

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 November 13, 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:

William J. Lindsay, Presiding Officer
Legislator Kate M. Browning, Third District
George Nolan, Counsel to the Legislature
Ben Zwirn, Deputy County Executive
Barbara LoMoriello, Deputy Clerk
Lance Reinheimer, Assistant Director of Budget Review Office
John W. Pavacic, Commissioner of Parks Department
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Thomas Ryan, Aide to Leg. Vilorio-Fisher
Deborah Harris, Aide to Leg. Stern
Debra Alloncius, AME Legislative Director
Dot Kerrigan, AME
Steve Tricaraco, County Executive Aide
Jordan Lederman
John McConnell
Johan McConnell
Ginny Munger-Kahn, LI-DOG
Pamela Schmidlin, LI-DOG
Audrey Kessler, CSYL
Ernie Fazio
And all other interested parties

VERBATIM MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

VERBATIM MINUTES TRANSCRIBED BY:

Denise Weaver, Legislative Aide

THE MEETING WAS CALLED TO ORDER AT 1:11 PM

CHAIRPERSON VILORIA-FISHER:

Good afternoon everyone. Welcome to the Parks and Recreation Committee. Please join us in the Pledge of Allegiance.

SALUTATION

Okay. We have a few cards, the first one being Jordan Lederman. Mr. Lederman, you can either go there or to the podium. And wherever you go please make sure that you're pressing the button on the microphone.

MR. LEDERMAN:

Okay. Thank you. Does that work? Okay. I was here to talk about the new dog park. My name is Lederman. Some of you may remember that last summer I was harassed by the Middle Island Dog Park in the Town of Brookhaven for throwing frisbees in the dog park. At my criminal trial in December, Brookhaven sent three town attorneys to prosecute me. I was found not guilty for this offense. This is a copy of my civil suit against the Town of Brookhaven. It was signed by a supreme court justice of Suffolk County ordering Brookhaven to rescind their silly "no dog balls and toys rule" that they made for the Middle Island Dog Park.

Right now the Town has hired private counsel to represent them in the silly defense. This is one of the reasons why Long Island is known as America's most dog unfriendly place.

The 2000 census showed that there are as many dogs in Suffolk County as there are married couples in Suffolk County. All dog owners pay local school taxes and most don't have any children in the local school system. A dog park to a dog owner is as important as a neighborhood school is to a parent. You call these dog parks; these are really people parks for taxpayers who need to exercise and socialize their dogs everyday. We expect the same quality of services that you do for a schoolyard.

At the West Hills Dog Park nine days in September and October there were no poop bags; a simple thing like that. You charge ten dollars to use the dog park during the summertime on weekends. Most people refuse to pay the ten dollars. The park is empty from eight o'clock to three o'clock every Saturday and Sunday where the park should be full because of a ten dollar fee. This is done to raise dollars, we are told. You don't even collect enough dollars to pay the two people who collect the tolls so you lose money on most days every weekend.

You would not charge a parent a ten dollar fee to use a local neighborhood schoolyard to play with his child. Why do you do that to dog owners? We have the numbers. We pay the taxes. The West Hills Dog Park is used more than any other park in Suffolk County per square foot. We demand that you treat us like normal people. We formed a new group called the Long Island Dog Pack to *Obamasize* all the Long Island dog owners and dog parks into a central database and politically we will cause these things to be changed. We need these dog parks.

CHAIRPERSON VILORIA-FISHER:

Your time is up. Can you wrap it up, please?

MR. LEDERMAN:

Ten seconds. We need these dog parks. We've earned them. Please help us open them. Thank you.

CHAIRPERSON VILORIA-FISHER:

Thank you, Mr. Lederman.

John McConnell.

MR. McCONNELL:

Good morning. My name is John McConnell, live in Yaphank. I don't see what the objection is to establishing a dog park. There's dog parks all over; New York City, Nassau County. Nassau County has more dog parks than Suffolk County. Suffolk County's huge. The Town of Brookhaven is as big as -- it doesn't make any sense.

I understand the hold up may be you want to do an environmental study? Well, listen, you didn't do an environmental study to open the Trap and Skeet. You spent 400, 500 -- half a million dollars opening the Trap & Skeet without environmental study, but you want to hold up this dog park; I understand? I totally support this dog park. Dogs need exercise. They need social, you know, to socialize with other dogs. I don't know what the objection is. You want to keep the status quo? Southaven Park is huge. There's plenty of room there, plenty of room. Thank you.

CHAIRPERSON VILORIA-FISHER:

Thank you, Mr. McConnell.

Johan McConnell.

MS. McCONNELL:

Johan McConnell. I'm actually here to speak on two resolutions. I'm here to speak on resolution 1841, which will be the appointment of the first woman to ever be a Park Trustee. I think that's very historical that in 40 years of having park trustees that there's never been a woman so I'm very impressed with that.

The other thing is I'm also here to meet the woman who seems to have more qualifications for the Park Trustee's position than I do. I was an applicant also for this position so I'd be very fascinated to meet the woman and learn from her so that if I ever had an application before the Town of Brookhaven again, I would be able to do it.

The other one is I'd like to also speak on resolution 1866, which is the resolution for the dog park. And I understand there's some concern about the cost involved in it and also whether or not it has to go under an environmental study before this resolution can be passed. I would like to read from resolution 1376 of 2004 -- *Suffolk County Legislators in the late part of December approved \$450,000 for a noise wall at the Trap and Skeet.* The CEQ did not make a ruling on that. There was no environmental impact study completely done on that wall and yet it reads the *resolved with this legislator -- legislation being the State Environment Quality Review Act Lead Agency, hereby finds and determines that this law constitutes an unlisted action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations. The proposed action will not exceed any of the criteria in sections 617.7(c) of Title 6 NYCRR, which sets forth thresholds for determining significant adverse impacts on the environment.*

So if the argument is going to be used that you cannot pass this resolution for the dog park because you need to do an environmental impact study and you need the approval of the CEQ, I can't understand why this resolution in 2004 for \$450,000, which had to be passed before it would not be available, was able to be passed.

I do ask you to please pass the resolution establishing a dog park. There are 1300 acres in Southaven. There are many people who use dogs in there now or walk their dogs in there now. And I think we should have the same ability to run our dogs in parks just as they do on the North Shore. Thank you.

CHAIRPERSON VILORIA-FISHER:

Thank you, Johan, Miss McConnell.

Ginny Munger-Kahn.

MS. MUNGER-KAHN:

Can you hear me? Yes. Okay. I'm Ginny Munger-Kahn, President of Long Island Dog Owners Group. LI-DOG is non-profit New York corporation whose mission is to increase access to parkland for Long Island dog owners and their dogs.

It is time to approve the funding of a dog park in Southaven County park. We support IR 1866.

The \$50,000 for the dog park is already in the capital budget. Last year, not one new dog park was created under the Five New Dog Parks initiative, which you passed unanimously in May 2007. If this resolution is not approved by the end of this year, the County will have created one new dog park three years after this landmark legislation was passed. The new dog park, I do just want to mention is an off-leash beach on Roe Avenue in East Patchogue and it is a wonderful new addition to the Parks system and we want to thank the Parks Department very much for the wonderful work that they've done there.

However, one park in three years, it was clearly not the intent of the legislation. This situation is not the result of this Committee's actions. The majority of you supported Legislator Browning's Southaven dog park bill that passed earlier this year. But the time for debating where this dog park is going to be located is over. The location is optimal. The land is located in an already established park so all the infrastructure, the parking, the security, water and other facilities is already in place. By attracting new park goers, you're increasing the efficient use of your investment in that park.

The dog park is not located near homes. Our experience is that minimizing neighborhood impact is key to the success of dog parks. This site meets that standard as well and the South Yaphank Civic Association strongly supports this bill.

Legislator Browning also has gotten support of other stakeholders in that part of the park including the Parks Department, which uses the field for overflow parking occasionally and the SPCA, which is slated to use the stables.

In fact, the location of the dog park near SPCA headquarters could benefit the SPCA and their animals in the same way the Town of Huntington Animal Shelter has benefitted by its proximity to the Huntington dog run. Dogs have been adopted out of that shelter by people who frequent the dog run and see dogs in the shelter's own run.

So the bottom line is after three years of looking at other sites, there's no better alternative than the location identified by Legislator Browning. Time is of the essence. I urge you to move this legislation forward as rapidly as possible.

If we lose the \$50,000 allocated to building dog parks in 2009 after failing to use the \$50,000 allocated to this initiative in 2008, there will be serious questions about this County's resolve in following through with the promise it made to dog owners in 2007. I urge you to follow through with your commitment to us.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you very much. We just received another card from Kate Enea. You can bring your baby up with you. We never encourage leaving babies in the back of the room.

MS. ENEA:

I had spoken to Legislator Browning on the telephone. I was just here just to say that I live in Shirley. I love the dog park here in Blydenburgh. This new addition to our family -- we have also a 110 pound -- 150 pound Great Dane and I really would love for this park to come about because to

drive all the way to Blydenburgh from Shirley is 45 minutes. And to go from Shirley to Southaven Park would only be a few. And we would just really, really appreciate it, so. That's all I have to say. Thank you.

CHAIRPERSON VILORIA-FISHER:

I think I met your Great Dane at Blydenburgh when I went there with my dog. Very big dog.

MS. ENEA:

Juno?

CHAIRPERSON VILORIA-FISHER:

Yeah, Juno. Yes.

Are there any other people who wish to speak? I have no more cards. Okay.

TABLED RESOLUTIONS

We're moving to the agenda and I'm going to ask that we take 1841 out of order. I'll make a motion to take **1841** out of order. **It's appointing a member of the Suffolk County Board of Trustees of Parks, Recreation and Conservation Dawn Hopkins.** I don't know what you look like. Oh, you were behind the podium. That's why -- okay. If you can just hold on until we vote on taking this out of order. Can you second that?

LEG. HORSLEY:

Second.

CHAIRPERSON VILORIA-FISHER:

1841, I made a motion to take it out of order, seconded by Legislator Horsley. All in favor? Opposed?

1841, is before us (**Appointing a member of the Suffolk County Board of Trustees of Parks, Recreation and Conservation Dawn Hopkins**) (**Kennedy**) And Mrs. Hopkins is also before us. Thank you very much for being here today and thank you for putting your name in as a volunteer to perform this public service. If you could just tell us something about yourself and then members of the Committee can ask you questions. And for the record Legislators Alden and Nowick are here. Hello. Okay. It's okay. Go ahead.

MS. HOPKINS:

Okay. Well, I just want to thank everybody for the opportunity. It's really a privilege to be considered for this position.

CHAIRPERSON VILORIA-FISHER:

You have your finger on the --

MS. HOPKINS:

I do. The light's on. Okay, there you go. Okay.

Anyway, I consider it a privilege to be really considered for this position to represent the Town of Brookhaven on the Parks, Recreation and Conservation Committee.

I know I did send my CV in, which I assume was part of the package. I can tell you that my involvement with my civic organization, which is the Lake Ronkonkoma Civic Organization, has been

very instrumental in making me aware of the different issues in the Lake Ronkonkoma area as well as in the Town of Brookhaven.

For the past few years I've been working with the Planning Department in the Town of Brookhaven developing a land use plan for our civic area. That was a tremendous amount of work, very detailed. And certainly did result in me becoming familiar with the importance of parks, green space and recreational uses.

Given our population density in Lake Ronkonkoma's civic area, we don't have as many parks as we would like. The Civic is looking actively toward developing some pocket parks, which would at least give us some green space in our area.

I did also notice in the minutes that Farmingdale -- the minutes of the Park Commission, that Farmingville is very happy about getting its Farmingville Hills area developed and opened. I think that's important because they're part of our civic area also although this piece is not.

Brookhaven has a number of County Parks. As a Lake Ronkonkoma resident, the newly established Raynor Beach County Park is very important to myself and my community. It's extremely well used. I just attended a service for Veterans Day there and also down at the Michael Murphy -- the town beach. But it's a very crowded beach, I'm sorry, County park.

And I also know that Smith Point and Southaven are wonderful recreational and camping facilities and are really two stars in the Town of Brookhaven.

One of the my assignments with the Civic is the revitalization of Lake Ronkonkoma. I'm working on getting the lake recognized as an inland waterway. This is state legislation to be sponsored by Senator Foley and Assemblywoman Fields. Once this is designated as an inland waterway, it makes us eligible for state funding to establish a local waterfront revitalization program. And we also might be eligible for some federal funding along with that, too.

I've also been working with Kevin {Canicos} who's a professional engineer and Mike {Morabito} who's an architect. And these two fellows have actually mapped the interior of Lake Ronkonkoma. They have gone around every inch of it on their own time. They've developed a boardwalk project that uses environmentally responsible materials. It provides for community activities and recreation along this boardwalk. And I think it's a really excellent idea for us. We would like to see this lake go back to the center of attraction that it was many years ago.

And we also talked about the quality of water on Lake Ronkonkoma. And feel strongly that if the Bavarian Inn is taken down that that property could be annexed to the Lake Ronkonkoma Suffolk County Park. It would go far towards keeping our water in a more healthy condition.

Let's see what else I have. Okay. Suffolk County Parks Department manages more than 200 historic structures; Yaphank historic district and Old Field Farm are in Brookhaven. I realize in tight budgetary times to appropriately manage all of these structure is an issue and I'd like to work on ways the County can increase its partnerships with community organizations to protect, preserve and promote these structures.

I'd also like to address issues affecting all County parks; maintenance, infrastructure improvement, upgrading of facilities, how to protect the County's investment by curbing vandalism and how to incorporate the County parks as part of the overall tourism profile of the County.

Another piece of information about me is that I did work as a labor relations specialist with New York State United Teachers for 23 years. I was assigned to SUNY Old Westbury, Stonybrook Health Science Center and Farmingdale. And in addition to working with local administration, I also work with SUNY system administration in Albany and the Governor's Office of Employee Relations to resolve issues and serve on joint labor/management committees.

The workshops that I've done included workplace violence prevention, which was a statewide initiative that we started in conjunction with the chancellor. We were lucky enough to get statewide funding to implement and train -- train and implement a workplace violence prevention program at Farmingdale State. And that has served them very well.

Any questions?

CHAIRPERSON VILORIA-FISHER:

Thank you. I'm going to ask members of the Committee anybody have a question for Ms. Hopkins? Did you, Presiding Officer?

P.O. LINDSAY:

I did want to ask something. Ms. Hopkins, you did touch on something that has been of concern to this Legislature. There is new legislation that just went into effect this year that was passed by the state to increase the hotel/motel tax on our venues in Suffolk County and that money is a dedicated stream of funds for historic structures, cultural events, parks, which you touched on the venue of historic structures.

MS. HOPKINS:

Yes.

P.O. LINDSAY:

There is a stream of money that's dedicated to historic structures within the Parks Department. And as a Parks Trustee, if you are approved, we would very much like the Park Trustees to keep track of that to make sure that the money is being spent to preserve our historic structures.

MS. HOPKINS:

This is the money from the hotel taxing?

P.O. LINDSAY:

Yes, yes. So moving forward that's something that we -- I would like to see you keep in mind.

MS. HOPKINS:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator Stern.

LEG. STERN:

Thank you, Madam Chair, and thank you for being here.

MS. HOPKINS:

Thank you.

LEG. STERN:

And your willingness to serve.

I'm sure you've heard a little bit about -- a little of the dialogue going back and forth today. I was wondering since we're on that topic today, if approved as a Trustee, what your thoughts are regarding our stated commitment towards the development of dog parks for our residents here in Suffolk County?

MS. HOPKINS:

Well, I have two dogs. I have one rescue and one older one that's been with me for a while. One's 12, one's 13. I certainly do -- I certainly like dog parks. I understand, as I review the minutes of

the Park Commission, that there's been quite a lot of dialogue about these different parks and where they can be located and the difference between dog runs and natural boundaries.

I support the idea of it, but I understand there are some geographic difficulties that have shown up. I'd have to take it on a case-wide basis. I understand there are rules.

LEG. STERN:

And -- I'm sorry, Madam Chair, and if approved I'm sure that you'd be able to assure us of your willingness to meet with representatives of some of the important organizations throughout --

MS. HOPKINS:

Oh, sure.

LEG. STERN:

-- Suffolk County to ensure that there is proper implementation of our policy.

MS. HOPKINS:

Absolutely. Absolutely.

LEG. STERN:

Thank you.

CHAIRPERSON VILORIA-FISHER:

I attend most of the Trustee meetings and I've been missing having someone from Brookhaven represent. So I welcome your inclusion. And as Miss McConnell said, it is historic, you'll be the first woman representing Parks.

MS. HOPKINS:

I realize that the current composition was men, but I didn't realize it went back that far.

CHAIRPERSON VILORIA-FISHER:

Well, actually I haven't verified it. But I'm, you know, echoing what Ms. McConnell said. And, you know, I can try to go back through the annals and see, but as long as I've been here there hasn't been another woman Trustee. So that's historic in and of itself.

But I did want to ask you if you have the availability to attend the meetings because our Parks Trustees, as they currently stand, are very dedicated and most people attend most meetings.

I'm sorry, I'm really having a hard time hearing myself.

MS. HOPKINS:

I did notice that and I'm very available. I did retire about two years ago, so.

CHAIRPERSON VILORIA-FISHER:

Okay.

MS. HOPKINS:

That's why I've been able to do as much work with the Civic also is I've been -- as has happened. So yes, I looked at the frequency of the meetings and I noticed that they do do field visits out to certain sites.

CHAIRPERSON VILORIA-FISHER:

It's important sometimes to have the meetings at the very various venues throughout the County so that the Park Trustees acquaint themselves of our different venues. The meeting last month was at the Scully Estate. The month before that it was out east. Doesn't always move around, but there was a lot of movement and so you do have to have the time to travel and then to sit at the meeting.

But they're very important and very well attended. So you have the availability --

MS. HOPKINS:

Yes.

CHAIRPERSON VILORIA-FISHER:

-- and the time?

MS. HOPKINS:

Yes.

CHAIRPERSON VILORIA-FISHER:

I really appreciate that. It's very important.

Are there any other questions?

LEG. HORSLEY:

Real quick.

CHAIRPERSON VILORIA-FISHER:

Legislator Horsley.

LEG. HORSLEY:

I don't want to take too long, but I just -- I'd like to congratulate you on your thinking as far as the inland waterways act involving Lake Ronkonkoma. Have you -- you're going to find that particularly if this has to be approved by, I assume, Parks and Recs in Albany and the historic section, that's probably where it goes to; Is that right?

MS. HOPKINS:

It would -- I believe it goes to the Department of State.

LEG. HORSLEY:

Oh, it's Department of State.

MS. HOPKINS:

Yes.

LEG. HORSLEY:

You may have to fight a different animal over there.

MS. HOPKINS:

Yes, yes. We need the legislation and then the money should be forthcoming. But I do have a couple of contacts there. And they seem to think we've got something pretty good going here. So, yeah, I'm excited about it. I really am.

LEG. HORSLEY:

Yeah, I could see why you would be.

MS. HOPKINS:

Yeah.

LEG. HORSLEY:

That's great stuff.

MS. HOPKINS:

Yeah. And the program includes a whole visioning process.

LEG. HORSLEY:

Aha.

MS. HOPKINS:

So, you know, there are the three towns around Lake Ronkonkoma.

LEG. HORSLEY:

Right.

MS. HOPKINS:

And to bring them all together for a common vision we do need the monies for the visioning process, which are state monies. And they inject monies at various phases during the program. And we may be eligible for some federal monies once we get that designation.

LEG. HORSLEY:

That's great. Anything we can do here collectively, and I'm sure the Chair would agree with me, please, you know, keep us in the loop. That's a good project.

MS. HOPKINS:

Thank you, thank you.

CHAIRPERSON VILORIA-FISHER:

I'm on the Stonybrook Estuary's Council Task Force. We work with Department of State and -- not only are they able to help us access the money, which hasn't happened that often, but their expertise is also very helpful.

MS. HOPKINS:

Yes, yes. In the small conversations I've had.

CHAIRPERSON VILORIA-FISHER:

Yeah, they've given us a lot of insight at the Estuary Council and the Harbor Task Force. So it'll be -- that's a really -- I echo what Legislator Horsley has stated, that's a really good way to go.

MS. HOPKINS:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Thank you for that.

Anybody else, any other questions? Okay. I'm going to make a motion to approve.

LEG. NOWICK:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Nowick. All in favor? Opposed? **Approved. (VOTE: 5-0)**

MS. HOPKINS:

Thank you.

CHAIRPERSON VILORIA-FISHER:

We will be voting at the general session, but you do not have to attend that meeting. Okay. This is sufficient. Yes, Legislator Lindsay.

P.O. LINDSAY:

Ms. Hopkins, although you don't have to attend, I mean, if your schedule permits, I would like you to attend.

MS. HOPKINS:

Sure.

P.O. LINDSAY:

I'm sure the resolution's going to be approved, but it is a bit historic that you're our first woman trustee on the Parks. So if your schedule permits.

MS. HOPKINS:

What's the date?

P.O. LINDSAY:

It's next Tuesday the 17th.

MS. HOPKINS:

The 17th.

LEG. ALDEN:

We'll take a picture with you.

MS. HOPKINS:

Okay.

P.O. LINDSAY:

That's a great idea. I never thought of that.

CHAIRPERSON VILORIA-FISHER:

We'll do it early in the day.

MS. HOPKINS:

So exciting.

CHAIRPERSON VILORIA-FISHER:

And I think that's a great idea. Thank you, Mr. Presiding Officer. Congratulations, Dawn, and I look forward to working with you.

MS. HOPKINS:

Thank you. Same here.

CHAIRPERSON VILORIA-FISHER:

Okay. You notice our dog lovers are all applauding because they heard her answer about the dog parks. Weee! Brookhaven. A Brookhaven woman dog lover. What could be better? Okay.

TABLED RESOLUTIONS

1800, Adopting Local Law No. -2009, A Local Law to regulate privatization of County owned marinas. (Alden) Legislator Alden, as you know, this is really rendered moot because we have did take the money out of the -- out of the budget.

LEG. ALDEN:

Actually on -- so for the one issue it might be rendered moot. But the same thing happened with our health centers. And we actually incorporated that into a law so that the Legislature would have to be consulted first before the health centers were privatized. And this follows in that type of vein

or that type of thinking, that the Legislature should be a part of it. And the last time I think that we lost many months where we could have been collaborating with the people that actually use it. And they came up with some great ideas that might have been put into place earlier had we had something like this on the books.

So, I would still offer it as a resolution that would be a plus for our government. It makes sure that the Legislature is involved in the process way early on rather than have to resort to taking -- and I'm going to say it was phantom, you know, money, taking phantom money out of a budget to prevent this from happening without our input.

CHAIRPERSON VILORIA-FISHER:

I'll offer a motion to approve. Is there a second?

LEG. NOWICK:

I'll second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Nowick. On the motion -- well, a couple of comments on the motion. It is my understanding that it would have had to come back to us for approval. The RFP would have had -- the contract would have had to come back to us. Wouldn't it, George?

MR. NOLAN:

I don't think that's entirely clear that it would necessarily have had to come back to this Legislature. We do -- there are any number of concession agreements, license agreements, within our parks, that never come back here for approval.

CHAIRPERSON VILORIA-FISHER:

Even for a radical change like this, huh?

MR. NOLAN:

I don't think it's clear. This law would make it clear that any type of privatization marina would have to come back here. There'd have to be a couple of public hearings and a BRO analysis.

CHAIRPERSON VILORIA-FISHER:

Okay. Okay, anyone else on the motion? Okay. You know, Cameron, I -- because I thought that we weren't going to have to vote on this, I really haven't been thinking about it that much. Would you mind tabling it for one more round just so I can look at it again?

LEG. ALDEN:

Well, actually that's all I have.

CHAIRPERSON VILORIA-FISHER:

Well, aren't we meeting again in December? We're meeting again in December.

LEG. ALDEN:

When else do we meet?

CHAIRPERSON VILORIA-FISHER:

December.

LEG. NOWICK:

We have a Parks meeting next week, don't we?

CHAIRPERSON VILORIA-FISHER:

Yeah, we meet twice in December.

LEG. ALDEN:

Oh, we have two. So I have --

CHAIRPERSON VILORIA-FISHER:

You have one more shot after the --

LEG. ALDEN:

Then I have -- I would have two strikes. I could take another.

CHAIRPERSON VILORIA-FISHER:

Yes. Okay.

LEG. ALDEN:

Could you seriously consider it?

CHAIRPERSON VILORIA-FISHER:

Yes, I'll seriously consider it because of two reasons: number one, I thought it was moot having been addressed in the budget so I didn't look at it again.

LEG. ALDEN:

Okay.

CHAIRPERSON VILORIA-FISHER:

And number two, I was under the impression because of one of the letters that people received, that it would have to come to the Legislature for approval. So I was misguided on that.

LEG. ALDEN:

You'll seriously consider it then?

CHAIRPERSON VILORIA-FISHER:

I will. I'll make a motion to table. Can I have a second?

LEG. STERN:

I'll second.

CHAIRPERSON VILORIA-FISHER:

There's a motion to table and a second. All in favor? Opposed? Okay. **Tabled (VOTE: 5-0)**
Thanks. I just want opportunity to look at it.

LEG. ALDEN:

I know Wayne can look at it.

LEG. HORSLEY:

Yes, I suddenly became interested.

CHAIRPERSON VILORIA-FISHER:

Okay. Commissioner, you may join us. Okay.

IR 1865, Naming parkland in East Quogue in honor of John T. Donohue. (Schneiderman)

And it is my understanding, Counsel, that this did receive approval in the Naming Committee.

MR. NOLAN:

That is correct.

CHAIRPERSON VILORIA-FISHER:

Okay. Is had a motion?

LEG. STERN:

I'll make a motion to approve and, Madam Chair, yes, I was -- as the Chair of the Siting's Committee meeting, I can tell you that this resolution was approved unanimously.

CHAIRPERSON VILORIA-FISHER:

I'll second the motion. All in favor? Opposed? **IR 1865 stands approved. (VOTE: 5-0)**

IR 1866, Appropriating funds in connection with establishment of a dog park at Southaven County Park (CP 7065). (Browning) I'm going to make a motion to table. Is there a second? Okay.

LEG. STERN:

I'm going to make a motion to second just to get it before us so that perhaps we might be able to start with our Counsel.

CHAIRPERSON VILORIA-FISHER:

Before I go to Counsel I'll say why I made a motion to table. And counsel can elaborate on that. I've made a motion to table because as you know we have a process, a SEQRA process that's necessary for us to follow. And this resolution went before CEQ and it requires an EAF, which has not yet been prepared and deliberated upon by CEQ. This property's in the core, the Pine Barrens core and so CEQ wants to do its due diligence before it approves this particular resolution.

And Counsel had also -- I distributed some messages that I received from Jim Bagg with regards to CEQ and its deliberations. And I have talked to Counsel regarding SEQRA and, you know, we cannot appropriate this and then get the bond resolution on it without having SEQRA. So if -- did you want me to go ahead to Counsel and he can --

LEG. STERN:

Yeah, and maybe, yeah -- Madam Chair, I know we're going to get the explanation from George, but -- from our Counsel, but perhaps we can start with a specific reason as to why Counsel believes that SEQRA is even required, you know, in this matter.

MR. NOLAN:

Well, because you are talking about construction and changing the site. So SEQRA is -- a process is definitely required. The resolution right now has this designated as a Type II Action. CEQ has said that is incorrect, that it's an unlisted action, that an Environmental Assessment Form should be prepared, you know, typically by the department -- would prepare that form. And I can tell you that without SEQRA being completed properly, we'll never get a bond resolution. We'll never be able to get the bond passed.

So I would say that at this point with a Type II designation, at the very least this resolution is going to have to be amended before it's acted upon. So that'd be my recommendation to the Committee.

LEG. STERN:

If I may, through the Chair, I'm reading the, I guess what's purported to be a memorandum here and it's -- I've identified two elements here in the explanation saying that it requires further environmental review since, one, it's in the County park. And two, the exact location has not been determined within the park at this time. Is it both of those elements that require the environmental review?

MR. NOLAN:

That's the information that was provided from, I believe it was Jim Bagg.

CHAIRPERSON VILORIA-FISHER:

Yes.

MR. NOLAN:

But, you know, I assume there are going to be some physical changes to the park or that's my presumption. And that might be another reason why you would need a little more in depth. You couldn't characterize it as a Type II Action. So I think that's why it has the designation right now. That's why we're looking for an EAF. Something hopefully that the Parks Department could prepare relatively in an expedited manner would be excellent. It might be something we can pose to the Parks Commissioner.

LEG. STERN:

If I may, Madam Chair, that's going to be a question that I'll pose to the Commissioner.

Commissioner, if this does indeed require that type of an analysis to be done, what do you see as being the possibility of having it expedited so that we can come back and appropriate the monies that will be necessary?

COMMISSIONER PAVACIC:

Well, first of all, I think the -- there's one more CEQ meeting, which is in December. So I'm not sure if that would make -- what the deadline is or a cutoff is for that. But this is, as was alluded to, it is a -- in a more sensitive area. It's in the core preserve area of the Central Pine Barrens. It's also in the Carmen's River Scenic Wild and Recreational River Corridor.

So those are things that we would have to consider. And as Mr. Nolan has alluded to, there are physical changes that would have to be contemplated as part of that. You'd be altering a site for construction of a permanent facility there. So I can't indicate to you today that we'd be able to expedite the preparation of an EAF or something like this.

LEG. STERN:

Through the Chair, Madam Chair. To our Counsel, what do you see as being the timeline here necessary in order to finish the environmental review, then come back here and be able to get the bond in order to make the appropriation? What is our timeline and when is our time limit?

MR. NOLAN:

Well, in terms of the -- you're appropriating money that's already in the Capital Budget and Program for this year. So you -- to appropriate that money that's in this year's budget, you need to get it passed this year. I will say that I believe in a couple of instances in past years where SEQRA could not be completed timely, we have passed resolutions that appropriated the money and said *but it would not be expended till SEQRA was completed at a future time*. I believe we did that with a wall -- with the sound wall. I believe the County Executive proposed similar resolutions on other projects. So that is a possibility. But what I'm saying to you is in its current form this resolution really can't go forward.

LEG. STERN:

Okay. So notwithstanding the current form and there might need to be a change that's made to this particular legislation, you're saying that procedurally and legally it would be possible to pass this resolution as amended, even prior to the environmental analysis being completed in order to be able to pull down the appropriated money and then we can always complete the environmental review afterwards?

MR. NOLAN:

Right. But the money will never be expended till SEQRA is done.

LEG. STERN:

Understood. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. I would just like before I recognize the Presiding Officer, the next meeting of CEO is November 18th. And the next one after that is December 9th. So there are two meetings. Okay. Legislator Lindsay.

P.O. LINDSAY:

I guess of the Commissioner, what do we get for \$50,000? What constitutes a dog park?

COMMISSIONER PAVACIC:

A dog park is comprised of its black vinyl clad fencing. You have two areas; one for small dogs, one for large dogs. You also have a series of gates, I guess, for want of a better term, you call them airlocks, so that people enter the first series of gates, they let their dog off the leash and then open the second series of gates and let their unleashed dog then enter the main part of the dog run area.

There's also ground cover that's put down. In -- when we first established the original dog parks in West Hill and Blydenburgh, they were set up so you had a combination of woodland in some of those areas and more open areas where we installed turf. We've now since the turf doesn't do well after a period of time because it's not irrigated, we've gone over to using a special type of woodchip known as Fibar, which is softer on the paws of dogs.

There's also -- public water is extended to those sites. There's special dog watering fountains, which allow dogs to partake of water at ground level; that's where the water's dispensed. And then there's dog waste bag dispensers that are installed at strategic locations.

And then finally signage, is also manufactured and installed at each of the locations.

So all told it does add up. But the most significant cost is going to be the fencing, particularly the black vinyl clad fencing. Having the black vinyl makes it last longer. It's also much more esthetically pleasing.

P.O. LINDSAY:

Have we ever had to go through SEQRA to do this in the past to establish a dog park?

COMMISSIONER PAVACIC:

I believe we did at -- I'm almost certain at Blydenburgh. I don't recall West Hills; that was before my time. But I'm almost certain that it did happen at Blydenburgh. And one of the other things that had to happen, I believe, was a -- there's a master plan for Blydenburgh. And I believe that the master plan might have had to have been amended to allow that to be accommodated.

P.O. LINDSAY:

But the point --

CHAIRPERSON VILORIA-FISHER:

I think we did go through SEQRA with West Hills because I was Chair of Environment at the time and on CEO. And I'm pretty sure we did.

P.O. LINDSAY:

The point that I'm making here, we seem to be overreaching here. We have to go through a formality to get SEQRA's approval, but give me a break, we're building a fence. Sounds like you're building a Goddamn monument here that -- we can't get it done in time.

APPLAUSE

Come on, stop. Stop. I mean this is really, really over the edge. You know, we're putting up a fence and a bag dispenser. Come on.

CHAIRPERSON VILORIA-FISHER:

By the way, the EAF can be prepared either by the Parks Department or by the Legislative office that's introducing it for the design. I just wanted to add that there was that other piece of this.

LEG. STERN:

Madam Chair, maybe --

CHAIRPERSON VILORIA-FISHER:

Wait a minute, Legislator Browning is waiting.

LEG. STERN:

Oh, I just want to ask you the question on that or our Counsel, how is that determined?

CHAIRPERSON VILORIA-FISHER:

Either one can introduce that to CEQ, to the CEQ meeting. In other words, sometimes you have a, you know, DPW does presentations for road crossings, etcetera, or, you know, the Legislature could do a presentation with a plan for the park.

LEG. STERN:

And who representing the Legislature would make that determination as to whether or not we want to go that route?

CHAIRPERSON VILORIA-FISHER:

Well, I'd have to ask Counsel that. But it looked to me from my memos from the -- from CEQ that the sponsoring Legislator can get a drawing and, you know, have engineers or -- I'm not certain how that would be done. But she could, you know, her office could introduce this to CEQ.

LEG. STERN:

I saw that as well.

CHAIRPERSON VILORIA-FISHER:

Yeah.

LEG. STERN:

That it gives the option --

CHAIRPERSON VILORIA-FISHER:

Right.

LEG. STERN:

-- whether to go through the Executive or through the Legislative branch.

CHAIRPERSON VILORIA-FISHER:

I just don't know about -- how the expertise would be gained to do it. So that's why I'm tossing it to Counsel.

LEG. STERN:

Okay.

MR. NOLAN:

Yeah, I do know that it could be the Legislature or the department. It's almost always the department, I'm sure, because they have the expertise. I don't know that a Legislative office necessarily has the ability to do that. So I would expect the department would undertake the EAF.

CHAIRPERSON VILORIA-FISHER:

Legislator Browning. Are you done?

LEG. STERN:

Yes.

CHAIRPERSON VILORIA-FISHER:

Legislator Browning.

LEG. BROWNING:

Okay. I don't know if I want to follow Bill because I absolutely agree with everything you just said. I know the Commissioner and I -- when you first took the position, that's the location you took me to to identify as a possible dog park. And we're still sitting here today trying to get this dog park. And I remember, Steve, when you were working on yours, we started working on ours immediately after you. And Southaven Park -- there was -- five locations were identified. Southaven Park was one that was identified back then.

The issue that concerns me is to say that it's a sensitive area. Currently this sensitive area is used for overflow parking when there's events at the park. And it's used maybe once, no more than twice a year. So if it's sensitive, I'd like to know why are we using it for overflow parking with cars, where some of them may be leaking oil or any kind of fluids. So I just don't understand why it's so sensitive today when it hasn't been in all these years for overflow parking.

And, again, like, you know, I keep saying, my daughter lives in Colorado, there's dog parks all over the place. No, there isn't water and sometimes there isn't even fences and the dogs are allowed to run and people monitor their animals. I can see putting up garbage cans for waste disposal, but like you said, Bill, we're really -- it's getting out of control.

And my concern is, too, with the money, the \$50,000; if we don't appropriate this money by the end of the year, it's gone. We don't have it next year.

CHAIRPERSON VILORIA-FISHER:

Legislator Nowick.

LEG. NOWICK:

Commissioner, just a question. It's something I was thinking of and we might already be doing it, but how many dog parks do we have now?

COMMISSIONER PAVACIC:

We have three dog parks.

LEG. NOWICK:

Just three. And this would be a fourth?

COMMISSIONER PAVACIC:

Yes. We have -- right now we have West Hills, we have Blydenburgh. Earlier this year we opened up the natural borders pilot site at Mud Creek at the end of Roe Avenue in East Patchogue. And we're currently towards a fourth at Robinson Duck Farm, which would be another natural borders park immediately due south of Southaven on the south side of Montauk Highway.

LEG. NOWICK:

Just for curiosity, Commissioner, I know you have stands with the bags for the dogs and you have trash cans and you have fences and you have signs and, do we ever have somebody -- what I want to say is, can we sell maybe signage to a Petco or a Costco and use that as a little bit of a revenue? Do we do that at all? I know they do that in other states where they set up a beautiful -- they do it? We do it?

CHAIRPERSON VILORIA-FISHER:

We have legislation on that.

LEG. NOWICK:

But do we do it?

COMMISSIONER PAVACIC:

Currently no. But as the Deputy Presiding Officer indicated, there is the Memorials Committee, I believe, and there's new legislation in effect that allows for sponsorships.

LEG. NOWICK:

When did we pass that? I remember having it, but I don't remember how long ago.

CHAIRPERSON VILORIA-FISHER:

It was last year.

LEG. NOWICK:

Last year.

CHAIRPERSON VILORIA-FISHER:

Legislator D'Amaro introduced it last year and we passed it.

LEG. NOWICK:

When does that come into effect then? Okay, well, let me reword that.

CHAIRPERSON VILORIA-FISHER:

Why aren't we doing it?

LEG. NOWICK:

Are we doing that?

COMMISSIONER PAVACIC:

No. We're not actively soliciting. I think -- I think from our standpoint we would have -- presume that somebody would have approached the Committee and made an application to that. I don't recall if the legislation actually speaks to how a proposal gets before the Committee and is vetted before the Committee.

LEG. NOWICK:

Legislator Stern, that was your legislation, do you have any idea of how -- because I think it was great legislation to -- oh, it wasn't yours?

CHAIRPERSON VILORIA-FISHER:

It was Legislator D'Amaro's legislation.

LEG. NOWICK:

Oh.

CHAIRPERSON VILORIA-FISHER:

They're both from Huntington, but he'll take the credit, it's great.

LEG. NOWICK:

Okay, that's good. But it was great, okay.

LEG. STERN:

It's great.

LEG. NOWICK:

Okay. All right, so that's interesting, we have that legislation. It's not a lot of money, but it was our legislation and it is something. Yeah, it's an opportunity.

CHAIRPERSON VILORIA-FISHER:

We'll wait for that answer. In the meantime I have another question for the Commissioner. There was a speaker who mentioned that he has -- he pays ten dollars to go to West Hills. I didn't know that there was a surcharge there.

COMMISSIONER PAVACIC:

No. Perhaps that's the Town of Brookhaven. Not -- we don't charge a fee. The only fee that's charged is if a person goes to, say for example Blydenburgh during the summer, there's a parking fee that's charged to access that. But not to get into the dog park itself.

CHAIRPERSON VILORIA-FISHER:

Okay. Because I thought he said West Hills. That surprised me because I know it's not part of our parks fee structure.

COMMISSIONER PAVACIC:

There is a provision, I believe, in there for -- for charging for a fee for dogs, though, within the fee structure.

CHAIRPERSON VILORIA-FISHER:

But not at West Hills?

COMMISSIONER PAVACIC:

Well, we don't have one -- we don't have a dog park fee implemented at this time. Not one that we've instituted at any of these parks.

CHAIRPERSON VILORIA-FISHER:

So, Bill that was your question.

P.O. LINDSAY:

That was my question.

CHAIRPERSON VILORIA-FISHER:

I have another question regarding what that speaker said regarding routine maintenance and the availability of the doggie bags -- I'm not pressing it hard enough, sorry -- he said that there were not bags available at one of the parks. How routine is that maintenance and do we generally, I mean, is that a problem that occurs a great deal?

COMMISSIONER PAVACIC:

That's not something I have -- that's been brought to my attention at least not recently. We do have park staff at each of those -- full-time staff at each of those parks. They do patrol that area and they have made improvements. There were complaints, for example, about the parking area at Blydenburgh. We brought in special, what's known as state blend recycled concrete aggregate, commonly known as RCA, to make a -- an improved parking area for folks there. And we do know that that was appreciated by folks.

The bare -- the area of Blydenburgh, for example, that had been turf, the turf, because it's not irrigated, disappeared over time. We then based on the input we received from dog park users, we brought in that special type of woodchip, known as Fibar spread over that area. And that has received a lot of compliments as well. And we've done the same thing at West Hills as well.

So there is maintenance that's done. Folks do -- they do check dispensers, they do empty waste

receptacles on an as needed basis. And I have not heard of any significant complaints recently.

CHAIRPERSON VILORIA-FISHER:

Okay. Before I go back to Counsel so that he can answer Legislator Nowick's question, we have discussed this particular legislation or this site before. And at the Parks Committee meeting when we did discuss it, both you and Deputy Commissioner Bellone had stated a negative attitude toward this, that it was not an appropriate setting. But Legislator Browning is putting on the record that it was seen as one of the five options. So I'm wondering where the disconnect is in this?

COMMISSIONER PAVACIC:

It think actually it was Peconic H. There's a parcel located on the west side of Gerard Road, which was on that list, known as the Peconic H property; it was obtained, I believe, from the FAA. That site is about a ten acre site. It's fenced in and is located immediately across from Southaven. It's outside the Pine Barrens. It's outside the Scenic Wild and Recreational River Corridor.

However, a number of folks did not approve of that site including dog park proponents. But Southaven was not on the list that was -- Southaven property was not on the list that was presented to the Legislature.

CHAIRPERSON VILORIA-FISHER:

Can you just repeat why just to help us recollect, the reasons why it wasn't chosen by the Parks Department as an option?

COMMISSIONER PAVACIC:

What we were looking for, you know, one of the things that we have to balance is is other uses and potential conflicts with other uses and other activities in parks. That's why, for example, the natural borders parks have been particularly -- I wouldn't say problematic, but ones that required a great deal of scrutiny in terms of finding the appropriate location. Because you're not providing a formal fenced in area to prevent dogs from interacting with non-dog owners or other recreational users and protecting other members of the public and also allowing them to use a park for non-dog users, we've had to expend a fair amount of time trying to find those sites that were the most appropriate for the natural borders, for example.

And it's the same thing with the siting of parks in Blydenburgh and West Hills; trying to find the appropriate balance there where you're not going to significantly impact existing uses that are going on; camping, scouting, you know, a myriad of other uses there while still allowing dog park activities to occur.

CHAIRPERSON VILORIA-FISHER:

What's the objection to this particular site?

COMMISSIONER PAVACIC:

This particular site as we've said before, we use it for overflow parking in Southaven. As I said before, it is in the core preserve area of the Pine Barrens and Wild Scenic Recreational River Corridor, so that alone would have to be vetted before the Commission. It's a new use that hasn't formally occurred there before and would have to go before the Commission potentially to seek a hardship approval. There's no guarantee that the Commission would look favorably on such an application.

CHAIRPERSON VILORIA-FISHER:

The Pine Barrens Commission you're talking about.

COMMISSIONER PAVACIC:

Right. And a fact that we, as I said before, we are actively working towards the development of a site on the Robinson Duck Farm on an approximately five acre portion of the Robinson Duck Farm located immediately south of Southaven. So it's in the same geographic area not far from, you

know, it's maybe five, ten minutes away from Southaven.

CHAIRPERSON VILORIA-FISHER:

Okay. Legislator Browning.

CHAIRPERSON BROWNING:

Okay. Peconic H was something that came up after Southaven Park. The reason why that was -- there was no support from that. It's directly across from the Trap and Skeet Range. And some of the dog owners took their dogs to Peconic H and the noise of -- the noise of the gunfire definitely scared them.

CHAIRPERSON VILORIA-FISHER:

All twitching.

LEG. BROWNING:

And it's also next to residential homes, which was another issue. So we did reach out to the people who lived on the block, asked them how they felt about it. They were adamantly opposed to it. They said it's bad enough we have to listen to the Trap and Skeet range, now we have to listen to barking dogs. So that's why Peconic H was not agreed upon.

Now the Robinson Duck Farm, I know we went there. It's next to Wertheim. And I know at this time, John, that was decided that it was a pilot program and it's not confirmed that it would continue to be a dog park. It is only a pilot.

And again, to say that this is not a good location when it's been used for overflow parking, and I'll remind you again maybe twice a year it's used for overflow parking. And Long Island Dog and the dog owners have agreed that if it is needed for overflow parking, that they'll respect that.

CHAIRPERSON VILORIA-FISHER:

We have a motion to table and a second. And if I may, Legislator Browning, one other thing that in the SECOND WHEREAS it says where there's a dog park on the grounds of Coindre Hall, I don't think that that's an official dog park.

LEG. BROWNING:

Not official.

CHAIRPERSON VILORIA-FISHER:

Mr. Commissioner.

COMMISSIONER PAVACIC:

That is correct. In regard to Coindre Hall, the CEO and the Legislature approved a pilot fenced in area in the north, extreme northeast corner of Coindre Hall. But no other location was ever approved and there's no other approved off-leash location at Coindre Hall. Folks can bring their dogs there on-leash, but there's no off-leash area approved. And the pilot project has not been implemented at this time.

CHAIRPERSON VILORIA-FISHER:

Kate, I'm just offering that as part of the amendments that we need.

LEG. BROWNING:

Yep.

CHAIRPERSON VILORIA-FISHER:

Okay? Yes, and I'm sorry, Lynne, I forgot about that. Counsel had an answer for Legislator Nowick regarding the sponsorships.

MR. NOLAN:

Okay. Yeah, the D'Amaro law firm, I believe last year, did set up this program where the Naming Committee would consider corporate sponsorships that are brought before the County for monetary consideration. The law does state that the Parks Department is to create and maintain a listing of all facilities within County parks suitable for corporate sponsorship. You know, such listing shall include the identification of specific areas acceptable and appropriate for the placement of signage, etcetera.

The Parks Department is supposed to update that listing from time to time. But at least annually -- and annually present such listing to the members of this Committee. And that they shall -- again, the Parks Department shall design and implement a promotion program for sponsorship and naming opportunities and annually present the results of such promotion program to this committee.

LEG. NOWICK:

May I? So as I understand it, then the marketing of the program would come from the Parks Department. So that -- okay. And I -- if the Commissioner would let us know what's going on with the marketing, not right now, but also besides -- I was just thinking and maybe when you're considering your marketing, I do notice that in other states when they do marketing, it's not just about Petco or Costco, it's about people that perhaps have lost an animal and want to do something in memory of their beloved Beagle or whatever. So maybe the marketing could extend other than commercially.

CHAIRPERSON VILORIA-FISHER:

Legislator Stern.

LEG. STERN:

Yeah, thank you, Madam Chair. Yeah, before we take the vote, the motion right now is to table this resolution so that appropriate amendments can be made so that we can comply with procedural requirements so that we can proceed in getting the bond for the appropriation.

And as Counsel has reminded us that there is a procedure that we do need to follow. And that there is a timeline here, there is a deadline and we do need to complete our work by the end of the year so that we can allocate these monies. And I think it was important to go through the history and to answer your questions, Madam Chair, about how we came to be at this point regarding this particular location.

But let me also just remind all of us that this was a planning resolution put forth by Legislator Browning that was approved by this Legislature, was vetoed and overridden by this Legislature. And so, again, important to have a conversation about this particular location, but it is the -- the set policy of this Legislature to go forward at this location. And so really now it is about the funding and the requirements that we need to go through to be able to appropriate that funding. And hopefully we can get all of our work done right away so that we can come back next meeting and make that appropriation.

CHAIRPERSON VILORIA-FISHER:

Legislator Alden.

LEG. ALDEN:

I just have a couple of questions and maybe the sponsor can answer them or the Commissioner. The duck farm is -- the duck farm which is five minutes away as the testimony stated, which would be a natural boundary dog run, that's not appropriate or is appropriate?

LEG. BROWNING:

I don't know who wants to answer first.

LEG. ALDEN:

It's your district.

LEG. BROWNING:

Okay.

LEG. ALDEN:

So I would respect your --

LEG. BROWNING:

At this time it's a pilot. It's not necessarily -- the concern is it's next to Wertheim and -- the Wertheim Preserve, which is a federal preserve had some concerns about it. So it is right now a pilot to see if it works. So it's not set in stone that it's going to stay.

LEG. ALDEN:

Okay. And is it an active dog run right now?

LEG. BROWNING:

No.

COMMISSIONER PAVACIC:

No. Not at this -- we haven't yet established it, but we're moving towards that.

LEG. ALDEN:

So it's an almost pilot program.

COMMISSIONER PAVACIC:

Correct.

LEG. ALDEN:

Okay. No, I just -- I want to understand. And that's -- when you said natural boundaries before, you're not going to put up fences.

COMMISSIONER PAVACIC:

What we do use, we will employ judicious use of snow fencing to delineate certain areas, but we're not going to have -- there will be no continuous boundary of fencing. We use some of the existing natural vegetation to serve as a boundary. For example, if you went to Mud Creek at the end of Roe Avenue in East Patchogue --

LEG. ALDEN:

Okay.

COMMISSIONER PAVACIC:

-- we've used snow fencing in some areas to close up some more sensitive vegetational areas and poison ivy there, but have left other areas wide open, you can get right down to the beach there and the Great South Bay and so forth.

LEG. ALDEN:

Government entities did that to me when I was a kid so I wouldn't, you know, sleigh ride and things like that, so it uses snow fences.

But if we do go forward with this park, we're still going to go forward with the almost pilot program on the duck farm?

COMMISSIONER PAVACIC:

Yes. Regardless, yeah, we still -- still we feel that Robinson is an appropriate site for a natural borders dog park. And as Legislator Browning alluded to, it'd be treated as a pilot project to see how it operates just as Mud Creek is and we'll see if there's any issues with that, things that we

need to do to make refinements to it.

LEG. ALDEN:

Good. Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. I would just like to repeat Legislator Alden's question. Legislator Browning, if this pilot -- if you had more of a sense of the pilot being permanent, would this be an appropriate place, the Robinson Duck Farm? I think that's what your question was, wasn't it?

LEG. ALDEN:

One of them was, yes.

CHAIRPERSON VILORIA-FISHER:

Yeah.

LEG. BROWNING:

Well, I think it would be an appropriate place, however, Wertheim has some concerns. That's the issue, is if Wertheim is going to create some problems for us or have some question about it actually operating. And it is only a pilot, so.

CHAIRPERSON VILORIA-FISHER:

Okay. We have a motion and a second. All in favor? Opposed? **Motion tabled. (VOTE: 5-0)**

IR 1913, Approving a license agreement for Chris Smith to reside at Cedar Beach County Park, Southold. (Co. Exec. Levy) I'll make a motion to approve.

LEG. HORSLEY:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Horsley. All in favor? Opposed? Motion carries. **Approved (VOTE: 5-0)**

IR 1914, approving a license agreement for Corinne Pfeiffer to reside at Blydenburgh County Park, Smithtown. (Co. Exec. Levy) I'll make a motion to approve.

LEG. HORSLEY:

Second.

CHAIRPERSON VILORIA-FISHER:

Seconded by Legislator Horsley. All in favor? Opposed? **IR 1914 stands approved. (VOTE: 5-0)**

IR 1915, approving a license agreement for Keith Dobbs to reside at West Sayville Gatehouse at Charles R. Dominy County Park, West Sayville. (Co. Exec. Levy) I'll make a motion to approve, seconded by Legislator Horsley. All those in favor? Opposed? Abstentions? **Motion stands approved. (VOTE: 5-0)**

IR 1916, Approving a license agreement for Brian Kelder to reside at Scully Estate County Park, Islip. (Co. Exec. Levy) I'll make a motion to approve, seconded by Legislator Horsley.

LEG. ALDEN:

I just have one question on this one.

CHAIRPERSON VILORIA-FISHER:

Yes.

LEG. ALDEN:

And, Commissioner, you could probably answer this, unless somebody's here from the County Executive's Office. Is that part of our license agreement for the --

CHAIRPERSON VILORIA-FISHER:

With Seatuck, you mean.

LEG. ALDEN:

Right.

COMMISSIONER PAVACIC:

This is actually -- it was a separate license agreement that was done, if you remember there was significant vandalism --

LEG. ALDEN:

Right.

COMMISSIONER PAVACIC:

-- that occurred to the Scully Estate. And so a decision was made back then soon after that vandalism occurred to execute a separate license agreement for occupancy of the apartment within Scully to maintain security over the site. So this is a continuation of that agreement.

LEG. ALDEN:

All right. Because this departs from what we just did the other, whatever, two or three or four that we did before this, in that they were town -- not town. The County employees. And they have to go through a whole, I guess, ranking system and you have to vet them and things like that. Whereas this is just somebody that's going to work for Seatuck.

COMMISSIONER PAVACIC:

They already work for Seatuck. They already are an employee of Seatuck. What we wanted to do is maintain the prior occupant, Mr. Nardone, who's the Executive Director of Seatuck, purchased a house and moved out of the apartment.

LEG. ALDEN:

Yeah, he left.

COMMISSIONER PAVACIC:

And so we wanted to make sure that there was no opportunity for anything untoward to happen on the property and to maintain occupancy there. And it's a continuation of that. Yes, it was not -- it's not part of the typical housing rental program in that regard. And we do have other locations such as in West Hills where we do have non-County employees who were grandfathered in. They were there before the program was implemented.

LEG. ALDEN:

Okay.

COMMISSIONER PAVACIC:

And we've carried them through.

LEG. ALDEN:

The other ones we just approved, they pay rent. And the rent was -- it was modified because at one time we went with market rents then we modified them. Does this agreement allow for the payment of rent or --

COMMISSIONER PAVACIC:

Yes. This agreement allows for the payment of rent, but it goes back to the maintenance of the

Scully estate.

LEG. ALDEN:
Okay. Thanks.

CHAIRPERSON VILORIA-FISHER:
Okay. So there's a motion and a second. All in favor? Opposed? **IR 1915 stands approved.**
(VOTE: 5-0)

IR 1917, Approving rental charges and license fees recommended by Parks Housing Rental Board at its August 17, 2009 meeting. (Co. Exec. Levy) I'll make a motion to approve, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? Motion carries. **Approved**
(VOTE: 5-0)

If there is no further business the meeting stands adjourned. Thank you everyone.

THE MEETING CONCLUDED AT 2:20 PM

{ } DENOTES SPELLED PHONETICALLY