

PARKS & RECREATION COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

MINUTES

A regular meeting of the Parks & 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 June 17, 2009.

MEMBERS PRESENT:

Leg. Vivian Vilorio-Fisher, Chairperson
Leg. Wayne R. Horsley, Vice Chair
Leg. Cameron Alden
Leg. Lynne C. Nowick
Leg. Steven H. Stern

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
Barbara LoMoriello, Clerk
Lance Reinheimer, Assistant Director of Budget Review Office
Jill Moss, Budget Review Office
John W. Pavacic, Commissioner of Parks
Steve Tricaraco, Aide to County Executive
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Thomas Ryan, Aide to Legislator Vilorio-Fisher
Carol Ghiorso Hart, Vanderbilt Museum
Noel Gish, Vanderbilt Museum
Deborah Harris, Aide to Legislator Stern
Dennis Brown, County Attorney's Office
William Shilling, Aide to Presiding Officer
And all other interested parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

MINUTES TRANSCRIBED BY:

Diana Krause and Kim Castiglione, Legislative Secretary

(THE MEETING WAS CALLED TO ORDER AT 1:02 P.M.)

CHAIRPERSON VILORIA-FISHER:

Good afternoon and welcome to today's meeting of our Parks and Recreation Committee. Please stand for the Pledge of Allegiance.

SALUTATION

Okay. I don't see any cards. Is there anyone who wanted to address us? Okay. There being none, we will move right to the presentation by Carol Ghiorso Hart. And I assume Mr. Gish will be joining her?

MR. GISH:

Yes.

CHAIRPERSON VILORIA-FISHER:

And I would like to congratulate Noel Gish. He is the new Chair of the Vanderbilt Museum Trustees. So congratulations.

MR. GISH:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Thank you for your service. Okay. We're all ears.

MS. GHIORSI HART:

Yes, all right. You have before you our proposed operating budget for 2010. There are some assumptions in this budget I had discussed with Budget Review Office on whether I could make. One of the big assumptions is that we will be receiving from the hotel/motel tax \$750,000 and \$250,000 from endowment income. So at the time the recommendation was made to me, which was a couple of weeks back, it seemed like a good assumption. I'm not sure where we are now with that, but this budget is based on those assumptions.

We also are assuming that our Star projector will be in place and our new planetarium open and on-line by mid-October. This will mean a shutdown of a couple of months most likely. So we have factored in a couple of months shutdown and then a grand opening where we would expect attendance and revenue to be significantly higher.

There are some things that we are working very hard on that I haven't really factored in too much; cell tower, for example, catering. Those were assumptions at this point I didn't want to make so they are not -- income from that is not factored in. I have assumed that our payroll will remain fairly stable as far as full-time. We are as of July 1st down to eleven full-time people and we will maintain that for 2010. You will notice changes, though, in our temporary, which is our part-time line, as well as our outside professional line.

The biggest change that we've made this year is that we've gone from an outside security force to an in-house security force. At this time two of the three shifts are in-house. Within the next month I expect all shifts will be in-house so we are saving about seventy to \$80,000 a year by making this change and that's reflected in the 2010 budget.

I also have included in the 2010 budget funds for an outside professional, a development person. We're talking about hiring either a firm or an individual to help us with that. So this budget does include monies in the outside professional line for that hire. And that's one of the reasons why I'm

comfortable with the increases that you'll see in special events and fundraising.

I don't know if there are any questions. Other than that I think things are sort of in line.

LEG. STERN:

Carol, does that -- anticipating hiring a fundraising professional, has that process started? Have you started to contemplate how you're going to go about recruiting somebody for that role?

MS. GHIORSI HART:

Yes, we have. In fact one of our Trustees, Lynn Dwyer, has drafted a proposal and RFP. It's starting to get feedback from different areas within the County. And we hope to get that proposal, request for proposals, out within the next couple of weeks. So in fact my projections for 2009 also do include monies for starting in August for that position.

CHAIRPERSON VILORIA-FISHER:

Legislator Alden.

LEG. ALDEN:

How much was your additional MTA employment tax? Do you know how much that came out to be?

MS. GHIORSI HART:

I'm not sure what you're referring to.

LEG. ALDEN:

New York State passed this bailout package to bailout the MTA. They actually imposed a payroll tax on everyone in Suffolk County, Nassau County. It goes specifically to the MTA but it's a percentage of your payroll above and beyond the normal, you know, Workers' Comp, Disability and New York State and Federal withholding.

MS. GHIORSI HART:

I'm not aware that we've gotten any contact on that.

LEG. ALDEN:

No, you have to pay it. Every not-for-profit, the County of Suffolk, every church, so -- all right.

MR. GISH:

Was there a percentage on the MTA tax? Do you know whether there's a percentage that we can work out relatively quickly based on our --

LEG. ALDEN:

Lance might know it.

MR. REINHEIMER:

I believe it was in the neighborhood of .4%; four tenths of one percent. So rough calculation, their payroll's almost a million dollars, so if I get my decimal points correct it's like \$4,000 would be the impact on the museum.

LEG. ALDEN:

Okay. What was the total charge for your -- what you estimated for the RFP for a fundraiser?

MS. GHIORSI HART:

For this I used \$80,000 for 2010.

LEG. ALDEN:

Okay.

CHAIRPERSON VILORIA-FISHER:

Okay? Thank you, Legislator Alden. I just have a quick question because I know that the cell tower is something that you've spent a great deal of time on and the Board has spent a great deal of time on. Do you have any kind of -- any idea what the income might be for that? Because, you know, we've got a Senate that's not functioning very well right now and you're talking about \$750,000 from a source that right now is not reliable.

MR. GISH:

The preliminary work on the cell tower that we at least got some statistics on, if we end up with five carriers on the cell tower, and again, we are still in the preliminary stages, we do have a community hearing that I have set up for July 8th at the planetarium. Postcards are going to go out to the Northport/Centerport community, Asharoken, advising them of the July 8th meeting, seven to nine o'clock at the planetarium, to get some comments from the public. But we would expect that if we had five carriers and we get this cell tower built within a reasonable amount of time, five carriers would probably give us approximately, I would say, \$9,000 a month for 12 months. So you would end up with a -- I'm rounding it off to about \$100,000 because they're all not going to come on-line instantaneously.

If the proposal that the County has set up with T-mobile comes through, they'll be the outfit that will be involved in construction. And then the rest of them will come on as ancillary to the cell tower. So when this cell tower's up and running fully, we should expect about \$100,000 a year. That should increase by about three percent a year based on a 30-year contract from what I gather. Again, this is all preliminary. Nothing has been signed with the County, however --

CHAIRPERSON VILORIA-FISHER:

It's just to get a ballpark idea, Noel.

MR. GISH:

Yeah. We're still all working through Gary Ponzo, Gary Ponzo's office, so having broken no ground yet and not even chosen the specific site because we have two now in mind, one near the Butler building which is behind the planetarium, which would be the area furthest away from any of the historic buildings. And the other site would be closer to the Cottage and closer to the parking area, which would be in the northeast section of the property. We're waiting for frequency tests to see which one Mobile thinks is the best site for them to hook up to and to be able to access relatively easily.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you, Noel. And another question about, you had not mentioned catering or included catering. But you do have a line for site use. Now, my assumption was that site use would have included catering.

MS. GHIORSI HART:

Yeah, actually I guess I should clarify that. I have included catering assuming that we proceed as we do now where we are managing the weddings and the site use ourself, assuming we go back to close to the levels that we had last year, or if we get an arrangement worked out at sometime during the year I think the figure would be in there. I didn't want to assume at this time what -- we have high hopes, we have some important meetings tomorrow, we have very high hopes that by the end of this year we'll have an agreement in place. But I wasn't comfortable putting out very a large figure at this time.

CHAIRPERSON VILORIA-FISHER:

An agreement for ongoing catering, you mean on the facility other than weddings; is that what you're -- I'm not following what you're saying.

MS. GHIORSI HART:

Yeah. Well, we did put out an RFP for food service, which would include catering large special

events as well as an on-site cafe hopefully.

CHAIRPERSON VILORIA-FISHER:

Okay.

MS. GHIORSI HART:

We still have a week or so before that RFP is due. We did get --

CHAIRPERSON VILORIA-FISHER:

But you have published the RFP. It's out there and you're waiting for respondents?

MS. GHIORSI HART:

Yes. And we have gotten one very credible, very large organization that is interested.

CHAIRPERSON VILORIA-FISHER:

Okay. All right. Legislator Alden, you had another question? I'm sorry, did you want to add more to that before we leave it?

MR. GISH:

Just maybe to clarify as Carol's mentioning, when we have a site wedding the catering comes from off site so we're actually including what we're getting from the wedding. They're pulling in the catering from an outside source. So right now we are not providing any food on site. We have suggestions of where they can go, but we're making the majority of the money just from the site use. But catering is actually taking place. If we go through with a catering facility that will be in-house, they'll be housed there and then they will do the catering for the weddings and we'll be out of it. But we're going to get a factor of the money involved.

The question that seems to be arising among the Trustees now is where's the balance? If we have this big catering firm coming in who works in New York City at Central Park and at Coney Island, and they want to run 52 events a year, what happens to the education program? So there's going to be a balance that's going to have to be met between what we do as an institution for education and what we're going to do to earn money. Earning money and then being closed to the children would be obviously alien to our mission. So we're trying to reach some nice little balance.

We're looking at catering -- a cafe inside. We've already had two people come through with Carol and myself to give us an assessment of what's possible with catering, excuse me, a little cafe that would be run inside. From what we gather from those people who have expertise, the cafe is probably not going to generate a lot of money. It's going to be a convenience for elementary school kids. Fourth graders don't buy cappuccino. So, you know, they may get a soda, they may get some pretzels, they may get some chips, but you're not going to be able to make a lot of money from a cafe that would run. So that -- when we look at that, what do we have to spend.

CHAIRPERSON VILORIA-FISHER:

But the teachers could get a latte.

MR. GISH:

Yes. And so could our two grounds people. But the aim here is to try and bring in some money but do so in a way in which we sort of marry the education program and the interior part of the planetarium, which would have to be set up as a cafeteria or at least an eating facility. And I don't want to involve the Board of Health in a massive triangle here, you know, I don't know what that would entail. If we gave it to an off-site caterer, they would have to deal with that specifically. But, again, that's the marriage that we've been working with, but we have met with a number of individuals. We have a catering meeting tomorrow, I believe, at one o'clock.

MS. GHIORSI HART:

Yes.

MR. GISH:

Good, I'll be there at one. And we're trying to figure out -- eleven -- 11 o'clock. So we're trying to figure out exactly what we can do. But these are heavy hitters and they want full use of the property.

CHAIRPERSON VILORIA-FISHER:

That's good to hear this.

MR. GISH:

So we are pursuing all of them, both the cafe and the catering as possibilities for revenue generating.

CHAIRPERSON VILORIA-FISHER:

Okay. Good.

MS. GHIORSI HART:

And just also, I didn't ignore potential income from an outside caterer. In fact, we currently or last year, which was a good year from our wedding type of catering, we grossed in the area of \$130,000. In some of the discussions we've had now with an outside caterer, they've been talking about committing about \$100,000 to us. So I think the income most likely would be very close, what we're able to do on our own.

The difference would be that we wouldn't have the big sort of capital expenses that -- of buying a tent or upgrading the tent or the floor and the putting it up and the advertising and our staff personnel. So I don't think the income line is going to change all that much but we would see very big differences on the expense side. And whatever people that would free up would be better used to bring in group tours and membership and do other things.

CHAIRPERSON VILORIA-FISHER:

Now, did you include the day camp in here? I didn't know how to look for that there.

MS. GHIORSI HART:

Yeah, somewhat. Again, I'm hoping -- these are all conservative. I tend to be conservative on income coming in and expenses. I don't like to be surprised. So I'm hoping we will do better than actually I've estimated, but these are based on past performance. For the most part I try to do this based on past performance, not on what I hope will happen.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator Alden.

LEG. ALDEN:

Correct me if I'm wrong, I don't think we have a commercial kitchen on that site.

MS. GHIORSI HART:

(Indicating yes)

LEG. ALDEN:

Okay, so one way or the other we're going to end up involved in some kind of construction and a process that involves our Suffolk County's Health Department as well as the Town of Huntington.

MS. GHIORSI HART:

If, in fact, we work with an outside caterer like the one big one, that does seem to be in the mix. Although we are talking to some caterers that would just be bringing everything in as they do now. So this is all going to be part of the different proposals that will have to be evaluated.

LEG. ALDEN:

Okay, and I don't mean to volunteer him, but he's sitting here and he could say whether he wants to get involved or not, but the Commissioner of Parks routinely, and I don't know if you've reached out to him, but they routinely negotiate contracts with outside caterers that use County property to do catering. So if you needed somebody to help out with the evaluation I would make the -- strongly make the suggestion to reach out to the Commissioner because that's what he does everyday of his life.

Another point I wanted to make was or ask, I thought we had people that were kind of experts in fundraising on our Board. And I'll tell you why I do that, because in my district -- now it's not my district because we re-districted it, but there was a Bay Shore aquarium that was going to actually spring up in the middle of my district. They at first used the people from the aquarium to do some fundraising, but then they expanded the scope of what they wanted the aquarium to do and they brought in outside fundraisers. And guess what happened? The aquarium never got built and a whole bunch of money was raised and spent on fundraising. So I'm just -- I'm saying it as a cautionary or making a cautionary statement, but if you have experts on your Board, there's \$80,000 a year that you're going to save, you know, right off the top.

MR. GISH:

I think at present I'm the only non-working member on the Board. That's the basic problem. You don't have anybody that can work on this full-time all the time to sort of generate the type of fundraising that you'd need immediately. So although you have some people with expertise, there are also problems with conflict of interest. They cannot reach out to the same people they may be reaching out to in the private sector where they work.

LEG. ALDEN:

You mean a solicitation type of fundraising?

MR. GISH:

Correct.

LEG. ALDEN:

Okay. But solicitation I've always found that's one of the most expensive type of fundraising that you can do because the solicitors or the fundraisers at that point they take up to 90, 95%.

MR. GISH:

No, we intend on hiring someone on a salaried position that will not be in any way, shape or form related to a percentage of the funds coming in; in other words we're not looking for --

LEG. ALDEN:

Where are they going to get the list?

MR. GISH:

-- a grant and giving them a percentage. Number one, that's --

LEG. ALDEN:

But the only thing of value that a fundraiser has is a list. That's really the only thing. Otherwise, if you're hiring a fundraiser that hold themselves out to being an expert fundraiser and they don't have lists, then they're actually worthless. You're going to be wasting that salary on somebody that you could be spending the salary on an in-house employee that can do the same thing.

(The following was transcribed by Kim Castiglione, Legislative Secretary)

MS. GHIORSI HART:

Yeah, I think the approach we're taking is we're not hiring really like the fundraising kind of company that maybe you're thinking of. We're hiring someone that will come in and act in essence as an employee, but they'll be an outside consultant and help us come up with a plan to develop our in-house --

CHAIRPERSON VILORIA-FISHER:

You are talking about a development person.

MS. GHIORSI HART:

Yes, we are talking about a development person.

LEG. ALDEN:

You're talking about a person that is going to do fundraising, specifically fundraising.

MS. GHIORSI HART:

They will. That --

LEG. ALDEN:

My suggestion would be reach out to the YMCA, reach out to The Lighthouse. There is a couple of other -- they're not in my district anymore, but those entities have gone through massive type of fundraising events and fundraising enterprises and they'll tell you all the pitfalls. And especially you don't want to commit yourself to a course of action where you are going to spend \$80,000 and have them bring in \$50,000, because that's going to be a huge negative plus a waste of time as you go forward. What I understand you want to try to do is somebody that can actually develop a list, and then, you know, do a solicitation by mail or by phone to try to get some people to donate to the museum. Is that not correct?

MS. GHIORSI HART:

That would certainly be part of it, but just part. We -- and again, I -- some of the names, the firms on this list, have been recommended to me by South Street Seaport Museum that was in the same situation we are now. They were close to closing. They did hire a firm that the director said helped turn them around and helped not just get a list or raise money, which they did do, but helped set them up so that they could move forward in-house. That's part of what we are looking for in this approach.

As you may or may not know, over the last ten, fifteen years we have had several development directors. They've never lasted more than two years. We never really developed a good development team and it's critical. I think we all know that to move forward it's an area that we really need to develop. So this approach, and it really was developed with our two Trustees who are experts in this field, Mike DeLuise is the Director of Development at Dowling and Lynn Dwyer, who is very versed in foundation and she's working in that sector. Both felt that this is the way to go to sort of jump start us rather than bringing somebody totally new in who we would have to teach, someone with expertise, get us going. And a big part of what they are going to be doing is recommending for the future how to structure our development department and help us with some of these goals.

So hopefully we will be working with our own staff interns so that the hope is that this is a 15 month arrangement and at the end of that it will be very smooth. As we go along we will be taking more and more on ourselves in-house that this development firm or the people will be helping us develop our department. They are not just going to come in, raise money, take a percentage and go.

LEG. ALDEN:

Rather than spend a lot of time here I'll call Mike and just get what his ideas are on it and things like that. Maybe I can get a little more guidance on it.

But I'm just going to state this to this committee. There's got to be alternative methods of keeping

the Vanderbilt open because some of the stuff we are looking at today, it's very, very encouraging, but I think it might fall far short of keeping the Vanderbilt open. So you have established pretty much a bottom line, how much on cost it's going to be, and we really have to forget about our endowment because I don't think it's going to throw off any money at all. We have to prepare an alternative plan or actually the first thing to decide is whether we want to keep it open or not going forward, and if by a consensus if we want to keep it open, we've got to be prepared to put that in our Operating Budget, which we'll start debating in another month or two months. So, thanks.

CHAIRPERSON VILORIA-FISHER:

Thank you, Legislator Alden. Are there any other questions?

LEG. STERN:

No other specific questions but just a comment. In looking through the numbers here it would seem to me that, while I guess the first question is whether or not the key to the Vanderbilt will also open up the Senate Chamber in Albany, because it would seem to me that based on the numbers here the difference between a comfortable surplus or a challenging deficit runs through Albany right now and reliance on the expected hotel/motel revenue. To me, I mean, this is an important discussion and a discussion that has to be ongoing when we are talking about the future of the Vanderbilt, but for the 2010 budget purposes, that really is the key. If you look at the numbers here it literally makes the difference.

CHAIRPERSON VILORIA-FISHER:

Absolutely. It's a big number. Okay. Thank you, Legislator Stern. Thank you very much for your report and we'll keep the communication lines open. Thank you very much.

Okay we are going to be agenda and well ask Commissioner Pavacic to come forward. And if there are any questions?

Let's hope that cell tower is able to come on-line sooner rather than later, and I think all the people who are dropping their calls around there will be very happy to know about that. Okay.

TABLED RESOLUTIONS

We begin with **IR 1115, Authorizing the transfer of property to Suffolk County Department of Parks, Recreation and Conservation and creating a new Suffolk County Park (SCTM No. 0200-538.00-05.00-001.005). (Beedenbender)** There is a request from the sponsor to table that.

LEG. ALDEN:

I'll make a motion to table.

CHAIRPERSON VILORIA-FISHER:

Okay. I'll second that. All in favor? Opposed? 1115 stands tabled. **(Vote: 5-0)**

IR 1273, Adopting Local Law No. -2009, A Charter Law to clarify powers and duties of Board of Trustees of Parks, Recreation and Conservation. (Browning) I'll make a motion to table.

LEG. NOWICK:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Nowick. All in favor? Opposed? IR 1273 stands tabled. **(Vote: 5-0)**

IR 1289, Authorizing use of Smith Point County Beach property by the American Cancer

Society, for the Amazedness Kite Fly. (Eddington)

Commissioner, I understand it was amended so that there is a per diem number set.

COMMISSIONER PAVACIC:

That is correct. The fee has now been included in the resolution.

CHAIRPERSON VILORIA-FISHER:

Okay. So I'll make a motion to approve, seconded by Legislator Stern.

LEG. ALDEN:

On the motion.

CHAIRPERSON VILORIA-FISHER:

On the motion, Legislator Alden.

LEG. ALDEN:

What's the per diem fee?

COMMISSIONER PAVACIC:

It's \$100 for the group fee and then there is a separate \$30 fee for an alcohol permit.

LEG. ALDEN:

Is the \$100 -- that's a reduced number, right, from what's normal for that?

COMMISSIONER PAVACIC:

Yeah, that's on the new schedule, the current 2009 schedule.

LEG. ALDEN:

Did that schedule decrease or increase the user fee?

COMMISSIONER PAVACIC:

I believe that decreased for that number of people.

LEG. ALDEN:

Why --

COMMISSIONER PAVACIC:

I can check that real quick.

CHAIRPERSON VILORIA-FISHER:

Actually, it may have decreased because the old schedule was very convoluted and actually there is an overall increase in that category, but the way it was broken out -- let me go to Budget Review because you probably have it right in front of you. No?

MS. MOSS:

I'm actually pulling it up now.

CHAIRPERSON VILORIA-FISHER:

Okay. Why don't we go ahead and then come back to that so that we can get the exact number. But I think if I recall that was one of the areas where there's still an overall increase in that category, but I think we made the break off points for the number of people at different places. Commissioner, does that sound close to?

COMMISSIONER PAVACIC:

The 2008 schedule was for up to 100 persons was \$125 per day, and in the '09 schedule 51 to 100

people is \$100 per day.

CHAIRPERSON VILORIA-FISHER:

And then the next step?

COMMISSIONER PAVACIC:

But then there's now a separate \$30 fee for an alcohol permit, so that bumps it up to that total of \$130.

CHAIRPERSON VILORIA-FISHER:

And then over 100 what's the --

COMMISSIONER PAVACIC:

Over 100 now is -- 101 to 200 people is 150. And 201 --

CHAIRPERSON VILORIA-FISHER:

And what was it last year?

COMMISSIONER PAVACIC:

Last year it was 250. And 201 to 500 people was formerly 225, and that's now changed to 251 to 399; that's \$350 per day. So that's where an increase has kicked in.

CHAIRPERSON VILORIA-FISHER:

Yeah, that's what I recall, that as the numbers went up, our numbers went up.

COMMISSIONER PAVACIC:

Right, because the support services increase with the larger numbers of people.

LEG. ALDEN:

To me it doesn't make sense that, you know, people were used to paying as an assembly, you know, that \$125, and to drop that down to the \$25 range, but even overall it puts more of a burden on other users of the park service. So it doesn't sound like everything was distributed in a fair manner as far as the burden of supporting our parks. But be that as it may, this fee now is lower than it would have been in the past.

CHAIRPERSON VILORIA-FISHER:

Well, except that the alcohol fee is greater. So that part of it is greater than it was in the past. So the overall fee is I think about the same or a little bit higher because of the alcohol fee being different.

COMMISSIONER PAVACIC:

The alcohol fee was previously not on the fee schedule.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. ALDEN:

They weren't allowed to use alcohol, either.

COMMISSIONER PAVACIC:

No, that was -- actually that's allowed if they provide DRAM insurance and other requirements for that and it was included under the prior group fee. That's now been broken out as a separate fee.

LEG. ALDEN:

What's the percentage of people that end up with alcohol consumption, or now you wouldn't even know that because this is one of the first ones.

COMMISSIONER PAVACIC:

I wouldn't know that.

LEG. ALDEN:

So respectively as far as whether overall that's going to bring in more money by having two fees rather than the \$125 fee. But this isn't your fee schedule anyway. Okay. Thanks.

CHAIRPERSON VILORIA-FISHER:

Okay. There is a motion and a second. All in favor? Opposed? 1289 stands approved. **(Vote: 5-0).**

1354, To clarify the recent increase in parks fees authorized under Resolution No. 33-2009. (Romaine) I'll make a motion to table.

LEG. STERN:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Stern.

LEG. ALDEN:

On the motion.

CHAIRPERSON VILORIA-FISHER:

Yes.

LEG. ALDEN:

Is that to table for a public hearing or why are we tabling it.

CHAIRPERSON VILORIA-FISHER:

No, that's to table because of reasons that have been discussed by the department, that it would be a nightmare for the collections system because every person at every -- every person who's collecting fees would have to give different amounts and so we wouldn't have the kind of cash oversight that we do. And I know that that was something that was very -- always very important to you, Legislator Alden, regarding the accountability. And so if you have different fees for different people based on when they, if I'm looking at the right -- yeah. Commissioner, maybe you can continue with that answer.

COMMISSIONER PAVACIC:

One of the concerns we had is the POS system that we have in place does not have the ability to charge two fees. In order to -- in order to charge, to reimburse folks, we'd have to set up a schedule of two fees for people affected who are so defined within this resolution as qualifying for reimbursement. That would then give the ability of -- charging two fees would then give the ability of a lot of staff, including seasonal staff, the ability to have that discretion as to who to charge a fee to this -- this additional fee. That is just a real concern in terms of internal controls and in terms of cash control, not, you know, we don't want to have that individual control and discretion. That's something that we have tried to get away from and built that into the current system.

LEG. ALDEN:

And I agree with you, but maybe you can put my mind at ease because here's the situation that came up in my office. I think there might have been about 20 people and I referred them to your office. They went into contract with the County of Suffolk on boat slips prior to our revising the fee schedule, and then they actually paid for and they signed a contract executed by both parties, and then they got a bill for an additional eight or nine hundred dollars for their boat slip. And how was that resolved?

COMMISSIONER PAVACIC:

We addressed that. In that particular case we talked to the County Attorney's Office, got an opinion from the County Attorney's Office that because they had a contract that they were obligated only to pay the prior lower fee and so those folks were reimbursed in those cases if they had already disbursed the higher fee to us.

LEG. ALDEN:

Good, because I actually offered to represent them pro bono because I saw an injustice there that was really terrible. I'm glad that was addressed that way.

When would you suggest, if we are going to do a new fee schedule, when would you suggest that fee schedule being presented to your department for its evaluation? And is it -- it's not good to do it in season, is it better to do it like December, January, something along those lines?

COMMISSIONER PAVACIC:

Well, for us, any -- if there is any contemplation of any change in the fee schedule it should happen prior to the beginning of any calendar year. Once we hit January 2nd the reservation systems or POS systems are online and have all the fees that are supposed to be charged that year are entered in there. Once they go forward from January 2nd that becomes a real difficult situation for us to go back and, you know, to adjust that fee. So anything that would happen in regard to the fee schedule would have to happen by December so we can --

LEG. ALDEN:

Okay. What I'd like to do then is I'll call your office, I'll schedule some time. We'll go in there and there is a couple of user groups that wanted to come in too, and your staff -- you can assign some staff to it and I'd like to meet with you on that. What I think I'd like to do is prepare something that prior to our doing the budget would put the fee schedule back into something I'm going to call a little bit more normal reflection of the services that we provide. While it's a noble cause to try keep the Vanderbilt alive, I don't -- I disagree with the way that we tried to do that and I'd like to correct some of those things that, or propose corrections, to some of the things that I think were mistakes actually. Thanks.

COMMISSIONER PAVACIC:

You're welcome.

CHAIRPERSON VILORIA-FISHER:

Okay. Is there a different motion or just a motion to table is on the table. Okay. We have a motion to table and a second. All in favor? Opposed? Motion carries. **(Vote: 5-0)**.

INTRODUCTORY RESOLUTIONS

IR 1483, Authorizing the County Executive to enter into an Intermunicipal Agreement with the Town of Brookhaven in connection with the installation and removal of buoys at the Smith Point Marina and Channel entering the Great South Bay. (Browning) Can you just explain this to us please, Commissioner.

COMMISSIONER PAVACIC:

Sure. This particular channel is a north/south oriented channel. It runs from the Narrows Bay area just west of the Smith Point bridge, connects this north/south channel that's maintained by the County, to the intracoastal waterway. That's a Federally maintained channel that runs through all the back bay systems in Suffolk County. Basically starts as far west as Captree, runs through the middle of Great South Bay, through this area under the bridge, through Moriches Bay, vents into Shinnecock Bay and out of Shinnecock Inlet.

The underwater land between the intracoastal waterway maintained by the Federal Government via

the Army Corps and the Smith Point Marina, that underwater land is owned by the County. Typically underwater land in these back bay areas is owned by a township under prior colonial land patents. It's not the case here. So in this particular case this channel has to be maintained by the County. DPW maintains that on our behalf.

A number of years ago buoys were installed, and I believe at that point in time, it's unclear, but it appears that it may have been Parks Department that installed those buoys a number of years ago. They have subsequently disappeared over time and there are now no long any buoys marking the navigation channel. We have ordered -- we have discussed this at length with DPW. DPW will continue to maintain and dredge the channel, however, we are assuming responsibility for marking the channel. However, we do not have the maritime equipment necessary to both install and remove the buoys on a seasonal basis. You are talking about not just a buoy, but the chain to connect it to an anchor, a mushroom anchor, that connects it to the bottom. Neither we nor DPW nor any other entity within the County has the necessary vessels that are capable of doing that.

However, the Town of Brookhaven, their Bay Constable's Office does have that and they routinely maintain other buoys on town owned bottom. We have already had discussions with them and they are going to help us this year and we thought going forward it would be very, very helpful to have an intermunicipal agreement so that we can go through this every -- seamlessly in subsequent years so we make sure that we are maintaining that safe navigational channel.

CHAIRPERSON VILORIA-FISHER:

Okay. And so we just pay for the equipment? I mean, I'm seeing small sums in the resolution.

COMMISSIONER PAVACIC:

Right. The equipment, that's a onetime expense to replace the buoys. Once -- they would be installed by the town with our assistance using their vessels. At the end of the boating season, come November, early December, they would be pulled out because buoys tend to disappear due to icing and so forth in the winter months. Then they would be reinstalled at the beginning of the boating season, around the April timeframe.

CHAIRPERSON VILORIA-FISHER:

Okay. I'll make a motion to approve. Seconded by Legislator Horsley.

LEG. ALDEN:

On the motion?

CHAIRPERSON VILORIA-FISHER:

On the motion, Legislator Alden.

LEG. ALDEN:

Just for the record, how much is the replacement of the buoys?

COMMISSIONER PAVACIC:

I believe it's listed there. It's about --

CHAIRPERSON VILORIA-FISHER:

Is it that \$1,200 figure?

COMMISSIONER PAVACIC:

Yes, that's the cost --

MS. MOSS:

The hardware and associated equipment is estimated at \$1,210.

LEG. ALDEN:

That coming out of your supplies?

COMMISSIONER PAVACIC:

Yes.

LEG. ALDEN:

You're all right?

COMMISSIONER PAVACIC:

Yes. We've already ordered that. It's on it's way.

LEG. ALDEN:

Okay. But you have the money for that line?

COMMISSIONER PAVACIC:

Yes, we have the money for it.

LEG. ALDEN:

All right. Good.

LEG. HORSLEY:

One buoy.

COMMISSIONER PAVACIC:

Five buoys.

CHAIRPERSON VILORIA-FISHER:

That's why it seems like a small amount to me. Okay. So I made a motion and there's a second. All in favor? Opposed? IR 1483 stands approved. **(Vote: 5-0).**

1498, Approving rental charges and license fees recommended by Parks Housing Rental Board. (Co Exec.) And there is a list of the rentals attached to the resolution. I'll make a motion to approve.

LEG. STERN:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Stern. All in favor? Opposed? 1498 stands approved. **(Vote: 5-0).**

IR 1503, Appropriating funds in connection with improvements at County Golf Courses: West Sayville irrigation system (CP 7166). (Co. Exec.)

There are other than just Sayville, right?

COMMISSIONER PAVACIC:

There is four --

CHAIRPERSON VILORIA-FISHER:

Because it's \$500,000.

COMMISSIONER PAVACIC:

Right. There is four golf courses; Bergen Point, Timber Point, West Sayville and Indian Island. Bergen Point is privatized. The maintenance is conducted by the concessionaire there, but the other three courses, including West Sayville, are maintained by County Parks.

CHAIRPERSON VILORIA-FISHER:

Okay. And this is really important because there was actually -- I think you said there was a pump or something that is malfunctioning in Sayville?

COMMISSIONER PAVACIC:

That is correct. We have had two irrigation pumps burn out at West Sayville. We're currently utilizing -- we just installed a diesel powered pump system to provide service and we have been fortunate because we've had some --

CHAIRPERSON VILORIA-FISHER:

Well, I guess fortunate and not fortunate.

COMMISSIONER PAVACIC:

Right. If you are a golfer it is not too fortunate with the rainy weather, but fortunately for us in terms of the irrigation situation. So these funds will go towards that. This is a multi-year project to replace the irrigation system there at West Sayville.

CHAIRPERSON VILORIA-FISHER:

Okay. I don't know if I made a motion to approve, but I'll make it now. Seconded by Legislator Horsley. On the motion, Legislator Alden.

LEG. ALDEN:

Commissioner, how long ago was West Sayville, the irrigation system upgraded?

COMMISSIONER PAVACIC:

I don't believe it's been upgraded in at least a decade. I think this system goes back to the early 90's perhaps and it's basically a residential system, something that was -- that really didn't meet the requirements of a golf course. It has none of the significant controls you have now. You have very sophisticated control systems now where you can turn on one head at a time or a series of heads. We don't have that in case here. The piping, the irrigation piping is undersized and is subject to frequent breakage. It takes us a fairly long time to irrigate the golf course. It definitely takes us about four hours at the other golf courses; it takes us up to 12 hours to irrigate West Sayville because of low pressure due to the undersized system there and the problems we have with breakages.

LEG. ALDEN:

Timber Point and Indian Island were upgraded within the last eight to ten years.

COMMISSIONER PAVACIC:

That I would have to confirm for you. But I believe you're right on Timber Point, because Timber Point it was back in I think around 2002 or so when the entire system -- the entire course was upgraded and at that time I believe the new irrigation system was put in place.

LEG. ALDEN:

The pump burning out, is that a function that everything that everything's undersized or wrong sized?

COMMISSIONER PAVACIC:

The pumps are -- well, first of all, they are old, but also they strain more because we have a pressure problem there as well. Part of this capital project includes -- right now we do get Suffolk County water, public water, coming into the course, but with the overtime, with the increase in residential development, the pressure we are receiving at the course has dropped. The pumps are having to work harder. We are proposing to boost the pressures up. What we are proposing to do also as part of this is to install another irrigation well here as a supplement to that.

LEG. ALDEN:

Is there a capital project, and maybe Budget Review would know, to actually replace the irrigation system at West Sayville?

COMMISSIONER PAVACIC:

West Sayville, Timber Point and Indian Island are under one capital project, CP 7166, and under that there is a separate category for Timber Point, a separate capital line -- I think Jill would probably have that line, and then Indian Island and West Sayville are under another capital project line.

LEG. ALDEN:

Because if that's part of our '09 Capital Budget and we are just burning out these pumps, that's a substantial expense to us, it might make sense to just speed up or actually conduct that capital program to do the upgrade.

COMMISSIONER PAVACIC:

Well, that's what this is accomplishing. This is going to accomplish that by doing just the well and the replacement of the pumps. It would also include a new computer controller panel for the system. That should alleviate the problems with pumps burning out. But as I said, the pumps are also older. They have been there for a while.

LEG. ALDEN:

You also said that there's undersized plumbing, right, the piping going out?

COMMISSIONER PAVACIC:

That's correct. That would be the last phase of the project, would be the replacement of the piping, because that's going to be a significant project, a lot of labor involved with that.

LEG. ALDEN:

So this isn't a band-aid, this is just a phase and then later on we can actually replace the pipe and --

COMMISSIONER PAVACIC:

That's correct.

LEG. ALDEN:

-- then be done with it.

COMMISSIONER PAVACIC:

That's correct.

LEG. ALDEN:

Good. Okay.

CHAIRPERSON VILORIA-FISHER:

Okay. There's a motion and a second. In all in favor? Opposed? The motion stands approved. **(Vote: 5-0)**. Okay, if there is anyone who -- - yes.

COMMISSIONER PAVACIC:

If I may. I just wanted to bring to the committee's attention that there will be a CN at the full Legislature meeting next week for a fundraising event. It's under Event Power, the Mighty North Fork Triathlon and Youth Acquathon. This is going to be happening at Cedar Beach in Southold on Saturday, July 11th, and Sunday, July 12th.

I bring this to your attention because we did not receive all the final paperwork until just recently and since the event is happening the last Legislature meeting where -- which it could be approved is next week, we have asked for a CN for that. This is an event that has happened on an annual basis. This is not new.

CHAIRPERSON VILORIA-FISHER:

And the appropriate fee is applied?

COMMISSIONER PAVACIC:

That is correct.

CHAIRPERSON VILORIA-FISHER:

Okay. All right. Thank you for the heads up on that.

LEG. ALDEN:

Before we adjourn, too, I just want to compliment the Commissioner and his staff on the Long Island Two Day Breast Cancer Walk. It went off without a hitch, I mean, because of a lot of hard work that they did. It was a great job for a great cause. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you.

COMMISSIONER PAVACIC:

Thank you very much, Legislator Alden. I will pass it along to staff. I really appreciate that.

CHAIRPERSON VILORIA-FISHER:

If there are no further comments, questions, the meeting stands adjourned.

(THE MEETING CONCLUDED AT 1:50 P.M.)