

PARKS & 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 July 30, 2008.

MEMBERS PRESENT:

Leg. Vivian Vilorio-Fisher, Chairperson
Leg. Lou D'Amaro, Vice Chair
Leg. Cameron Alden
Leg. Lynne C. Nowick

MEMBERS NOT PRESENT:

Leg. Steven H. Stern

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
Barbara LoMoriello, Deputy Clerk
Lance Reinheimer, Assistant Director of Budget Review Office
Jill Moss, Budget Review Office
John W. Pavacic, Commissioner of Parks
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Thomas Ryan, Aide to Leg. Vilorio-Fisher
Greg Moran, Aide to Leg. Nowick
Debra Alloncius, AME Legislative Director
Zabby
Patrick Boyles, Deputy's Sheriff's PBA
Ray Corwin, Park Trustee
And all other interested parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

(THE MEETING WAS CALLED TO ORDER AT 1:11 PM)

CHAIRPERSON VILORIA-FISHER:

Good afternoon. Welcome to today's meeting of the Parks & Recreation Committee. All rise for the Salute to the Flag.

Salutation

Thank you. I don't have any cards or correspondence.

ZABBY:

I have --

MS. LOMORIELLO:

It's okay, I got it.

PUBLIC PORTION

CHAIRPERSON VILORIA-FISHER:

Okay, the first card and only card is Zabby. And you have three minutes.

ZABBY:

Yes. I wanted to talk about the park situation as far as -- for instance, the beach Smith Point. I hear from many people that go to the beach at Smith Point who are Suffolk County residents, or even since that park is within the Town of Brookhaven, I believe that certain residents, either the Brookhaven -- you know, depending on -- and I'm not talking about all the parks, I'm just talking about the beaches now -- that many people have said that they are upset with the \$10 fee that they have to pay to get into the beach before 5 PM. And so I told them, all these people, they resent the fact they live in this County, they pay taxes and they cannot get into the -- have access to the beach. And so that's what I would like to bring up.

And talking about access, I just had an incident with Tim Laube, in front of also this other person from WUSB who is with me, and he said that I had to pay for copies of the resolutions to these meetings; and not only that, he said that I had to do a Freedom of Information. You see, it's with the Freedom of Information that you have to pay the 25 cents. He said I had to do a Freedom of Information. And so I went up to -- and you see the resolution here by the Presiding Officer and everybody here to save paper, but you see also it keeps information from the public. There's nobody in this audience, I panned this audience before. Who's in here? You know, just special interest groups and nobody's here to see this meeting, first of all, because they're all working. They have no access to this meeting, period.

It should be televised. And so this is wrong. And I want something done about it because I want those resolutions without having to pay 25 cents a page. I didn't have to do Freedom of Information and that's where the 25 cents is, not for all these copies. So I should have them.

Just because you want to save paper -- and other people can access them on the Internet; sure, that's fine. I am a have-not on the technological divide, that would be economic discrimination, I'm a member of the press. I want those -- we used to get packs, the press used to get packs of resolutions. And I used to get a packet from Kara and I want that from now on when I come here. Thank you very much.

And I want that consideration. I'd like the Deputy Presiding Officer who is here and witness to my discussion with George Nolan who said that he didn't want to -- you know, he didn't want to step on

the County Attorney yesterday, and so he didn't want to step on Tim Laube either. So, you know, I just wonder, you know, even though sometimes he has an answer, even as yesterday, people were stepping all over themselves to determine something about having a SEQRA on a sewer. I mean, it seemed very obvious to me that if you're going to put a sewer in, you need a SEQRA. Mr. Nolan knew it but he wouldn't come forth with that information and he said right on tape, he didn't want to step on the County Attorney who was wondering, "Well, you know, there wasn't a SEQRA in the first one."

CHAIRPERSON VILORIA-FISHER:

Okay. I hate to interrupt you, but your three minutes have been used up.

ZABBY:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Thank you. I'd like to thank Ray Corwin for being here, a member of our Parks Trustees. Thank you, Ray.

Okay, we are going to go right to the agenda. And, Commissioner, if you would like, as we go through the agenda, if you want to make any comments, please just stop us when we get to that piece of legislation.

Before we go to the agenda, I did want to ask you, there's been a great deal of concern regarding beach safety, drownings, the rip-tides; as you know, there's been a lot of talk about that. And I did want to ask you about the hours that our lifeguards at our County beaches secure the beaches or are vigilant at the beaches and whether there's any concern with expanding them, has there been any issue?

COMMISSIONER PAVACIC:

Our lifeguards work at our four beaches. Their on-duty hours are 10 AM to 5:30 PM and that's seven days a week. There's no difference in hours on the weekends.

We are maxed out in terms of our seasonal budget. We're at the absolute limits. So it's a cost that we could not incur at this point. We have a significant protection at those beaches, two of which are ocean beaches, Cupsogue and Smith Point, the other two are still-water beaches at Meschutt near Shinnecock Canal and Sears Bellows. They are -- besides having to put on lifeguards, there are additional support staff you would have to have on hand including EMT's and operations personnel who provide support to the lifeguards when they're on duty. So the costs incurred would not just be limited to them. And we're talking about having to go into overtime to extend those hours.

The beaches are well posted. People are given fair warning. Our Parks personnel, including our Park Police Officers, do patrol and they do issue summonses and they do -- when they encounter folks who are in areas they're not supposed to be, they do limit them. But we can't -- I believe we've done everything that we can, but we can't enforce common sense. If somebody -- especially after all the publicity of recent weeks, if somebody wanted to incur the risk of going in after normal life guarding hours, I think they do that with full knowledge knowing the risks and knowing their own abilities. But that's not something we can -- we can be there 24/7 to protect against.

You know, you have people in areas that are routinely unlifeguarded who -- they will go into the water knowing full-well that it's posted against swimming, they'll go in early in the morning, they'll go in late at night. We've encountered that at different locations. So it's not an issue just limited to our beaches, but unfortunately it's not something that we can -- it's not a cost that we can incur at this time. We are absolutely stretched to the max.

CHAIRPERSON VILORIA-FISHER:

Have we had any drownings occur at our beaches?

COMMISSIONER PAVACIC:

No, we've had a perfect record. While our lifeguards are -- I'm keeping my fingers crossed, but are -- and knock on wood. We've never had a drowning at any of our County beaches while the lifeguards are on duty.

CHAIRPERSON VILORIA-FISHER:

And while they're not on duty? I mean this summer.

COMMISSIONER PAVACIC:

This summer, no, not at any County parkland.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you, commissioner. Any -- yes, Legislator Alden.

LEG. ALDEN:

It's sort of in that same vein, but some of our -- and I think all of Legislative District offices get a Coordination Report from FRES about weather conditions and especially our beaches. I think that this would probably be beneficial if we coordinated. And if you don't have any problem in doing this, I think that you should get that report also at Parks and it should go out to every one of the parks, including the golf courses and areas where we rent canoes or boats or any of that type of outdoor activity. Because this actually gives you an update whether a storm's in the process of hitting or lightning strikes have been reported. And I think as a safety precaution this would be excellent to coordinate between FRES and your department.

COMMISSIONER PAVACIC:

I can tell you, Legislator Alden, that FRES already does that. They routinely do fax those over to us on a regular basis and I see them all the time. So they already are on top of doing that on a routine basis.

LEG. ALDEN:

Can we get them out to all the different parks?

COMMISSIONER PAVACIC:

They go out to our operations folks as well. And our operations folks then disseminate that information to the various parks and get on the radio as well to our folks. Even if fax is too slow, they can even get on the two-way radios that we have.

LEG. ALDEN:

Okay, including the golf operations and all that, right?

COMMISSIONER PAVACIC:

If it's pertinent to them, yes, they will advise them.

LEG. ALDEN:

Yeah, because storm warnings absolutely would -- you know, I would think would be pertinent.

CHAIRPERSON VILORIA-FISHER:

Thunderstorms, lightning.

LEG. ALDEN:

Sure. So, good.

COMMISSIONER PAVACIC:

Our Golf Superintendent, Tom D'Angelo, is up on storm events, especially over the last couple of weeks where we've had a significant number of severe thunderstorms.

LEG. ALDEN:

Good.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you, Legislator. Legislator Nowick.

LEG. NOWICK:

Hi, Commissioner. How are you?

COMMISSIONER PAVACIC:

I'm fine, thank you.

LEG. NOWICK:

Good news and bad news. First, I wanted to comment on the West Sayville Golf Course which is in beautiful condition and well kept and it's a pleasure to see. But I just wanted to -- I wasn't sure if my office had contacted you, although I think they have, but I wanted to further ask if you -- I believe it would be the Parks, your Parks Department that would do maintenance as far as cleaning, that sort of thing. Without going into detail, there is a halfway house, I guess, and the lavatory facilities somewhere in the middle of the golf course could -- I'm going to say this gently. Could you bring in a power washer and a can of paint? It really needs to be dressed up and cleaned. And the course is so beautiful, it just attracts --

COMMISSIONER PAVACIC:

I'll talk to my operations staff when I get back. I'll ask them to address that.

LEG. NOWICK:

Good. Thank you.

COMMISSIONER PAVACIC:

You're welcome.

LEG. NOWICK:

You -- it's not the Parks that take care of -- we have a facility in my district where 347 meets Vets Highway and there's a monument there. That's Public Works, that's not Parks that takes care of that, right? There's a Veterans monument there.

COMMISSIONER PAVACIC:

It is Parks. I believe the property is not County parkland, but we have an agreement to maintain that.

LEG. NOWICK:

And with due respect, I did go past there a few times. I have just been getting some complaints at my office that it's -- it's just not maintained properly and it is a veterans memorial. And if somebody could just take a ride over there and maybe do a little lawn mowing and make it more presentable, I would very -- I know you're busy and I understand that, but this is a memorial to our veterans, so if you can, I'd appreciate it.

COMMISSIONER PAVACIC:

We -- I have asked my operations folks to get over there and mow. In terms of more detailed maintenance such as weeding, we're working with some veterans to work out a volunteer arrangement where they will be assisting us in maintaining that.

LEG. NOWICK:

To go into the smaller areas?

COMMISSIONER PAVACIC:

Right, right.

LEG. NOWICK:

Okay, that would be great. This way I can tell my constituents it's being done. Thank you.

COMMISSIONER PAVACIC:

You're welcome.

CHAIRPERSON VILORIA-FISHER:

Thank you. Okay, moving to the agenda.

Tabled Resolutions

IR 1346-08 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with improvements to Historic Chandler Estate (CP 7511) (Losquadro). Is

there a motion?

I'll make a motion to table. Is there a second?

LEG. ALDEN:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Alden. All in favor? Opposed? **IR 1346 stands tabled. (VOTE: 4-0-0-1 Not present: Legislator Stern)**

IR 1357-08 - Adopting Local Law No. 2008, a Local Law to protect the County's historic and culturally significant properties (Viloria-Fisher). Commissioner, I did add many of the

suggestions that came from the group with which you worked. And so I will make a motion to

approve. Do you have any comments on the existing form of this right now?

COMMISSIONER PAVACIC:

I think this resolution will address the concerns about both ensuring that the County is charging a fair rental price while ensuring that all the rental units that can be occupied are occupied and that these properties are protected, because they are historically -- most of them are historically significant.

CHAIRPERSON VILORIA-FISHER:

Thank you, Commissioner. Is there a second to the approval motion?

LEG. NOWICK:

Second.

LEG. ALDEN:

I'll second it.

CHAIRPERSON VILORIA-FISHER:

Thank you, Legislator Alden.

LEG. D'AMARO:

On the motion?

CHAIRPERSON VILORIA-FISHER:

On the motion, Legislator D'Amaro.

LEG. D'AMARO:

Thank you, Madam Chairwoman. Commissioner, I just had a question about Section C of the proposed IR where the board, this newly constituted nine member board can recommend a rental value that is below the appraised fair market value based on several factors that are listed. And it looks good on paper. And I understand the need to have some flexibility when we balance the rental or the fair market value with the need to have these properties occupied so they're immune from vandalism and things like that and they're maintained properly.

But I was wondering how you believe that could actually be fairly implemented. I don't want to go down the road where this is really a guise for favoritism. I would be truly concerned about that. And, you know, can you give me some practical implementation? How do you see this actually being implemented with this board? All right, a property is vacant, it doesn't necessarily mean that it should not be rented for fair market value. So how do we -- how do we square the two concepts?

COMMISSIONER PAVACIC:

First of all, ultimately -- the ultimate agreement including the rental price and the criteria which led to whatever that rental amount is will go before first the Parks Committee and then the full Legislature. So the Legislature will be the final arbiter of that. And if there's any significant issues as to how that final figure was derived, that agreement then, that rental price will not move forward.

What I'm looking at is developing a matrix system using criteria, somewhat empirically based system. When you're dealing with, yes, some qualitative issues, how do you, let's say, on a scale of one to ten give rankings to some of the criteria there. It's been -- it's a methodology that's been successfully used for other types of things when you don't have an exact figure that you can utilize, an actual number. And I would manage that in the initial --

LEG. D'AMARO:

Okay. So you'd have a ranking system, in effect?

COMMISSIONER PAVACIC:

Yeah, the initial meeting of this board --

LEG. D'AMARO:

Right.

COMMISSIONER PAVACIC:

-- that I would ask that we establish the type of criteria and the ranking system and a matrix that we can use to fairly apply such a system across the board against any particular property.

LEG. D'AMARO:

Yeah, because once you get away from using appraisals, which are done at arm's length, once you get into more subjective criteria in assigning values, there's more of a risk that -- that's improperly used as a tool. And that's something that concerns me in that process.

Also, can you tell me, if you know sitting here today, how many rental properties we have in the Parks and how many are vacant?

COMMISSIONER PAVACIC:

I believe we have --

LEG. D'AMARO:

Roughly; you know, I know you don't --

COMMISSIONER PAVACIC:

Roughly I think about 28. I think about eight to ten are vacant at this time.

LEG. D'AMARO:

They're vacant. And are they subject to vandalism? Have you had any problems with the vacant properties?

COMMISSIONER PAVACIC:

Some are. Some are subject to frequent visits by Park personnel because of -- for one measure or another, because of relative isolation, even in western Suffolk where we have some significantly sized properties that are fairly wooded where some of these structures are located, they're tucked away from your typical residential neighborhood and, therefore, more subject to some issues.

LEG. D'AMARO:

Do you think the County's inability to rent them, to occupy them, is due to the market rent that we're asking for the property? Or is it related to other factors such as location, what have you?

COMMISSIONER PAVACIC:

The market rent is a big factor there. Some of these properties we have never ever been able to rent since this system was first instituted. Some of those are in western Suffolk. We've never had any takers on them whatsoever, so that certainly is a significant factor.

CHAIRPERSON VILORIA-FISHER:

And by the way, Legislator D'Amaro, those are good questions that came up during our deliberations in trying to craft this legislation so that it would meet the needs, the economic needs of Suffolk County while precluding the problems of favoritism or cronyism in the rental of County parkland.

LEG. D'AMARO:

Is there a -- thank you. Is there a cap or a floor, rather, on how low the recommended rent can go?

COMMISSIONER PAVACIC:

No, there is not.

LEG. D'AMARO:

Okay.

CHAIRPERSON VILORIA-FISHER:

But nobody will be renting for zero. We won't have a --

LEG. D'AMARO:

Would you foresee in the interest of having a property occupied, take for example you mentioned one or two in western Suffolk that just due to several factors are difficult to lease. Would you think it good policy to lease them even for a dollar a year just for the sake of having them occupied and avoid the cost of maintenance and possible vandalism?

COMMISSIONER PAVACIC:

I can't conjecture on that. I will tell you, though, that one of the counter-balancing factors is the energy cost. When you're dealing with a historic structure, they're not subject to -- retrofitting them with energy-efficient windows and insulation. You lose the historic integrity and historic significance. So that's one of the counter-balancing factors here, that the folks who are renting these properties will still be paying significant heating costs and utility costs for these.

I can't conjecture that we -- whether or not we'd get down to a fee as low as a dollar a year. But I will say that based on past history, when we have had significant vandalism, it has sometimes been very costly, tens of thousands, sometimes hundreds of thousands of dollars to repair.

LEG. D'AMARO:

And last question, how -- when you do lease a property in a park as a residence, how long typically does that lease run?

COMMISSIONER PAVACIC:

They're generally month-to-month, so they can run for years. In some places we'll have people there for --

LEG. D'AMARO:

They're not subject -- are they subject to a written lease, is it a month-to-month written lease?

COMMISSIONER PAVACIC:

It's a license agreement. We don't enter into lease agreements. It's a license agreement.

LEG. D'AMARO:

Oh, you do a license agreement, I see. But it fixes the rent --

COMMISSIONER PAVACIC:

Yes.

LEG. D'AMARO:

-- in the license agreement. And how often is the rent reviewed?

COMMISSIONER PAVACIC:

That is something that has not been done in the past and is something that we can do. One of the other factors here is that when the existing rents were established, the appraisals were done when the market was high. We're now in a downturn in the market.

LEG. D'AMARO:

Right.

COMMISSIONER PAVACIC:

And we're still charging rents based on those -- when the economy was at a better position.

In addition, in a number of appraisals, the appraisal folks did not enter into the interior of the structures and didn't take into account some of the other factors that they perhaps were not aware of; energy costs, lack of insulation, the fact that these are -- and some of these are enumerated here in the proposed resolution as well. And those would be taken into account in the new appraisals.

LEG. D'AMARO:

And as you pointed out and as the Chairwoman pointed out, the bottom line is that any recommendation made is subject to review by your office and yourself as well as the Legislature.

COMMISSIONER PAVACIC:

Absolutely. As I said, it has to come to the Legislature at the end of the process. And the Legislature can deny or turn it back, can stop the license agreement from going forward.

LEG. D'AMARO:

Okay, thank you.

COMMISSIONER PAVACIC:

You're welcome.

LEG. D'AMARO:

Madam Chairwoman, thank you.

CHAIRPERSON VILORIA-FISHER:

Legislator Nowick.

LEG. NOWICK:

Now Legislator D'Amaro is making me think. And you know, I think you're on to something. I am concerned about some of these homes that are historical buildings that may cost more to keep empty than have somebody living there at a very minimal cost. It is a pretty good idea. I hate to see these buildings being damaged in any way.

CHAIRPERSON VILORIA-FISHER:

Well, that's why I proposed this.

LEG. NOWICK:

And this committee, this --

CHAIRPERSON VILORIA-FISHER:

That's precisely why I put this together. And the Commissioner was very helpful in this regard, where he brought together a group of people from the Department of Public Works and Parks and Real Estate to establish some of these criteria. Because we have seen, for example, the Scully Estate suffered great vandalism which cost tens of thousands of dollars to repair. The Chandler Estate in Mt. Sinai was burnt to the ground.

LEG. NOWICK:

So you're almost looking for some type of a formula.

CHAIRPERSON VILORIA-FISHER:

That's exactly what the Commissioner is saying.

LEG. NOWICK:

You know, where say fuel is a thousand dollars a month and somehow making it palatable. And I think this is wonderful.

CHAIRPERSON VILORIA-FISHER:

Well, especially with the fuel. DPW will be working with that. And they will begin with a baseline of what the average homeowner would pay to heat the square footage of a particular house. And then look at the difference between what -- am I correct so far, Commissioner? Because I think that's what we finally agreed on. What is the average cost or typical cost and what this home is costing because of the lack of insulation, because of the windows that are not the most modern windows, etcetera.

LEG. NOWICK:

And when we purchase fuel for these buildings, we do it through the County so we get some type of a -- do we have one place that we buy it in bulk and get a better rate?

CHAIRPERSON VILORIA-FISHER:

Well, once there are people living there, they have to provide their own utilities.

COMMISSIONER PAVACIC:

Right, they enter into separate agreements with utility companies to -- such as fuel oil companies to maintain the boiler.

CHAIRPERSON VILORIA-FISHER:

They have to pay their own bills.

LEG. NOWICK:

You know where I'm going with it. I'm trying to think of a way in order to preserve these homes to make it more palatable with fuel bills, trying -- I'm looking for a way where they can maintain it and pay for it but we can get them a better rate because these buildings don't have insulation and because they do suck up a lot of fuel. So anyway -- okay, thank you.

LEG. D'AMARO:

If I could just --

CHAIRPERSON VILORIA-FISHER:

Legislator D'Amaro.

LEG. D'AMARO:

-- follow up on that. I agree with Legislator Nowick. And my concern is not, you know, having a committee and reviewing and trying to have flexibility in rental amounts so that we can occupy the property. I think that's a positive thing to do. My concern is more about even the appearance of favoritism in that process.

So we'll be relying on the Parks Department and the Commissioner to implement a fair rating system that really goes out of its way to avoid that type of potential for unfairness in the selection process. And I'm sure when this committee gets together, I'm encouraged that your testimony here today is that that's something you've already given thought to and you intend to bring to the attention of this new committee.

COMMISSIONER PAVACIC:

If I may just add, when we put this working group together, represented on that working group was Audit and Control from the Comptroller's Office so they weighed in heavily on this. And also Tom Laguardia who is on the Space Management Committee. So he has -- he brought to the group some realistic insight into -- and some fairly objective factors to consider. And also, the composition of the rental, Housing Rental Board, if you note in Section 5A, there's several representatives from the County Legislature there: The Chair of the Parks Committee, Presiding Officer and also Minority Leader of the Legislature. So the Legislature will be able to weigh in even in the determination of the factors used to adjust the final rental fee.

LEG. D'AMARO:

And my last comment, and I appreciate the committee's indulgence, is if we're going to go into a policy of leasing at below appraised value or what is deemed fair market value, and for justifiable reasons, it does raise the issue, though, of reviewing that rental periodically because market conditions change. And what I found interesting is that --

CHAIRPERSON VILORIA-FISHER:

It's in the law, by the way.

LEG. D'AMARO:

Oh, it is in there.

CHAIRPERSON VILORIA-FISHER:

Yes, it is in the law, reviewing.

LEG. D'AMARO:

Yeah, because I think that's necessary here. It's one thing if we rent at appraised value and it's month to month. It's another thing if you rent at something less. And again, my concern would only be that if someone gets a great deal for a particular, it's helping the County, it's helping them. But going down the road those conditions or circumstances may change. So as long as there's a mechanism in the law for periodic review of the rental rates, I would support it.

CHAIRPERSON VILORIA-FISHER:

Okay, thank you. And by the way, that's in Part 6 of the resolution, 6E, George, I think? Okay. Thank you. Update of the appraisal.

Okay, we have a motion and a second. All in favor? Opposed? IR 1597 -- 15 -- I'm saying the

number wrong.

LEG. ALDEN:
Thirteen.

CHAIRPERSON VILORIA-FISHER:
1357 is approved. (VOTE: 4-0-0-1 Not Present: Legislator Stern)

Introductory Resolutions

Okay, we move to Introductory Resolutions.

IR 1597-08 - Amending the 2008 Capital Budget and Program and appropriating funds in connection with reconstruction of spillways (CP 7099) (County Executive). And this is \$200,000, Planning, Commissioner?

COMMISSIONER PAVACIC:
Yes.

CHAIRPERSON VILORIA-FISHER:
Any comments on this?

COMMISSIONER PAVACIC:
This is for spillways at several locations, one of which is a historic section of Blydenburgh County Park located at the north end of Blydenburgh. In addition, Hubbard County Park which is located in Flanders has several spillways there, several of which are in significant deterioration and in danger of collapse. So this -- all of these are in environmentally sensitive areas, so there's some additional regulatory constraints that enter into the design of these new spillways, replacement spillways.

CHAIRPERSON VILORIA-FISHER:
Okay. Is there a motion?

LEG. ALDEN:
Madam Chair?

CHAIRPERSON VILORIA-FISHER:
Yes, Legislator Alden.

LEG. ALDEN:
I just have a question. I notice that this not in the Capital Budget for 2008. So these are conditions that came to your attention subsequent to us passing the Capital Budget?

COMMISSIONER PAVACIC:
We're putting more money into planning, that's going for design because some of these, particularly in Hubbard, are in more dire straights when we became aware of them.

LEG. ALDEN:
And a timetable as far as accomplishing these repairs or these rebuilding efforts?

COMMISSIONER PAVACIC:
Blydenburgh would be the first one to be done. That is because that is intertwined with the restoration of the historic mill there. And it's important that we do the spillway at the same time so that there's no impact on the ultimate restoration of the mill there. We're undertaking significant work there at the mill this year, including raising up the structure, installing temporary curbing underneath and reworking the foundation there. And so the spillway work will be part and parcel of that restoration work.

LEG. ALDEN:

So this really should -- it's got a priority ranking of 55, so it's very important.

COMMISSIONER PAVACIC:

Yes.

LEG. ALDEN:

Okay.

CHAIRPERSON VILORIA-FISHER:

Okay, I'll make a motion to approve. Is there a second?

LEG. D'AMARO:

I'll second, and I also had a question on the motion.

CHAIRPERSON VILORIA-FISHER:

Okay, Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Maybe to Budget Review, Lance; if you could just explain to me, it's just not hitting me, on the first page why the estimated cost is 745,000 and yet we're only appropriating 200. We'll appropriate as we go, in other words?

MR. REINHEIMER:

Yeah, the total estimated cost includes all cost components, planning and construction. If you see, the total estimated cost for planning is 110,000, construction 635 for a total of 745. That includes prior appropriations that were made --

LEG. D'AMARO:

For other projects.

MR. REINHEIMER:

Right, other phases of this project.

LEG. D'AMARO:

Locations, Okay. All right, so the need now for --

MR. REINHEIMER:

Right, we're only appropriating, right, the \$200,000.

LEG. D'AMARO:

All right. And then I had a question for the Commissioner, if you know, Commissioner. The total estimated cost of 745,000 for the spillway projects, is that coming in on budget?

COMMISSIONER PAVACIC:

I believe so. I know that {Fuchs} Pond will be coming in at or below budget. The others we're just entering the preliminary design phase for that, so I do not know at this point. Hubbard County Park, those are in -- it's an environmentally sensitive area, the spillways control water levels and several wetlands and water bodies, so it's a little bit more of a design challenge. Some of these are in more remote areas also that are difficult to get to. So I do not know at this point how those will perform in regard to the estimated cost.

LEG. D'AMARO:

Do you know who prepared the cost estimates?

COMMISSIONER PAVACIC:

Well, we work through DPW. DPW will either do it in-house or they will contract it out depending on the scope and complexity of the job.

LEG. D'AMARO:

Right, I understand that. But do you know who actually prepared for it on the County's behalf the cost estimate of the projects?

COMMISSIONER PAVACIC:

On Blydenburg, the engineering firm escapes me, I'm not sure at this point. At {Fuchs} Pond, we're just getting in, I believe DPW just went out on RFP's on that, so I don't believe they selected a contractor yet.

LEG. D'AMARO:

Well, no, but the RFP would be based on a cost estimate.

COMMISSIONER PAVACIC:

Right. That was done by -- that was done by Waterways and Bridges. Waterways, Structures and Bridges, Division in DPW.

LEG. D'AMARO:

It was done in-house.

COMMISSIONER PAVACIC:

Yes.

LEG. D'AMARO:

Okay, good. And as far as you know, this project is within budget.

COMMISSIONER PAVACIC:

Yes.

LEG. D'AMARO:

There's no unanticipated costs you foresee or would know about at this point.

COMMISSIONER PAVACIC:

Not at this point. Unfortunately you're dealing with historic structures, though. And as I said, spillways by their nature are in environmentally sensitive areas, so that adds to the complexity of the project. And also, we have oversight from other regulatory agencies including DEC. In some cases DEC will identify some of these structures if they are large enough as dams, which brings in a whole other layer of regulatory requirements. So we can't anticipate that until we get more into the design process.

LEG. D'AMARO:

Okay, thank you. I appreciate it.

COMMISSIONER PAVACIC:

You're welcome.

CHAIRPERSON VILORIA-FISHER:

Okay, there's a motion and a second on 1597. All in favor? Opposed? 1597 --

LEG. ALDEN:

Abstain. **Approved (VOTE: 3-0-1-1 Abstention: Legislator Alden - Not Present: Legislator Stern).**

LEG. D'AMARO:

Now, is that voting or not voting?

LEG. ALDEN:

Well, I'm going to wait until I get a little more information. I'm going to contact the Commissioner.

CHAIRPERSON VILORIA-FISHER:

No, we just want to know whether or not you're present.

LEG. ALDEN:

I'm not sure if I'm present or not. George? Never mind.

CHAIRPERSON VILORIA-FISHER:

Okay. IR 1597-08 (sic) - Appropriating funds in connection with restoration of West Neck Farm, Huntington -- Oh, did I call the vote; is that what you're waiting for?

MS. LOMORIELLO:

You did, 1597 we just did.

CHAIRPERSON VILORIA-FISHER:

We just did. I meant **1598**, thank you, **Appropriating funds in connection with restoration of West Neck Farm, Huntington (CP 7096) (County Executive)**. This is \$500,000. Commissioner, can you tell us a little about this project?

COMMISSIONER PAVACIC:

Yes, this is funds to go towards the restoration, stabilization of the boathouse. It's a project that we're going to undertake this fall and this will give us the final amount of money we need to begin the first phase of the project.

CHAIRPERSON VILORIA-FISHER:

Okay. Any other questions on this?

LEG. D'AMARO:

Yeah, I just have one.

CHAIRPERSON VILORIA-FISHER:

Legislator D'Amaro?

LEG. D'AMARO:

Thank you. Was this cost estimate prepared in-house also, do you know?

COMMISSIONER PAVACIC:

No, this was done under contract. It was an architectural firm. And I can provide you the name. Peter {Carodona} Architects.

LEG. D'AMARO:

All right. And that was only for this aspect of the entire project, though.

COMMISSIONER PAVACIC:

It's just for ultimately stabilization and restoration of the structure.

LEG. D'AMARO:

All right. And you haven't started construction or renovation?

COMMISSIONER PAVACIC:

No, some scaffolding has been erected around the perimeter of the structure at this point but

construction has not started.

LEG. D'AMARO:

Okay. And do you feel that the cost estimate is accurate?

COMMISSIONER PAVACIC:

Yes.

LEG. D'AMARO:

You do.

COMMISSIONER PAVACIC:

We've been over it several times.

LEG. D'AMARO:

Very good. Thank you.

COMMISSIONER PAVACIC:

You're welcome.

CHAIRPERSON VILORIA-FISHER:

Okay. Is there a motion? I'll make a motion to --

LEG. D'AMARO:

I'll move to approve, I'm sorry.

CHAIRPERSON VILORIA-FISHER:

Okay, motion by Legislator D'Amaro, I'll second. All in favor? Opposed?

LEG. ALDEN:

Abstain.

CHAIRPERSON VILORIA-FISHER:

Please note the abstention. **IR 1598 is approved (VOTE: 3-0-1-1 Abstention: Legislator Alden - Not Present: Legislator Stern).**

IR 1639 -- did I miss one again?

MS. LOMORIELLO:

Yes, 1638.

CHAIRPERSON VILORIA-FISHER:

Thank you. **IR 1638-08 - Approving the purchase of vehicles and appropriating funds in connection with the purchase of heavy duty equipment for County parks (CP 7011) (County Executive).** And you know, I'm going to anticipate Legislator Alden's question and ask about the environmental impact of these vehicles. Are any of them vehicles that use technology that would require more fuel efficiency?

COMMISSIONER PAVACIC:

These are mostly heavy duty vehicles, trucks primarily. They're not -- none of them would be hybrids as far as I know.

CHAIRPERSON VILORIA-FISHER:

Can any of them run on bio-diesel?

COMMISSIONER PAVACIC:

The larger ones, if they are diesel trucks, which some of the larger ones may be, yes, they could run on bio-diesel.

LEG. ALDEN:

You have to spec that before you buy them, though, otherwise you're going to spend money converting them.

CHAIRPERSON VILORIA-FISHER:

I don't know, some of the new ones you don't.

LEG. ALDEN:

It's got to be in the specs when you buy them.

CHAIRPERSON VILORIA-FISHER:

Would you have an answer to that, Commissioner?

COMMISSIONER PAVACIC:

I don't off --

CHAIRPERSON VILORIA-FISHER:

Could you hear what Legislator Alden said? I wasn't sure if you heard him.

COMMISSIONER PAVACIC:

I believe that to run on bio-diesel there's often -- it's a blend of regular diesel and oils, vegetable oils and so forth that have been reclaimed. I don't --

CHAIRPERSON VILORIA-FISHER:

Well, that's 80/20, it's 80% diesel and just 20%.

COMMISSIONER PAVACIC:

Right. I don't believe that there's much in the way of conversion required for that, but they run purely on bio-diesel, vegetable oils. I'm not sure of the technology on that.

CHAIRPERSON VILORIA-FISHER:

Well, I'm just talking about B20 which would be the blend. And we can look for an answer to that question, okay, regarding these trucks, whether they could run on bio-diesel. Is there a motion? Nobody has a motion? Do you have a question?

LEG. D'AMARO:

I had a question.

CHAIRPERSON VILORIA-FISHER:

A question by Legislator D'Amaro.

LEG. D'AMARO:

Yes, thank you. The 4-wheel drive lifeguard specialty truck, what is that and who gets it?

COMMISSIONER PAVACIC:

That is primarily for the lifeguards. It's a 4-wheel drive club cab, heavy-duty specialty truck for the lifeguards. It's a replacement for a former truck that was decommissioned several years ago to -- due to its age, mileage and poor condition.

As I've mentioned before, we have four lifeguarded beaches that are somewhat distant from one another. Our lifeguard crews right know only have a pool vehicle, usually a pool car to use to transport not only lifeguards but equipment back and forth amongst the four -- the four beaches. They use it both on a particular beach at one time and then to move personnel when they're needed.

Let's say there's heavy surf conditions at Cupsogue and not at Smith Point and they need to bring additional lifeguards there, additional safety equipment, it would be used for that. In the off-season it would be used for other maintenance work at those beaches and our parks.

CHAIRPERSON VILORIA-FISHER:

Okay. I'm going to make a motion to approve. And I would like to ask you, Commissioner, if you could check with DPW with regard to that bio-diesel question. Is there a second?

LEG. NOWICK:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Nowick. All in favor? Opposed?

LEG. ALDEN:

Abstain.

CHAIRPERSON VILORIA-FISHER:

Abstention by Legislator Alden. **IR 1638 stands approved (VOTE: 3-0-1-1 Abstention: Legislator Alden - Not Present: Legislator Stern).**

IR 1639-08 - Appropriating funds in connection with restoration of Smith Point County Park (CP 7162)(County Executive). Today's Newsday had some very dramatic -- this is talking about recreational activities rather than dredging. But our beaches throughout Suffolk County, there were some very stunning photographs in Newsday today with graphics showing where sand should be and where it isn't. Are we looking at how we're going to address this in the future, Commissioner, with our County Parks?

COMMISSIONER PAVACIC:

Yes. As you know, on the short-term basis, due to the storm, the significant NorEaster we had in April of '07, this fall we are planning on undertaking a beach nourishment project. DPW has been the lead on that, assisting us on that. FEMA is providing funding to the County to renourish the beaches, to replenish the sand that was lost in that storm from over a year ago at both Smith Point and Cupsogue. That's a shorter term solution.

There's a longer term proposal which is called the FIMP, otherwise known as the Fire Island to Montauk Point Reformulation Study. The County is an active and major participant in that, it's comprised of -- it's a joint project that is primarily being put forth by the Army Corps, US Army Corps of Engineers and New York State, primarily the New York State Department of Environmental Conservation in cooperation with the New York State Department of State.

The study and project is looking at an 83 mile stretch of shoreline on the Atlantic side from -- stretching from Fire Island Inlet eastward all the way to Montauk Point. The study at this point is to be completed next Fall of '09 and will establish a framework and basic projects to be undertaken along that entire stretch of shoreline. They may include such things as doing modifications to the inlets to free up more sand and allow more sand to be carried in the littoral drift further westward to such areas such as Robert Moses which was in today's Newsday.

It would also change the way that dredging is done. It would also allow for bypassing of sand around the inlets, where inlets are often considered a sink for the sand that would normally be transported in the littoral currents down-drift. And would also establish areas where nourishment, beach nourishment could occur, sometimes using off-shore underwater bar sites as has been done in the past. And then the final component would be non-structural measures which would include flood-proofing, raising of structures or moving structures back.

It's basically a 50 year proposal. And it results in a cost-sharing agreement. The Army Corps

provides the -- would foot the major cost of the project, New York State the second share. Then New York State turns to and looks for a local cost-sharing partner. And that is where the County and the towns would come into play to share in that cost over the long-term. That is -- everyone is waiting for this study to be the long-term project that will address erosion and coastline recession over the next 50 years.

CHAIRPERSON VILORIA-FISHER:

Thank you. You anticipated every question I had which was cost and which levels of government would be doing it and the timeline. Okay, so we have before us **IR 1639, appropriating funds in connection with restoration of Smith Point County Park (CP 7162)(County Executive)**. I will make a motion to approve. Seconded by Legislator Nowick?

LEG. NOWICK:

Sure.

CHAIRPERSON VILORIA-FISHER:

Is there -- are there any questions on this? Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Very quickly. The debt service shows we're going to pay over the 15 year term of the bond \$360,000 in interest, but the resolution does not tell me specifically what we're paying for. Just if you could give me off the top of your head a quick rundown of what improvements we're going to spend a million dollars on.

COMMISSIONER PAVACIC:

7162, that Capital Project line, is devoted exclusively to Smith Point County Park. That includes both Smith Point Proper on Fire Island as well as the Smith Point Marina located on the Long Island mainland on the north side of the bridge.

What's happened in prior years is that that Capital Project line, unfortunately because of signature storms we've had in the past, has in prior years been tapped primarily for beach renourishment and coastal erosion control projects at the beach. However, Smith Point is one of our parks that has a Master Plan. We're currently going through a ten year update of that Master Plan. And there is significant capital improvements that would pertain to that, including such things as additional recreational facilities there at the park which include playgrounds, a nature center, boardwalks as well as additional improvements to the marina, upgrades of the bathrooms there, upgrades of the electrical infrastructure including the primary electrical feeds coming into that area, making the electrical system ready to receive backup generated power if power were lost to the facility in doing additional office reconstruction there and reconfiguring the interior space at that site.

CHAIRPERSON VILORIA-FISHER:

Okay, does that answer your question?

LEG. D'AMARO:

Well, yes, it does answer my question.

CHAIRPERSON VILORIA-FISHER:

The Master Plan had a lot of details, but that goes back a few years.

COMMISSIONER PAVACIC:

Right. And Smith Point is our -- it's our most popular park. It's the biggest revenue generator. So we're approaching the 50 year Anniversary of the park, so hopefully barring any future storms over the next several years, we're hoping to do some significant work on the infrastructure there and make some nice recreational improvements there that have been gone by the wayside for a long time.

LEG. D'AMARO:

I just want -- I appreciate your answer and, you know, I struggle with this only because I want to keep our parks competitive and accessible to our residents. But, you know, I look at the debt service table at the back and, you know, it just shows me in the two years we're struggling within our budget, we're going to be paying, you know, \$120,000 in debt service in interest alone. And, you know, this may not be the project to single out, but at some point I think we really have to examine the impact of making those interest payments out of our Operating Budget are going to be having on our budget in the next two years. But I'll support this resolution.

CHAIRPERSON VILORIA-FISHER:

Okay. So there is a motion and a second to approve 1639. All in favor? Opposed? Abstentions? Did you hand go up, Cameron?

LEG. ALDEN:

I'll abstain.

CHAIRPERSON VILORIA-FISHER:

Okay, please note the abstention. **1639 is approved (VOTE: 3-0-1-1 Abstention: Legislator Alden - Not present: Legislator Stern).**

IR 1641-08 - Accepting and appropriating a grant in the amount of \$6,000 from the New York State Governor's Traffic Safety Committee (GTSC/FFY-2008) Child Passenger Safety Program to support a Park Police Traffic Safety Initiative (County Executive). Motion to approve and place on the Consent Calendar by Legislator Nowick. I'll second that. All in favor? Opposed? **IR 1641 is approved and placed on the Consent Calendar (VOTE: 4-0-0-1 Not Present: Legislator Stern).**

IR 1647-08 - Amending the 2008 Capital Budget and appropriating funds in connection with historic restoration and preservation at Third House, Theodore Roosevelt County Park, Montauk (CP 7510) (Schneiderman). Okay. And that has a hefty price tag on it. Is there a motion? Any questions? Okay, there's no motion on this?

LEG. D'AMARO:

Well, I just --

CHAIRPERSON VILORIA-FISHER:

Okay. Well, let's get a --

LEG. D'AMARO:

Do you want to do a motion first?

CHAIRPERSON VILORIA-FISHER:

-- motion first and then we'll ask questions on the motion.

LEG. D'AMARO:

Go ahead.

CHAIRPERSON VILORIA-FISHER:

You want to make a motion, Lynn?

LEG. NOWICK:

No.

CHAIRPERSON VILORIA-FISHER:

No. Okay, nobody wants to make a motion on this.

LEG. D'AMARO:

For discussion purposes, I'll offer a motion to approve.

CHAIRPERSON VILORIA-FISHER:

Interesting.

LEG. ALDEN:

Oh, because I was going to make a motion to table for discussion purposes.

LEG. D'AMARO:

Well, go ahead. I'll second your motion.

LEG. ALDEN:

All right, I'll make --

CHAIRPERSON VILORIA-FISHER:

Okay, there's a motion to table and a second. That motion to table by Legislator Alden, seconded by Legislator D'Amaro.

LEG. D'AMARO:

Okay.

CHAIRPERSON VILORIA-FISHER:

And, Legislator D'Amaro, you have a question?

LEG. D'AMARO:

Well, I first want to start out by asking, again, the Commissioner just very briefly, give the committee an example -- a summary of what work is anticipated for 300,000.

COMMISSIONER PAVACIC:

Well, although Parks did not request this funding, Third House does need additional work to be done. Right now only a third of the first floor has received a CO for occupancy. And our Parks staff have moved in there and we have public bathrooms in there. The work to be done would allow for occupancy of the majority of the first floor. In order to receive a CO, the floor has to be redone. There's additional support work that needs to be done, structural support work in the basement where the floor joists are located.

And in addition, work would need to be done in the attic, there's some structural elements there, particularly around the chimney and the roof that need to be shored up as well. And to make it accessible to meet fire safety requirements that would -- so that the Fire Marshal would allow occupancy of the structure. Right now the windows and doors do not meet those requirements and that is part of the work that would be included.

CHAIRPERSON VILORIA-FISHER:

Budget Review, I was looking at the numbers on this and can you help me match up the numbers here? Because it doesn't look to me -- it looked -- yeah, the offset looks off. Can you explain that to us, please?

MR. REINHEIMER:

Sure. The offset is the Legislature's project 1755 that's used for offsets. It reduces that amount by \$300,000.

CHAIRPERSON VILORIA-FISHER:

Okay.

MR. REINHEIMER:

And uses the money for Third House.

CHAIRPERSON VILORIA-FISHER:

Okay, Counsel's copy says 510 on the offset. And when I looked at the estimated costs and the Capital Program costs, it looked more like a \$500,000 difference there, too.

MR. REINHEIMER:

Yeah, 510; you're correct. I'll have to look into that, but that may be taking into account other resolutions that are in the pipeline as far as the total estimated costs for 1755. But that does look a little strange, you're correct, because we're only appropriating 300 --

CHAIRPERSON VILORIA-FISHER:

Okay. Yeah, I asked Counsel about it, he said he thought it looked strange also.

MR. REINHEIMER:

See? We agree on something there.

CHAIRPERSON VILORIA-FISHER:

Okay. All right, so we do have --

MR. REINHEIMER:

But we are only appropriating \$300,000.

CHAIRPERSON VILORIA-FISHER:

Okay, but we do have a motion to table and a second. And perhaps between now and a couple of weeks when we meet again we can straighten that out. Okay, Commissioner?

MR. REINHEIMER:

Absolutely. It's really just a technical, small -- if it isn't correct; a technical problem.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. ALDEN:

Just one comment, too.

CHAIRPERSON VILORIA-FISHER:

Yes, Legislator Alden.

LEG. ALDEN:

And just a comment before I withdraw my tabling motion --

CHAIRPERSON VILORIA-FISHER:

Oh, you're planning on withdrawing it?

LEG. ALDEN:

I did this so we could discuss the project.

CHAIRPERSON VILORIA-FISHER:

I see, okay.

LEG. ALDEN:

This is a very worthwhile project. And if we were flushed with money and we had no other problems, this would be a great opportunity for us to do something out at Montauk. We actually pushed up the exterior of this building and we put a new roof on it, I believe, and we tightened it up

so as not to allow this asset to deteriorate to a point where we'd never be able to use it. So I think that that's the money that was well spent. This money would be well spent in the future when we do have a lessening of our financial problems. But right now I don't really think that we can afford something like this. Actually, now I will withdraw my tabling motion.

CHAIRPERSON VILORIA-FISHER:

Okay, then I'll make that tabling motion. Would you like to continue to be the second on that, Legislator D'Amaro?

LEG. D'AMARO:

Sure.

CHAIRPERSON VILORIA-FISHER:

Okay, there's a motion to table and a second. All in favor? Opposed?

LEG. ALDEN:

Opposed.

LEG. NOWICK:

Opposed.

CHAIRPERSON VILORIA-FISHER:

Okay, please note the opposition.

LEG. D'AMARO:

Who opposed?

CHAIRPERSON VILORIA-FISHER:

Legislator Alden.

LEG. D'AMARO:

But didn't he just argue to table?

CHAIRPERSON VILORIA-FISHER:

No, he withdraw his tabling because he's arguing now against the bill completely. He only put in the tabling motion for purposes of discussion.

LEG. ALDEN:

Next year when we do our Capital Budget, include it in --

CHAIRPERSON VILORIA-FISHER:

Okay, would you like me to --

MS. LOMORIELLO:

We have two no's, two opposition.

LEG. ALDEN:

Two no's and two --

CHAIRPERSON VILORIA-FISHER:

Oh, are there -- I didn't see Legislator Nowick's hand. Thank you.

So the motion fails (VOTE: 2-2-0-1 Opposed: Legislators Alden & Nowick - Not Present: Legislator Stern).

LEG. D'AMARO:

Is there another motion?

CHAIRPERSON VILORIA-FISHER:

Well, what other motion would we have?

LEG. ALDEN:

It stays in limbo anyway.

LEG. D'AMARO:

We could leave it here.

CHAIRPERSON VILORIA-FISHER:

We could leave it there, okay.

LEG. ALDEN:

It's out there somewhere.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. ALDEN:

Nothing ever dies here.

CHAIRPERSON VILORIA-FISHER:

All right.

LEG. D'AMARO:

Except the Legislators.

CHAIRPERSON VILORIA-FISHER:

I think they just fade away.

Okay, that does -- that was our last resolution. It completes our agenda. Is there anyone here who would like to make any comments, any questions?

LEG. D'AMARO:

Motion to adjourn.

CHAIRPERSON VILORIA-FISHER:

So moved. We are adjourned.

(THE MEETING CONCLUDED AT 2:08 PM)

{ } DENOTES SPELLED PHONETICALLY