

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 19, 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:

Legislator Kate M. Browning, Third District
George Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel
Ben Zwirn, Deputy County Executive
Barbara LoMoriello, Deputy Clerk
Lance Reinheimer, Assistant Director of Budget Review Office
Jill Moss, Budget Review Office
John W. Pavacic, Commissioner of Parks Department
Steve Tricaraco, County Executive Aide
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Thomas Ryan, Aide to Leg. Vilorio-Fisher
Greg Moran, Aide to Leg. Nowick
Deborah Harris, Aide to Leg. Stern
Dennis Brown, County Attorney's Office
Stephen Jones, Suffolk County Water Authority
Ginny Munger-Kahn, LI-Dog
Patrick Skip Heaney, Commissioner of Economic Development and Workforce Housing
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 2:11 PM

CHAIRWOMAN VILORIA-FISHER:

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

SALUTATION

We do have a couple of cards. The first one is Ginny Munger-Kahn.

MS. MUNGER-KAHN:

Good afternoon everybody. Can you hear me? Yes, okay. I'm Ginny Munger-Kahn, President of the Long Island Dog Owners Group, a non-profit New York corporation that works to increase access to parkland for Long Island dog owners and their dogs.

Thank you very much to the members of the Parks Committee and Legislative Counsel for moving quickly to amend IR 1866 so the \$50,000 that has been set aside in the Capital Budget to create dog parks can be appropriated for a new dog park in Southaven County Park.

I urge you to pass the resolution today. There is no time to waste. The money must be appropriated by the end of the year or it's gone. In fact, there is no money in the 2010 Capital Budget for the construction of dog parks at all. This is our last chance to create a new dog park in Suffolk County for another year.

We strongly support a dog park in Southaven County Park. The site meets the needs of the community, dog owners and other park users. If the Parks Department needs to use that field for overflow parking occasionally, LI-DOG and our fellow dog owners will respect that. But, the use of that field for cars and trucks that leak oil on the ground makes the argument that the dog park raises environmental issues incomprehensible. We certainly hope the environmental issue is not being raised simply as a means to hinder the project.

Once again, we want to thank the members of the Parks Committee for their continued interest and commitment to this project. We so appreciated the perceptive questions and comments that members made at last week's committee meeting. We understand there's more work to be done before the Southaven Dog Park becomes reality, but we are confident that with your support, we will have a new dog park in Southaven next year. Thank you very much.

CHAIRWOMAN VILORIA-FISHER:

Okay. Ginny, I just wanted to clarify something that you just said, which is, you know, you hope that the environmental assessment isn't a way of hindering the -- okay. It's certainly not. It's the process that we have, okay. And whenever there is an activity or any kind of construction that's going on in any of our parks, it has to come before CEQ. That's our process. And if it's something that's within the Pine Barrens, they have to look at it more carefully. That's all part of our law. So it's not a game or a ploy or something that's being put out there to hinder anything. It's the process that we have to go by in order to approve something.

So I just wanted to, you know, that was a characterization that was really not equivalent to what the reality is. And I just wanted to clarify that on the record. Okay. That's the job of CEQ and they work very hard at doing that. They're volunteers and it's what they do. Okay.

MS. MUNGER-KAHN:

We will participate in the process and we welcome the process.

CHAIRPERSON VILORIA-FISHER:

Okay. Thank you. Just wanted to make that clear. Okay.

Our next card is Stephen Jones. And all members have received an aerial that was brought to us by

Stephen Jones. Okay. Cameron, here you can take mine. Barbara, is there another copy there? Legislator Alden hadn't received one. Thank you.

MR. JONES:

Thank you, Madam Chairman. Stephen Jones from the Suffolk County Water Authority. I just wanted to let you know that I was here to answer questions on IR 1993 and show you this aerial photo. And to get your bearings, on the left-hand side of the photo is the eastern campus of Suffolk Community College. On the top is CR 51 that goes into Riverhead, up on the hill. And you'll see on the right-hand side of the aerial a white ball, which as you're driving out on Sunrise Highway you would see that white ball on the hilltop on your left as you're going out east. It's a very prominent landmark out there.

So what we're doing in orange is basically executing with the County an easement that we can commonly use for us to get to our property, which is outlined in magenta and for the County to get to all of its properties as well.

CHAIRWOMAN VILORIA-FISHER:

Okay. Are there any questions for Mr. Jones?

LEG. ALDEN:

Steve.

CHAIRWOMAN VILORIA-FISHER:

Legislator Alden.

LEG. ALDEN:

Steve, you have a pumping station in there?

MR. JONES:

We do not have a pumping station in there. We have a pumping station on County Route 51, which was associated with the startup of the Suffolk Community College. It's off the map to the left. We do own the fee interest to the parcel and we do plan someday to put a pumping station in there.

LEG. ALDEN:

Okay. So, I mean, it's going to be minimal as far as the traffic through there; right?

MR. JONES:

That's correct.

LEG. ALDEN:

Is that an existing trail right now?

MR. JONES:

It's not a trail. It's a paved driveway.

LEG. ALDEN:

Oh, it's paved.

MR. JONES:

Yes.

LEG. ALDEN:

Who actually polices that?

MR. JONES:

It's kind of self policing to with whoever has the key to the gate that's out on Speonk-Riverhead

Road. I believe there's a gate there so you don't -- people don't just like drive in there.

LEG. ALDEN:

Okay. Yeah, because the only concern that I would have for any parcel, and it doesn't matter this parcel or any other parcel, is that we buy these things for open space and then we end up with people going in there with these off-road vehicles and just ripping the place apart. So, that's the only, you know, the only concern I would have; otherwise to allow you guys access, I'd fully support it.

CHAIRWOMAN VILORIA-FISHER:

Okay. Are there any other questions regarding the resolution? Okay.

While Mr. Jones is here, he and I were having a conversation earlier and I thought he had a very intriguing idea regarding dog parks and fire hydrants.

MR. JONES:

It's a little goofy, but, we throw away about 40 to 50 fire hydrants a year just for the scrap of it. I spoke to John Pavacic a while back about, *hey, why don't we put a -- we could put these hydrants in the dog parks.* We looked at creating a filter media that could be put in the soil for the first foot-and-a-half of soil around the hydrant, we can change the hydrants out because they can be put in a sleeve every couple of years and just -- it's another way to reuse something instead of just throwing it away, for what it's worth.

CHAIRWOMAN VILORIA-FISHER:

Thank you, Steve. Well, you know what, I like the way you said, you know, let's filter the media around it and I think it's just makes sense. I think it's a cute idea.

MR. JONES:

I met with a couple of the women from one of the organizations over at Sweet Hollow just to make sure I wasn't -- hadn't totally lost my mind. And they seemed to think it was an interesting, intriguing thing that we might want to follow-up on.

CHAIRWOMAN VILORIA-FISHER:

Thank you, Steve.

LEG. HORSLEY:

Cute.

CHAIRPERSON VILORIA-FISHER:

Okay. Is there anyone else who wanted to speak to the Committee? Okay. Then we'll move to the tabled resolutions.

TABLED RESOLUTIONS

1800, Adopting Local Law No. -2009, A Local Law to regulate privatization of County owned marinas. (Alden) Is there a motion?

LEG. ALDEN:

Motion to approve.

CHAIRWOMAN VILORIA-FISHER:

There's a motion to approve. Is there a second?

LEG. NOWICK:

I'll second.

CHAIRWOMAN VILORIA-FISHER:

Okay. There's a motion to approve and a second. Any discussion on the motion?

LEG. ALDEN:

Just as a refresher that -- we tabled this, whatever it was, a week ago, to give you a chance to take a look at it because everybody thought it was moot when we passed the budget. But actually it's not. This follows the way we did a little bit years ago with the health centers. There was some pressure to privatize the health centers and that privatization would have taken place without any input from this Legislative body.

This makes sure that this Legislative body is in the loop before marinas can be privatized. And that was kind of made abundantly clear that we were out of the loop, we were not even going to be consulted. And then our Chairwoman actually sat down with some of the user groups that were involved in this later on and hammered out some things that are going to be very beneficial to Suffolk County, to the user groups and to the marinas, which if we'd have been involved in the first place, it wouldn't have come down to brinkmanship and would have been a lot better process. That's the only reason why I put this in here. For the next month-and-a-half it'll affect me; after that it doesn't affect me at all. But --

CHAIRWOMAN VILORIA-FISHER:

Okay. To corroborate that, as Chair of Parks I received many letters from constituents, who were marina users. And I have to say that until I received those letters, I had no idea that this was going on. And the RFEI had been -- the concept of the RFEI had been prepared and before there was even consultation with the Commissioner of the Department. And so I will be supporting this. Because we also had to face -- I know, Mr. Heaney, that you would like to come up and -- I welcome you to come forward if you would like to answer questions.

It actually made its way into the budget, when there was no realistic expectation that the deal would be completed before the end of the year. And it made it a very, very difficult hurdle in addressing the budget when a revenue of \$300,000 was estimated to be realized in the budget because of the privatization of the marinas, when all that was out there was an RFEI.

So it really behooves us to insert ourselves in as early a point as possible into this kind of negotiation so that we as a coequal branch of government can have a say and certainly have the knowledge of what's going on in our County.

LEG. STERN:

Madam Chair?

CHAIRWOMAN VILORIA-FISHER:

Legislator -- oh, I'm sorry, Legislator Nowick was waiting and then Legislator Stern.

LEG. NOWICK:

I just wanted to make one point here by the passage also of this resolution this -- because I would hate for anybody to misinterpret what we're saying here. This in no way sends a message that we are yea or nay as far as privatization. This is not supporting privatization. This is simply stating if it should occur the Legislature has a say in it.

CHAIRWOMAN VILORIA-FISHER:

That's absolutely right. Yesterday I spent two-and-a-half hours with the RFEI Committee because we're trying to look at it objectively. It's just a matter of being part of the process. Legislator Stern.

LEG. STERN:

Thank you, Madam Chair. And I guess this is really directed to Counsel. In what way would this resolution change the procedure that we would have to follow at this point? I mean, how would the enactment of this legislation have prevented the Executive from putting in the revenue from -- in the

budget that obviously we changed and for the better, but would this resolution have prevented that revenue from the privatization of a marina or any County asset from being put into the budget? And what role would we play in having prevented that in the first place?

MR. NOLAN:

Well, I don't think the law necessarily would stop the County Executive from putting revenue in the budget like he did this particular year, you know, he can do that. But what the law does do is it does create a clear process that let -- you know, there has to be public hearings before a deal is finalized. There has to be an analysis by the Budget Review Office. And it makes it clear that privatization can happen without a Legislative resolution. I think it was asked at the last committee meeting, *wouldn't that be necessary anyway without this law?* And my answer at that point was, no, not -- again, not necessarily. A lot of things happen at our parks facilities. RFP's go out, concessions, construction of -- improvements to our facilities. And the Legislature's never really involved in those things. Those don't come back to us. This makes it clear that a privatization of a marina would have to come here.

LEG. STERN:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Mr. Heaney.

COMMISSIONER HEANEY:

Thank you very much. I'll just weigh in and say that to the extent that putting the revenue into the proposed budget triggered a dialogue, that resulted in at the end of the day with people examining the fees that were being paid at marinas. And it resulted not in a \$300,000 increase but 220,000 increase. That moved in the right direction. So I think we can all claim victory in that regard.

I myself just did a very informal survey of a dozen marinas once this discussion started to ensue. And I took note of the Shinnecock facility that's out at Shinnecock Canal. And I went and had someone call up Jackson's Marina, which is the largest marina on the canal and Corrs Marina, which is the second largest. And both of those were getting -- one was getting \$135 a foot and the other is getting \$134 a foot. And at the same time in our facility we were getting \$50 a foot.

So to the extent that promoting a request for expressions of interest and including a revenue source in the proposed budget resulted at the end of the day with a process that you're happier with and a revenue source that is over and above that which would have existed had we not had some discussion, I think we could all claim a little victory here.

CHAIRWOMAN VILORIA-FISHER:

I don't want to be argumentative, however, I had suggested those fees a year before in the fee schedule that I had submitted last year during that budget deliberation. However, I give you fifty percent of the statement, which is it did lead to a great deal of dialogue. And we have a very positive relationship with the marina groups. The County Executive will now be meeting with the members of the two marina clubs or groups on a regular basis to have input on a regular basis, so that was one of the positive outcomes.

COMMISSIONER HEANEY:

I agree entirely.

CHAIRWOMAN VILORIA-FISHER:

Okay. We have two people on the list who want to ask you questions. Skip, don't go away because I have Legislator Alden and Legislator Stern who I think both want to ask you questions. Legislator Alden.

LEG. ALDEN:

First, I want to recognize that the statement I'm going to make really has nothing to do with you, Mr. Heaney, but during the process -- and you know what, the end result was a dialogue that should have taken place in this Committee directed by this Chairwoman along with our Commissioner of Parks with the user groups. And as she points out very rightly so, the Commissioner -- the Chairwoman of this Committee was pushing for fee increases over a year ago, which the County Executive prides himself in always fighting against those or actually denying that there will be any fee increases. So that's one part of the story.

But the other part of the story really that has to be on the record and I want to make sure that there's a clear record, that when those user groups found out that there was a possibility to have those marinas sold or privatized, there wasn't a dialogue and there was no forum for a dialogue except for the Chairwoman creating a forum for dialogue. The same day that the people that were the -- made up the user groups, so the same day that boat owners got a letter from the County Executive stating that there was never going to be a privatization, that that privatization would not take place, this was strictly a request for information. The same day that they got that letter, he held a press conference at 11:30 or something like that in the morning and one of the ten greatest points of his proposed budget was a privatization of the marina.

So if you want to talk about honesty and being forward and, you know, bringing forward the truth, this County Executive did not engage in that type of activity. And that's what we -- or that's what I took great exception to. And that led, of course, to contacting Mr. Nolan who crafted, I think something that fits right in with things that we've done in the past, to make sure that the proper way to do any of that, even privatization or raise the rates is to involve the users, involve the Department of Parks, involve this Committee. So then that's -- that actually -- it's not a question for you. It's a statement and a statement of fact, the way this -- the whole thing went down. So if we're going to look at the history, I don't want to see it revised by one side or the other; that's pretty much the history of it, so.

COMMISSIONER HEANEY:

Clearly, it would not be my intention to revise anything prior to my arrival --

LEG. ALDEN:

I know that.

COMMISSIONER HEANEY:

-- in this discussion here at all.

And I will point out in fairness to the County Executive that we had some of this discussion earlier at committee. And I went on the record on behalf of the County Executive making it hopefully clearly understood that he was not married to the notion of privatization. He looked at the possibility in that effort of increasing fees or improving efficiencies to be considered. And I did go on the record saying that. And I just need to put that back out there one more time.

For myself, I think it's more important to march forward than to reflect backwards, but that's -- that's just me.

CHAIRWOMAN VILORIA-FISHER:

Legislator Stern.

LEG. STERN:

Yeah, thank you, Madam Chair. This is actually once again for Counsel. Just trying to be clear on what this proposal provides for and what it does not. And if we're going back to take a look at revenue that's placed into the budget, or even a request for information, as was the case here, I mean, this legislation does not prohibit that. This serves as more of a backstop on the other end so that no trigger could be pulled on the sale of county-owned marinas without going through the

procedure that's laid out in this resolution. But I don't see anything here, and correct me if I'm wrong, I don't see anything here that would prohibit or change the process that -- that we just saw.

CHAIRWOMAN VILORIA-FISHER:

Okay. I'm just going to jump in although I know it's a question for Counsel, but I think you know the answer that it doesn't prohibit because the County Executive in his recommended budget can actually recommend anything he wants.

What we're looking at here is the great deal of consternation that there was among the user groups who said, *Madam Chair, I just received this letter from the County Executive saying that it's only exploratory and I'm looking at a press release that says one of the things that's going to come out of the budget is that we are going to privatize the marinas.* It would have been a much more comfortable position for me to be in as a Legislator to say, *but it won't be able to be accomplished without the imprimatur of the Legislature.*

LEG. STERN:

And that is why I'm going to support the resolution. Because I think that the backstop on the other side is important to codify. And I think it's important for us to be comfortable with that and those that we represent.

CHAIRWOMAN VILORIA-FISHER:

Right.

LEG. STERN:

But what I'm going to, is with the process that we just witnessed that we might have supported or not, but this resolution doesn't really prohibit that, whether it's a county marina or any other, again, county-owned facility, whether it's a request for information or a budgetary issue, you know, neither of those issues are covered by this resolution and I just wanted to be clear on that.

MR. NOLAN:

Yeah, and if I could just add, I think the genesis of this law was when the privatization proposal was out there, Legislator Alden asked me if a marina is ultimately privatized, does that have to come back to the Legislature before it happens, before there's an agreement. And I said in the absence of a policy declaration by this Legislature laying out a procedure and saying that the Legislature would have to approve such a deal, it was not clear.

So I think that's what Legislator Alden was trying to accomplish, was to make a policy statement that no privatization can happen without a legislative resolution, public hearings and an analysis by Budget Review.

LEG. STERN:

Good.

CHAIRWOMAN VILORIA-FISHER:

Thank you, Mr. Heaney.

COMMISSIONER HEANEY:

Thank you.

CHAIRPERSON VILORIA-FISHER:

Okay. We have a motion to approve and a second. All in favor? Opposed? Motion carries.

Approved (VOTE: 5-0)

1866 (Appropriating funds in connection with establishment of a dog park at Southaven County Park -CP 7065) (Browning)

Okay, 1866. It's my understanding, Counsel, that you did make the changes?

MR. NOLAN:

Changes were made that would allow this Committee to move forward at this time.

CHAIRPERSON VILORIA-FISHER:

Okay. And it's also my understanding that we can approve of the bonding, the appropriating of the funds?

MR. NOLAN:

Right.

CHAIRWOMAN VILORIA-FISHER:

And that the bond wouldn't actually be released until SEQRA has been completed, but we can within this body approve of it at this point.

MR. NOLAN:

Right. What we're doing is we're appropriating the money that's included in the Capital Budget and Program. Bonding will happen later, after the SEQRA process is complete.

CHAIRWOMAN VILORIA-FISHER:

Okay. I see that the Commissioner has approached the bench. Actually come to the table, and I assume you want to say something about this, Commissioner.

COMMISSIONER PAVACIC:

Yes. Thank you, Deputy Presiding Officer Vioria-Fisher. I just have a few comments to make regarding this resolution. First of all, I just want to point out that the County Executive is highly supportive of dog parks in general. Believes that they are an important recreational resource. And he certainly very much supports the creation of these dog parks throughout the County.

However, in this economic climate the concern that he has is the cost of creating these, particularly the formalized dog parks that have permanent fencing, such as the one proposed for Southaven Park. Our latest estimates indicate that it will cost approximately \$90,000 to construct all the facilities necessary for Southaven.

Similarly, for another formal dog park that we have contemplated in West Sayville, we've estimated that that would cost approximately \$60,000 to create all of the infrastructure necessary at a time when we are still within a significant economic downturn. And one thing he would ask is that we pause to reconsider how the cost of these and to determine if there are alternative means of funding these more formalized dog parks, the ones such as we have in Blydenburgh and West Hills County Park.

I'd also like to reiterate that, as I said before, as this is located in the Central Pine Barrens, the core preservation area, this will need to go to the Pine Barrens Commission. And there's no guarantee that this would be approved. So the potential is there, that if this money were appropriated, that it might never be able to be spent if the Commission denies siting something there.

A few years ago the State Legislature made it harder for governmental agencies to approve construction or activities within the core preservation area. They imposed a standard known as compelling public need just on public entities. And it's a higher standard, a higher threshold that must be met. And at this point it's unclear if that standard could be met by a provision of a dog park in Southaven.

In addition, as I mentioned before, New York State Department of Environmental Conservation would also likely need to weigh in on this particular project.

In addition, the Parks Trustees did vote against a prior -- the prior resolution regarding the site --

for the siting of this in the overflow parking area. And at this point it's my understanding that until -- unless there is an override taken by the Legislature that the Parks Trustees' actions would prevent this moving forward.

I will point out, though, that we will prepare an EAF for this project. We'll carry that forward to the various involved agencies which would include CEQ, would include the Commission, would include DEC, so park staff will be -- will prepare that as needed.

I will also point out that we are intending to move forward with the Robinson Duck Farm, natural borders dog park. Robinson Duck Farm is located just due south of Southaven, located on the south side of Montauk Highway. That is a -- as I said, a natural borders dog park. CEQ approved that and adopted an unlisted negative declaration for that project.

As I've indicated before, we would proceed with that as a pilot project in part because that is the assurance that we had gave to some interested parties including the wildlife refuge there, that we would first treat it as a pilot project. But after a period of time such as six months to a year, if there's no significant issues that have arisen with that, we would make that permanent. And as we speak, park staff are engaging in preparing the site for that and we expect that to be up and running within ten days to two weeks from now.

Finally, I would also like to point out that in the amended resolution, it still states that dog runs have been established on the grounds of Coindre Hall in the Town of Huntington. And that is incorrect. There is no formal approved dog run on Coindre Hall in the Town of Huntington. As I mentioned before in prior testimony, there was a pilot, two-year project that was approved by both CEQ and the Legislature for an area in the northeastern quadrant of Coindre Hall. But that has heretofore never been implemented. So, again, there's no formal approve -- legally approved dog run at Coindre Hall.

With that I would ask that the consideration be giving to not approving this resolution or at least tabling it because of the testimony I've provided. Thank you.

CHAIRWOMAN VILORIA-FISHER:

I just want to apologize, when I looked it the amended copy I missed the Coindre Hall reference. I had pointed that out at the last Parks meeting. But Counsel informs me that because that's in a Whereas Clause, it doesn't really have the impact of -- that it would if it were in a resolved clause.

MR. NOLAN:

Additionally --

CHAIRPERSON VILORIA-FISHER:

I'm sorry.

MR. NOLAN:

Chairperson.

CHAIRPERSON VILORIA-FISHER:

Go ahead.

MR. NOLAN:

Because of the usual schedule we have, we can amend this to delete that reference and have it actually be voted at the general meeting, yeah.

CHAIRPERSON VILORIA-FISHER:

So that can be deleted before the general meeting.

In addition, this is -- I'm recommending to the sponsor, to Legislator Browning, that because of your

resolution regarding the decision of the Trustees that you ask George, Counsel, to draw up a resolution overriding the Trustees' negative resolution on the dog park. So that, you know, we can cross that hurdle.

The third is with regards to the money, if in fact we don't get the approvals from the Pine Barrens Commission, DEC, CEQ, we're not going to lose the money, it'll just not be spent. So, you know, that's -- however, if we don't do this the money won't be there in the budget if those approvals were forthcoming. So I'm going to make a motion to approve. Did we have a motion and a second?

MS. LOMORIELLO:

No.

CHAIRWOMAN VILORIA-FISHER:

No, I don't believe we had a motion yet. Is there a second?

LEG. ALDEN:

Second.

CHAIRWOMAN VILORIA-FISHER:

Seconded by Legislator Alden. Oh, I'm sorry, on the motion, Legislator Alden.

LEG. ALDEN:

Commissioner, you didn't bid the job yet, right? Or even spec it? Or yeah, you had to spec it, right, to get an estimate?

COMMISSIONER PAVACIC:

For the Southaven?

LEG. ALDEN:

For the fencing and --

COMMISSIONER PAVACIC:

Yes.

LEG. ALDEN:

Okay. But you didn't bid the job, right?

COMMISSIONER PAVACIC:

No, no. We wouldn't do that unless -- unless we had --

LEG. ALDEN:

All the approvals.

COMMISSIONER PAVACIC:

-- all the approvals and approved plans and so forth.

LEG. ALDEN:

Okay. Time frame, how fast could all those approvals -- because some of those bodies don't meet on a regular basis, or the regular basis is once a month. It's not really a once-a-week type of thing.

COMMISSIONER PAVACIC:

Well, besides preparing the long Environmental Assessment Form, we would also need to prepare a plan for the site that can be done internally. But once that is done, the Commission meets on a monthly basis, the Pine Barrens Commission, once a month. And, in addition, DEC, anything can be submitted to them at anytime. But generally, they take approximately three months to process a permit application.

The Commission, though, could be more difficult because they have other requirements, other materials that they will likely require that we submit. And that could be a lengthy process that even once it gets onto their agenda, that could stretch out over several meetings.

LEG. ALDEN:

So, okay. And your assessment was correct, then. I look at this as preserving the funding, which if we don't use it for the dog parks, say we do hit some kind of major hurdle or major environmental thing that we can't get passed, we're going to have some input as far as how the other dog park, that's kind of across the street, like five minutes away, right, you said within the next ten days that'll be operational?

COMMISSIONER PAVACIC:

Yes. Next ten days to two weeks.

LEG. ALDEN:

So we'll have some input from that.

COMMISSIONER PAVACIC:

That's about five minutes, seven minutes from this proposed site in Southaven.

LEG. ALDEN:

Okay. So as a backup, I think that, you know, I support the preserving of the money. And we've done many, many -- not a real lot of resolutions, but we've done some resolutions where we -- we take funding that wasn't used for its first original intended purpose and we use it to bring down some of the existing debt or some of the outstanding debt. So that's what we're doing here is preserving this in case we can get all the approvals.

CHAIRPERSON VILORIA-FISHER:

Legislator Nowick.

LEG. NOWICK:

Commissioner, just a quick question, did I hear you say it's going to cost \$90,000? And then did you say an additional 60 or was that --

LEG. ALDEN:

That's a different place.

LEG. NOWICK:

Oh, okay.

COMMISSIONER PAVACIC:

The 60 was for another proposed dog park, which is in West Sayville, Cherry Avenue at the former Aero World.

LEG. NOWICK:

Okay. But 90 would be for the fencing?

COMMISSIONER PAVACIC:

No, and it's not just fencing, it's all the infrastructure. Basically it would be for fencing, for extension of water mains to the site, for installation of specialized dog water fountains, dog waste dispensing bags, signage, as well as special ground cover we called Fibar. It's a special softer wood chip material. What we've learned from our other active dog parks where we had put turf in, obviously those areas are not irrigated. And even if they were because of the level of use the grass just will not survive. So we have in those open areas that are not wooded within those fenced dog parks, we have gone over to using this special wood chip product, which is better for dogs because it's softer

on the paws. But the Fibar material would have to be spread over virtually the entire site because the majority of the site is un-vegetated; it's bare ground.

In addition, the cost would include the creation of a parking area and using RCA, recycled concrete aggregate in that area. And what we use is a higher grade of recycled concrete aggregate known as state blend, which is not contaminated with asphalt, glass, brick or other materials from a demolition; it's pure concrete -- crushed concrete.

LEG. NOWICK:

Thank you, Commissioner.

COMMISSIONER PAVACIC:

You're welcome.

CHAIRWOMAN VILORIA-FISHER:

Legislator Browning.

LEG. BROWNING:

Yeah, I just want to ask, I know I spoke with Legislator Lindsay about the Sayville dog park and we certainly want to make sure that the Sayville residents have one, too. When exactly do you expect to have the duck farm up and running?

COMMISSIONER PAVACIC:

Our folks have -- they have already marked out the boundaries of the area. They have started to put up appropriate snow fencing. We're having signs being prepared in our sign shop. And they have also ordered recycled concrete aggregate for a parking area and will be installing a split rail fence to delineate the parking area. The snow fencing should -- will be going up within the next few days. The RCA will take a little bit longer to get in there and to just grade the appropriate area and lay that down. But as I indicated, we're figuring to get that done within the next ten days to two weeks.

LEG. BROWNING:

Okay, thank you.

COMMISSIONER PAVACIC:

You're welcome.

CHAIRPERSON VILORIA-FISHER:

Okay. There's a motion and a second. All in favor? Opposed? Motion carries. **Approved (VOTE: 5-0)**

INTRODUCTORY RESOLUTIONS

IR 1993, Authorizing the granting of a reciprocal permanent easement with the Suffolk County Water Authority on drinking water protection lands of the County of Suffolk - County parkland along Speonk Riverhead Road in the Town of Southampton (SCTM No. 0900-213.00-01.00-057.002 p/o). (Co. Exec. Levy) And this is what Mr. Jones spoke about earlier.

LEG. ALDEN:

Motion.

CHAIRPERSON VILORIA-FISHER:

Motion by Legislator Alden.

LEG. STERN:

Second.

CHAIRPERSON VILORIA-FISHER:

Second by Legislator Stern. All in favor? Opposed? **1993 stands approved. (VOTE: 5-0)**

IR 1994, Reappointing Ronald A. Beattie as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 5). (Pres. Off. Lindsay) This was introduced by the Presiding Officer. I'll make a motion -- is Mr. Beattie here? I didn't think so, okay. It's a reappointment, I apologize, it's a reappointment. See how easily you can throw me off, Wayne. Okay.

LEG. HORSLEY:

I pay attention.

CHAIRWOMAN VILORIA-FISHER:

I'm going to make a motion to approve, seconded by Legislator Stern.

LEG. ALDEN:

On the motion.

CHAIRWOMAN VILORIA-FISHER:

On the motion, Legislator Alden.

LEG. ALDEN:

And I'm sure that the Presiding Officer did some due diligence because there were some members that were not showing up at meetings and I think they ended up being replaced. Is the Presiding Officer still here?

CHAIRWOMAN VILORIA-FISHER:

Well, actually he's not. He had -- he was doing a presentation elsewhere. But I can ask Barbara LoMoriello who's on the Oversight Committee, would you have any knowledge as to attendance by Mr. Beattie? Because I think that's one of the issues that has come up, people attending.

MS. LOMORIELLO:

Yeah, no I don't. I really don't.

LEG. ALDEN:

I don't mind --

CHAIRWOMAN VILORIA-FISHER:

Sorry to put you on the spot, Barbara.

LEG. ALDEN:

But I don't mind approving this and then just getting that information before -- three months from now when we have the meeting.

CHAIRPERSON VILORIA-FISHER:

Okay.

LEG. HORSLEY:

That's right.

LEG. ALDEN:

I'm only being facetious, but it's -- it's the first week in December. Right?

LEG. HORSLEY:

Yeah.

CHAIRPERSON VILORIA-FISHER:

Yeah.

LEG. ALDEN:

So we do have plenty of time to get that information.

CHAIRPERSON VILORIA-FISHER:

Yeah, actually I'm going to ask my staff to look at that and we'll make the contacts for you. Usually Noel comes to these meetings, but having such a busy schedule this month he's not here today. So we'll look into that. Thank you for the question, Legislator Alden.

There's a motion and a second. All in favor? Opposed? **1994 stands approved. (VOTE: 5-0)**

IR 2026 (Amending the 2009 Capital Budget and Program and appropriating funds in connection with restoration of West Neck Farm - aka Coindre Hall, Huntington - CP 7096) (Co. Exec. Levy) I have a note that this has been withdrawn.

LEG. ALDEN:

Does Commissioner --

CHAIRWOMAN VILORIA-FISHER:

Commissioner?

COMMISSIONER PAVACIC:

I'm not aware of it being withdrawn.

CHAIRWOMAN VILORIA-FISHER:

Okay. I may have gotten an incorrect note. I'm sorry?

MR. PERILLIE:

Table subject to call.

MR. NOLAN:

We're going to pass over it.

CHAIRPERSON VILORIA-FISHER:

We'll pass over it for now and double check whether or not there's an intention to withdraw it. Okay.

IR 2027, Appropriating funds in connection with restoration of Smith Point County Park (CP 7162). (Co. Exec. Levy) We saw pictures in the paper of the kind of damage that was done by the Nor'easter.

COMMISSIONER PAVACIC:

In fact, those pictures did not show you directly in front of the pavilion where the steel sheet wall is completely exposed now. And there's a ten foot drop from the boardwalk down to the beach; what's left of the beach there.

CHAIRWOMAN VILORIA-FISHER:

Well, I think we have nothing to do but to say let's make a motion to approve.

COMMISSIONER PAVACIC:

Yes, please.

LEG. HORSLEY:

How the memorial?

CHAIRPERSON VILORIA-FISHER:

Can I have a second?

COMMISSIONER PAVACIC:

The memorial is fine. It's protected by the seawall and in fact there's still a substantial portion of dune that's left by the memorial. But the area directly in front of the pavilion took a direct hit.

LEG. ALDEN:

Madam Chair.

CHAIRWOMAN VILORIA-FISHER:

Legislator Alden.

LEG. ALDEN:

Through the Chair, if you could just tell us the million two brings in sand or and does it -- do we need to do anymore work to the cesspool field, which that's what that steel sheeting is protecting?

COMMISSIONER PAVACIC:

It's protecting that, but it's also a last line of defense for the pavilion and all the other infrastructure on the backside of it. You're correct, Legislator, the leaching field for the sanitary system is behind the seawall between the seawall and the pavilion. We are still evaluating what the next step will be. There's no -- because there's no dredging project on the horizon right now, which would be normally a ready source of sand. So we're meeting with FRES and with DPW to try to determine, you know, what type of project we can undertake to replenish the beach.

LEG. ALDEN:

So, 1.2 is a guesstimate that we're going to need that much sand to come in?

COMMISSIONER PAVACIC:

No. That's just what's in the -- this year's 2009 Capital Budget for Smith Point. Not necessarily that entire amount would be used. We don't have a cost estimate yet as to -- we don't have a project designed yet. We're just accumulating data from the field to provide to the State Emergency Management Office and to our own Emergency Management Office just to determine what the extent of the damage is and try to apply a cost to that. But we don't have any -- any real numbers at this point.

LEG. ALDEN:

So, again, this would just be protecting that 1.2 million. But how are we coming with plans to actually relocate? And have we advanced those plans to possibly relocate the pavilion?

COMMISSIONER PAVACIC:

No. There's no real design proposal that I'm aware of in the works to relocate the pavilion.

LEG. ALDEN:

Okay. Because in prior years, maybe it's just a discussion, but we had talked about maybe bringing it back towards where the parking lot is, something along those lines because of the attack -- and it's not an attack, storms do hit and then they go right up to the pavilion and that costs a lot of money to protect it. That sheathing was a lot of money. And if we get another storm on top of that -- that Nor'easter that we had, we're still in -- are we in hurricane season or we're out of hurricane season?

LEG. NOWICK:

We're just about out of it.

LEG. ALDEN:

We're just about out. So, okay, this year the Nor'easters can hit anytime. And that actually could attack the integrity of the pavilion, a real heavy storm.

COMMISSIONER PAVACIC:

Right. Nor'easters can -- we can get Nor'easters up until the beginning of May.

LEG. ALDEN:

Okay.

COMMISSIONER PAVACIC:

So we have to make it from now through then.

LEG. ALDEN:

Thank you.

CHAIRWOMAN VILORIA-FISHER:

Okay. Legislator Stern.

LEG. STERN:

Yeah, thank you. Commissioner, my notes here reflect that this is \$1.25 million that would go for work on the boardwalk, for storage, for parking lot, for electrical system restorations, I mean, that's what this -- the purpose of these monies are for; correct?

So just to follow-up Legislator Alden's question, I mean, what if any of these monies that we're allocating for these purposes could be used for restoration or would any restoration effort have to be done out of, you know, completely different, you know, appropriation or could we use some of these monies for that purpose?

COMMISSIONER PAVACIC:

If you -- I don't have the approved Capital Budget plan for 2009 in front of me, but the larger description for the Smith Point capital project line does include dealing with erosion. It's always been part of that capital project line. It does allow for that.

I mean, if we -- if we were not subject to erosion and storm damage, we would be looking to implement the -- some of the basic aspects of the master plan there and make those improvements, which include the campground, upgrading electric. And there's a proposal for a nature boardwalk and a nature center. There's a number of amenities that are proposed for the site. But we always have to keep in mind that because it is on the ocean, it is subject to erosion. So it is likely that a portion of the funds would need to be used for that purpose.

LEG. STERN:

Thank you.

CHAIRWOMAN VILORIA-FISHER:

Legislator Horsley.

LEG. HORSLEY:

Yes. Hi, Commissioner. Just if we were to expend this million two for erosion purposes and the like, are we -- we're not talking about our own forces doing this? We're going out to get outside dredging. Are they available at this point in this point in time? What's the anticipation?

COMMISSIONER PAVACIC:

It's too early for us to say. But unfortunately, you're looking at -- when it comes to dredging, you're

looking at two basic sources; either an inlet or out in the ocean, an offshore underwater barrow area. The last dredging operation that occurred in Moriches Inlet was the one that we did earlier this year, the beginning of the year where we did take material out of the inlet and then put it onto the beach just west of the inlet and then transported it by large truck down to various areas including in front of the pavilion. That's one way.

The offshore barrow area, is again, the Army Corps essentially created those, established those. But, again, you'd have to find a dredging company. As you know the County doesn't have its own ocean going dredges. There are only a handful of companies, about two companies and you're subject to their availability. If they have a lot of damage down in the Gulf they're dealing with, they may not be available. It's -- we're not certain at this point what the source would be. We might need to have sand trucked in, which is more expensive, but that might be the only way to at least get some material there as a -- to serve as a sacrificial barrier to protect the seawall.

LEG. HORSLEY:

I guess that's -- I don't know where else you could go from there. I mean, that's --

LEG. ALDEN:

We have some sand in Islip at Champlain's Creek and Awixa Creek, but we don't have a spoiler area to dump it in.

LEG. HORSLEY:

Yeah, we've got some spoils, too. Okay. I'm not sure to -- where you could go from there to even ask any questions. I mean, there's not many options for you to deal with.

COMMISSIONER PAVACIC:

No. There's --

LEG. HORSLEY:

Are you looking for permits at this point?

COMMISSIONER PAVACIC:

No. As I said, we've been meeting with FRES, Fire Rescue and Emergency Services because they are interfaced with SEMO, in terms of any potential state funding or reimbursement for a project. And, then, of course, with DPW, we -- the Parks Department depends on DPW to design and engineer projects and so we've been in close contact with them. I was out to Smith Point on Saturday afternoon to survey the damage. I was out there with Deputy Commissioner John Searing of FRES and I was communicating with Gil Anderson of DPW over the weekend as well. So we've been in communication on this, but it -- in order to -- you just can't -- just decide to contact the sand mine and say bring the trucks in. You have to -- there has to be a little bit more thought as to exactly what you're going to do.

LEG. HORSLEY:

Yeah, to declare it as an emergency? Or --

COMMISSIONER PAVACIC:

We're not at that point yet. There's a certain dollar threshold that you have to meet first. So first, we're just in the data gathering stage to determine what the cost -- what the cost of the damage is. And not just at Smith Point, but other locations.

LEG. HORSLEY:

Good luck with that. You'll keep us in touch, I'm sure.

COMMISSIONER PAVACIC:

Yes, thank you.

CHAIRWOMAN VILORIA-FISHER:

John, I know that in the restrictions that there are, in the permitting process with dredging and what a small window there is at this point, so are there spoils somewhere now that have already been dredged and looking for a place to put them?

COMMISSIONER PAVACIC:

Unfortunately not. We don't have a ready stockpile of material that can be tapped. As I indicated, Moriches Inlet was just dredged earlier this year and it was basically down to what the normal navigable depth of the navigation channel there should be. So the likelihood that there's additional material available there is -- it's unlikely that the quantities would be there. And then, just getting, as I said, getting a dredge up here --

CHAIRPERSON VILORIA-FISHER:

Right.

COMMISSIONER PAVACIC:

-- in a timely fashion, this project would have to be bid out to get a dredge. You'd have to get a response back. If we don't get a response, it would have to be rebid. So we don't have an idea yet as to what response we're going to undertake.

We also have to look at in front of the seawall right now there is some rock there. When rock is placed at the base of a wall such as there, that's called toe armor. And some people also call that a revetment. One of the things we might look to do if there is time is to get additional rock in there to provide additional protection for sand that's placed on top of that. So if the sand should wash away again, you at least have the rock that provides some additional degree of protection to the seawall.

CHAIRWOMAN VILORIA-FISHER:

Everybody grab a shovel.

COMMISSIONER PAVACIC:

The problem with taking sand from the back bays or material from the back bays is that it may not be sand. Very often you're dealing with what they call fine muck and -- very fine silty material, which first of all doesn't look and smell very good and wouldn't last very long because you'll need coarser denser sand, the type that you have on the beach. Plus from an environmental standpoint --

CHAIRWOMAN VILORIA-FISHER:

You don't want to put your toes through that.

COMMISSIONER PAVACIC:

No.

LEG. ALDEN:

It stinks no matter where you put it.

CHAIRWOMAN VILORIA-FISHER:

We do have a motion and a second and we are running into the time for the next --

MS. LOMORIELLO:

No, you don't have a second on the motion.

CHAIRPERSON VILORIA-FISHER:

Oh, I don't have -- I thought Legislator Stern.

MS. LOMORIELLO:

You made the motion.

CHAIRPERSON VILORIA-FISHER:

I thought I -- I think he said -- no? You were the second. I guess I just didn't call it. All in favor? Opposed?

LEG. ALDEN:

I'm going to abstain.

CHAIRWOMAN VILORIA-FISHER:

Okay. So please note the abstention. **Approved (VOTE: 4-0-1-0 Abstention: Legislator Alden)**

IR 2029, Appropriating funds in connection with fencing and surveying for County Parks (CP 7007) (Co. Exec. Levy) Okay. This is 150,000 for various fencing projects. Yes, Commissioner?

COMMISSIONER PAVACIC:

For fencing and surveying. And the surveying aspect is related to the erosion that I just mentioned. One of things we've identified as a project is to have our beaches, particularly Smith Point and Cupsogue surveyed on an annual basis so we have a baseline for when we do beach nourishment projects. This is something that was pointed out when we last got the reimbursement from SEMO and FEMA for the last -- from the 2007, April 2007 Nor'easter. And the lack of having detailed prior beach profiles that were surveyed was something that was pointed out by both of those agencies as something that we would need to address. So, part of this would be used for that, doing surveying work.

CHAIRPERSON VILORIA-FISHER:

That makes sense to have a baseline. Legislator Stern.

LEG. STERN:

Do you want to have that baseline now when the beach has been washed away? Or do you wait after the restoration and then go forward from there?

COMMISSIONER PAVACIC:

It would -- it would be going forward. We would establish -- there would be stations, permanent stations established at certain transects or certain distances from each other so those stations could be re-visited on a yearly basis and surveys taken each year, hopefully prior to the beginning of the Nor'easter season so we'd have a baseline going forward, if God forbid we incurred additional erosion in the future.

CHAIRWOMAN VILORIA-FISHER:

So do you set it for mean high tide or spring high tide where is that?

COMMISSIONER PAVACIC:

Usually, yeah, they would survey -- they'll survey at least from the high tide line, mean high water to the crest of the dune.

CHAIRPERSON VILORIA-FISHER:

Legislator Horsley.

LEG. HORSLEY:

Just quickly. Is there a possibility, the thought occurred to me that I know the state parks has the same problems. They've got the, you know, Robert Moses area and stuff like that, what are they going to do? I mean, they've -- are we all going to be fighting for the same dredge? Maybe we can combine the bid or somehow work with them or is there possibly any coalition here?

COMMISSIONER PAVACIC:

Robert Moses is -- it's too far from Smith Point. Basically --

LEG. HORSLEY:

But at least in getting the dredger, you know, maybe like in the bidding process. Is that possible?

COMMISSIONER PAVACIC:

Right.

LEG. HORSLEY:

I'm just throwing that out. I don't know.

COMMISSIONER PAVACIC:

Robert Moses, as you know, is located at the opposite end of Fire Island. Fire Island is over 30 miles in length. Smith Point is only six miles. The pavilion's only six miles from the inlet -- from Moriches Inlet.

LEG. HORSLEY:

But it's closer than the Gulf coast.

COMMISSIONER PAVACIC:

Right.

LEG. HORSLEY:

I was thinking maybe making the project bigger, you know, that's my thinking.

COMMISSIONER PAVACIC:

The problem though is just a great distance that Robert Moses would be best served by Fire Island Inlet and that's what traditionally's been done when Fire Island Inlet has been dredged in the past, material has been back passed. It's moved in the opposite direction of what the literal current is following. And in the past they've placed several hundred thousand yards at Robert Moses; but from Fire Island Inlet, it's too far away. That inlet is too far away to practically provide sand to Smith point.

LEG. HORSLEY:

Yeah, I wasn't saying that, but that's -- that's all right.

CHAIRWOMAN VILORIA-FISHER:

What he was saying was, the same outfit to serve both areas.

LEG. HORSLEY:

A bigger project so it's more money so we have the possibility to getting that dredger to come to Long Island.

COMMISSIONER PAVACIC:

That is possible. Your timing would be everything. You'd have to get all the agencies in alignment; the Army Corps of Engineers, the New York City Department of Environmental Conservation.

LEG. HORSLEY:

It will take leadership.

COMMISSIONER PAVACIC:

Yes.

CHAIRWOMAN VILORIA-FISHER:

Okay. We don't yet have a motion for that. I'll make a motion to approve.

LEG. STERN:

Second.

CHAIRWOMAN VILORIA-FISHER:

Second by Legislator Stern. All in favor? Opposed? Abstentions?

LEG. ALDEN:

Abstain.

CHAIRWOMAN VILORIA-FISHER:

Please note the abstention. **Approved (VOTE: 4-0-1-0. Abstention: Legislator Alden)**

IR 2030, Appropriating funds in connection with improvements to water supply systems in County Parks (CP 7184). (Co. Exec. Levy) Okay. This is to provide potable water. I know we have an irrigation system. Hadn't we -- was it at Sayville? That we had to work on the irrigation system? Wasn't there a problem there?

COMMISSIONER PAVACIC:

That's a separate irrigation systems where golf courses are handled under the golf course capital project.

CHAIRPERSON VILORIA-FISHER:

Yeah, I was just explaining the difference that now we're talking about potable water; drinking water.

COMMISSIONER PAVACIC:

That's correct. This is drinking water for things such as camp grounds, baths houses, pavilions, where the public will actually be drinking the water.

CHAIRWOMAN VILORIA-FISHER:

I'll offer a motion to approve. Seconded by Legislator Horsley?

LEG. HORSLEY:

Sure.

CHAIRPERSON VILORIA-FISHER:

All in favor? Opposed? Abstentions? **IR 2030 stands approved. (VOTE: 5-0)**

IR 2031, Appropriating funds in connection with improvements and lighting at County Parks (CP 7079). (Co. Exec. Levy) And this is Coindre Hall, West Hills, Indian Island and some other parks. \$150,000?

COMMISSIONER PAVACIC:

That is correct.

CHAIRWOMAN VILORIA-FISHER:

Okay. I'll offer a motion to approve, seconded by Legislator Horsley. All in favor? Opposed? **IR 2031 stands approved. (VOTE: 5-0)**

IR 2032, Appropriating funds in connection with improvements to newly acquired parkland (CP 7145). (Co. Exec. Levy) This is another 150K for new parks. Okay. What kind of work on the new parks?

COMMISSIONER PAVACIC:

This is for some areas where we've had -- when we -- the parks require -- there were areas that

were damaged, per se, where we had, let's say areas that had been excavated out prior to them passing into the Parks Department. Or there were some structures that were there, derelict structures, remnants of foundations that remain. It would be used to remove those, to install guard rails and gates in particular areas. And to address unsafe conditions in some of these newly acquired parks to reduce public access to certain areas where there is unsafe conditions.

CHAIRWOMAN VILORIA-FISHER:

Okay. I offer a motion to approve. Any second?

LEG. STERN:

Second.

CHAIRWOMAN VILORIA-FISHER:

Seconded by Legislator Stern.

LEG. ALDEN:

On the motion.

CHAIRPERSON VILORIA-FISHER:

On the motion, Legislator Alden.

LEG. ALDEN:

I tried to do this this year, but actually failed. But I'm going to make a suggestion that next year, we're using a lot of money to purchase parkland. We also have laws on our books that would require X number of park police to protect those parklands. And it makes sense to me that there should be a little bit of flexibility in using that money to do exactly what we're doing right here instead of borrowing money to buy the property and then borrowing money in addition to go and fix the property or protect the property. There should be an allocation from that lump of \$350 million that would allow us to go and make these parcels either safe or allow us to do these type of improvements so that they can be used.

But also in addition, I think that it would be very much appropriate that on some of our parklands that we do have structures that we want to preserve, make a chunk of that money available to preserve those structures. Because after all, why are we preserving some parkland or why are we preserving some open space? It is aesthetics. It's to get people to realize what our heritage was, it was open space. It was one or two large settlers. That type of thing.

And I think that by being a little more flexible with the allocations of the money, I think we would serve the public a lot better and serve ourselves a lot better. We end up acquiring parcels that are misused and abused. And then we have this huge problem with parcels that we did acquire, semi-open space. And you have some in your district and there's the manor, Sagtikos Manor over in Bay Shore and other structured parcels that they serve two purposes: They're open space, they preserve open space, yet they do preserve a heritage that we had in this County.

So going forward, I think that that would be an excellent area to try to improve on and see if the people of Suffolk County would agree with us, that yes, I know they said a couple of times that they want to acquire open space, yet they don't agree to property tax support to acquire open space. They say, *use this quarter cent that, you know, basically is a non-tax to us*. But to actually allocate some of that money to improve, protect and preserve those properties that we do acquire. So it's just a suggestion going forward.

CHAIRWOMAN VILORIA-FISHER:

As you segued into the protection of parks, I had asked Budget Review, what was the -- what is the status of 2010 regarding the number of park police that we have?

MR. REINHEIMER:

Yeah, we have currently 47 positions authorized. Under the current law and based on the amount of acreage we have, we should have 50 authorized police officers. We currently have three vacancies. Generally, park police would start when you have a regular police class. We haven't had a police class since December of 2007.

CHAIRWOMAN VILORIA-FISHER:

Okay. So how many authorized did we have in 2009? I mean --

MR. REINHEIMER:

We have 47 authorized positions for park police and three vacancies.

CHAIRWOMAN VILORIA-FISHER:

Oh, but we didn't add any in the 2010 budget?

MR. REINHEIMER:

No, we did not.

CHAIRWOMAN VILORIA-FISHER:

Okay. What was the Budget Review recommendation? I thought there --

MR. REINHEIMER:

To bring it up to 50, three new positions to be in compliance with the existing legislation.

CHAIRWOMAN VILORIA-FISHER:

Okay. And I had been the sponsor of the law back in 1999 to increase the number of park police every time we increase our acreage.

LEG. ALDEN:

But it was a good amendment because, you know, if you have a working farm you really don't have to have a park police officer to protect that. So I like that amendment, but we still have open space that when you use the formula we don't comply with our own law.

CHAIRPERSON VILORIA-FISHER:

Okay. All right. There is a motion and a second. All in favor? Opposed? **IR 2032 is approved. (VOTE: 5-0)** Okay.

And we're going back to the one where I had mistakenly thought that it had already been covered by a CN. And that's **IR 2026, Amending the 2009 Capital Budget and Program and appropriating funds in connection with restoration of West Neck Farm, also known as Coindre Hall, Huntington - CP 7096). (Co. Exec. Levy)** It's an inter-project transfer. So it takes a hundred thousand from Planning and transfers it to the construction line. Okay.

LEG. ALDEN:

That's it.

CHAIRPERSON VILORIA-FISHER:

That's it, yeah. Okay. I'll make a motion to approve.

LEG. STERN:

Second.

CHAIRWOMAN VILORIA-FISHER:

Seconded by Legislator Stern. All in favor? Opposed? **IR 2026 is approved. (VOTE: 5-0)**

Is there anyone who would like to address -- anybody else who would like to address this Committee

at this time? If not, we stand adjourned.

THE MEETING CONCLUDED AT 3:15 PM

{ } DENOTES SPELLED PHONETICALLY