going to be doing homework and maybe -- yeah, I'm getting a yes over there from Ben and from Tracey.

**MR. SWENSON:**

Yes.

**CHAIRPERSON NOWICK:**

Okay. So at least we have our -- I'm glad you came today and gave us the presentation and we see how important it is.

**MR. SWENSON:**

Yes.

**CHAIRPERSON NOWICK:**

Thank you.

**MR. SWENSON:**

Yes.

**CHAIRPERSON NOWICK:**

Yes, Legislator Viloría-Fisher.

**D.P.O. VILORIA-FISHER:**

And it came before CEQ and passed the CEQ resolution --

**MR. SWENSON:**

Yes.

**D.P.O. VILORIA-FISHER:**

-- with that?

**MR. SWENSON:**

Yes, with 18 specific conditions, which we have agreed down to the comma and the period. Does anyone else have any questions on the legal end of this?

**CHAIRPERSON NOWICK:**

No.

**MR. SWENSON:**

No?

**CHAIRPERSON NOWICK:**

Thank you. Thank you very much for your presentation.

**MR. SWENSON:**

We thank you for your support and your time. Thanks.

**CHAIRPERSON NOWICK:**

You're welcome.

**MR. SWENSON:**

Bye-bye.

**CHAIRPERSON NOWICK:**

The Commissioner want to come up? How are you Tracey?

**ACTING COMMISSIONER BELLONE:**

Good. How are you?

**CHAIRPERSON NOWICK:**

Okay. Okay, Commissioner did you want to discuss any of the resolutions or just the last one? Is that --

**ACTING COMMISSIONER BELLONE:**

Actually just the last one, resolution IR 1812, introduced by Legislator Losquadro. I'm just going to make a request this it gets tabled while the Department still does some research on what we would need to do to -- oh, no. Not 1812. Sorry, 1817 the screening -- requiring the screening of all applicants for seasonal employment in the Parks Department. I've made the request to the Legislator as well just that we table it while Parks Department does some -- additional research to determine what would be needed to comply.

**CHAIRPERSON NOWICK:**

Okay. Thank you.

**ACTING COMMISSIONER BELLONE:**

Thank you.

**CHAIRPERSON NOWICK:**

That's on the agenda. Did -- you know, the Raynor Park, we are told there are so many problems. Is there a way that we could make the -- and I don't how, have the Park Police be more vigilant, and I'm sure they are. But it seems like this invitation to this skateboarding -- first of all, the skateboarding seems to be an accident waiting to happen if they're jumping off the stage. What are your -- what is your take on that?

**ACTING COMMISSIONER BELLONE:**

I'd request a copy of that because it's not, obviously, an authorized use and there is no permit for the event.

**CHAIRPERSON NOWICK:**

Oh, no, no. You didn't get your invitation either, did you?

**ACTING COMMISSIONER BELLONE:**

I didn't get it either.

**D.P.O. VILORIA-FISHER:**

It's written in crayon, Tracey.

**CHAIRPERSON NOWICK:**

We all missed the invitations because, you know, we had our skateboards ready.

**ACTING COMMISSIONER BELLONE:**

But I'll make sure Park Police are there especially that day. But Park Police pay particular attention to this park. It has been a site of vandalism for us. And, you know, staff has been doing a tremendous amount of work to correct the vandalism that has occurred. But Park Police, you know, does frequent patrols. We even have a security guard that travels between that park and Lake Ronkonkoma County Park. We made a few arrests and have issued many tickets there. It is a, you know, it is a source of a problem for the department.

**CHAIRPERSON NOWICK:**

How many hours did it say this went on?

**ACTING COMMISSIONER BELLONE:**

It just says that it's August 25th at 5 PM. And August 24th is a grind party and a game of skate on August 25th. It doesn't have time.

**LEG. ROMAINE:**

A grind party?

**LEG. BROWNING:**

Grind.

**ACTING COMMISSIONER BELLONE:**

Oh 8 PM to 10 PM is the grind party on August 24th. And the game of skate just says August 25th at 5 PM.

**CHAIRPERSON NOWICK:**

Now, they're not allowed in the park after the -- in those hours -- during those hours, are they?

**ACTING COMMISSIONER BELLONE:**

Well, the park's closed. They're not allowed there from 8 PM to 10 PM. The park will be closed. The 5 PM you're still allowed to use the park but skateboarders aren't allowed on the park. It's posted.

**CHAIRPERSON NOWICK:**

Well, at least we have a heads up.

**ACTING COMMISSIONER BELLONE:**

This time.

**CHAIRPERSON NOWICK:**

So there will be somebody there at that hour, I'm sure.

**ACTING COMMISSIONER BELLONE:**

Yeah, we'll make sure Park Police are posted on both those days.

**CHAIRPERSON NOWICK:**

Yes, yes.

**MR. BRIDA:**

Can I answer your question?

**CHAIRPERSON NOWICK:**

Well --

**MR. BRIDA:**

It's real brief.

**CHAIRPERSON NOWICK:**

You have to come back up to the microphone.

**MR. BRIDA:**

The party's probably going to be at the Grind store. See they have a big room in the back. And, you know, they have a -- what's basically an illegal day care service. Parents drop their kids off in the morning and they learn how to vandalize our park.

**CHAIRPERSON NOWICK:**

There's a Grind store?

**MR. BRIDA:**

The Grind -- it's a store but then it's also a day care service.

**CHAIRPERSON NOWICK:**

Oh.

**MR. BRIDA:**

The parents --

**CHAIRPERSON NOWICK:**

But we have no --

**ACTING COMMISSIONER BELLONE:**

It's not a County facility.

**CHAIRPERSON NOWICK:**

No, we have no jurisdiction over a --

**MR. BRIDA:**

They're dropping their kids off early in the morning and picking them up at night. Meanwhile these kids are roaming the streets, and I -- you could take a walking tour of Lake Ronkonkoma and see all the damage. I compare it to when John {Tonsuncil} hired Billy the Kid in Lincoln, New Mexico and the regulators were formed. And they had these gun fights all over. And you see bullet holes all over if you go visit that town. Well, it's like a -- these roaming kids with skateboards, you don't see bullet holes. You see marks where the skateboards have left. And it's about the same thing.

**CHAIRPERSON NOWICK:**

Thank you, Mr. Brida.

**MR. BRIDA:**

They're gangs.

**CHAIRPERSON NOWICK:**

Thank you.

**MR. BRIDA:**

All right, thank you.

**CHAIRPERSON NOWICK:**

As you have said, we certainly can't go into the Grind and tell them what to do. But now that we have a heads up with the Park Police I'm sure they'll be there monitoring the skateboarding and everything else.

**ACTING COMMISSIONER BELLONE:**

And if you'd like, I can send a letter to the Grind store just telling them they can't advertise in our parks.

**CHAIRPERSON NOWICK:**

That would be wonderful.

**ACTING COMMISSIONER BELLONE:**

Okay.

**P.O. LINDSAY:**

Could I just say something?

**CHAIRPERSON NOWICK:**

Billy the Kid.

**P.O. LINDSAY:**

You're pretty sharp today. Although I like being called kid.

**CHAIRPERSON NOWICK:**

I was careful.

**P.O. LINDSAY:**

It's just on the same subject. I've always taken a special interest in Raynor Park because at one time it was within my Legislative district or bordered on it. And I worked together with Legislator Caracappa and Crecca to find the funding when we did the renovation there a couple of years ago. And we spent a couple of million dollars and it came out beautiful. I mean the park is really something to be proud of.

And I took a tour of it not long ago. And it just breaks my heart to see the damage that they're doing over there. It's like they're taking the park away from us.

**CHAIRPERSON NOWICK:**

What a shame.

**P.O. LINDSAY:**

You know, they've claimed -- these hoodlums have claimed that park. And I suggested to Legislator Kennedy, you know, that it isn't my district anymore, but that the Legislators that represent that district should convene some kind of meeting between Park Police and regular P.D. and the community. I think we need a neighborhood watch there. I think everybody has to participate if we're going to stop that.

Town of Brookhaven donated a beautiful clock to the park, you know, a big clock; must stand ten feet high, you know. They ruined it. They took the hands off.

**CHAIRPERSON NOWICK:**

What a shame.

**P.O. LINDSAY:**

You know --

**CHAIRPERSON NOWICK:**

The vandals took the handles off.

**P.O. LINDSAY:**

-- and it's just awful. It's absolutely awful. And anybody that's been involved with the park is sick over it.

**CHAIRPERSON NOWICK:**

Maybe we could also reach out to Legislator Kennedy and relay the suggestion of the Presiding Officer. Maybe that would be a way to handle it. Thank you.

**ACTING COMMISSIONER BELLONE:**

Just so you know, Suffolk County Park Police is working with the local precinct to try to increase patrols. Actually they just had a discussion this week about cooperating and actually having Suffolk County P.D. do some patrols in the park as well.

**CHAIRPERSON NOWICK:**

Thank you, Commissioner. Yes, Legislator Romaine.

**LEG. ROMAINE:**

I think this demonstrates what many of us around the horseshoe know, that we're -- our Park Police are not adequately staffed for the number of parks that they have to patrol. And they cannot provide effective protection of our parks or the property in our parks because of the lack of staffing of Park Police. We're asking them to do a great deal for so many parks with so few officers. I don't believe the number of Park Police has increased in the last 20 years in this County. In fact, I believe that it probably has decreased.

**ACTING COMMISSIONER BELLONE:**

Actually --

**LEG. ROMAINE:**

How many officers do you have now, Commissioner, that are active officers? Active, not out on disability or anything like that?

**ACTING COMMISSIONER BELLONE:**

32.

**LEG. ROMAINE:**

32. Okay, we had more officers 20 years ago.

**ACTING COMMISSIONER BELLONE:**

Actually the Legislature put in for an additional five officers two years ago.

**LEG. ROMAINE:**

And were those positions filled or left vacant?

**ACTING COMMISSIONER BELLONE:**

No. There was an academy class this year that would have filled them this September, but I'm not sure the status of the class.

**LEG. ROMAINE:**

Could you perhaps at our next committee meeting update us on the status of those five positions if in fact they are going to be filled or not?

**ACTING COMMISSIONER BELLONE:**

Absolutely.

**LEG. ROMAINE:**

I appreciate that. Thank you so much.

**CHAIRPERSON NOWICK:**

Commissioner, do we have many -- having been in Parks for a longtime, do we have many other parks that are suffering such vandalism as Raynor is?

**ACTING COMMISSIONER BELLONE:**

No. I would say Raynor Park experiences the highest amount of vandalism.

**CHAIRPERSON NOWICK:**

Okay. That might be -- that might be the park that they are going to have to double up on.

**ACTING COMMISSIONER BELLONE:**

It's actually a location where there's a lot of gang activity, too. That's why the Suffolk County P.D.

--

**CHAIRPERSON NOWICK:**

Suffolk County P.D., yes.

**ACTING COMMISSIONER BELLONE:**

-- and Suffolk County Park Police are working together.

**CHAIRPERSON NOWICK:**

Okay. All right. We'll reach out to Legislator Kennedy. Thank you.

**ACTING COMMISSIONER BELLONE:**

You're welcome.

**CHAIRPERSON NOWICK:**

Okay. We'll go to the agenda, tabled resolutions.

***TABLED RESOLUTIONS***

**1596, Appointing Effie Gicas as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. (9). (Horsley)** Is she here today? Okay. Motion to table by Legislator Vilorio-Fisher, second by Legislator Browning. All in favor? Opposed? **1596 is tabled. (VOTE: 5-0)**

***INTRODUCTORY RESOLUTIONS***

**1703, Authorizing the use of Smith Point County Park property, Cathedral Pines County Park, Southaven County Park, and Smith Point Marina by the Long Island 2 Day Walk to Fight Breast Cancer Inc., for breast cancer walk. (Browning)**

**LEG. BROWNING:**

Motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Browning, second by myself. All in favor? Opposed? **1703 is approved. (VOTE: 5-0)**

**1722, Authorizing use of the Long Island Maritime Museum by the Children's Foundation of Suffolk for their Annual Pig Roast Fundraiser (Co. Exec. Levy)**

**LEG. ROMAINE:**

Motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Romaine, second by Legislator D'Amaro. All in favor? Opposed? **1722 is approved. (VOTE: 5-0)**

**1723, Authorizing the use of Southaven County Park by Contractors for Kids for their picnic and barbecue fundraiser. (Co. Exec. Levy)**

**LEG. BROWNING:**

Motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Browning, second by myself. All in favor? Opposed? **1723 is approved. (VOTE: 5-0)**

**1724, Authorizing the use of Cedar Point County Park by the National Multiple Sclerosis Society-Long Island Chapter for its MS150 Twin Forks Bike Tour fundraiser. (Co. Exec. Levy)**

**LEG. ROMAINE:**

Motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Romaine, second by Legislator Viloría-Fisher. All in favor? Opposed? **1724 is approved. (VOTE: 5-0)**

**1725, Authorizing the use of Blydenburgh County Park by the Marine Corps League for its Run-Walk fundraiser. (Co. Exec. Levy)** Motion by myself, second by Legislator Browning. All in favor? Opposed? **1725 is approved. (VOTE: 5-0)**

**1736, Authorizing the use of Deepwells Farm at Deepwells Farm Historic Park in St. James by the Deepwells Farm Historical Society. (Co. Exec. Levy)** I'll make that motion.

**D.P.O. VILORIA-FISHER:**

I'll second it.

**CHAIRPERSON NOWICK:**

Seconded by Legislator Viloría-Fisher.

**D.P.O. VILORIA-FISHER:**

I have a question.

**CHAIRPERSON NOWICK:**

And we have a question.

**D.P.O. VILORIA-FISHER:**

Commissioner, we just deliberated on this in CEO this morning. And I was wondering when will the contract be completed?

**ACTING COMMISSIONER BELLONE:**

The contract was completed. It was sent to them this week.

**D.P.O. VILORIA-FISHER:**

Okay.

**ACTING COMMISSIONER BELLONE:**

Mr. Hall, the attorney for the Friend's group has some concerns about it and has requested a meeting with the County Attorney's Office and Parks.

**D.P.O. VILORIA-FISHER:**

Oh, that's Gordon Hall?

**ACTING COMMISSIONER BELLONE:**

Yes.

**D.P.O. VILORIA-FISHER:**

Okay. So what we're voting on today is your ability to go ahead and do the contract?

**ACTING COMMISSIONER BELLONE:**

Right.

**D.P.O. VILORIA-FISHER:**

Is that what it is?

**ACTING COMMISSIONER BELLONE:**

Authorizing us to enter an agreement.

**D.P.O. VILORIA-FISHER:**

Okay.

**MR. BROWN:**

Hi, for the record Dennis Brown. And if I may just to also address your question, received notice -- we received notice today of Mr. Hall's request for the meeting from the Commissioner earlier today. And we responded suggesting that Parks Department obtain some dates and times from them for the afternoon and maybe perhaps we can meet in West Sayville or the County Attorney's Office.

**D.P.O. VILORIA-FISHER:**

Okay. So that should be happening soon because I know that they've been trying to put this together for a few years.

**MR. BROWN:**

Sure. I would like to think within the next week or two.

**D.P.O. VILORIA-FISHER:**

Excellent. Thank you.

**CHAIRPERSON NOWICK:**

Thank you. We have motion and second. All in favor? Opposed? **1736 is approved. (VOTE: 5-0)**

**1745, To Reappoint member to the Suffolk County Board of Trustees of Parks, Recreation, and Conservation (Gregory S. Dawson). (Pres. Off. Lindsay)** It's a reappointment. Do I have a motion? Gregory S. Dawson.

**D.P.O. VILORIA-FISHER:**

Do we know -- Town of Islip?

**P.O. LINDSAY:**

I'll make a motion.

**CHAIRPERSON NOWICK:**

We have a motion by Legislator Lindsay. I'll second it. All in favor? Opposed? **1745 is approved. (VOTE: 5-0)**

**1758, Authorizing use of Smith Point Park property by Mastic Knights of Columbus for 5K Race. (Browning)**

**LEG. BROWNING:**

I'll make a motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Browning.

**LEG. ROMAINE:**

Second.

**CHAIRPERSON NOWICK:**

Second by Legislator Romaine. All in favor? Opposed? **1758 is approved. (VOTE: 5-0)**

**1783, Authorizing the transfer of certain properties to the Suffolk County Department of Parks, Recreation and Conservation. (Co. Exec. Levy)** I'll make a motion for the purpose of also of asking Counsel what this is about. Second by Legislator D'Amaro. Can you just tell me what property's being transferred?

**MR. BARRY:**

This is a transfer, Indian Island Park to the Parks Department.

**CHAIRPERSON NOWICK:**

Indian Island Park in Babylon?

**LEG. ROMAINE:**

No, in Riverhead.

**D.P.O. VILORIA-FISHER:**

Yeah, I thought that was in Riverhead because this says Babylon.

**ACTING COMMISSIONER BELLONE:**

No. There's an Indian Island Park in the Town of Babylon.

**CHAIRPERSON NOWICK:**

It's a different one.

**ACTING COMMISSIONER BELLONE:**

It's a -- it's surrounded by water.

**CHAIRPERSON NOWICK:**

Oh, okay. And now it's going over to the Town of Babylon? Okay, I have a motion and a second.

**ACTING COMMISSIONER BELLONE:**

No. It's going to the Parks Department.

**CHAIRPERSON NOWICK:**

Oh, excuse me, the Suffolk County Department of Parks.

**D.P.O. VILORIA-FISHER:**

From DPW.

**P.O. LINDSAY:**

Where is it coming from?

**D.P.O. VILORIA-FISHER:**

DPW.

**P.O. LINDSAY:**

Okay.

**CHAIRPERSON NOWICK:**

I have a motion and a second. All in favor? Opposed? **1783 is approved. (VOTE: 5-0)**

**1808, Appropriating funds in connection with improvements to water supply systems in County Parks (CP 7184). (Co. Exec. Levy)** Motion by Legislator Romaine, second by Legislator D'Amaro. All in favor?

**D.P.O. VILORIA-FISHER:**

Whoa, whoa.

**CHAIRPERSON NOWICK:**

Legislator Vilorina-Fisher.

**D.P.O. VILORIA-FISHER:**

Can you just tell us, Commissioner, what kind of water systems? Are these irrigation systems? Are

they for drinking fountains so people don't bring in plastic water bottles so much?

**ACTING COMMISSIONER BELLONE:**

In most cases it's bringing water into the park for campgrounds.

**D.P.O. VILORIA-FISHER:**

For campgrounds, okay. Potable water?

**ACTING COMMISSIONER BELLONE:**

Yes.

**D.P.O. VILORIA-FISHER:**

Okay.

**CHAIRPERSON NOWICK:**

I have a motion and a second, don't I?

**D.P.O. VILORIA-FISHER:**

Yes.

**CHAIRPERSON NOWICK:**

All in favor? Opposed? **1808 is approved. (VOTE: 5-0)**

**1812, Appropriating funds in connection with the reconstruction of the former GATR site for use as a maintenance and operations building (CP 7173). (Co. Exec. Levy)**

**D.P.O. VILORIA-FISHER:**

Motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Viloria-Fisher, second by Legislator Browning.

**P.O. LINDSAY:**

I have a question.

**CHAIRPERSON NOWICK:**

On the motion.

**P.O. LINDSAY:**

What is GATR site?

**ACTING COMMISSIONER BELLONE:**

It's the GATR site. It used to be a mill.

**LEG. D'AMARO:**

The ground to air transmit and receive facility.

**P.O. LINDSAY:**

Thanks, Lou. He read the back-up. Where is that?

**ACTING COMMISSIONER BELLONE:**

It's actually just south of the Third House. It's on the same property it's just well behind it.

**P.O. LINDSAY:**

Okay.

**ACTING COMMISSIONER BELLONE:**

It you're familiar with Montauk it's where all the poles are where they want to also put a communication center for the fire department in Montauk.

**P.O. LINDSAY:**

Okay.

**ACTING COMMISSIONER BELLONE:**

And there's two existing buildings. We're just going to we reuse them and reconstruct them.

**P.O. LINDSAY:**

Thank you.

**CHAIRPERSON NOWICK:**

I have a motion and a second. All in favor? Opposed? **1812 is approved. (VOTE: 5-0)**

**1817, Requiring the screening of all applicants for seasonal employment in the Parks Department. (Losquadro)** I'll make a motion to table.

**D.P.O. VILORIA-FISHER:**

I'll second that.

**CHAIRPERSON NOWICK:**

Second by Legislator Vilorina-Fisher. All in favor? Legislator Romaine.

**LEG. ROMAINE:**

Good afternoon, Commissioner. Obviously I want to -- and I'm addressing this to the Park's Commissioner. Obviously want to give you the leeway to run your department and will support the tabling motion. But what is that you need to know that you'll know in two or three weeks that you're not aware of now in regards to this resolution? What is it that you're going to be looking at that you need the time to look at?

**ACTING COMMISSIONER BELLONE:**

Well, we wanted to look at what staff we would need. We also wanted to talk to the Suffolk County P.D. and the Probation Office about the screening of employees. And we wanted to talk to the County Attorney's Office about the issue. I know that Legislator Losquadro's also speaking to Laura Ahearn about the registry and how up to date it is. I know that he --

**MR. ZWIRN:**

If I might just add, this won't go into effect for seasonal employees for this year.

**LEG. ROMAINE:**

Obviously that's why there's no rush --

**MR. ZWIRN:**

Exactly.

**LEG. ROMAINE:**

-- and I don't feel any -- but I'm just interested to know what -- and you've answered the question and thank you. And as I said obviously I would always concede to Commissioner to run their department as they see fit and will support the tabling.

**CHAIRPERSON NOWICK:**

Commissioner, is this at the request of Legislator Losquadro?

**ACTING COMMISSIONER BELLONE:**

Oh, yeah, I'm --

**CHAIRPERSON NOWICK:**

Is this Legislator Losquadro's request?

**ACTING COMMISSIONER BELLONE:**

It is his request.

**CHAIRPERSON NOWICK:**

Okay.

**ACTING COMMISSIONER BELLONE:**

We actually think it's a good idea --

**CHAIRPERSON NOWICK:**

Good.

**ACTING COMMISSIONER BELLONE:**

-- to do the screening. We're just -- we just want to make sure that we're doing it correctly and that we get, you know, we speak to other agencies before we move forward with it.

**CHAIRPERSON NOWICK:**

Legislator D'Amaro, you had a question?

**LEG. D'AMARO:**

Yes, thank you. First, to BRO. Has a fiscal impact statement been issued on this bill? Is a copy available?

**MS. MOSS:**

Yes, a fiscal impact has been filed.

**LEG. D'AMARO:**

Excuse me, I have it right here. Thank you.

I support the resolution. However, I had a couple of quick questions to the Commissioner or Acting Commissioner. Are you comfortable with the discretionary aspect of the bill? In other words, if you check an individual against the registry, that person is on the registry, it then gives you the authority in your discretion to disqualify an applicant. What would be the criteria? Are you comfortable with having that discretion? Is that something you'd like to see changed or modified? Any thoughts?

**ACTING COMMISSIONER BELLONE:**

That's one of the issues actually I wanted to speak to the County Attorney's Office about and one of the reasons we asked for it to be tabled. I have some concerns. I have some concerns just about how up-to-date the registry is.

**LEG. D'AMARO:**

Right.

**ACTING COMMISSIONER BELLONE:**

At one point I know that there was a six month delay and I wanted to make it was up-to-date so that we do have the most accurate information when screening.

**LEG. D'AMARO:**

Well, it would seem to me also if you have discretion, a person appears on that list or website, however you do your check, a person is deemed to be on the list, you have discretion. It would

seem to me that the standard here is whether or not that person poses an unreasonable risk necessitating disqualification. Seems to me you'd have to make a further investigation at that point.

**ACTING COMMISSIONER BELLONE:**

Right, and what the definition is of unreasonable risk is.

**LEG. D'AMARO:**

Yeah. The way to do this may be to simply -- I don't know if it would pass the legal muster but the way might be to remove the discretion and say if you're on the list, there's a reason why you're on the list, you're already disqualified, which I think would be a strengthening of this bill. So, I just throw that out there for consideration.

**CHAIRPERSON NOWICK:**

Legislative Counsel has a comment.

**LEG. D'AMARO:**

Yes.

**MR. BARRY:**

The only problem with that is there is governing state law that says that if somebody is convicted of a felony they can't automatically be disqualified from public employment. They have to go through a, you know, a criteria to see if -- if they do pose -- I mean, the unreasonable risk is from state law. And the resolution does talk about -- I mean, it lists factors but also consistent with New York Correction Law, which is the governing law on that issue.

**LEG. D'AMARO:**

Thank you. Yeah, as I said I don't know whether or not -- what the legality of it would be. But from a policy standpoint, it would require more resources not less than to do that investigation in every single case. Maybe we should do that. I'm not saying we shouldn't, but if -- certainly if it's not legally permissible to go and remove the discretion then so be it.

**MR. ZWIRN:**

And I think once you find out how long this process is going to take we may have to move up the whole hiring process because it's 400 seasonal employees. You may have to start hiring them earlier in the year than we do now and have a cut off date so that they can be properly screened.

I think there are some questions. And since we have some time, it's probably a good thing to vet out before we move forward. But we're generally in support of the bill. It's a good idea.

**CHAIRPERSON NOWICK:**

Okay. So I have a motion and a second for the tabling. All in favor? Opposed? **1817 is tabled.**  
**(VOTE: 5-0)** That would conclude the agenda.

**D.P.O. VILORIA-FISHER:**

Well done, Madam Chair.

**CHAIRPERSON NOWICK:**

I think it was very well done. I have a motion to adjourn by Legislator Viloría-Fisher, second by Legislator Browning. All in favor? Opposed? We are adjourned.

**D.P.O. VILORIA-FISHER:**

Thank you.

**(THE MEETING CONCLUDED AT 1:43 PM)  
{ } DENOTES SPELLED PHONETICALLY**