

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 July 28, 2010.

MEMBERS PRESENT:

Leg. Lynne C. Nowick, Chairperson
Leg. Wayne R. Horsley, Vice Chair (not present)
Leg. Thomas Barraga
Leg. Rick Montano
Leg. Steven H. Stern

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
Ben Zwirn, County Executive's Office
Steve Tricarico, County Executive's Office
Renee Ortiz, Chief Deputy Clerk
Rosalind Gazes, Budget Review Office
Joe Montouri, Commissioner of Parks Department
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Greg Moran, Aide to Legislator Nowick
Deborah Harris, Aide to Legislator Stern
Bob Martinez, Aide to Legislator Montano
Dennis Brown, County Attorney's Office
Marge Acevedo, Presiding Officer Aide
William Shilling, Presiding Officer Aide
Bryan Galgano, Aide to Legislator Horsley
Johan McConnell, South Yaphank Civic Association
John McConnell, South Yaphank Civic Association
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary

(THE MEETING WAS CALLED TO ORDER AT 1:20 P.M.)

CHAIRPERSON NOWICK:

Okay. Could we rise please for the Pledge led by Legislator Montano.

SALUTATION

Good afternoon and welcome to the Parks and Recreation Committee.

PUBLIC PORTION

We do have two cards from the public. Johan McConnell.

MS. McCONNELL:

Good afternoon. Thank you for allowing me to speak before the committee. My name is Johan McConnell. I'm President of the South Yaphank Civic Association and I come to speak today to you about the Suffolk County Trap and Skeet Range located in Southaven Park. The license agreement with the vendor clearly states that he must be in compliance with all Federal, State, County and local laws, and at present there are three pending lawsuits. Two are in Supreme Court, one is in District Court.

The one in Supreme Court is to whether or not the town has a right to enforce its noise ordinance. It was put back -- Appellate Court sent it back to Supreme Court to have that question answered. The second case in Supreme Court, Suffolk County is suing the Central Pine Barrens Commission because they made a motion that the reopening of the Trap and Skeet constitutes development under the Pine Barrens Act. The third pending case is in District Court because of the numerous noise violations that have been issued to the vendor, and so we do have three pending lawsuits. I would just like to remind you that his license agreement does state that he has to be in compliance and that the Commissioner, Parks Commissioner, has the right to default if any of the courts should rule that he is in violation.

The other question that always comes up when we discuss the Pine Barrens -- when we discuss the Trap and Skeet, is the amount of money that the vendor gives to the County as a source of revenue. At my last FOIL request it showed that he gave \$47,000 to the County. The County, in turn, is paying \$37,000 on debt repayment, so we're actually getting about \$10,000 as a revenue source to the County.

The other thing, there are 178 homes in the community of South Yaphank that have had their assessments lowered because of the noise from the range. So in turn, you're losing tax -- the school districts are losing tax, the town is losing tax, the County is losing tax. So I'd like you all to remember this when there is any discussion of the Trap and Skeet and I do forecast that there will be things coming before the Parks Committee on this once the litigation has been settled. Thank you.

CHAIRPERSON NOWICK:

Thank you. Next card is John McConnell.

MR. McCONNELL:

Hi. Good afternoon. Thank you for having me speak here. Basically I'm just going to add a little bit to what Johan had said. It's in violation -- we actually -- when we had the hearings before the Trap and Skeet reopened, we actually got the vendor to repeat that he's going to be in compliance with all Federal, State and local laws just to make sure it was on, you know, on record. And he did state it two times and he is in clear violation here, although it has to be maybe adjudicated, but State laws, town laws.

Like Johan said, there's thousands of dollars that are not coming into the school districts and all the

other districts, County and otherwise, because of the lowered assessments. One-hundred and seventy-eight homes, so you're talking about hundreds of people. So when the other side says, "Oh, it only affects a couple of houses", that's not true, okay, absolutely not true. Quality of life is unbelievable the closer you are to the range.

The environment hasn't been cleaned up, the lead out there. It's been out there 15 years. That's another -- that's we think a violation of Federal law. So there's all kinds of laws that are broken with the continued operation of this Trap and Skeet, and something has to be done about it. His agreement is that any violation, he can be shut down with no appeal immediately. So thank you very much. Have a good day.

CHAIRPERSON NOWICK:

Thank you. That is the end of the public portion. We do not have any other cards. Commissioner, would you like to come on up here and tell us if you have anything to share with us?

COMMISSIONER MONTUORI:

Not at this time. If you have anything, you know, it is raining outside, but.

CHAIRPERSON NOWICK:

Thank you. Commissioner, I wondered, I had once mentioned to you, and I thought about it again, if you get an opportunity to look into that idea that I was talking about with the green keys, I was wondering if there is any chance of being able to have automatic renewals, not unlike they do on license registrations. I think that would save time to the green key member, would you call it a member, whatever.

COMMISSIONER MONTUORI:

Yes.

CHAIRPERSON NOWICK:

And I think that maybe it would encourage more people to apply.

COMMISSIONER MONTUORI:

I think it's excellent idea. Also what happens, a couple of things I found out already, people kind of forget. I have a green card, I think it expires next May of 2011, and I think if we can kind of like send out a reminder to people about that and do an automatic renewal, I think that will work great.

CHAIRPERSON NOWICK:

Just like they do on our license.

COMMISSIONER MONTUORI:

Exactly.

CHAIRPERSON NOWICK:

I think that might help. I know for myself it's such a pain in the neck to have to go to a County Parks facility to get the card when, you know, it's 2010. We should be able to -- that would be great if we could work together on that.

COMMISSIONER MONTUORI:

Okay. Thank you.

CHAIRPERSON NOWICK:

Does anybody have anything that they would like to talk to the Commissioner about? And if not, we'll go to the agenda.

TABLED RESOLUTIONS

We'll go to table resolutions. **1105, Waiving the Vanderbilt Museum's reimbursement for self-insurance. (Pres. Off.)** I'll make a motion to table, second by Legislator Barraga. All in favor? Opposed? 1105 is tabled. **(VOTE: 4-0-0-1. LEG. HORSLEY NOT PRESENT)**

1585, Amending the 2010 Capital Budget and Program and appropriating funds in connection with the restoration of the Helen Keller House (CP 7504). I'll make a motion to table.

LEG. MONTANO:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Montano.

LEG. STERN:

Motion to table subject to call.

CHAIRPERSON NOWICK:

Motion to table subject to call. Do I have a second?

LEG. MONTANO:

I'll second.

CHAIRPERSON NOWICK:

Second by Legislator Montano. We have a motion to table subject to call and a second by Legislator Montano. All in favor? Opposed? 1585 is tabled subject to call. **(VOTE: 4-0-0-1. LEG. HORSLEY NOT PRESENT)**

1655, To waive fee for use of the County showmobile for the Riverhead Fire Department's Countywide Parade. (Romaine) We will make the same motion, same second. All in favor? Opposed? 1655 is tabled subject to call. **(VOTE: 4-0-0-1. LEG. HORSLEY NOT PRESENT)**

INTRODUCTORY RESOLUTIONS

1689, Authorizing the use of Smith Point County Park property, Cathedral Pines County Park, Southaven County Park, and Smith Point Marina by the Long Island 2 Day Walk to Fight Breast Cancer, Inc., for breast cancer walk in 2011. (Browning) There is a fee involved, \$50 a day. I will make a motion.

LEG. MONTANO:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Montano. All in favor? Opposed? 1689 is approved. **(VOTE: 4-0-0-1. LEG. HORSLEY NOT PRESENT)**

1707, Authorizing use of Southaven County Park for the Craig Elberth Cross Country 5K Run. (Browning) With a fee of \$150. Same motion, same second. All in favor? Opposed? 1707 is approved. **(VOTE: 4-0-0-1. LEG. HORSLEY NOT PRESENT)**

1716, Authorizing the use of Smith Point County Beach property by the American Cancer Society, for the Amazedness Kite Fly. (Eddington)

With a fee also of \$50. Same motion, same second. All in favor? Opposed? 1716 is approved.
(VOTE: 4-0-0-1. LEG. HORSLEY NOT PRESENT)

Is there anything else for the Parks Committee? If not, I'll make a motion to adjourn, second by
Legislator Barraga. All in favor? Opposed? We are adjourned.

(THE MEETING CONCLUDED AT 1:30 PM)