

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 May 5, 2010.

MEMBERS PRESENT:

Leg. Lynne C. Nowick, Chairperson
Leg. Wayne R. Horsley, Vice Chair
Leg. Thomas Barraga
Leg. Rick Montano
Leg. Steven H. Stern

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel
Ben Zwirn, County Executive's Office
Allen Kovesdy, Budget Office, County Executive
Renee Ortiz, Chief Deputy Clerk
Jill Moss, Budget Review Office
John W. Pavacic, Commissioner, SC Parks Department
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Greg Moran, Aide to Leg. Nowick
Deborah Harris, Aide to Leg. Stern
Bob Martinez, Aide to Leg. Montano
Dot Kerrigan, AME Legislative Representative
Dennis Brown, County Attorney's Office
Carol Ghiorsi Hart, Vanderbilt Museum
Marge Acevedo, Aide to Presiding Officer
William Shilling, Aide to Presiding Officer
Patrick Boyles, Park Police
Rick Brand, Newsday
Miles Borden, Parks Trustee
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 1:13 PM

CHAIRPERSON NOWICK:

I'd like to start the Parks & Recreation Committee. We'll start with the Pledge led by by Legislator Stern.

SALUTATION

Okay. I see we don't have any cards today and so we will -- oh, look we have Miles Borden is here. How are you? Nice to see you. Thank you for coming. A member of our Board of Parks Trustees.

Commissioner, if you want to come up, we can address things one by one if you'd like. Okay, we'll go right to tabled resolutions.

TABLED RESOLUTIONS

1105, waiving the Vanderbilt Museum's reimbursement for self-insurance

(Pres. Off.)

LEG. MONTANO:

Motion to table.

CHAIRPERSON NOWICK:

Motion to table by Legislator Montano, second by Legislator Stern. All in favor? Opposed? Abstentions? **1105 is tabled. (VOTE: 5-0-0-0)**

1346, authorizing use of Southaven County Park property by the Boy Scouts of America for their 100th Anniversary Celebration and waiving the event fee (Muratore) We have a table motion subject to call by Legislator Montano, second by myself. All in favor? Opposed? **1346 is tabled subject to call. (VOTE: 5-0-0-0)**

INTRODUCTORY RESOLUTIONS

1375, reappointing William B. Rogers as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 4) (Cooper) Do I have a motion? Is Mr. -- it's not a reappointment, is it? Reappointment, okay. Do I have a motion?

LEG. STERN:

Yes.

CHAIRPERSON NOWICK:

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

LEG. STERN:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Stern. All in favor? Opposed? **1375 is approved. (VOTE: 5-0-0-0)**

1397, temporarily reducing beach and golf fees at County parks. (Barraga)

LEG. BARRAGA:

Motion to approve.

CHAIRPERSON NOWICK:

Motion to approve by Legislator Barraga. I will second that for purposes of discussion. Does the Commissioner want to make a comment?

COMMISSIONER PAVACIC:

Yes. We have determined that the impact of this resolution will result in a loss of revenue of about \$300,000. It will also take us some time and there will be a cost associated with reprogramming both the point of sale system and the reservation system. We have a consultant on contract who would have to perform those services both to reprogram to reduce the fee initially and then reprogram again to raise the fee back up.

In addition we would need to reprint certain schedules and brochures which have already been printed or orders have already been placed as well as redoing the signage at golf courses and the -- as well as the affected beaches.

And then finally I'd just like to point out that with the exception of 2009 where we had a significant reduction in attendance particularly at the beaches due to abnormal weather conditions in the early part of the summer, our attendance levels have remained fairly constant. And I do know anecdotally that folks in the western towns, particularly Huntington, Smithtown and Babylon, often times will go to Robert Moses State Park because it's accessible, a lot of parkways and in much closer proximity than going all the way out to, say, Smith Point.

CHAIRPERSON NOWICK:

Commissioner, you said \$300,000 in loss for the dollar; is in loss of fees plus the cost of doing the new signage and changing over the reservation system; is that what you're saying?

COMMISSIONER PAVACIC:

Correct.

CHAIRPERSON NOWICK:

And if we were to approve this, let's say, at Tuesday's meeting, it's May, what -- how long would you think it would take to get this going?

COMMISSIONER PAVACIC:

Well, first of all the County Executive would have to act on it. So if the County Executive did sign it into law, I believe, the resolution indicates --

LEG. BARRAGA:

30 days.

CHAIRPERSON NOWICK:

30 days.

COMMISSIONER PAVACIC:

-- we have 30 days. We'd have -- I don't have an estimate of time for the contractor in terms of reprogramming. I can provide that information at a future time. We'd have to go back to him and find out how long it would take to reprogram.

CHAIRPERSON NOWICK:

Just -- since it's already May, just maybe you can give me more of an idea of, let's say -- let's say we vote on it on Tuesday and then the County Executive has to sign it; is that right?

COMMISSIONER PAVACIC:

Correct.

CHAIRPERSON NOWICK:

Okay. And he has -- doesn't he have 30 days to sign it? Yes, he has 30 days to sign it, if he should sign it. Let's say he signs it right away. Memorial Day weekend it's signed. How long do you -- just a guesstimate, you would have to change signage, you would have to change everything, could that be done for the summer season?

COMMISSIONER PAVACIC:

Well, I would figure that we would miss the Memorial Day weekend. By sometime in June, I would imagine, that we would have the reprogramming and signage done. Brochures will be a different sorry since it's already reprinted. I don't know what the cost would be to reprint, let's say, the golf brochures and so forth but we would have to look into that.

CHAIRPERSON NOWICK:

All right, Legislator Barraga, you had a question?

LEG. BARRAGA:

No question.

CHAIRPERSON NOWICK:

Comment.

LEG. BARRAGA:

Comment.

CHAIRPERSON NOWICK:

Comment, yes.

LEG. BARRAGA:

Thank you. Just on the resolution, as most of you know, I am not prone to be putting in any sort of resolution that would result in a reduction in revenue to the County. But let me explain why I put this bill in, in an overall context.

As most of you are aware the State of New York now faces better than a 9 and half billion dollar deficit. In the Governor's proposal to the Legislature, he is advocating the closing of certain state parks. That certainly has brought about a human outcry from those individuals throughout the state who use the parks.

Along with this State Parks on their own have come forth and indicated that because what -- being afraid in essence what the final agreement will be, they have said in certain state parks, we're going to increase our fees rather dramatically. So, for example, if you want to play golf in a state park, let's take Bethpage on the black course, right now the fee for 18 holes, I understand, is \$60 and is going to go to 75. That's about a 25 percent increase for those golfers.

If you go to a state beach with a life guard, like Jones Beach, after Memorial Day every car that goes in with a family, it'll go from \$8 to \$10. Now I'm not going to lose any sleep over what golfers pay for 18 holes of golf. But I am concerned -- I am concerned about what a family has to pay just to get into a beach. I mean it's a heck of a state of affairs when you get to a point in New York State government where you got to pay to go to a beach with all the taxes that we pay. But it's a given, I mean, because if you're charging \$8, obviously the \$8, that revenue goes to the state, is being spent some place and I understand that.

But to increase it, you know, another 25 percent, I think, that limits maybe a lot of middle income families from going to a state beach. Now, my way of thinking was this. In the last six years at the County level, because we have been fiscally prudent, we haven't raised taxes, the General Fund

basically has avoided having us to do that. We have four golf courses and three county beaches. And what I'd like to do is get the message out to the people of Suffolk County that even though we face fiscal challenges in this County, we still can be in a position to say, look, number one, we're not going to raise the fees associated with playing a round of golf on a County course. And we're not going to raise the fees associated with going to three of the County beaches.

In fact, what we're going to do as a token of showing, you know, why we can stimulate growth in these areas, we're going to reduce a round of golf by a dollar. And when your family goes to a County beach, they're going to pay one dollar less.

Now, I do not disagree with your statement that there is a loss of revenue. In this particular case between the golf and the beach fees, we're going to lose, I think, in the area of \$270,000. But Budget Review gave me those figures predicated on the entire season, for golf and for the beach. By the time we go through this, if it's adopted into law, you know, several of those months have already past with reference to golf and you're probably coming in at the beach season, and it's my hope, although there's no way of me ascertaining this, that as a result of keeping the rates at the same level and have a token reduction of a dollar, we could stimulate greater usage, especially of the beach element to offset any reduction in cost.

But the primary purpose is to say, look, things are not good economically. We see it all over the State of New York, all sorts of things are happening, people are really hard pressed. Here we come along as a county government with a fine track record overall from a fiscal perspective saying, *hey, look, for the next several months at least when you go to the beach, and you use a county beach, you're going to pay less than you paid previously for a County beach and you can avoid going to the state beaches and having to pay another 25 percent.* That's the intent.

Now, even if this passes into law, unless it's marketed properly, unless my colleagues put out press releases and take appropriate credit for doing this, and unless you make some sort of PR activity associated with this, and unless Newsday, you know, writes an article to let their readers, that's the main readership, know that this is happening and put it -- and Newsday puts it in a positive vein, positive vein, it may not entail additional uses of the beaches or the golf courses. But I can tell you this: Because of the limited usage, say, in July and August, that loss is not going to be \$270,000. It's going to be less and hopefully it'll come out on the positive side.

CHAIRPERSON NOWICK:

Budget Review, I don't know if you want to get into this. I'm just thinking I bet the majority, and I don't disagree with you, Legislator Barraga, but I bet the majority of the money has to be July and August. Is that the majority of the money that -- the 300,000 is from July and August? It's not from --

MS. MOSS:

We did an updated fiscal and the updated number is about 247,000.

CHAIRPERSON NOWICK:

For how many months?

MS. MOSS:

From July through the end of the year.

CHAIRPERSON NOWICK:

Okay. So how about from --

MS. MOSS:

Based on the activity in '07 and '08. We didn't look at it month to month.

CHAIRPERSON NOWICK:

All right. So the beaches aren't used, then, after Labor Day. So the beaches are not included. So

the money that would be lost, the dollar, would be more for the parks and the -- when do the parks stop charging?

COMMISSIONER PAVACIC:

Labor day. Beaches and Parks it's Labor Day. The camping and golf are charged year round when they're open.

MS. MOSS:

The break down for the 247, it's approximately \$81,000 in beach and approximately 164,000 in golf.

CHAIRPERSON NOWICK:

So the big loss is in the golf?

MS. MOSS:

Yes.

CHAIRPERSON NOWICK:

And that's all year actually. Do they stay open -- don't they stay open all year? But they don't play a lot.

COMMISSIONER PAVACIC:

The golf courses are open from just before -- mid March 'til the end of December.

LEG. BARRAGA:

I guess the question I have, too, is that if I'm one of those golfers that is now faced with paying a 25 percent increase by playing at Bethpage versus going to a County golf course, that's the same fee as last year minus a dollar, don't you think more people would go to the County golf courses? We'd get some -- we'd generate more volume and more dollars?

COMMISSIONER PAVACIC:

Well, there is one other factor and that is fuel cost. And as I mentioned before, fuel cost, gasoline cost, with gasoline now above \$3 a gallon -- well, particularly in the case of beaches, anecdotally I would think that a lot of folks, again, would be weighing that, the cost of a trip to a beach that's further from their home versus one that's closer to their home and perhaps paying a higher fee for that, balancing that particular cost.

LEG. BARRAGA:

That's a stretch. All right.

LEG. HORSLEY:

It's a very interesting concept. And I'm not sure that BRO's figures would be accurate if we gained attendance because of a reduction and a campaign that we reduce the County prices. If -- I was just discussing this with Lynne, with Ms. Nowick, and I concur with her that the golf fees probably aren't going to be a major effect to a golfer, one dollar or not. Many of the fees go into the golf cart and the like. But I'm a proponent of inexpensive attendance to beach parks myself. And I always have been, working with Parks for many, many years. What if we just did it on the beaches for the two months? Is that something that -- would the sponsor go along with that? If we made it just on the beach?

LEG. BARRAGA:

Fine. Fine. I think that that's where the main problem --

LEG. HORSLEY:

At least that way we can make up some of that difference just in attendance.

LEG. BARRAGA:

If you want to leave the golf fees just the way they are, and reduce the beach fees by a dollar, because I think that has the greater impact on a middle income family.

LEG. HORSLEY:

I concur.

LEG. STERN:

If I may?

CHAIRPERSON NOWICK:

Sure.

LEG. STERN:

Thank you. Although the greater impact, the initial impact might be on the loss of revenue on the golf side, it probably also has the greater capability of making up for the lost revenue by increasing, you know, greater use on that side as well. As Legislator Barraga points out, there are going to be perhaps that fewer overall residents that are utilizing the state facilities because of the increase in the fees, that can lead to increase in usage and then revenue on the golf side for the County facilities. That probably has a greater upside as well. So there might be a better opportunity for -- for the offset on the golf side than the beach side.

CHAIRPERSON NOWICK:

Do we have any idea of what, say, Sunken Meadow is going to raise its rates on golf to? Do we know actually what's going on with the state, what they're raising their rates to?

COMMISSIONER PAVACIC:

I don't have that information off hand.

LEG. BARRAGA:

Bethpage, and I use the black course, I don't think it's too much different than the others. It's about 25 percent increase.

CHAIRPERSON NOWICK:

I think the black course is probably different than all of them, don't you think?

LEG. HORSLEY:

The black course is more money.

CHAIRPERSON NOWICK:

That's the big -- that's a big course.

LEG. HORSLEY:

It is an additional amount. But I think it's about maybe ten percent less, around that range.

CHAIRPERSON NOWICK:

Well that course, you can't use a cart and it's really up there in price compared to the rest.

LEG. HORSLEY:

Yeah.

CHAIRPERSON NOWICK:

So I don't think that's a good -- I think we're kind of driving in the dark here not knowing --

LEG. HORSLEY:

But what we're saying is, this is a middle class tax break, a fee break.

LEG. BARRAGA:

It's really designed --

LEG. HORSLEY:

To say that *we're behind you, we understand, we got it.*

LEG. BARRAGA:

And that we can do something about it. I mean why incur extra fees at a beach if you have a county facility available and if you -- you know, I mean I'm flexible on the golf. But I just think that for a lot of young couples with families trying to -- you know, that ten bucks, it's a -- it's about a 25 percent increase over and above what the state is charging right now. You can go to a County beach and you'd have a reduction.

CHAIRPERSON NOWICK:

Are you going to change it?

LEG. HORSLEY:

What do you want to do?

LEG. BARRAGA:

How do you feel?

LEG. HORSLEY:

I like it on the beach. And that's where we're not losing money.

LEG. BARRAGA:

Rick, are you part of this Committee?

LEG. MONTANO:

Yes, I am.

LEG. BARRAGA:

How do you feel?

LEG. MONTANO:

About this?

LEG. STERN:

I have more questions also.

LEG. MONTANO:

I haven't made up my mind yet.

LEG. STERN:

Madam Chair, if I may? I'm wondering if -- when New York State was developing their new fee structure when they were going through this process, if they had done, Commissioner, if you're aware or maybe Budget Review is aware, as to any analysis they had done on a potential drop off in usage and what -- any other municipality or level of government might expect in a corresponding increase in usage of our facilities?

COMMISSIONER PAVACIC:

I don't have that information. I'm not aware of what analysis State Parks did. I would hazard a guess, though, that they did not consider the impact on municipal increases in volume but just -- were looking at internally just at the impacts on their own operations.

LEG. STERN:

BRO, do you have any idea?

MS. MOSS:

I would concur. BRO isn't aware of what the State is doing with that as well.

LEG. STERN:

I would also be interested to know if -- Commissioner, if you have anything to say about an increase in our usage? If New York State is increasing its fees and our residents are going to be looking for, you know, similar services that are priced much better and if we are going to help with that, what kind of an increase in usage that we could -- we could expect? Our beaches, I'm assuming, can more than handle the increase in usage but, you know, there are only a finite amount of foursomes that can utilize a golf course on any particular day. You know, are we seeing that kind of dramatic increase? Will that have any impact on usage and our ability to accommodate an increase in golfers?

COMMISSIONER PAVACIC:

I don't know that. It's very hard to predict, you know, so much of this is weather dependent. As I said last year, we had an aberrant year where the early part of the season was poor weather so we had a reduction of rounds of golf in June and the first part of July. And the same thing in terms of beach attendance particularly at Smith Point and Cupsogue. Again, we only have three life-guarded beaches. Those are located out east. Smith Point is in southern central Brookhaven Town, Cupsogue is on the East End; that is South Hampton, Town of Westhampton. And then Meschutt is in Hampton Bays.

So as I said before, one of the things you'd have to weigh against is or -- I don't know how you would determine that, except by somehow conducting some sort of survey as to are you attracting folks who would have otherwise gone to, say, Robert Moses or Jones Beach or Sunken Meadow or some other -- or Heckscher, for example.

CHAIRPERSON NOWICK:

Just let me interrupt for a minute. I'm just looking at the fees for Sunken Meadow State Park golf course. Weekdays and weekend 18 holes for seniors \$22; weekdays \$19 for seniors. Green fees weekdays 18 holes \$28. And then of course you have to -- if you want to rent a cart. So what I'm saying is that black course is way -- you know, that's that very popular, everybody wants to play a black course. But I think that the norm -- Commissioner, what are the fees right now non-senior weekday, non-senior, at, say, Timber Point?

COMMISSIONER PAVACIC:

At Timber Point non-senior?

CHAIRPERSON NOWICK:

Yeah, with a green card -- a green key.

COMMISSIONER PAVACIC:

Right, they're all green keys. That is about, I believe, \$25.

LEG. BARRAGA:

\$25. So now it will be 24.

CHAIRPERSON NOWICK:

Yeah.

LEG. BARRAGA:

Okay. And the senior who pays 14, it'll be 13.

CHAIRPERSON NOWICK:

Yeah. And the money's in the cart, too. But, you know, you have to decide what you want to do, Legislator Barraga.

LEG. BARRAGA:

Well, you know, if -- I'm sorry. Rick, you could speak.

LEG. MONTANO:

No, I just had a question of -- I had a couple of questions for the Commissioner and BRO. But with respect to what Legislator Horsley had suggested, which was separating or taking out the golf fees and simply dealing with the pool and beach charges, are you amenable to that? It's your decision because it's your bill.

LEG. BARRAGA:

Well, I am amenable if you're amenable. Because I'm not about to compromise on this bill and you're going to sit there and you're just, you know, whether it's golf or it's beach you're against it. (Indicating Commissioner Pavacic)

LEG. MONTANO:

Well, he doesn't get a vote.

LEG. BARRAGA:

Well, I mean -- but he's the Commissioner. He doesn't have a vote but I'd like to know if his department is supportive of that compromise.

LEG. MONTANO:

I don't think they're supportive of either, I would imagine.

LEG. BARRAGA:

Well, then I'm not going to compromise. We'll go for the vote just the way it is.

LEG. MONTANO:

I don't want to speak for you but I would imagine that you're not in favor of this either way; am I correct, Commissioner?

COMMISSIONER PAVACIC:

Well, I just want to bring to the attention of the Committee the impact in fees, the revenue impact that we're facing from this.

LEG. MONTANO:

Well, we can see that in the financial statement. What I'm asking specifically is whether or not you or the administration are opposed to this in, favor or neutral?

CHAIRPERSON NOWICK:

This one opposed, I assume.

LEG. MONTANO:

Well, that's why I want to hear from him. Put it on the record. You're opposed, you're not opposed --

COMMISSIONER PAVACIC:

I don't have a position.

LEG. MONTANO:

You could care less.

COMMISSIONER PAVACIC:

I don't have a position.

LEG. MONTANO:

Okay. Does the County Executive have a position?

COMMISSIONER PAVACIC:

That I do not know.

LEG. BARRAGA:

I'd like to make a motion to approve -- he's finished -- to approve just as is. I'm not about to compromise the bill because they're against it either way.

LEG. HORSLEY:

Well, we're doing this for the purpose of, one, making a statement on behalf of the County that we care about our middle class citizens, that we know they're going through a tough time. That's why I thought the beach idea -- and then it's not impacting the budget as a whole more than -- you know, than something we can handle. So that's why I thought the beach idea was a good idea.

CHAIRPERSON NOWICK:

Well, the only reason why I'm listening to -- the only reason? I'm listening to what Legislator Horsley just said --

LEG. HORSLEY:

Only reason?

CHAIRPERSON NOWICK:

No, no, no. I'm thinking about a young family going to the beach, that extra dollar could mean a lot. I'm also thinking about teenagers with their driver's license, they have to pay an extra dollar. Young people --

LEG. BARRAGA:

Two dollars, state beach.

CHAIRPERSON NOWICK:

No, but I'm thinking our beaches. Smith Point State Park. So I think that the beaches probably would, I think that dollar would mean something for the people going to a beach.

LEG. BARRAGA:

I agree.

CHAIRPERSON NOWICK:

Will it not mean something to the golfers if that's what we're debating? Probably not as much. But I do think that the people in their cars with their families in a very hot July and August that need to go to the beach maybe three or four times a week, that's going to be probably important -- more important -- and I'm not saying that the golfers should pay more, but it probably will be more important than the golfer that goes out one day a week and saves a dollar. That's just if we're comparing.

LEG. BARRAGA:

Well, the golfer going out is just not saving a dollar. I'm talking about the guy who's going to a state facility, state golf course and he faces a 15, 20, 25 percent increase. Now he can flip around and go to a County course and saves a dollar and saves the increase that he would have had to pay at the state level so it's --

CHAIRPERSON NOWICK:

He could that anyway. He never had to go to the State park to play. He could always come to the County park, right?

LEG. BARRAGA:

But I'm not so sure how effectively we market our own County golf courses. That's the whole point of the legislation. If we passed it, we'd get the marketing out there so that individuals become more aware *hey, I can go to a golf course -- a county golf course. I haven't thought about that. I've always gone to the State. I can go right down here and I can save 20, 25 percent and pay a dollar less, I'm going.* But you have to have something in writing. It has to be something in the papers, something in the local papers, something in Newsday.

CHAIRPERSON NOWICK:

You know what? Maybe you're right, Legislator Barraga, if we market it, maybe we could -- you market it to people that come to our golf courses and make a little money and that would be important to our golf courses, which are our big -- if we could market it, and I don't know how we would do it, I'd like to see more people coming over to Timber Point and to -- what's the place in Riverhead? Indian Island. I mean if -- I don't know if it would work that way but I would certainly love to see more business in that regard. Weather, of course, is an important part here. Up to you, Legislator Barraga.

LEG. BARRAGA:

Well, I'd like to make a motion to approve as is.

LEG. MONTANO:

I have some question once it's seconded.

CHAIRPERSON NOWICK:

Go ahead.

LEG. HORSLEY:

I'll second it.

LEG. MONTANO:

Commissioner, the Parks Department is a revenue making department; correct.

COMMISSIONER PAVACIC:

That's correct.

LEG. MONTANO:

Now, with respect to the beaches and the golf course list, do you have separate information as to how much revenue they produce? In other words, are these -- your Parks Department as a whole makes money? It doesn't cost the taxpayer revenue; am I correct? You make enough money to pay all your bills?

COMMISSIONER PAVACIC:

No.

LEG. MONTANO:

No. So you're subsidized by the taxpayer?

COMMISSIONER PAVACIC:

That's correct.

LEG. MONTANO:

Okay. Do you know to what tune?

COMMISSIONER PAVACIC:

I think it covers roughly about half -- the revenue we generate covers roughly half of our complete operating budget.

LEG. MONTANO:

All right. And you segregate your revenue from the beaches and the golf courses, I would imagine?

COMMISSIONER PAVACIC:

That's correct.

LEG. MONTANO:

Are these money makers or money losers in the general scheme of things?

COMMISSIONER PAVACIC:

Golf courses are our largest revenue generator.

LEG. MONTANO:

So they make a profit.

COMMISSIONER PAVACIC:

I don't know that we have ever compared the cost of running the golf courses and maintaining them against -- have you done a cost benefit analysis.

LEG. MONTANO:

That's what I'm asking, have you done that?

COMMISSIONER PAVACIC:

I don't believe -- no, not that I'm aware since I've been here.

LEG. MONTANO:

And you haven't done that for the beaches either?

COMMISSIONER PAVACIC:

No.

LEG. MONTANO:

So all you know is that totally the Parks Department receives X amount of revenue from various sources and that equals approximately 50 percent of your budget? The other 50 percent comes from the operating budget?

COMMISSIONER PAVACIC:

Yes, the General Fund. Most of it from the General Fund, right.

LEG. MONTANO:

The General Fund. So we've never really done the analysis of what aspect of your Parks Department is profitable and what aspect is not profitable?

COMMISSIONER PAVACIC:

Correct.

LEG. MONTANO:

So you can't answer those questions on these. Okay.

CHAIRPERSON NOWICK:

I have a question. You know, I'm thinking about what Legislator Barraga said, marketing. If in fact the State charges more, sorry State, but if they charge more to play golf, why don't we -- even if

this doesn't go through, why don't we still market our golf courses; it's still less money.

LEG. HORSLEY:

Come to Long Island's great golf courses.

CHAIRPERSON NOWICK:

Suffolk County's great golf courses.

LEG. HORSLEY:

Suffolk County's, right. I love it. I think it's great.

LEG. BARRAGA:

Let's go for the vote. We have a motion and a second.

LEG. STERN:

Just on the motion quickly, during particularly challenging economic times, this is something that our taxpayers deserve. And as Legislator Barraga points out, this is something that will at least look like a reduction, but something we will have to work hard on making sure is not necessarily the case and have this actually increase revenue for us going forward. So in its current form, I mean we can ask additional questions of BRO before Tuesday, but I'll support it.

LEG. HORSLEY:

If I may, this is a matter of quality of life and existing on Long Island during tough times. And I think it's a message from their Legislature saying that *we get it and we care*.

LEG. MONTANO:

If I may? I just don't think that we have enough information fiscally to really -- it's a nice statement, but the information fiscally as to the impact I don't think is here. I don't the analysis from BRO really goes into that and is not supposed to. So I'm not going to support this.

LEG. BARRAGA:

We have a motion to approve out there.

CHAIRPERSON NOWICK:

There's a motion to approve. Well, if we're looking for more information, then that's probably the responsible way to do this, we are meeting again two weeks from today. No? Oh, we're not.

We have a motion and a second.

LEG. STERN:

And that's why I'll support it now. And because, yes, I have additional questions as well. I'd like to continue a discussion with BRO.

LEG. MONTANO:

So why don't we -- I'll move to discharge without recommendation and we can take it up at the next meeting. I would support that.

CHAIRPERSON NOWICK:

And maybe in the interim BRO could get us all the information, the questions that we've asked today and make a presentation to us.

LEG. MONTANO:

As well as the Parks Department.

CHAIRPERSON NOWICK:

All right. We have a motion and a second to approve. All in favor? Opposed?

LEG. MONTANO:

Opposed.

CHAIRPERSON NOWICK:

Okay. This is approved. **(VOTE: 4-1-0-0. LEG. MONTANO OPPOSED)**

1418, to establish Community and Youth Services Program for Suffolk County Residents and Northern Brookhaven Little League at Sheep Pasture Road in Port Jefferson/Setauket, New York. (Viloria-Fisher) What does that mean?

MR. NOLAN:

Well, okay. Actually this -- with this parcel, this has been an ongoing issue. There was another group that the County -- we passed a resolution years ago to authorize the County enter into basically a management agreement with a club.

CHAIRPERSON NOWICK:

Is that the Boys and Girls Club?

MR. NOLAN:

That's the Boys and Girls Club. Apparently that has not moved forward so Legislator Viloria-Fisher has put this bill in to go with a different group, North Brookhaven Little League.

CHAIRPERSON NOWICK:

So what will that cost the County?

MR. NOLAN:

I believe the Little League would be responsible for building the fields and doing the maintenance.

CHAIRPERSON NOWICK:

All right, I'll make a motion, second by Legislator Horsley.

COMMISSIONER PAVACIC:

If I may also speak on this, it was my understanding that the Deputy Presiding Officer was going to table -- ask that this be tabled.

LEG. HORSLEY:

I don't know what the reason is.

CHAIRPERSON NOWICK:

Okay, so we'll table it. Then there is no second to the motion to approve so we'll make a motion to table, second by Legislator Horsley. All in favor? Opposed? **1418 is tabled. (VOTE: 5-0-0-0)**

1433, accepting and appropriating a grant in the amount of \$89,600 from the New York State Department of Parks, Recreation and Conservation (for a TEA-21 Recreational Trails Program grant at Manorville Hills County Park) (Co. Exec.) With 100 percent. I'll make a motion to approve and put on the consent calendar, second by -- motion by Legislator Barraga, second by myself. **1433 is approved. (VOTE: 5-0-0-0)**

1462, approving a license agreement for Nadia Tintera to reside at West Hills County Park, Huntington (Co. Exec.) Okay. Good, we're getting these buildings lived in, that's great. I'll make a motion to approve, second by Legislator Horsley. All in favor? Opposed? **1462 is approved. (VOTE: 5-0-0-0)**

1463, authorizing the use of Cedar Beach County Park by Event Power for its mighty North Fork Triathlon Fundraiser (Co. Exec.) With a \$225 fee. Motion by Legislator Stern, second by

Legislator Montano. All in favor? Opposed? **1463 is approved. (VOTE: 5-0-0-0)**

1464, authorizing use of Indian Island County Park by American Diabetes Association for its Tour De Cure Fundraiser (Co. Exec.) With a fee of \$400. Same motion, same second. All in favor? Opposed? **1464 is approved. (VOTE: 5-0-0-0)**

1465, authorizing use of Meschutt County Park by the Suffolk Bicycle Riders Association for its Bicycle Rally Fundraiser (Co. Exec.) With a fee of \$150 dollars. Same motion, same second. All in favor? Opposed? **1465 is approved. (VOTE: 5-0-0-0)**

1466, approving a license agreement for Barbara Fey to reside at Timber Point County Park, Great River (Co. Exec.) I'll make a motion, second by Legislator Horsley. And I'm assuming, Commissioner, these are all set up according to the rates we have for the particular area they're leasing, right?

COMMISSIONER PAVACIC:

That's correct.

CHAIRPERSON NOWICK:

Okay. All in favor? Opposed? **1466 is approved. (VOTE: 5-0-0-0)**

1467, authorizing use of Cathedral Pines County Park by the League for Animal Protection of Huntington for its "Ride Laps for L.A.P." fundraiser (Co. Exec.) With a fee \$100. I'll make a motion, second by Legislator Barraga. All in favor? Opposed? **1467 is approved. (VOTE: 5-0-0-0)**

1479, amending the 2010 Capital Program and Budget and appropriating funds in connection with the construction of a skate park to be located in Mastic, Town of Brookhaven, and authorizing the County to enter into an Intermunicipal Agreement with the Town of Brookhaven in connection with the financing, planning, construction and operation of the Mastic Skate Park (CP 7112) (Co. Exec.) This is a going to cost the County how much? 250,000?

MS. MOSS:

The offset in the resolution is \$250,000 from capital project 7009 which is campground improvements.

CHAIRPERSON NOWICK:

And so the Town of Brookhaven is the partner in this?

MS. MOSS:

Yes.

CHAIRPERSON NOWICK:

And what are they putting up the same amount?

COMMISSIONER PAVACIC:

They are providing a site, I believe. I do not know what they are putting up.

MR. NOLAN:

According to the resolution, the Town of Brookhaven adopted a resolution where they're going to authorize the use of land and also commit to maintain the skate park as an active park.

CHAIRPERSON NOWICK:

So the County puts up 250,000 but they don't have to worry about insurance or anything else? It's not a County park; it's a Brookhaven Park.

COMMISSIONER PAVACIC:

Right. But County residents would be allowed to use it.

CHAIRPERSON NOWICK:

Who is liable for the insurance? Brookhaven does all that?

COMMISSIONER PAVACIC:

Brookhaven would be responsible for operating and managing the site.

CHAIRPERSON NOWICK:

Question by Legislator Montano.

LEG. MONTANO:

Now are they going to charge fees at this state park? It's a state park, isn't it?

COMMISSIONER PAVACIC:

Skate park.

CHAIRPERSON NOWICK:

Skate.

LEG. HORSLEY:

With a "k".

CHAIRPERSON NOWICK:

Roller skating.

LEG. MONTANO:

Okay. We're building it? The Town is putting up the property and we're constructing it?

COMMISSIONER PAVACIC:

We're not constructing it. The Town of Brookhaven is. We're just providing the funding towards the development, the construction. The Town is responsible for construction as well.

LEG. MONTANO:

All right. The Town is going to own this skate park?

COMMISSIONER PAVACIC:

Yes. But because the County is putting up money, it's available to all County residents.

LEG. MONTANO:

All right. Are they going to charge fees for entrance into this skate park?

COMMISSIONER PAVACIC:

I believe they will, but most County residents, I believe, that have a green key card would get the same rate as a town resident.

LEG. MONTANO:

Are we going to get -- is the County going to receive any revenue from the money that is collected for the entrance or the use of the park?

COMMISSIONER PAVACIC:

That I don't know at this point. I think that would be determined during negotiations of the IMA.

CHAIRPERSON NOWICK:

Are you finished?

LEG. MONTANO:

Yes, I am.

CHAIRPERSON NOWICK:

Okay. There is going to be a fee to enter the park. That's correct, right?

COMMISSIONER PAVACIC:

I believe there will be a fee schedule, yes.

CHAIRPERSON NOWICK:

And the fee will go to the Town of Brookhaven or the County?

COMMISSIONER PAVACIC:

That I don't know. It hasn't been determined yet. I think that would be subject to negotiation with the Town.

CHAIRPERSON NOWICK:

What I would like to know is if the fee goes to the Town of Brookhaven maybe to offset the insurance, who -- I'm sure there has to be some type of monitoring; I mean somebody has to be there. Is that the Town of Brookhaven putting their local police there or do you know?

MR. BROWN:

I'm sorry. We did, in fact, negotiate an inter-municipal agreement with the Town of Brookhaven. And I do not have that inter-municipal agreement with me today. But if you do discharge it to the floor without recommendation -- if you do discharge it to the General Meeting either without recommendation or approval, I can get the specific answers to all of your questions. I don't want to state anything without having a clear refreshed recollection.

CHAIRPERSON NOWICK:

I also wanted to know -- and by the way, these parks are -- I've seen them built. They're beautiful if they're done right. And they're a nice place for young people to enjoy their sport of -- what did you say it was? Skate boarding?

LEG. HORSLEY:

It's skate boarding, right?

MR. BROWN:

It's a skate park, yes.

CHAIRPERSON NOWICK:

They have like swimming pools --

MR. BROWN:

Sure, like half poles --

LEG. HORSLEY:

Skate boarding.

MR. BROWN:

And barrel jumps and rails and --

CHAIRPERSON NOWICK:

So maybe we could find out where the fee is going to go, who's going to get the fee, what it's going to defray. Also who's going to monitor the park because kids can't be there alone. That's pretty

dangerous.

MR. BROWN:

Sure. Those specific -- those specific -- very specific questions, like I said, I don't want to state something without my memory being refreshed but we would work out an inter-municipal agreement. An inter-municipal agreement has been approved by the Town of Brookhaven. The County is putting up the \$250,000. The Town is putting up the land.

CHAIRPERSON NOWICK:

What's the 250 for if the County's not building it?

MR. BROWN:

That's for the construction of the skate park.

CHAIRPERSON NOWICK:

Oh, we're paying for it.

MR. BROWN:

We are paying for it, yes.

LEG. MONTANO:

All right. May I?

CHAIRPERSON NOWICK:

Sure.

LEG. MONTANO:

My question, Dennis, is with respect to the 250,000 that the County is putting up, aside from the benefit that a County employee (sic) with a green key will enter at that rate, are we getting back any part of the \$250,000 that we're investing in this since it's not a County Park?

MR. BROWN:

And that's one of your specific questions that I --

LEG. MONTANO:

That's the specific question. And you'll answer that on Tuesday.

MR. BROWN:

Yeah, yeah. So a question with respect to fees, revenue sharing, indemnity -- I'm sure there's mutual indemnity. That one I can say pretty say, you know, pretty confidently that there's --

LEG. MONTANO:

When you say mutual indemnity meaning --

MR. BROWN:

Between the Town of Brookhaven and the County of Suffolk. So if --

LEG. MONTANO:

Meaning what?

MR. BROWN:

If there's damages caused by the negligence of the Town and the County is held vicariously liable to answer for those --

LEG. MONTANO:

That's for the insurance purposes in case someone gets hurt. No, I'm not asking that. I'm talking

about the financial aspect in terms of if I'm investing \$250,000 and I'm building something on your property, am I going to get back my \$250,000?

MR. BROWN:

Sure, you want to know if there's revenue sharing. I'll check that out further, yes.

LEG. MONTANO:

That's what I want to know.

MR. BROWN:

Yes.

LEG. MONTANO:

Thanks.

CHAIRPERSON NOWICK:

I don't think there's going to be that much revenue there.

LEG. MONTANO:

In answer to or in response to Legislator Nowick's statement, there are going to be fees charged for the skate park; am I correct, Commissioner? You said that. So there are going to be fees revenue?

COMMISSIONER PAVACIC:

It's my understanding of the original negotiation that fees would be charged; however, I have not been involved in the latest negotiations so I don't know exactly what fees would be charged.

LEG. MONTANO:

Question. Is this park going to be -- along the lines of the questions I asked you earlier, is this park going to be a revenue producer, a revenue neutral or are we going to be subsidizing or is the Town going to be subsidizing this park? That's what I'd like to find out. Dennis, you with me on that?

MR. BROWN:

I am, yes.

LEG. MONTANO:

Okay. So if you can get us that on Tuesday --

MR. BROWN:

Yes, hopefully on Tuesday, yes.

LEG. HORSLEY:

The question I would have, going back to the fee issue and I understand what the Commissioner said, you have to have a park fee or have a park card or a Brookhaven card to get into the park, I would assume, or to use this facility. But I'm just picturing what kid that's going to come there, and that's who's using it obviously, you know, if we're debating whether it's a skate park or a skateboard park, it's young people that are using this park. They're not going to have a green key. I mean that's not going to happen. I just don't want to exclude anyone from the Suffolk County that might want to go there. I'm sure it's going to be a local park to begin with. But can it be that just any kid, any young person could use the park? Maybe it's something along that line instead of having these requirements, just pay.

COMMISSIONER PAVACIC:

Yes, I don't think there's going to be any limitation on -- in terms of residency. I think that normally that would just factor into what fee would be charged someone. But that would not -- lack of a green key would not prevent somebody from --

LEG. HORSLEY:

One is charged more than the other?

COMMISSIONER PAVACIC:

I think --

LEG. HORSLEY:

You said it would factor into what they're being charged?

COMMISSIONER PAVACIC:

Correct.

LEG. HORSLEY:

So a Suffolk resident would be charged --

COMMISSIONER PAVACIC:

A Suffolk resident with a green key card. A green key card is good for three years. A junior green card is a lesser fee.

LEG. HORSLEY:

So you're going to be requiring that a young person generally ten and under is going to use this green key card for a better price?

COMMISSIONER PAVACIC:

What I would -- I would actually, as Dennis has alluded to, I'd prefer to get whatever fee schedule is proposed and have that presented to you on Tuesday.

LEG. HORSLEY:

Okay. However, I would just submit to you, Dennis, that you should concern yourself about that. I'm sure kids are not going to have their green key cards with them. It should be everyone pays a certain fee and that's it; get in.

CHAIRPERSON NOWICK:

Also, to what -- to speak to that issue, there's probably going to be a cutoff with children under a certain age aren't allowed -- permitted without an adult because I would think that's a real liability. And also there's probably going to have to be somebody monitoring that park all the time. There's got to be rules and regulations, helmet, elbow pads, all those different things for safety. So that probably will factor into the fee schedule. I don't think they're going to make a lot of money. I think they're going to offset all of those fees. Legislator Montano.

LEG. MONTANO:

Question. Dennis, is this agreement, are you negotiating this agreement or has this agreement already been reached?

MR. BROWN:

Negotiating.

LEG. MONTANO:

You're still in the process?

MR. BROWN:

Yes.

LEG. MONTANO:

Thank you.

CHAIRPERSON NOWICK:

So do we have a motion?

LEG. MONTANO:

No motion.

CHAIRPERSON NOWICK:

Do we want to make the motion discharge without recommendation?

LEG. MONTANO:

I'll make a motion to discharge without recommendation.

CHAIRPERSON NOWICK:

All right, we have a motion to discharge without recommendation, second by myself. All in favor?
Opposed? **1479 is discharged without recommendation. (VOTE: 5-0-0-0)**

If there's nobody else that wants to address the Committee, is there? If not, I will take a motion to adjourn by Legislator Montano, second by myself. All in favor? Opposed? We're adjourned.

THE MEETING CONCLUDED AT 2:00 PM

{ } DENOTES SPELLED PHONETICALLY