

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 November 20, 2008.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

William J. Lindsay, Presiding Officer
Leg. Wayne R. Horsley, Fourteenth District
George Nolan, Counsel to the Legislature
Renee Ortiz, Deputy Clerk
Rosalind Gazes, Budget Review Office
Jill Moss, Budget Review Office
John W. Pavacic, Commissioner of Parks
Tracey Bellone, Deputy Commissioner of Parks
Steve Tricarico, Aide to County Executive
Ben Zwirn, Deputy County Executive
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Greg Moran, Aide to Leg. Nowick
Carol Ghiorso Hart, Vanderbilt Museum
Debra Alloncius, AME Legislative Director
Thomas Ryan, Aide to Leg. Vilorio-Fisher
Ray Corwin, Parks Trustee
Gil Cardillo, Parks Trustee
Dennis Brown, County Attorney's Office
Justin Littell, Aide to Leg. D'Amaro
Rick Brand, Newsday
Richard F. White, Jr., Parks Trustee appointee
Noel Gish, Director of Vanderbilt Museum
Thomas P. Jones, Suffolk Committee for Camping
Scott Hilary, Park Trustee, Southold
Sarah Anker, Vanderbilt Museum
And all other interested parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

MINUTES TRANSCRIBED BY:

Denise Weaver, Legislative Aide

THE MEETING WAS CALLED TO ORDER AT 2:25 PM

CHAIRPERSON VILORIA-FISHER:

Welcome to today's meeting of the Parks & Recreation Committee. Please stand and join us in saying the Pledge led by our Counsel, George Nolan.

SALUTATION

Thank you, George. We have two cards. We will begin with card number one, Carol Ghiorsi Hart.

MS. GHIORSI HART:

Yes, I just want to thank you all for your support in passing the resolution to help the Vanderbilt. And just also to let you know that we are going to have some trouble paying our bills from now 'till the end of the year. So there -- we do have a time sensitivity issue at the museum. We did not receive the \$100,000 distribution for October and probably not in November. So that by the end of this year we will potentially have a loss that we are not going to be able to pay. So we have problems just even getting through this year. So, just to let you know.

CHAIRPERSON VILORIA-FISHER:

Ms. Hart, has the Vanderbilt or your Trustees looked at one of the many suggestions that have come up regarding some kind of loan structure, a bridge loan or setting up some kind of collateral -- collateralization?

MS. GHIORSI HART:

Yeah, I don't know that any of the Trustees have. I think in talking to some of them, because the County owns the endowment and has complete control, I think the feeling is that this would be something that would not be in our hands or the Trustees' hands at all. This would be something that the Legislature would have to handle.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator D'Amaro.

LEG. D'AMARO:

Yeah, I tend to agree with you on that. And it's a suggestion I've been making, I think, just from a business perspective, it makes more sense for you to have access to a line of credit especially in an uncertain economy where you have cash crisis, just like in private business where you need access to a line of credit because you have a cash crunch and it could help get you through some tough times.

I wanted to ask the Budget Review Office, however, whether or not there's been any determination whether or not the Vanderbilt could use the endowment fund as collateral to secure a line of credit or a loan to help it get through this cash crisis, revenue crisis?

MS. MOSS:

That's a question that has come up and we defer to George Nolan, Counsel, for a response to that.

LEG. D'AMARO:

Okay, Mr. Nolan.

MR. NOLAN:

I missed the question.

LEG. D'AMARO:

The question is whether or not the County could secure or use the endowment fund as collateral for a line of credit or a loan, the proceeds of which would be used to help the Vanderbilt.

MR. NOLAN:

The question has -- we have had a discussion. The question has been posed. I have not researched the issue yet as to whether or not we could borrow against the endowment so I will have to get back to you on that -- on that particular question.

LEG. D'AMARO:

Okay. Thank you. And also has there been any -- Carol, we spoke about this, some kind of a projection or plan giving specific projected amounts that are going to be raised by the various initiatives that everyone's been talking about lately? I just want to determine whether or not at least on a projection basis whether we will truly meet those needs next year so we won't be here at this time next year again looking at a shortfall and trying to figure out how to meet it.

MS. GHIORSI HART:

We are looking at projections. To be honest, they're nowhere near 800,000 from what we're looking at, but certainly we're getting -- developing relationships and hope that we can revise those projections as we go along.

LEG. D'AMARO:

You would need to raise -- if the endowment is shutdown because of its market value, you would you need to raise 1.2 is my understanding, minimum just to get you through 2010; right? Because if we take care of 2009, by 2010 you need that \$100,000 a year in operating capital to go forward at least on a monthly basis. And what -- are you saying today that you're not expecting to meet that?

CHAIRPERSON VILORIA-FISHER:

It's a 100 a month, you meant to say.

LEG. D'AMARO:

What did I say?

CHAIRPERSON VILORIA-FISHER:

A year. A 100,000 a month.

LEG. D'AMARO:

A 100,000 a month. Because the legislation even that's proposed on the fees sunsets.

MS. GHIORSI HART:

Yes, I'm aware of that.

LEG. D'AMARO:

Right, so.

MS. GHIORSI HART:

You know, by the end of 2009 we should have raised definitely more money than we have in the past. We have a Friends group working now. We are looking at a number of collaborations. Early 2010 when the Planetarium projector is up and running and we have our new Planetarium, that will certainly change things quite significantly. At this point it would be hard to really realistically project what exactly all this is going to mean for us.

LEG. D'AMARO:

I don't really think you have a choice. I think you need to make those projections.

MS. GHIORSI HART:

Well, we are looking at it, certainly. I can't give you an exact figure that in 2010 we are not going to need some more support from some place. We obviously are going to -- we have been cutting our expenses as much as possible. So instead of a \$2.3 million Operating Budget for next year, we've made significant cuts to try to bring that down. We're looking at all our fundraising efforts. We have a number of Trustees who are really stepping up and made contacts with businesses, corporations, in a variety of areas. And we do anticipate increased revenue from the Planetarium when it reopens.

LEG. D'AMARO:

And I appreciate all of those efforts and I know you're doing your best to cut expenses and at the same time increase your revenue and that's exactly what you should be doing. I just think it would be helpful, at least to me, to have some idea of each initiative and what you expect to raise from each. I think it would also be healthy for you to be setting goals.

MS. GHIORSI HART:

Yeah. Well, absolutely. We have set goals. We're trying to also be realistic with everybody, though. You know, our goal certainly would be to completely make up the million or whatever from the endowment. But I also want to be realistic so that we can plan and make whatever further cuts we need to make or to let our community know that we need help meeting this goal.

LEG. D'AMARO:

How much have you raised since the crisis began? Have the fundraising efforts kicked in yet or do you need more time for that?

MS. GHIORSI HART:

They have started to kick in, as I think I mentioned, just Monday a check for a \$1000 came in the mail unsolicited, someone who had read the newspapers. We have -- as we speak, the Friends of the Vanderbilt group is meeting at Jon Cooper's office. We have about four different very specific fundraising efforts we're going to be targeting that they will be assisting us with. Tomorrow's Philanthropy Day, which is the Association of Fundraising Professionals meeting. We have a couple of Trustees going to be there in addition to myself so they can better educate themselves. Monday we're meeting with a north -- one of the Trustees and I are meeting with a north shore caterer who's interested in coming onsite. We have another meeting set up with a toy manufacturer who's willing to come look at our gift shop.

We had a lot of help from people at BRO and IT Department and Energy Department in saving money and working better with us in that case. We're looking in the next month, I think we'll be able to have online capability for donating online through our website and probably within four months get ticketing available online. So we are really actively pursuing a number of ways to increase our fundraising.

LEG. D'AMARO:

Well, every journey begins with a first step. That sounds like a giant leap though and I appreciate that you're so focused on it.

MS. GHIORSI HART:

Okay.

LEG. D'AMARO:

And I know you're doing your very best for the revenue for the museum and I appreciate that. And I'll just wait to hear from our Counsel on my particular question with respect to the endowment and whether or not a loan would make sense and then we'll go from there. Thank you, Madam Chair.

MS. GHIORSI HART:

Okay.

CHAIRPERSON VILORIA-FISHER:

Thank you. Before we go to Legislator Stern I just want to clarify again for the record that the resolution providing the relief for the Vanderbilt Museum did have a sunset clause. The resolution adjusting the park's fee schedule does not have a sunset clause. Okay. That would be an ongoing revenue that would be monies going into the General Fund. I've heard a few people express confusion about that. The fee schedule is -- does not have a sunset clause. That would be very unwieldy because we do have some fees that are two-year fees and to set them now and sunset at the end of the year could be very problematic. So there is no sunset clause on the fee schedule.

Legislator Stern.

LEG. STERN:

Thank you, Madam Chair. What is the status of the endowment at this time? There were significant moves that were made when the market was in free-fall, but at this point do you know what the status is? How -- exactly how much is in the endowment and how those monies are currently invested?

MS. GHIORSI HART:

I believe there's 8.293, it's up to 8.3.

MS. MOSS:

It's about 8.3.

MS. GHIORSI HART:

About 8.3 and I think it's largely stabilized now because it's been converted to bonds, but you probably should --

MS. MOSS:

It's in bonds and money market and it's thereabout, it's 8.3.

LEG. STERN:

And what, if any, discussions are underway about a reallocation of those funds across a broader spectrum? I mean, obviously we're on very tumultuous times and nobody knows for sure how investing is going to go. But right now is the plan to keep that allocation in those types of investments? Or is there any discussion as to how we might be making changes to better enhance the revenue from those investments?

MS. MOSS:

The Bank of America agreement for the investment management services is going to end at December 31st. So there's going to be discussion on whether or not to continue with them. The market isn't doing any better right now so there is no discussion of changing from serial bonds and money market.

LEG. STERN:

Maybe, Madam Chair, you or our Counsel would have an idea as to whether or not it would be appropriate to start to have discussions prior to that end date with one or more other financial advisors to see what if any ideas they might have regarding a reallocation of these assets. Is that something that we need to wait for when our agreement with Bank of America is up or is that something that we can start sooner rather than later?

CHAIRPERSON VILORIA-FISHER:

I think we could start -- we could start sooner. Actually if we're going to look at that, it makes sense to start sooner rather than to wait for our contract to be up. We would start sooner. I'll talk with Jill and Lance Reinheimer about that because they've been the people who have been most hands on regarding this in BRO and have given me a great deal of advice. You know, the market

being what it is, I don't think anybody's going to make us any great promises. But we should at least give it a hearing. Thank you for the suggestion.

LEG. STERN:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Legislator Alden.

LEG. ALDEN:

Carol, who's the chief financial officer over at the Vanderbilt? Is that you?

MS. GHIORSI HART:

Yes. Yes, we have a bookkeeper.

LEG. ALDEN:

No, but do you have a committee then from the Trustees?

MS. GHIORSI HART:

We have -- yeah, we have a finance committee. We have a treasurer. So it would be the treasurer, I guess, would sign off on that kind of thing.

LEG. ALDEN:

Well, not to have somebody sign-off, but you do have a finance committee?

MS. GHIORSI HART:

We do have a finance committee, yes.

LEG. ALDEN:

Okay. Because that's who you're going to have to get together with to make a presentation to us as far as where the museum is going. Because all of it's not on your shoulders, some of it -- not some of it, a lot of it should be on the Trustees.

CAROL GHIORSI HART:

Yeah, we're meeting very frequently now, the finance committee, treasurer. And as we look through at least we have time over the coming months to reevaluate our -- our annual budget. And it could well be that we're going to have to bring our budget down as we see what our expected income and revenue and -- is going to be. So we will be making adjustments, but it will give us some time to make the adjustments that we need to make.

LEG. ALDEN:

Okay. And to the Chair, I took the opportunity yesterday to contact Fisher Investments, they're out in California. They'd be more than happy to come in and present -- look at our financial situation, present and I think that's -- that's what we're going to need is a couple of these companies that have been doing endowments or managing endowments for a long time.

Then I have question on -- and George, you might not know the answer to this one, but when did we set the -- and it's not a ceiling it's the bottom really -- when did we set the floor of 8 million on the endowment?

MR. NOLAN:

Well, that's -- that has been established for a long time. That's the money that the County obtained from the Vanderbilt Estate.

LEG. ALDEN:

Well, they actually gave us less than that. Right?

MR. NOLAN:

Well, initially it was a couple of million and then later when another family member passed away, the residual came to the County and it bumped up to about \$8.2 million.

LEG. ALDEN:

Okay. And that was contained in their documents when they transferred the property to us that we're giving you this endowment, but it has to remain at --

MR. NOLAN:

Basically you use the income from that corpus to maintain and operate the museum.

LEG. ALDEN:

And then not to invade the corpus was -- that's part of their wishes. That's what they sent over to us?

MR. NOLAN:

Right. They sent it -- well, by saying to use the income from the -- from that fund, basically leave the corpus intact, use the income from it to -- for operations and maintenance.

LEG. ALDEN:

Then how did --

MR. NOLAN:

And also fees. That's how you're supposed to --

LEG. ALDEN:

How did we come with a resolution then if we've got that place and we also passed a resolution and we pass it every year, that allows the endowment to be drawn down the 1.2 million because unless we revoke that, that's still the law of the land that we allow the endowment to decrease by 1.2 million or in whatever form whether it's income or whether it was to invade the corpus of the trust.

MR. NOLAN:

We never invaded the corpus of the trust. But at a certain point because of earnings from interest and investments and so forth, the fund got as high as 15, \$16 million because the museum needed monies for their operation. The Legislature has approved annually a resolution saying they can use 1.2 million -- it could be a distribution from the fund, too, so they can continue their operations. But what's happened is because the stock market is tanked, you headed back down towards \$8.2 million and we can't let it drop below that.

LEG. ALDEN:

Did that cutoff automatically happen? Because we passed a resolution that allowed them to take 1.2 million out of the fund. Was it worded that it's in effect unless the fund falls below a certain value?

MR. NOLAN:

Well, I don't think it said that explicitly. It authorized a certain amount coming out each month, a 100,000 a month. When the stock market starting to drop precipitously, the financial advisor contacted the Presiding Officer and said look, we're heading down towards the magic number. It's my understanding the Presiding Officer at that point conferred with the Budget Review Office, the minority leader, with the Chairman of this committee, basically to make a determination we should pull our money out of the stocks now so that we protect the corpus.

LEG. ALDEN:

Do we need a resolution then that modifies the resolution authorizing 1.2 million withdrawal?

MR. NOLAN:

I don't believe we do. I'll look at the resolution again, but I don't think we need a resolution to basically ratify what's already been -- what's already happened.

LEG. ALDEN:

And what's the -- what's the actual floor? Is it 8 million or is it a little more than that?

MS. GHIORSI HART:

8.2.

MR. NOLAN:

8.2 million roughly, yeah.

LEG. ALDEN:

Okay. So there's almost a 100,000 that we've generated in income this year that -- because it's almost 8.3. Right?

MS. MOSS:

That's correct.

MR. NOLAN:

I don't think we have -- it's lost money this year.

LEG. ALDEN:

Well, actually if they went and bought bonds, if you bought long term bonds, the value of those -- if you bought treasuries ten years or more, the value of those went way up. Actually they gained 15 or 20% in the last two or three weeks. Do you know if they bought?

MR. NOLAN:

That doesn't offset -- that doesn't offset all the losses that previously occurred.

LEG. ALDEN:

No, I know that. But if you've got a floor at 8.2 and you invested -- how much did we invest when we liquidated, because we did buy treasuries, Right, or we bought something that was going to be safe?

MS. MOSS:

Some of it's in serial bonds. Some of it's in money market. It fluctuates slightly.

LEG. ALDEN:

Okay. But did the value of what we bought as far as whatever bonds we bought --

MS. MOSS:

I'm sorry, bonds.

LEG. ALDEN:

-- it didn't fluctuate up?

MS. MOSS:

It has gone up slightly, it has gone down slightly, but it's around 8.3 million.

LEG. ALDEN:

Okay.

MS. MOSS:

And the resolution that you're referring to that extended the authorization, that's resolution number 1266 of 2007. And there is -- in there it talks about the corpus.

LEG. ALDEN:

So we don't have to modify what we passed this year, allowing the 1.2 million?

MS. MOSS:

That will expire the end of December. The authorization to give them a 100,000 a month.

LEG. ALDEN:

Right. But we had qualifying language in that resolution that only allowed that to happen if we didn't get down to the 8.2 million. Otherwise, you know, there's got to be some kind of a --

MS. MOSS:

It's in the first resolved clause, George.

LEG. ALDEN:

You can only take that 1.2 million if the corpus remains above --

MS. MOSS:

It cannot invade the corpus of the fund. And the corpus is 8.2 million.

LEG. ALDEN:

Okay. And we only count -- so that's the corpus, anything above that is -- it's not counted as a corpus?

MS. MOSS:

Correct.

LEG. ALDEN:

Okay. Thanks.

CHAIRPERSON VILORIA-FISHER:

Okay. All right. Thank you. Thank you very much, Carol.

MS. GHIORSI HART:

Okay. Thank you.

CHAIRPERSON VILORIA-FISHER:

We have another card. But before I get to Gil Cardillo, I would like to take a resolution out of order, because it's the reappointment, it's on the second page, it's **IR 1988 (reappointing Richard F. White Jr., as a member of the Suffolk County Board of Trustees of Parks, Recreation and Conservation. (Presiding Officer Lindsay)** Richard, can you come up? Okay. Is there any member of the committee who has a question for Mr. White?

LEG. ALDEN:

I want to congratulate him and thank him for his service.

MR. WHITE:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Well, absolutely. And I can tell you he is always there.

LEG. ALDEN:

And always active.

CHAIRPERSON VILORIA-FISHER:

Very active, yes.

MR. WHITE:

Thank you.

CHAIRPERSON VILORIA-FISHER:

And is there any statement you'd like to make to us before we take our vote?

MR. WHITE:

No. I look forward to fulfilling the term and hopefully seeing some of the projects that John Fritz so loved just come to fruition. John came before this board shortly before he died.

CHAIRPERSON VILORIA-FISHER:

Yes.

MR. WHITE:

And he was a very active member.

CHAIRPERSON VILORIA-FISHER:

Actually it was the day before -- he was here. Okay. I'm going to make --

LEG. STERN:

I just have a quick question.

CHAIRPERSON VILORIA-FISHER:

Sure, Legislator Stern.

LEG. STERN:

Are you just finishing up your first and only term or had you served prior terms?

CHAIRPERSON VILORIA-FISHER:

I think he started serving before you were born.

LEG. STERN:

Well, that's what I meant.

MR. WHITE:

My first appointment was in 1970. I think maybe before you were born. And definitely before the Madam Chairman was born.

LEG. STERN:

We started just about the same time. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. You know, I'll give you the honor of making the motion.

LEG. STERN:

It would be my pleasure to make the motion.

MR. WHITE:

Thank you very much.

CHAIRPERSON VILORIA-FISHER:

And I'll second that. All in favor? Opposed? **IR 1988 is approved.**

(VOTE: 5-0).

And I see that there are a number of Park Trustees here today. And I just want to thank you, again, Mr. White, for your service and dedication and your knowledge. You certainly have answered many questions I've had over the years.

CHAIRPERSON VILORIA-FISHER:

I noticed Gil Cardillo that you filled out a card. Can you please come up? And are there any other members of the Parks Trustees who would like to join Mr. Cardillo at the table? Or is he on his own? Okay, thank you. You can sit at the table since there are a few of you. Are there enough seats there, Renee? I think -- is it two people or three? Okay. Okay. And you know the drill. Please say your name for the record and then state your issue. Your mike's not on.

MR. CORWIN:

Is it on now?

CHAIRPERSON VILORIA-FISHER:

Yes.

MR. CORWIN:

My name is Ray Corwin. I'm the Park Trustee at large.

MR. CARDILLO:

I'm Gil Cardillo. I'm the Trustee from Riverhead.

CHAIRPERSON VILORIA-FISHER:

Okay, go ahead.

MR. CARDILLO:

Okay. We had our meeting this morning. It has come to our attention that the County Legislature approved purchase of a property on South Bay Avenue in Lindenhurst. I don't recall the name of the property exactly. But it is from -- the purchase was from the Village of Lindenhurst.

CHAIRPERSON VILORIA-FISHER:

Right.

MR. CARDILLO:

According to our understanding of the County Charter, all the Trustees' understanding of the County Charter, this action requires the approval of the Board of Trustees.

In the past few months we've had at least two meetings -- at two of our meetings there were representatives from the Village, were heard at the request -- I believe also Legislator Horsley's office had sent a representative. And that representative was heard as well.

At the request of the Village of Lindenhurst the resolution was tabled due, I guess -- I believe it was at their request. And we did table it. One of the reasons -- I think we had one meeting where -- the meeting right when John Fritz had passed on and we were all going to the wake. So we tabled the issue.

At our meeting this morning we were informed the County Legislature had approved the purchase from the Village. And so this morning we passed a resolution declining to purchase the property for the following reasons: The first reason is the land seems to serve no foreseeable use to the County parks. It -- indeed it borders Village parkland and it is nowhere near any of the County parkland. I'm sorry?

The second reason it seems to set a precedent of purchased land already preserved by another

governmental entity so that's something that we've not done in the past. And it sets a precedent that we're uncomfortable with going down a slippery slope of doing that. We were told informally that there was a commitment by a former Legislator -- County Legislator to purchase the land from the Village of Lindenhurst but there doesn't seem to be any agreement in writing that we could at least look at to see what was going on in their minds when this agreement was made.

And the board as a whole feels that monies used to purchase this land in Lindenhurst could be perhaps better spent to purchase land in private hands that is perhaps under the threat of development.

MR. CORWIN:

The only thing I would add, Madam Chairwoman, is the Trustees gave a very open thought to this. We did not have a unanimous vote. We had, I think, it was eleven to one or ten to -- eleven to one vote, I believe. And we were hoping that there would be another -- we had -- at the last meeting we had actually postponed a vote on this. This was a tabled motion, you may recall, from the meeting you attended from last month. And we held off at the request of all the proponents of the purchase. And when we were informed that the vote had gone ahead -- supposedly gone ahead at the full Legislature, some of our senior Trustees pointed out that it may be too late at some point if the Trustees don't express an opinion on this. Under the Charter it's one of our responsibilities.

So that was the genesis of taking it off the table this morning and actually voting on it. We were actually prepared to hold off until the -- we at the last meeting at the request of the proponents, we had been asked to hold off a vote until two things happen. One is the Village could talk to us yet again, which we were open to doing. And also the Village -- the Village or the proponents had suggested that there ought to be a new trustee appointed from Babylon before we act on it.

And we thought that since the property's not going anywhere that might be fine. But when we heard that it had actually been voted on, we thought we would be sort of abridging our responsibilities if we didn't actually express an opinion before something came out of the Legislature and went to the County Exec's Office.

CHAIRPERSON VILORIA-FISHER:

Okay. May I begin by first apologizing because I misunderstood something that was said at the Legislative meeting, which there were two approvals that I think were required, CEQ and Parks. And when the question was asked I believe Mr. Horsley had said it was approved. And I made the assumption that it was both. And I think you were just referring to CEQ.

LEG. HORSLEY:

Yes.

CHAIRPERSON VILORIA-FISHER:

And so I felt free to vote in the affirmative because I thought that all the approvals had been met. Upon hearing from Thomas, my aide, who was at the Park Trustees meeting that I'm sorry I missed this morning, we had Ways and Means, our schedules have changed because of the holidays, when Tom Ryan told me about this issue, I did ask Counsel his opinion on this. And as you know this was a resolution that was laid on the table quite a number of years ago. This came before us a number of years ago.

And I believe that Counsel, you said, that it came to us in a different program from the program that it is in right now. And that it's a change in requirements; is that what you said?

MR. NOLAN:

Well, what I said is the funding for the purchase of the property in question is the Old -- Old Drinking Water Program that goes back to the 1980's. And that original program did state that the Park Trustees would pass on all acquisitions underneath that program. But that law, that version of the Drinking Water Program has long since lapsed. It's been changed by, I think, two or three

subsequent referendums. So it's my opinion that while the Legislature may choose to still seek Park Trustee approval of purchases using funds from that old program, it's not a legal requirement that we do so before this Legislature acts. So that's my opinion that this Legislature was free to act without Park Trustees' approval.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you, Mr. Nolan. Legislator Horsley, this is your legislation.

LEG. HORSLEY:

Yes, it is. Yes, and thank you very much for all the time that we spent on this issue. As you know, I made a presentation to the Parks Trustees and we lost our Chairman in the meantime. What ensued over the last week is conversations with Counsel stating that there was the belief that it did not have to appear. We did not have to appear before Parks. It was not part of that -- excuse me -- that it did not have to appear before the Parks Committee. So we made the determination that we would bring it to the full Legislature.

As you know, the Legislature has once approved the planning steps for this resolution back in the early 2000's. It was vetoed and then once again it was overridden by the full Legislature. I believe it was 18 to nothing. And that I -- and seeking the request -- seeking the approval of this Legislature, again, it was approved, I believe, 17 to one the other day.

So I think that this was a moral commitment of the County that we reimburse the Village. And I have stated this publicly many times over to my fellow Legislators who appear to agree with me. And that that was the reason why I brought it forward the other day and it was approved.

CHAIRPERSON VILORIA-FISHER:

I just have a question.

LEG. HORSLEY:

Sure.

CHAIRPERSON VILORIA-FISHER:

So when it was passed, and I was here when Dave Bishop had introduced it and actually I was probably Parks Chair at that time --

LEG. HORSLEY:

May have been.

CHAIRPERSON VILORIA-FISHER:

So it had had the Parks Trustees' approval then when we passed it?

LEG. HORSLEY:

Was the Parks Trustees even -- were they in existence at that point in time?

CHAIRPERSON VILORIA-FISHER:

Sure, sure.

LEG. HORSLEY:

Yeah. Do we know that, George?

CHAIRPERSON VILORIA-FISHER:

Ray, do you remember? You were trustee at that time.

MR. CORWIN:

I do not. I'd have to check the records but I don't recall seeing it in the Trustees --

CHAIRPERSON VILORIA-FISHER:

I don't recall.

MR. CORWIN:

I don't believe the Trustees had seen it before but I'd have to look at the minutes to see.

LEG. HORSLEY:

I don't believe so either. I don't know.

MR. NOLAN:

-- until this point where we're looking at an acquisition, I don't think the Park Trustees would have been involved in --

CHAIRPERSON VILORIA-FISHER:

But I thought Wayne said that we had passed it and then it was vetoed and we passed it again.

MR. NOLAN:

That was planning steps.

LEG. HORSLEY:

Planning steps.

CHAIRPERSON VILORIA-FISHER:

Oh, that was the planning steps, not the acquisition. Okay.

LEG. HORSLEY:

So this Legislature has now passed this purchase three times. Two times as planning steps and then lastly just this last meeting.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator Alden.

LEG. ALDEN:

I think that and I'm not going to say misled but I would have appreciated -- did you know about their findings before Tuesday's meeting?

LEG. HORSLEY:

That they were tabling it?

LEG. ALDEN:

No, no. The reasons why they were a little bit less than receptive to passing it.

LEG. HORSLEY:

We all knew that there were some negative feelings in Parks and that the administration was against this, against this idea of reimbursing the Village, which is what it was. Do you know the full story behind this, Cameron? I don't know -- I just walked in so --

LEG. ALDEN:

I was here for the planning steps and the whole nine yards from Dave Bishop.

LEG. HORSLEY:

The whole issue was that this was a piece of property that adjoins a park in Lindenhurst. It was agreed upon that it was a vital piece of property, whether the Parks Trustees agree or not, was a vital piece of property for acquisition. It was down by the water. It was an environmentally sensitive area. It had a house on it. And that we wanted to buy it. Okay?

It was then the Legislator's opinion, David Bishop, that they wanted to buy it; however, because of the timeliness of it and the property was coming up for sale, the County spoke to the Village of Lindenhurst and asked them if they could buy it. And so the Village said, well, we'll buy it but -- that was -- the agreement was that the County would reimburse the Village of Lindenhurst.

So they went out, they made all the -- they made all the -- because they could do it in a more quick manner, they went out and they purchased the property with the understanding that they would be reimbursed. And so the time I stepped into office, from the time I stepped into office to the day to -- to two days ago, I have been fighting to uphold that commitment that this County made to the Village of Lindenhurst. And that's my -- that's exactly what's happened.

LEG. ALDEN:

Okay. I'll just say what I have as far as a problem with now finding out everything that happened. It wasn't really clearly established that -- that relationship between the Village of Lindenhurst and Suffolk County goes back to Dave Bishop. And I remember at the time Dave was very, very much adamant about buying the property but never really filled in the blanks as far as the relationship with the Village going and buying it.

Traditionally the 12-E, that's a town matter. And I would defer to -- because that's how the money was divided up. I would always defer to all the Legislators from each individual town where the purchase was going to occur, that they've talked about it and that's a wise move to use their portion of the money to buy that.

But also I think that we really should have had, as far as the input because what just came out today are two very, very important policy considerations. Number one, we're establishing a precedent buying property that's already preserved and your argument would have gone --

LEG. HORSLEY:

That this pre-dates --

LEG. ALDEN:

Right. Your argument would have gone a little bit to, you know, to actually take the edge off of that because if we, in fact, had an agreement with the Town or the Village, that they would buy it and we'd reimburse them for it at some point in the future, then maybe we're not setting the precedent that --

LEG. HORSLEY:

I don't think we are but --

LEG. ALDEN:

But also, you know, I really -- you know, I like their opinion. I like the Trustees to have fully vet it, you know, actions that we're going to take. And to get their input to it. And just what they did today, that would have been very valuable on Tuesday to, you know, have that come forward and then at least we could work out whatever little problems there might have been or big problems there might have been. Because I think that now looking back at our action on Tuesday, I probably wouldn't have voted for it unless we have gotten the mayor down here and established some other, you know, like really solid tie with the fact that they laid the money out and that we made a commitment and not just a promise from one Legislator that this would happen but more of a, you know, a concern that --

LEG. HORSLEY:

I'll be glad to bring the mayor and have him discuss this with you, Cameron, because it's --

LEG. ALDEN:

Well, I know. But I've never heard testimony from him that said that we, you know -- we promised to reimburse him --

LEG. HORSLEY:

His representative did come before the Parks Committee and spoke to the Parks Committee.

LEG. ALDEN:

Maybe that was one that I missed.

LEG. HORSLEY:

No, he did. Cameron, do you recall that Sean {Culinane} came before the Committee and spoke to the Committee?

LEG. ALDEN:

To the Trustees?

LEG. HORSLEY:

To the Trustees.

LEG. ALDEN:

I don't make every Trustee meeting. I've made a couple but I don't make every one of them. But I would have liked to have seen that evidence, you know, presented to us and made a full record of it. And then maybe even back it up with -- with some other kind of documentation.

LEG. HORSLEY:

Okay.

LEG. ALDEN:

But the points that they are raising are very, very -- they're serious concerns. And you don't want to start a precedent where we're going to go and buy property from every town because they bought open space. And if this doesn't fit into our Parks system or water protection system, that's an important consideration. So those are the two things that I just heard before that I would have liked to heard that a little earlier rather than go through the process that we normally do on a 12-E. I really would have liked to heard that evidence in advance rather than after we take action.

LEG. HORSLEY:

Okay, thank you.

CHAIRPERSON VILORIA-FISHER:

Did you want to respond that, George?

MR. NOLAN:

I just wanted to add that, you know, I've actually talked about this issue with the Planning Department. We've mused about, you know, whether or not these type of acquisitions have to go to the Parks Trustees. It's been their policy to refer them to the Park Trustees, the 12-5 E acquisitions. When Legislator Horsley and I spoke about this actually over the last couple of months, I've told him that's been the practice, but it's my opinion that legally and ultimately the Legislature can act without Park Trustees' approval. So I just want to give you that background.

CHAIRPERSON VILORIA-FISHER:

Well, I would just like to put on the record that I wish that we had kept it in Committee until we had heard from the Park Trustees being that they did have difficulty with it and that this -- we could have fully discussed it in the Parks Committee where the discussion should have occurred before it left Committee. And although there may have been a policy, you know, some kind of gray area regarding policy or legality, we've always had the relationship with the Park Trustees that we do try to seek their counsel with regards to these acquisitions. So, again, you know, we in the past had kept this in the Parks Committee. I think it had been here so long that somehow it slipped through and got into the General Meeting. And we want to be more careful to keep it here. When it was

tabled at, you know, at the death of John Fritz, I thought that it was tabled because we weren't discussing any issues that day, not because it was a problem at that particular point in time.

MR. CARDILLO:

We were asked to table the resolution so we did.

CHAIRPERSON VILORIA-FISHER:

Right. Yeah.

MR. CARDILLO:

But we also did our due diligence with regards to the property. There was a number of the Trustees as well as people from the County --

CHAIRPERSON VILORIA-FISHER:

And we hear you. We hear what you're saying, Gil. And I apologize for that. Legislator Alden.

LEG. ALDEN:

And through the Chair, you know, when you say -- the first part I understand exactly. And you're saying about setting a precedent, buying property that's already preserved and now we're just shifting money around. But the second part is very concerning also. When you say that the park or this property now doesn't really fit into our plans of what to use or how to protect that, could you just elaborate a little bit more on your concerns on that?

MR. CARDILLO:

Well, I think the Trustees as a whole felt that we have no other parkland anywhere near this piece of property. And we did also feel that being that the Village has parkland adjacent to bordering this property, that this might work better for all concerned, that it was Village parkland rather than County parkland. There's really not a lot of parking over there. We didn't see a use that the people of the County would really use the property more than perhaps the people in the Village of Lindenhurst.

LEG. ALDEN:

Okay. Through the Chair, Wayne, didn't you -- you said something about that the Village was actually going to take care of that property or --

LEG. HORSLEY:

The Village put monies into -- they took down a house that was on this property. It's right on the Bay, by the way. And it adjoins this park. And their plans were to -- that they're going to be putting in environmental trail or some sort of a picnic bench and that type of thing, but it's going to be a very passive use. And they're expanding -- they're going to be trying to grow that park into along the south shore. And it's a very environmentally sensitive area. It's on the Bay. In fact, they're losing some of the properties adjacent to it. They're just -- it's washing away.

CHAIRPERSON VILORIA-FISHER:

Actually, if I may, Legislator Alden, this is a resolution that has already passed at the General Meeting.

LEG. ALDEN:

Right.

CHAIRPERSON VILORIA-FISHER:

The likelihood is that it's going to be vetoed.

LEG. ALDEN:

Okay.

CHAIRPERSON VILORIA-FISHER:

I would like to have with the sponsor being present, I would like to have a discussion --

LEG. HORSLEY:

I'll be glad to discuss this.

CHAIRPERSON VILORIA-FISHER:

-- again at the Parks Trustees meeting with, you know -- and vet it rather than having the Park Trustees make a decision based on the fact that I think a policy that we had respected for a longtime seemed to have been short circuited.

LEG. ALDEN:

Madam Chair? By the time they review it, though, the time to override the veto's going to be gone.

CHAIRPERSON VILORIA-FISHER:

When is your next meeting? I don't have my calendar with me.

MR. CARDILLO:

I believe December 18th. 18th.

CHAIRPERSON VILORIA-FISHER:

Oh, okay, you're right, Cameron, because we're going to be looking at it the second, is our next meeting. So let's continue the discussion.

LEG. ALDEN:

But, actually, you know, Legislator Horsley, did they indicate that they would actually give us or enter into an agreement with us that, you know, to be stewards of that park? Because, I mean, that's logical. What they're saying is very logical. If it's right next door to a park that's already existing, we don't have any assets in that area, how are we going to take care of it? Because we've got tons of -- not tons, we've got thousands of acres.

LEG. HORSLEY:

They have agreed to that.

LEG. ALDEN:

Would they enter into a municipal agreement to do that?

LEG. HORSLEY:

Yes, absolutely.

LEG. ALDEN:

They didn't yet, though, right?

LEG. HORSLEY:

I believe they sent a letter to the fact that they would do that. I'm sure whether it's an agreement. But they have agreed to it. They have agreed to it. I'll get you the paperwork, Cameron; take a look at exactly what it would be considered, whether it's the agreement or a letter of understanding or whatever. But, yes, they have stated so.

LEG. ALDEN:

Okay. Because -- I mean those are concerns that I've expressed --

LEG. HORSLEY:

Absolutely.

LEG. ALDEN:

-- many, many times because the parkland we've been buying, we don't have enough park police to take care of it and we really don't have a --

LEG. HORSLEY:

They will take care of it.

LEG. ALDEN:

We don't have a plan in place really to even buy property.

LEG. HORSLEY:

I'll get that letter to you tomorrow. Just so you understand then. They will take care of it.

CHAIRPERSON VILORIA-FISHER:

I thought I saw either the Parks Commissioner or Deputy Commissioner nodding their heads. Do we have something that you know of, Commissioner?

COMMISSIONER PAVACIC:

No, we have no agreement whatsoever. We just have the assertions and presentations that were made by the Village at Parks Trustees meetings. But as far as I know there's nothing in resolution from either the Village or the Legislature which says that we would enter into an intermunicipal agreement or some type of contract to manage the property.

CHAIRPERSON VILORIA-FISHER:

Legislator Horsley, would it be possible to reach out to the Village to see if they could bring a letter forward for us or a resolution?

LEG. HORSLEY:

Yes. Commissioner, you don't have that? I'm not sure --

COMMISSIONER PAVACIC:

I don't have a letter in front of me but --

LEG. HORSLEY:

Yeah, you might not have a letter in front of you but I'm not so sure you don't have a letter, period. Is that true? A letter from the Village of Lindenhurst stating from the Trustees that they would -- that they would maintain it and what they're going to be using it for.

COMMISSIONER PAVACIC:

Right. It was a letter to the Trustees. But if I may then since we're getting into a discussion of this, I'll throw my voice on this.

I'm opposed to this acquisition. I made that very clear at the Parks Trustees' meetings. To me there's absolutely no point in having this postage stamp parcel which is nowhere near, miles and miles away from County parkland become part of the County park system. If there was any way of this -- if the County's going to purchase this, to transfer it completely back to the Village, that should be done. The amount of time that will be spent just in trying to negotiate an agreement will be costly alone.

I've visited the property myself. As you know, I formerly worked for the DEC. This property, once it goes into County ownership, it's going to become a focal point for erosion. It's already eroding. It's going to become a focal point for litter. It's going to become a focal point for phone calls from people. We have no park staff, no facilities that are manned anywhere near this parcel.

The parcel, it's a very tortuous path even to get to this parcel. Most people, most County residents will never even know about this particular parcel. The Village property is immediately next door to

this property. In my mind it makes absolutely no sense why this parcel is being purchased.

Also, I can tell you from my over 20 years of working in the environmental protection field, I don't feel this is environmentally sensitive. It's a disturbed parcel. There's some beach front which is eroding away. It's going to be a collection point for eel grass. And as you may know a lot of people complain when eel grass starts rotting away in the summertime. And a collection point for trash. It's too small to really do anything with. And I think it's going to become a real drain on our department to try to get folks down there on a regular basis to maintain it.

CHAIRPERSON VILORIA-FISHER:

Tell us how you really feel. But actually I wish we had heard such a strong statement when we first had this on our agenda because that is a very strong statement. And I appreciate your candor in giving us that.

COMMISSIONER PAVACIC:

And I could tell you, it also does set a precedent because we do know of some other municipalities which have similar situations, which are waiting in the wings. And if this comes to pass, I'm sure that we will be contacted by other municipalities who will also be looking for land that's already protected to be purchased by the County.

CHAIRPERSON VILORIA-FISHER:

Thank you, Commissioner.

COMMISSIONER PAVACIC:

You're welcome.

CHAIRPERSON VILORIA-FISHER:

Thank you gentlemen.

MR. CARDILLO:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Any other questions?

LEG. HORSLEY:

And I'd be glad to present to Madam Chair as well as to Legislator Alden a letter from the Village or any sort of agreement that they would maintain the property and so that we don't have to worry about the eel grass or anything else that the Commissioner's concerned about.

CHAIRPERSON VILORIA-FISHER:

Well, this will be before us at the General Meeting.

LEG. HORSLEY:

I can give it to you any time. I can give it to you at any time.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. HORSLEY:

Lindenhurst will be owning it. We'll get title.

CHAIRPERSON VILORIA-FISHER:

We'll get title.

LEG. HORSLEY:

They'll maintain it. Much like many other agreements that we've had with municipalities.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you for coming down.

MR. CORWIN:

Thank you. And if I may just thank you for approving the reappointment of Trustee White. He is the single largest repository of Suffolk County Parks history probably on the planet. So I want to thank you for that.

CHAIRPERSON VILORIA-FISHER:

Have you ever been called that before, Richard?

MR. WHITE:

I thought he was referring to my belt size.

MR. CARDILLO:

He's been called many things but not that. He's also the longest serving Trustee since 1970.

CHAIRPERSON VILORIA-FISHER:

And has great attendance. Okay. Thank you.

TABLED RESOLUTIONS

CHAIRPERSON VILORIA-FISHER:

IR 1732, (to waive fee for use of Smith Point County Park by the mastic Beach Ambulance Company for an EMS Field Day) (Browning), has that been withdrawn, Madam Clerk? Legislator Browning had indicated that she was withdrawing IR 1732. Has that been withdrawn?

MS. ORTIZ:

I don't know, but I will make a note.

CHAIRPERSON VILORIA-FISHER:

I'll just make a motion to table.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro. All in favor? Opposed? **IR 1732 is tabled. (VOTE: 5-0)**

IR 1949 (naming the fishing pier at Smith Point County Park as the John Fritz Memorial Fishing Pier) (Viloria-Fisher) I will be tabling this because we still have the six month rule for the naming committee. So IR 1949 I'll make a motion to table.

LEG. STERN:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Stern. All in favor? Opposed? **IR 1949 is tabled. (VOTE: 5-0)**

INTRODUCTORY RESOLUTIONS

**IR 1977, Appropriating funds in connection with historic restoration and preservation at the Elwood School House a/k/a Little Red School House in the Town of Huntington.
(Stern)**

LEG. STERN:

Make a motion to approve.

LEG. D'AMARO:

Second.

LEG. NOWICK:

Second.

CHAIRPERSON VILORIA-FISHER:

Okay. We have a motion to approve and two seconds. Okay. And do we have a dossier there? Is that -- are there tours that go through the Little Red School House there?

LEG. STERN:

Not right now. Right now DPW does some work, and I guess the minimum that's required to -- to make sure that the structure is safe. But in order to have anything really positive happen there we're going to need state assistance and this, you know, the funding that's requested here is really the key to being able to do that going forward.

CHAIRPERSON VILORIA-FISHER:

And it's in the budget.

LEG. STERN:

It is.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. STERN:

It is already in the budget.

CHAIRPERSON VILORIA-FISHER:

Okay. There's a motion and a second. All in favor? Opposed? **IR 1977 is approved. (VOTE: 5-0)** We've addressed IR 1988.

**IR 1990, Amending Resolution number 1340-2005, to authorize a license agreement with Montauk Observatory, Inc. and to construct and use an astronomical observatory.
(Schneiderman)**

MR. ZWIRN:

Madam Chair?

CHAIRPERSON VILORIA-FISHER:

Yes.

MR. ZWIRN:

If I might speak to this, when you have a moment.

CHAIRPERSON VILORIA-FISHER:

I would also like the Commissioner to come up on this. And I was just going to ask, Budget Review, is there a fiscal impact statement attached to that? Just have to double check.

MS. MOSS:

There is a fiscal impact filed.

CHAIRPERSON VILORIA-FISHER:

Thank you.

LEG. ALDEN:

Do we need a -- do we need a motion? I'll make a motion to table and then we can discuss it and we could change it.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Motion to table by Legislator Alden, seconded by Legislator D'Amaro.

LEG. D'AMARO:

Yeah, for discussion purposes.

CHAIRPERSON VILORIA-FISHER:

On the motion. Mr. Zwirn. Sorry I interrupted you.

MR. ZWIRN:

No, no. That's quite all right, Madam Chair. I would rather have the Commissioner, he brought something to our attention that the bill had changed slight -- one of the resolved clauses had changed from what he had originally seen. And it's -- I'll let him speak to it, but when we first had money go to the Montauk Observatory Group, it was with the provision back then that this -- there would be a one time contribution by the County to the Montauk Observatory Group. And that had been case. But the 5th resolved clause here sort of nuances the understanding that we had before, it says resolved that the terms and conditions of resolution 1340-2005 shall not be construed to bar Montauk Observatory Inc. from receiving funding through sub objects 4980 and 4981 of the Suffolk County Operating Budget.

So all of sudden, you know, it's starting to change that now the County is going to start -- that and I would just would like an opportunity to talk to the sponsor to see if that was, you know, an accident or sort of trying to slip something by us because it was -- the Commissioner brought it to my attention otherwise we might not have picked it up.

CHAIRPERSON VILORIA-FISHER:

Right. Because it had left out that seventh resolve so that it was supposed to be a self sustaining observatory.

MR. ZWIRN:

That's correct. Right. And we just want to make sure that --

CHAIRPERSON VILORIA-FISHER:

But that 5th resolved says -- but doesn't mean that it'll keep us from going to the element in the previous 7th resolved. Is that basically what this is saying now? Seeking money from the budget.

MR. ZWIRN:

The Legislature always has that ability to do what they want, but we just want to make sure that we understand what the intent of the sponsor is here. That's all.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator Alden.

LEG. ALDEN:

Ben, what are those two numbers that you threw out, no, the --

MR. ZWIRN:

It was 4980 and 4981 of the Operating Budget.

LEG. ALDEN:

Which?

MR. ZWIRN:

I'll defer to Budget Review.

MS. GAZES:

Object 4980 and 4981 are for outside contracted agencies, that's the object code of the budget. That's just the last piece of it. It would be in a certain fund, department and then object. The object is just where the money finally comes out of and what the purpose is for. 4980 is widely used for contracted services.

MR. ZWIRN:

Yeah, line items and member items. The former Chief Deputy, Paul Sabatino, had a long and lengthy discussion with Legislator Schneiderman about this when it was going to the budget for the first time. And they'd -- and Legislator Schneiderman said, look, this was just a one time thing to buy. They were going to buy a telescope. And I think that they had purchased it. And I think there's an agreement to find a spot on the grounds of Third House out in Montauk. They're going to build an observatory on their own with raising their own money and we have worked with them and the Parks Department has worked with them to make that happen.

But we just want to make sure that we're not making an obligation that we had not agreed to prior to this resolution, that's all. We'd just like a chance to talk to the sponsor. It was just brought to my attention this morning. And we haven't had a chance. And I don't think it would make a difference if we table it one cycle. I don't think it --

LEG. ALDEN:

Right. I agree with you.

CHAIRPERSON VILORIA-FISHER:

Okay. There's a motion and a second to table. All in favor? Opposed? The resolution is tabled.

TABLED (VOTE: 5-0)

IR 2044, Appointing Thomas -- I'm sorry, but I don't think he's here. Mr. Glascock isn't here, is he?

LEG. STERN:

No.

CHAIRPERSON VILORIA-FISHER:

Okay. I just wanted to double check. I wanted to make sure he hadn't come. **IR 2044, Appointing Thomas D. Glascock as a member of the Suffolk County Vanderbilt Museum Commission (Trustee number 9). (D'Amaro)**

LEG. D'AMARO:

Motion to table, please.

CHAIRPERSON VILORIA-FISHER:

Motion to table by Legislator D'Amaro, seconded by myself. All in favor? Opposed? Abstained? **IR 2044 is tabled. (VOTE: 5-0)**

IR 2047, Creating a Vanderbilt Museum Oversight Committee (Cooper) I'll make a motion to approve.

LEG. D'AMARO:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator D'Amaro. Any discussion on the motion? Legislator Alden.

LEG. ALDEN:

Would that remove it from the Park's agenda if there was an Oversight Committee?

CHAIRPERSON VILORIA-FISHER:

No. They would be -- whoever was there would report to us.

LEG. ALDEN:

But would the --

CHAIRPERSON VILORIA-FISHER:

The Oversight Committee would attend their Trustees' meetings and would work with the Vanderbilt and would report to this committee.

LEG. ALDEN:

But the Vanderbilt Trustees would still report to this committee?

CHAIRPERSON VILORIA-FISHER:

Yes.

LEG. ALDEN:

Not to the Oversight.

CHAIRPERSON VILORIA-FISHER:

Not to the Oversight Committee, no, they're separate.

LEG. ALDEN:

I mean, they might, with the Oversight Committee.

CHAIRPERSON VILORIA-FISHER:

Right.

LEG. ALDEN:

But they would still ultimately have to come before us.

CHAIRPERSON VILORIA-FISHER:

Yes, yes.

LEG. ALDEN:

Okay.

CHAIRPERSON VILORIA-FISHER:

When you said they, I was using the wrong antecedent, I thought you meant the Oversight Committee, not the Trustees.

LEG. ALDEN:

The Oversight Committee comes --

CHAIRPERSON VILORIA-FISHER:

Both do.

LEG. ALDEN:

-- to us. I see. And the Trustees come to us.

CHAIRPERSON VILORIA-FISHER:

Yes. Am I correct on that, George?

MR. NOLAN:

You are correct.

LEG. ALDEN:

Okay.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you. Okay. There's a motion and a second to approve. All in favor? Opposed? **IR 2047 stands approved. (VOTE: 5-0)**

IR 2094, To Amend the User Fee Schedule for Suffolk County Parks. (Viloria-Fisher).

Thank you, I was about to invite you to come up. Before we begin a discussion on this, I would like to express my deepest appreciation to Jill Moss for the time she put in preparing this. You know, Ms. Moss is very much aware of how important it is for us to get the revenue in order to keep the Vanderbilt Museum open and she literally worked through days without a break in putting this together for us. And so I just want to thank you again, Jill. Job well done. Thank you very much.

It's a rather lengthy piece of legislation. I believe it's 14 pages. Another testament to Jill's hard work. I do have, if you could look at the legislation and, again, I was going to say there is no sunset clause in this fee schedule. Park fees have not been increased in six years. Some of them much more than that. Jill, am I correct? I mean, there are some that have been increased within six --

MS. MOSS:

The last time they were increased would be 2002. So if this was approved these would go into effect in 2009. So that would be seven years.

CHAIRPERSON VILORIA-FISHER:

Seven years, okay.

MS. MOSS:

That's correct. The only changes were to add certain categories for discounts; auxiliary police, certain volunteers, ambulance, firefighters, that sort of thing.

CHAIRPERSON VILORIA-FISHER:

During that seven year hiatus, in other words, the only thing we've done is to give discounts, but not to raise any fees.

MS. MOSS:

That's correct.

CHAIRPERSON VILORIA-FISHER:

Okay. I just -- if you look at the fee schedule, I could just give you some of the highlighted differences. The cost for a green card is still \$20, but rather being \$20 for a two -- a three-year

period, it's \$20 for a two-year period. The discounted green card for a two-year period, and that includes seniors, vets, CERT volunteers, handicapped, juniors, volunteer ambulance and firefighters, auxiliary police, their green card fee is \$9. So it should kind of be who doesn't have a discount.

A replacement fee is \$5, I think that didn't change. For non-residents, the three-year fee that is currently in place is \$35. The new fee would be \$40. So that's for a two-year period. Correct, Jill? Or is it still a three-year period? I don't have the full -- I tried to give myself a shorthand here so it could be easier to read.

MS. MOSS:

The non-resident would go from 35 to 40.

CHAIRPERSON VILORIA-FISHER:

And that's for the --

MS. MOSS:

And there is an additional discount grouping that you did miss for disabled veterans and active military on the first page.

CHAIRPERSON VILORIA-FISHER:

It's free.

MS. MOSS:

They would be free, correct.

CHAIRPERSON VILORIA-FISHER:

Right. You know, I'm reading from my notes, Jill, because I just didn't want to get myself confused in all the parentheses and underline. And that's why I'm doing this for my colleagues, so that if you have the legislation in front of you, you can -- and I'll be making copies of this for everyone. I just wanted to give you a concept of what we were doing.

LEG. STERN:

The non-resident is for one year?

MS. MOSS:

That's correct.

CHAIRPERSON VILORIA-FISHER:

It's for one year?

MS. MOSS:

Yes.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you. Thank you, Legislator Stern. Golf, which I know has been something of great interest, for green key holders for weekdays, the rate goes from \$25 to \$28. Jill, jump in any time, you know, you hear something that is incorrect. For weekends, it goes from 27 to 30 for a green card holder. The discount rate, which is not -- does not include weekends and I'm not going to read all the subgroups because I think they're the same for subgroups each time, aren't they basically?

MS. MOSS:

In certain categories they can change depending on the language of the resolutions that were passed for those certain categories.

CHAIRPERSON VILORIA-FISHER:

Okay. Well, if there's a difference, you know, I have seniors, vets, CERT volunteers, handicapped,

juniors, firefighter and ambulance volunteers and auxiliary police. Those are the usual discounts. And then we have the waived fee for disabled vets and families of vets who are currently serving.

MS. MOSS:

Golf is an anomaly, you could say, because many times when the resolutions were passed, they would say for fees with the exclusion of golf.

CHAIRPERSON VILORIA-FISHER:

Okay. So this is just seniors and handicapped.

MS. MOSS:

And juniors.

CHAIRPERSON VILORIA-FISHER:

And juniors. Okay. The discount rate is 14, had been \$14. It's now 17. And for juniors it's \$10. The non-resident weekday golf fee from 35 to 38, weekend from 40 to 45. Twilight for residents goes from 15 to 18; non-residents from 28 to 30. So we're talking about, again, none of the onerous \$5 increases that have been mentioned. We really tried to keep no increases at -- the increases are less than \$3. Three dollars or less.

MS. MOSS:

Correct.

CHAIRPERSON VILORIA-FISHER:

Three dollars or less. Twilight for seniors and handicapped it goes from nine to 12. For juniors from eight to nine. Nine hole golfing, weekday green key holders 14. What had it been before, Jill?

MS. MOSS:

It stays at 14.

CHAIRPERSON VILORIA-FISHER:

Okay. It didn't change. That's why I only have one number.

MS. MOSS:

For a resident it's 14. For a non-resident --

CHAIRPERSON VILORIA-FISHER:

Non-resident 22.

MS. MOSS:

Yes.

CHAIRPERSON VILORIA-FISHER:

Okay. So weekday nine holes no change. Senior and handicapped it goes up a dollar to \$8 and juniors it goes up \$2 to \$8. All courses, nine hole it goes from 15 to 18. For residents, 29 to 30, for non-residents that's a \$1 increase. For seniors and handicapped it goes from 15 to 18. Does that sound right? Did I say that correctly?

MS. MOSS:

That's correct. And that would be for weekends.

CHAIRPERSON VILORIA-FISHER:

That's for weekends.

MS. MOSS:

And holidays.

CHAIRPERSON VILORIA-FISHER:

I'm not going to go through the rest of this schedule unless, Lynne, Bill, Steve, Lou do you want me to keep going through this or not? Because, you know, you have the bills. The Park Trustees tabled it. Unfortunately, can Gil and Ray, would you mind coming back up please? They tabled it because it's too long, they hadn't had a chance to go through it. And their next meeting isn't until the 18th of December. Right? Is that correct?

MR. CARDILLO:

Yes.

CHAIRPERSON VILORIA-FISHER:

And we do need to have this voted before the end of the year. Would it be possible for the Parks Trustees to review this and have an emergency meeting sometime that you could get together to weigh in or even contact one another or contact the Commissioner by e-mail, phone, conference call, so that we can get your input. But we need to have an answer on this revenue source in order for us to provide the commitment we made to the Vanderbilt Museum.

MR. CARDILLO:

We'll take a poll of all the Trustees and we'll report back to the Commissioner with our findings, I guess. Because we received the proposed legislation this morning and we had quite a full agenda at our meeting. In fact, you'll know some of us got here a little late because we started at 10:30 and we went straight through.

CHAIRPERSON VILORIA-FISHER:

I understand that. And just so you understand, this did come in as a late starter on Tuesday evening. So, you know, my office went back, made copies yesterday to, you know, to -- and Tom went to your meeting this morning so that you could take a look at it.

And I would like to ask my colleagues if we could get this to the full -- to the floor. Whether it's by -- okay, whether it's by approval or discharge without recommendation so that we could have it before the full Legislature at the general meeting. And I know it's a lengthy bill, but, you know, I'm asking that we have it before the full Legislature and then at that point on December 2nd we can have the input from the Trustees who, you know, I'd like to communicate with you as well on this and I'll make myself available in my office. We have a lot of charts that we've put together in my office to do these comparisons for everyone. Legislator Nowick is waiting.

LEG. NOWICK:

Yeah, just a quick question.

CHAIRPERSON VILORIA-FISHER:

Your mike. Is it on?

LEG. NOWICK:

I think it is on. Is it on? Ostensibly we are raising these fees to try to get the Vanderbilt through a year. Does it say in the legislation that this extra money goes to the Vanderbilt? Or is that -- does it say it's just for a year to the Vanderbilt? What does it say about where this money is going? Or does it address it at all?

CHAIRPERSON VILORIA-FISHER:

No. This particular legislation is for raising the rates. It doesn't refer to the Vanderbilt because the money goes to the General Fund.

LEG. NOWICK:

That's just what I wanted to know.

CHAIRPERSON VILORIA-FISHER:

The money goes to the --

LEG. NOWICK:

And then it is our -- and then we will decide where it goes afterwards.

CHAIRPERSON VILORIA-FISHER:

Correct.

LEG. NOWICK:

Okay. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator D'Amaro.

LEG. D'AMARO:

Thank you, Madam Chair. Lest we give the impression that we all support what we're trying to do here today, I do not. My first concern is that this is tied to the Vanderbilt and as we had discussed earlier, there is an open question whether or not there is another way to provide that funding to the Vanderbilt that is probably more long-term, where if they have access to a line of credit or some kind of loan mechanism it may be easier for them to meet the cash crises. So for that reason alone I'm not prepared to go forward today without knowing whether or not that's a viable alternative. Our Counsel has agreed to take a look at that.

But even going beyond that, I'm not sure that this is the right time to really be raising fees at all. For many people this is their sole source of recreation using our County facilities in a very weak economy. In fact, if you raise these fees you maybe counterproductive. You may be discouraging the use of our parks and we may drive down attendance. That would be something I'd want to explore as well. So at this time I'm not prepared to support this bill.

CHAIRPERSON VILORIA-FISHER:

Okay. Just an answer to those two points. We know how difficult and painstakingly hard we worked on the budget. We know the kind of sacrifices that we had to make, and we did impose an increase in the Police District tax for homeowners, which no one has a choice about. And these are recreational fees. As I pointed out when I was reading the comparisons, there are none, none, that are listed here that are onerous. They were talking about one, two and three dollar fees to play golf, which is something that still brings, especially, you know, seniors, to a very, very reasonable rate to play golf.

We are looking at a fee structure that will become a resource that will renew. We will have it -- this ongoing income. This will bring in, and I don't know if Budget Review has the final fiscal impact, if you could distribute that please, Jill. Or do you have it? I thought you said you would have it during the meeting.

MS. MOSS:

We do have the fiscal impact. I'll have our office distribute it.

CHAIRPERSON VILORIA-FISHER:

I'll have -- okay, thank you very much. In the meantime, Legislator Alden was waiting to speak.

LEG. ALDEN:

One of the questions I had was what's the projection as far as enhanced revenue and we don't have that yet, so.

CHAIRPERSON VILORIA-FISHER:

We just have to make copies.

LEG. ALDEN:

All right. I'll wait. An observation; if you look at privately owned but open to the public golf courses, their fee structures have gone down over the past couple of years. So what used to cost maybe a \$100 or \$80 has now been reduced because they found that play had gone down. So I really would want to see an analysis of, you know, by going up -- and admittedly if we haven't raised it in seven years a two or three dollar increase in the fee is not onerous. But I did notice on a couple of things here, like for people that wanted beach permits, that's a 33% increase. Is there an increase on people that dock their boats at County marinas? Is that part of the --

MS. MOSS:

Yes.

LEG. ALDEN:

And how much has that gone up and is that in line with the increases in private industry? From what came before the folks that go to Smiths Point, they pay \$5 with a green fee to park at Smiths Point and that fee would remain the same. And I believe that maybe the Commissioner, there's a couple of hundred thousand people that go to the beach each year at Smiths Point?

COMMISSIONER PAVACIC:

Yes. That's our most popular beach. I don't have the figures here.

LEG. ALDEN:

Rough idea, though.

COMMISSIONER PAVACIC:

But you're in the ballpark. Yeah, it's a couple of hundred thousand at least.

LEG. ALDEN:

A couple of hundred thousand. So, I would want to see a little bit more in depth analysis as far as our fee schedule increases, are they going to kill us on the golf course, because we're getting into the point right now where we've increased some of the rounds that we've gotten -- we've increased some of the revenue streams that are coming in from the golf courses. But if we're going to end up now by this increase and it is modest, I said that before, if we put ourselves more in line with the privately owned, are the people going to abandon our golf courses and go with the privately owned. I'd like to see a little bit more testimony on that.

I also would like to see it spread a little bit, you know, more fairly. A 33% increase for somebody that's going to go and drive on the beach, and I don't know what the increase is for people that dock their boat, but I'd like to see that analysis, and no increase for somebody that's going to go to the park. Because if there's a couple of hundred thousand people, if you raise that fee one dollar, you know, there's a couple of hundred thousand dollars right there. I want to guarantee that money's going to go to the Vanderbilt to make sure that they stay open, but I also don't want to see it unduly burdened or actually dismantle some of the work that we've done in getting people to use our parks system and our golf courses.

So those are a few of the questions that I'd like to see. Also, don't we have two more meetings, two in December?

CHAIRPERSON VILORIA-FISHER:

Do we have -- when are our December meetings, George?

LEG. ALDEN:

We just have one meeting in December?

MR. NOLAN:

Two more.

LEG. ALDEN:

We have two. So we don't have to rush to get this done by December 2nd or 3rd? We have a meeting on the 16th.

CHAIRPERSON VILORIA-FISHER:

We have a December 2nd meeting.

MR. NOLAN:

December 2nd and a subsequent meeting.

LEG. ALDEN:

So I think we could develop the picture a little bit more, flush out some of the numbers and flush out some of the -- also I want to hear the opinion of the Commissioner and Deputy Commissioner on impact.

CHAIRPERSON VILORIA-FISHER:

Well, before we go to the Commissioner --

LEG. ALDEN:

No, I'm not even saying today.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. ALDEN:

Because I think we have enough time to get all of that information.

LEG. D'AMARO:

Right. Could I -- could I go again please, Vivian?

CHAIRPERSON VILORIA-FISHER:

Sure. Just to clarify something, I had given you the green key fee for the parks with lifeguards. The non-resident fee did go up \$2 and there are many non-residents who use our beaches.

LEG. ALDEN:

Right. And non-residents I'm not as concerned as more -- my concern lies with the residents in Suffolk County. A non-resident fee, and if I go out of the County and I play golf or if I go swimming, you know, I get hit with an extra fee.

CHAIRPERSON VILORIA-FISHER:

I was just answering your question about the beach.

LEG. ALDEN:

Right.

CHAIRPERSON VILORIA-FISHER:

Whether we could increase that and we increased that by \$2.

LEG. ALDEN:

Oh, so a -- but a resident --

CHAIRPERSON VILORIA-FISHER:

For the non-resident fee.

LEG. ALDEN:

Right. But a resident, which is a bulk of our business there, they remain the same. And the green fee even, the green fee if it goes -- if it's a \$20 fee, and we're increasing it slightly, right, for a green card?

CHAIRPERSON VILORIA-FISHER:

Yes.

LEG. ALDEN:

And yet we're dropping one year off of that, that's getting up into the 25, 30% increase also.

CHAIRPERSON VILORIA-FISHER:

No -- let me, I have to go back to that. There are a lot of numbers, Cameron.

LEG. ALDEN:

Yeah, so, I mean, I'd like to see it all flushed out a little bit.

CHAIRPERSON VILORIA-FISHER:

Well, and also we also have a comparison chart with -- and you know the private and public, privately owned golf courses have a great range of fees. So we have some charts comparing our fees with those. We also have charts comparing our fees with other municipalities. Islip has pretty modest, you know, they're pretty much in line with the County. Brookhaven is much more expensive. The state courses are much more expensive. Smithtown is more expensive, and Babylon we couldn't really find any golf courses.

LEG. ALDEN:

Yeah, they have a par-three.

CHAIRPERSON VILORIA-FISHER:

The Cedar Beach -- Cedar, that's a very small golf course so that really is hard to compare with that. But we have done some comparisons. We will be bringing them all to you, you know. As you know, we had to get this and work it into all of the charts that we've developed.

But I hope that everyone will keep an open mind because we have expenses that have gone up for the County. You know, we have some premium campsites where people are using our electricity, the water, our septic facilities and they -- their fees have not gone up in six years, while our electric fees have gone up immensely. There are some people parking with RV's using them with TV's, with air-conditioners, with all sorts of appliances and blowing out some of our service there and not being charged for that. I think -- I thought we should put -- take some money as a, what do you call it, kind of collateral. If they blow something up, make them pay for it. You know, we don't expect them to run a palace in our campgrounds.

But our expenses have gone up, our expenses have gone up. All of our fuel expenses, when you have a golf course you have to mow it. You're using a lot of fuel to run all that -- those lawnmowers. Our -- you know, taking care of the equipment, housing our equipment, it's just our expenses have gone up. And I think without having any fee increases in six years, we're just not really not being -- I don't believe that our rate structure reflects the kind of expenses that our County has to incur to run these programs.

LEG. ALDEN:

And just to wrap up my time and my statements, we've been very generous to a whole group or a lot of groups of people, and that puts more of a burden on the users. When you allow people to come in there at discounted rates or for nothing, you know, and I know we've debated whether veterans and other groups, firemen and things like that, but it does put a little bit more of a burden on those that are using it. So I think that if we see more information then we can act intelligently.

CHAIRPERSON VILORIA-FISHER:

Legislator D'Amaro.

LEG. D'AMARO:

Yeah, just to pick up what Legislator Alden was talking about. You know, that was one of my concerns, whether or not, especially in a very weak economy, if you're going to somehow negatively impact the attendance at our parks by fee increases, you know, let's remember this is a regressive way to impose a fee or a tax on people because it's going to hit those who can probably least afford to pay it at some of our park sites.

The other point I wanted to make, though, was that, you know, once again what's really driving this is the Vanderbilt. As a member of the working group that worked on the budget, we never -- we did consider raising park fees at some point and rejected that concept. And, you know, we did deliver a no increase in our General Fund taxes. And, you know, to do indirectly I feel that which we've very hard to do to avoid directly, that is a tax increase, I think, people see that. I think they feel that, you know, you're delivering a no tax increase General Fund but then a week later you're raising some of my fees. To me that's inconsistent. But I welcome more information. I'm willing to take a look at it, but I don't think this is the right time.

CHAIRPERSON VILORIA-FISHER:

On the other hand, we did raise the fees for filing documents at the Clerk's Office. We have increased other fees because we have a very difficult budget. So just to be completely candid these are recreational fees.

LEG. D'AMARO:

Are you suggesting I'm not being completely candid?

CHAIRPERSON VILORIA-FISHER:

So we're talking about a recreational fee and we are promoting stay vacations. So instead of someone playing golf in North Carolina, they'll play golf here, save themselves the plane fare and pay \$3 more and play golf in our courses. So it's just a matter of perspective and looking at what we need, the responsibilities that we have. And we know that we're trying to keep the Vanderbilt stores open.

We're looking at a possibility of loans, but right now we know that looking at these rates, looking at these very, very modest increases, which are a fair way to go, and it's something I had suggested to the working group even before the issue of the Vanderbilt came up. Just because we shouldn't be giving away the recreational services without -- when our costs are rising everyday, our fuel costs are going up all the time, we see the kind of capital expenditures we have to make to have buildings for our mechanics to work on equipment to keep our parks as they should be, it's certainly not out of line to ask for a one to three dollar increase.

LEG. D'AMARO:

Well, if I could just respond to that. First of all, I do strive to be as candid as possible at all times. But second of all, that's just, you know, Legislator Viloría-Fisher, with all due respect, your opinion that this is a modest fee increase. You know, we said the same thing about a tax increase that you were proposing a month ago. And, you know, here we go again. I mean, you know, where we just keep nickle- and-dime the public to death on these proposed increases and it has to end somewhere.

CHAIRPERSON VILORIA-FISHER:

But when I talked about candor, I was referring to the fact that you said that we -- you don't want any fee increases and we did -- you voted on a fee increase that we passed before we even began the budget process because we knew that we had a budget gap that we had to meet. And that

increased a number of fees, one of them including the page by page recording of documents at our Clerk's Office, which is a necessity for people.

So in all candor, and one to three dollars is modest. And when I, by the way, talked about a fee increase in the General Fund, that would have been for a family paying \$10,000 a year in property taxes would have incurred about \$2.40 per year per family. And, in fact, what we did vote on, all of us including yourself, was an increase to the Police District which equals \$38 a year for an average family.

So, you know, we pick and choose but we know we have a responsibility and we know that we have obligations to meet. And what we're doing is saying to the taxpayer we want to partner with you in meeting those obligations that we know must be met in Suffolk County. And we're asking for an increase in a recreational fee, not something that they must pay that's mandatory.

LEG. D'AMARO:

Right. Well, the difference being in my mind that when we voted for the Police District increase it's to make our neighborhood safe and put more cops on the street. And that's one debate that we had. And we decided that that was a positive direction to go.

But here we're talking about recreational fees, I agree with you. And I don't agree with you that they're modest and I don't agree with you that we should just do this lightly. Just because a fee hasn't been raised in four or five years doesn't mean that we should raise it now. I mean, people are struggling. They're having a difficult time paying their bills. This is a source of recreation for people in Suffolk County where we're telling them we're going to make it more affordable for you by not raising your taxes, but at the same time when you go out to the park and it's not just \$3, because if you go once a week or twice a week it's a lot more than \$3, every time you go you're going to pay an increased fee. I think that would be counterproductive at this time.

CHAIRPERSON VILORIA-FISHER:

Well, if you could afford to play 18 holes of golf twice a week you're probably not really the unwashed masses. And I don't think that in any way have I given an indication that we're taking this lightly. There's been a great deal of time spent at BRO. I have spent a lot of time, my office has spent a great deal of time, because we are not taking this in any way lightly. We're taking it very seriously and have given it the time and due diligence that it warrants. I think we can go on and on.

LEG. NOWICK:

I really didn't just want to just break this up, but I have to say that I don't take this lightly. There's a choice, and sometimes you have to make a choice. And I thought the choice was either we tax everybody a little more or we pick and choose, and unfortunately we only raise the fees for something that is an optional fee. It's not something any of us want to do.

CHAIRPERSON VILORIA-FISHER:

Right.

LEG. NOWICK:

We all feel the same way as Legislator D'Amaro. We are charged with this. This is our responsibility. Rather than raising property taxes to everybody, this is the only way we could it.

CHAIRPERSON VILORIA-FISHER:

Yeah. Legislator Alden.

LEG. ALDEN:

I didn't take it lightly either. And I didn't take the budget lightly. But when you start looking at, you know, singling out one group of people, the Vanderbilt doesn't just benefit the people that play golf. The Vanderbilt doesn't benefit just people that go to our beaches or buy green cards. It should

benefit everybody in Suffolk County. So if you really want to look at a fair way to do it, maybe the fairer way would have been to spread it out amongst more people. We've chosen, or this resolution has chosen to focus in on people that avail themselves of our recreational opportunities. And on a light side, golf might be a staple of life actually. So it's great exercise, it gets you out in the country, plus the County ends up making some money even on our current fee schedule.

Now, back to a serious side, when you start fooling with those, you know, with those fees, are we going to discourage people, and that's something we really have to look at. Are we going to discourage them from coming back to our golf courses, and we have taken a lot of time to build up our revenues and build up the use of our golf courses. And I, for one, really do see some areas here where it's a pretty steep increase. Just a green card, the green card goes up almost -- it is almost 30% as far as the cost. So there are scenarios here that are heavy.

LEG. D'AMARO:

And, Madam Chair, if I could just point out very quickly that, you know, when we voted on the mortgage fees, the per page fee, that was more of a one time fee that's paid at closing as opposed to -- one of the issues I have with raising fees here is that it's, even though we talk about two and three dollars in the increase, it's really more than that. You know, even with my own family I use parks and I pay the fee every time I drive to the beach. And you're talking about a substantial number of trips to County facilities, especially during the peak season time where it's far more than \$3 to an average resident here in Suffolk County. And, you know, it's not -- I don't mean to imply that you're doing this lightly. But I do get the impression that if, you know, to try and say that we're only going to raise things slightly, but then we raise ten different items, you know, we talked about a slight tax increase. We talked about slight increases in fees. You know, to me it all starts to add up. And at a time when people are having a very difficult time paying for anything, let alone even staying on Long Island, you know, it seems to me that raising these fees for the sole purpose of the Vanderbilt, especially when there may be other options available on how to fund the Vanderbilt and get it through a very difficult time, makes this resolution something that I couldn't support at this time.

CHAIRPERSON VILORIA-FISHER:

Well, just because you did have to say something else I do have to respond to it, which is that this really goes in line precisely with what Legislator Nowick just said. That what we've tried to do is not to burden people with more and more fee increases, but rather to try to have, and that's what this particular legislation reflects, we've tried to spread it over all of the users. Because those people who are taking their kids to the beach for whom the rate did not go up for residents, by the way, will most likely not be the same people who are playing golf or might not be horseback riding or the people who are using the marinas. So we're trying to spread this, an optional rate increase, an optional activity over a great many people. And I do want to -- we are over, there is another committee that is supposed to be here and the Commissioner has not had chance to speak yet.

COMMISSIONER PAVACIC:

Thank you very much. I just -- I'll be brief. I just wanted to make it clear that this is not a Parks Department initiative. And in addition, as you know, the County Executive is on record as opposing any fee increase at this time in parks fees, and I must concur with his statement on that, that I must oppose any fee increase because of the potential burden it will impose on the residents at this time, folks who are having a difficult time making ends meet, hanging onto their houses, folks who are becoming unemployed. And in addition, the concern that this may actually drive revenue down because of the increase, potentially great percentage increase in some of these fees.

CHAIRPERSON VILORIA-FISHER:

Thank you, Commissioner. Legislator Stern.

LEG. STERN:

Yes, thank you, Madam Chair. And obviously your hard work here is evident. And -- but when we as a Legislature made a policy decision to do what was necessary or at least what was possible to

assist the Vanderbilt through a very difficult time, and we made a decision at our last general session to go forward with that commitment, for many of us it was done with the idea that we would have the time to reflect on various options that might be available, to consider certain things that may be possible rather than looking at a fee increase before having to make that decision. And I don't know if we have yet exhausted that. In fact, I don't think that it is even begun yet in a meaningful way.

My question is for Counsel. Knowing that there are other options that we would like to pursue, many of which proposed by Legislator D'Amaro in, you know, some unique thinking, what, if anything, has been done in researching those other options and how long do you think it would take to be able to come back to us with, you know, with some other options that we would be able to consider?

MR. NOLAN:

Well, I would make it a top priority to research the issues, the idea of trying to borrow against the endowment if that's the direction the County Legislature wishes to go in. It would be a top priority. Probably could give you the answers within a week certainly.

LEG. STERN:

And based on our schedule this is not necessarily something that we need to vote out today. We do have another time that we would be able to come back and consider this legislation as well as the other options that would be laid before us after your research.

MR. NOLAN:

The only thing I would mention, we talked a moment privately about the schedule. If we don't act on this cycle, for example it's tabled here, at the full Legislature we would have a second meeting in December where we could act, but we should keep in mind that the County Executive, as per what the Commissioner just said, is opposed to fee increases so there may be a veto. And then you're looking, going into January we have an organizational meeting and then not another meeting until February. So that's something to keep in the back of your minds as to when we could actually implement this.

LEG. STERN:

We also have not heard from our Park Trustees on this issue --

CHAIRPERSON VILORIA-FISHER:

Well, they will be coming back to us.

LEG. STERN:

-- and I guess you had given them the opportunity to come back to us after they have met.

CHAIRPERSON VILORIA-FISHER:

Okay. We do have the bill before us. Is there a motion?

LEG. D'AMARO:

I'll offer a motion to table.

LEG. ALDEN:

I'll second.

CHAIRPERSON VILORIA-FISHER:

Okay. And I would like to offer a motion to discharge without recommendation. The tabling motion takes precedence or discharge? Okay, tabling motion takes precedence. There's a motion to table. All in favor? Opposed? I'm opposed. Okay. Motion's tabled. **(Vote: 4-1-0-0 Opposed: Legislator Viloría-Fisher)**

That being the last piece of legislation here, I make a motion to adjourn.

(The meeting was adjourned at 4:01 P.M.)

{ } Denotes being spelled phonetically