

**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 February 24, 2010.

**MEMBERS PRESENT:**

Leg. Lynne C. Nowick, Chairperson  
Leg. Wayne R. Horsley, Vice Chair  
Leg. Thomas Barraga (not present)  
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  
Barbara LoMoriello, Deputy Clerk  
Lance Reinheimer, Assistant Director of Budget Review Office  
Jill Moss, Budget Review Office  
John W. Pavacic, Commissioner of 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  
Dot Kerrigan, AME Legislative Representative  
Dennis Brown, County Attorney's Office  
And all other interested parties

**MINUTES TAKEN BY:**

Diana Flesher, Court Stenographer

## **THE MEETING WAS CALLED TO ORDER AT 2:24 PM**

### **CHAIRPERSON NOWICK:**

Good afternoon. We will start the Parks Committee with the salute to the flag led by my co-chair Legislator Wayne Horsley.

### **SALUTATION**

I'm just going to ask everybody to remain standing for a moment of silence. A long time Parks employee, Robert Mistler, has past away; and also for all of those who are fighting to preserve the integrity of this Country.

### **MOMENT OF SILENCE OBSERVED**

Okay. Sorry for the delay. Is there anybody from the public who would like to address the Parks Committee? I don't have any cards. I would like to at this time ask the representatives from Vanderbilt -- I understand you would like to address the Committee. And, Commissioner, if I do forget, if you want to come up at any point, please.

### **COMMISSIONER PAVACIC:**

Thank you.

### **CHAIRPERSON NOWICK:**

Carol?

### **MS. GHIORSI HART:**

Good afternoon. Carol Ghiorso Hart, Executive Director of the Suffolk County Vanderbilt Museum.

Just wanted to give you a little bit of update. Our February has been wonderfully successful. February break week, as you know, is one of the busiest public weeks for the year for us. And despite the snow at the beginning of that break, we did end up with huge numbers of visitors coming to see our planetarium, our laser lights shows, our planetarium shows and enjoying the grounds as well.

In addition we had scheduled a Valentine Day dinner in the mansion. And we thought of that as a wonderful opportunity to bring people in for a special evening to show a side of the mansion they might not normally get to see. And the one seating we had scheduled sold out very quickly so we added a second seating and that sold out as well. So it started as an activity that I would describe more as a friend-raiser by adding the two full seatings of almost 100 people. It really actually did well for us as a fundraiser as well. And people got to enjoy not only our mansion but added a laser Beetle Show so they got to see two of the sides of the Vanderbilt Museum.

We also had a very special event on Saturday night called Bella Gaia that was originally scheduled for the blizzard in December and rescheduled. This event was a live performance with a violinist to images of earth from outer space. With the new date, he was able to add seven of his friends so in the end we had eight musicians all playing in the planetarium. And, again, we got a wonderful story in Newsday, talking about this event. And by Thursday we had sold out the first show that we had scheduled. And that's 200 seats. And we added a 10 o'clock show. And by Saturday afternoon the 10 o'clock show had sold out.

So there, again, we had a wonderful evening. And I was very proud of that event; not only was it a really nice special event, but it was very educational about our planet and ecology. And people had an opportunity again to learn a little bit more about us. The observatory was opened. We had the grand opening of some images that we have now on permanent exhibit and we're able to learn a

little bit more about our membership opportunities and other events at the museum, like spin classes.

Also during the week we had every day at least one trustee volunteering to man our membership table. And I don't have the final count on that, but there was a lot of competition going between our trustees. And by Sunday we got 23 family memberships, Sunday alone, in addition to a library membership. I know one other day we had 21 memberships so we don't have the total for the week but it was well over a hundred new memberships for that week. And I think the trustees also had the opportunity to interact with our visitors, explain a little bit more in depth about who we are and what we do.

So, we're very excited about the week we had. A lot of -- collect a lot of e-mail addresses, made a lot of new friends. And we're really looking forward to this spring.

**CHAIRPERSON NOWICK:**

Carol, thank you. Sounds like you had a very exciting week.

**MS. GHIORSI HART:**

Yes.

**CHAIRPERSON NOWICK:**

You know, I've been kind of rattling my brain to think of different ways for the Vanderbilt to raise money. And I might be out on a limb but I had just a thought. I noticed that in other states, municipalities, even private areas people help the cause by purchasing, whether it's a stone or a brick or lovers of historical, maybe in this case. But you sell family memberships, business memberships. Is there any -- I'm trying to think of a way, you have all that cobblestone there, you have -- do you do that sort of thing or is that a little bit -- can that hurt the historic value?

**MS. GHIORSI HART:**

No, actually that's a great idea. And we have started a buy-a-brick program. We do have a brochure that we were handing out during the week, "Become Part of the Vanderbilt Museum". And there's a little brick. It's our brick campaign for one \$100. You can have your name. And there's enough space, maybe you can fit a little bit more and have a brick. We've already installed -- a few have been purchased. So we have started that campaign. We do have a flyer that was handed out. We're going to really be pushing that program in the coming months, though, as we get -- get it on line on our website. And we're also looking into purchasing benches on the property, with the same idea in mind.

**CHAIRPERSON NOWICK:**

I was wondering maybe also to that end when you're selling the family memberships or the individual memberships -- do you sell business memberships or --

**MS. GHIORSI HART:**

Yeah, we do have different levels of corporate memberships as well.

**CHAIRPERSON NOWICK:**

Can you do that as part of the membership, say, if you opt to, you have an additional buy-a-brick, just to bring their attention to it. So maybe when they're putting in for their family membership, *let's buy a brick in memory of the family*. And I see they're doing it all over now; so just a thought on that one.

**MS. GHIORSI HART:**

Yeah, thank you. And I think that was the nice thing about having our trustees there this week. They were particularly engaging the visitors and talking about the other ways that people can help. And you'll be seeing more about these kinds of things.

One of the other new things that I'm excited about is that there are going to be two new people joining the Vanderbilt on a part-time basis, consultant basis in the development department starting the beginning of April, someone who's going to be focusing on grant writing and major donors. And then Monday actually someone's going to be starting again on a part-time basis but his focus is going to be public relations and marketing. Both people have strong experience in the Huntington area and in non-profit museum worlds. So we're very excited about that. And certainly publicizing some of these brand new programs like the brick campaign and membership as well as our summer programs and our other programs, there's going to be a high priority so hopefully you'll --

**CHAIRPERSON NOWICK:**

Yeah, I can even see these classes that come, you know, *this is so and so's class of -- third grade class buying a brick* or something. How nice to remember that forever. But just an idea. And I know Legislator Montano, did you want to say something? Did you ask me? Yes.

**LEG. MONTANO:**

Good afternoon. How are you?

**MS. GHIORSI HART:**

Good.

**LEG. MONTANO:**

I'm very pleased that you had a good week. And I don't mean to rain on your parade but how much revenue did this week bring you?

**MS. GHIORSI HART:**

I believe -- I believe the admissions was probably in the \$20,000 -- I haven't gotten the totals yet. I think -- we had budgeted. I think we met our projections for \$20,000, in that area.

**LEG. MONTANO:**

So you grossed -- you grossed or you netted \$20,000?

**MS. GHIORSI HART:**

That would be a gross. I mean a -- yes, a gross in admissions. That wouldn't be including membership or the special events. I haven't gotten all the numbers from our bookkeeper yet.

**LEG. MONTANO:**

Right.

**MS. GHIORSI HART:**

Again I --

**LEG. MONTANO:**

So you made a profit, though, is what you're saying? You just don't know how much?

**MS. GHIORSI HART:**

For this one week we undoubtedly did make a profit.

**LEG. MONTANO:**

The two people that you indicate, you said one is in public relations and the other one was a consultant that you're bringing on board? Is that what --

**MS. GHIORSI HART:**

Actually right -- right now it looks like the consultant will be in the public relations marketing area also handling some of the -- like a gala fundraiser.

**LEG. MONTANO:**

Are these two consultants that you're bringing on --

**MS. GHIORSI HART:**

One consultant and then one part-time person. The part-time person would be the grant writer/major donor person.

**LEG. MONTANO:**

All right. So the part-time person would be a paid part-time employee?

**MS. GHIORSI HART:**

Yes.

**LEG. MONTANO:**

The consultant is -- is the consultant going to be on a paid basis or on a how much you generate sort of commission type basis?

**MS. GHIORSI HART:**

No, they'd both be -- be paid. The part-time person will be salaried part-time; the consultant will have a monthly fee for work.

**LEG. MONTANO:**

How much is that?

**MS. GHIORSI HART:**

Umm --

**LEG. MONTANO:**

If you can disclose it.

**MS. GHIORSI HART:**

Maybe I can tell you after session or --

**LEG. MONTANO:**

All right. I'll be happy to know. And the reason, if I may, Madam Chair, there's a --

**CHAIRPERSON NOWICK:**

Yes.

**LEG. MONTANO:**

-- bill on the agenda 1105. I would have some questions on that. Do you want me to hold those questions or should I go through -- while I have her at the podium?

**CHAIRPERSON NOWICK:**

Carol, you want to sit down?

**LEG. MONTANO:**

Yeah. There's a resolution 1105 that I'm looking at. And it's basically waiving the Vanderbilt Museum's reimbursement for self insurance. Couple of whereas clauses. The Legislature funded the 2009 operating budget for \$800,000. You made that request. And that was supposed to be a one time allocation. It says here whereas ten percent of the revenue is derive from the authorized -- reauthorized hotel/motel tax will be used to support the Vanderbilt beginning 2010. I believe, Lance, that amount was about 700,000 that the Museum was expected to get out of the hotel/motel tax. Am I correct on that?

**MR. REINHEIMER:**

That's correct. It's \$692,000.

**LEG. MONTANO:**

Okay.

**MR. REINHEIMER:**

They haven't received any funds yet. They're still working with the County Executive's Office to get the contract in place.

**LEG. MONTANO:**

So it's about 700,000.

**MR. REINHEIMER:**

That's correct.

**LEG. MONTANO:**

So that's a million and a half.

**MR. REINHEIMER:**

Just to note --

**LEG. MONTANO:**

Go ahead.

**MR. REINHEIMER:**

-- last year they were authorized to received \$800,000 from the General Fund. They received 705,000. So they received \$95,000 less from the General Fund than what was appropriated.

**LEG. MONTANO:**

So we're talking 1.4 million approximately in the last two years when you add the --

**MR. REINHEIMER:**

Right. This year -- right, it's 692. Last year would have been the 700,000, right. 1.4 million, you're correct.

**LEG. MONTANO:**

Well, yeah, it's 1.4 million minus \$8,000.

**MR. REINHEIMER:**

Correct. Right. It's a little bit more, right.

**LEG. MONTANO:**

If I did the math right. It says here "despite the County's efforts the Vanderbilt continues to struggle financially." Is that accurate?

**MS. GHIORSI HART:**

I would say we are struggling financially.

**LEG. MONTANO:**

You continue to struggle financially.

**MS. GHIORSI HART:**

We continue as -- we seemed to have struggled for quite a few years, yes.

**LEG. MONTANO:**

Okay. And this resolution -- I also am looking at this resolution and it says that you have not paid the self insurance tax or payments. You haven't made self insurance payments since 2001. Am I correct in that?

**MS. GHIORSI HART:**

That's correct. We have not -- I was not here during that time period.

**LEG. MONTANO:**

No, I know that. I understand that.

**MS. GHIORSI HART:**

But in reviewing it, we have not been -- we were not billed since 2001 until this fall. We got a bill retroactive.

**LEG. MONTANO:**

To the best of your knowledge was that because of a policy or a resolution that the legislature -- I wasn't here in 2001 either. So was that something that was passed by the Legislature or is that something that was done just maybe they forgot to bill you or you didn't pay, you know, do you know the history of that? Because if I know I didn't pay my mortgage in 2001, I wouldn't be living there.

**MS. GHIORSI HART:**

Yeah. From my understanding we were not billed. Certainly we were not billed but there was an understanding amongst some people that maybe we wouldn't have to pay but I am not able to find any paper work.

**LEG. MONTANO:**

Right, Okay.

**MS. GHIORSI HART:**

That said we didn't have to pay, which is why we -- we continue to carry this expense on our annual treasury reports and why our fund balance deficit reflects that. Because the auditors and our accountant wouldn't dismiss this unless we had something in writing saying, *oh, you don't owe that*. And from what I gather, I haven't seen anything in writing either saying we owe it or that we don't owe it.

**LEG. MONTANO:**

The bill that's in front of me -- Lance, I'm looking at the financial statement. In the resolution it says the County's Division of Insurance and Risk Management has asked the museum to bring their self insurance payments for liability up to date by remitting 180,000. That's the total from 2001 til today? Or is that -- that's just this year's payment?

**MR. REINHEIMER:**

No, that's from 2005 through 2008. It's a four year period. I don't know what happened.

**LEG. MONTANO:**

All right. What happened in 2001 through 2005?

**MR. REINHEIMER:**

We're not sure. They didn't provide a bill. The Museum -- Carol, she said, wasn't there. We're not aware of how much they were assessed for that or even -- even they were billed for that. The average annual assessment's about \$43,000. Based on a procedure that was adopted several years ago, they assessed the museum based on projections and attendance. It's approximately 45 cents, 50 cents per attendee is how they arrive at this number. And the best we can tell, too, this money -- this bill that the Museum received, this letter that they received last fall is not included in the budget revenue for fund 38 this year.

**LEG. MONTANO:**

All right, but I'm not sure that I got all of that.

**MR. REINHEIMER:**

Okay.

**LEG. MONTANO:**

Between 2001 and 2005 payments were due but they weren't made; is that an accurate statement?

**MR. REINHEIMER:**

That payments weren't made; whether there was a bill or a request for funds, we're not sure.

**LEG. MONTANO:**

No. I said payments were due.

**MR. REINHEIMER:**

I don't know if they were --

**LEG. MONTANO:**

Whether there was --

**MR. REINHEIMER:**

Oh.

**LEG. MONTANO:**

That's what I'm asking. Is the statement accurate? Payments were due, weren't made. Why it happened, we don't know.

**MR. REINHEIMER:**

Correct.

**LEG. MONTANO:**

Is it accurate to say that payments were due and not made?

**MR. REINHEIMER:**

That's correct.

**LEG. MONTANO:**

All right. And then this resolution covers from 2005 until the present.

**MR. REINHEIMER:**

Because -- yes. It's in response to a letter that the Museum received asking for the 180 --

**LEG. MONTANO:**

From the Division of Risk Management.

**MR. REINHEIMER:**

Correct. But this resolution waives all --

**LEG. MONTANO:**

I know that.

**MR. REINHEIMER:**

Okay.

**LEG. MONTANO:**

Why wasn't a request made for payment from 2001 to 2005? Is it because the Statute of Limitations has run, is it because they don't want to be bothered with the money? Ben, do you have any -- could you come forward, please? Madam Chair, if you don't mind, could I call up --

**CHAIRPERSON NOWICK:**

I don't. But if I could just interrupt so I can be clear on it, when you say *they never received a bill*, we're talking about a bill -- from -- it's self insured. From who? Who would the bill come from?

**MR. REINHEIMER:**

Okay. Insurance and Risk Management each year sets rates for liability through a third party consultant. They determine based on experience a rate for liability --

**LEG. MONTANO:**

They prorate it, in other words? They prorate their share of the self insurance amount.

**MR. REINHEIMER:**

They will look at experience county-wide. They come up with liability rates for office workers, mechanics, police. They do an extensive analysis of the County's liability. And they come up with a rate.

**CHAIRPERSON NOWICK:**

But just to make myself clear, what I'm trying to get at is, this is Risk -- what did you say, Risk Management?

**MR. REINHEIMER:**

Right, Insurance and Risk Management.

**CHAIRPERSON NOWICK:**

All right.

**MR. REINHEIMER:**

Which is part of the County fund 38.

**CHAIRPERSON NOWICK:**

All right. All right. So, it's part the County. But somebody had to be paying that bill because in those years, if there was a liability suit, was there an unpaid -- were they not insured?

**MR. REINHEIMER:**

Well, no. The County is --

**CHAIRPERSON NOWICK:**

Somebody had -- the County was paying it.

**MR. REINHEIMER:**

The County is self-insured. We fund our own liability. We pay out of our own claims. We pay out of fund 38. It's our own money.

**CHAIRPERSON NOWICK:**

Okay.

**MR. REINHEIMER:**

There's no insurance premium. The Museum as being part of the County property, the County incurs liability. Years ago they developed a procedure where they were assessed liability based on attendees, which makes sense. The more attendees, the higher your liability. For whatever reason, the Museum has not made payments. Whether they did not receive a bill or they did, we're not

sure. But this resolution's in response to a letter from Insurance Risk Management asking for past liability assessments of about \$40,000 a year waiving \$180,000. So there's no insurance premium that went unpaid.

**LEG. MONTANO:**

Yeah, maybe I can clarify it the way I read it. Ben, could you shed some light on -- Risk Management is under the County Executive's department; correct?

**MR. ZWIRN:**

Yes.

**LEG. MONTANO:**

All right. So why -- first of all, does the County Executive support this resolution?

**MR. ZWIRN:**

No.

**LEG. MONTANO:**

Okay. And why is it that Risk Management would only send a letter for reimbursement from 2005 if, in fact, the reimbursement goes back, or what should have been reimbursed, goes back to 2001?

**MR. ZWIRN:**

I'll have to get that -- I don't know the answer to that question but it's certainly a fair question. I'm just saying --

**LEG. MONTANO:**

I'm not trying to be unfair. I'm just trying to get the facts.

**MR. ZWIRN:**

Oh, I agree with you. And your comments are right on target. And if you go back to 2001, the Vanderbilt really had a hit on their endowment in, I believe, it was 2007. So it probably was not a hardship issue going back before that. And the County Executive respect to this piece of legislation said if you want to work out a payment schedule, something along those lines, now that the hotel/motel tax, a portion of that is going, you know, to fund the Vanderbilt, it would be only fair that we get back, you know, some of this money -- doesn't have to be done right away -- but at some point work out some sort of payment --

**LEG. MONTANO:**

Right.

**MR. ZWIRN:**

So we do get the money back. We don't know why it was not paid.

**LEG. MONTANO:**

Could you find out and --

**MR. ZWIRN:**

I will inquire and have an answer by Tuesday.

**LEG. MONTANO:**

Yeah, I'd like to know. And, you know, I just want to point out one thing. We've had these conversations before. My position has been, you know, fairly on the record and consistent. I did not vote for the \$800,000 dollars, I believe. Right, Bob, I didn't vote for that?

**MR. MARTINEZ:**

No.

**LEG. MONTANO:**

Just checking. And with respect to the hotel/motel tax, the way that bill was written -- and I understand that the Vanderbilt serves a purpose, but, you know, I picked up the Long Island Business News today. And on page eight there's an article that says "facing deficit County ready to unload nursing home."

Now what it says is that while it serves a good purpose, we can't continue to fund agencies that have deficit after deficit. And we have been through this debate for a while. And I'm just asking at what point is the Vanderbilt going to come to terms with the fact that you need to run it, you came in with a business plan last year. We looked at the business plan. My understanding is that the business plan is either obsolete or wasn't -- you haven't been meeting your goals and objectives or commitments under the business plan. And now we're seeking to waive how much of the bill? 180,000 that -- or is it 240?

**MR. ZWIRN:**

\$180,677.

**LEG. MONTANO:**

Plus anything from 2001 to 2005.

**MR. ZWIRN:**

That includes that.

**LEG. MONTANO:**

No. I'm saying that this bill covers 2005 to 2010, but it doesn't cover anything that's owed between 2001 to 2005; am I correct in that?

**MR. ZWIRN:**

Yes.

**LEG. MONTANO:**

So it's probably more money. Now, if it were the same rate, we're talking an extra \$160,000?

**MR. REINHEIMER:**

Yeah, we calculate --

**LEG. MONTANO:**

Figure 40,000 a year of 2001 to 2004, that's four years, four times four is 16, 160,000?

**MR. REINHEIMER:**

We calculated almost -- it would almost be \$400,000.

**LEG. MONTANO:**

In total.

**MR. REINHEIMER:**

Correct.

**LEG. MONTANO:**

We are now asking the Legislature to waive for the Vanderbilt in addition to the 800,000, the 700,000 that you're going to get. I can't see myself voting for this. Thank you very much.

**CHAIRPERSON NOWICK:**

Lance, how come they didn't get that additional 95,000 from the General Fund? What happened with that?

**MR. REINHEIMER:**

Part of the agreement with the County was that they would receive distributions from the General Fund based on their cash needs. Also that they were restricted to accumulate a large fund balance at the of the year. Division was, we would provide money as they needed it based on their shortfall between their revenues and their expenditures. So that's -- we ended up giving them 705,000 plus \$45,000 from the endowment so they got approximately \$750,000. But 705,000 was from the General Fund.

**CHAIRPERSON NOWICK:**

But 705 from the General Fund.

**MR. REINHEIMER:**

Correct.

**CHAIRPERSON NOWICK:**

So we can deduct that from the insurance and it would be 95 less. But anyway, Carol, from 2001 to 2005 does your accountant also keep that running debt?

**MS. GHIORSI HART:**

Yes, our accountant and the auditors did assume that might be a payable due. Again, we didn't have any paper -- looking back, there was no invoices. There was just some talk looking at -- reading some old minutes. There was some discussion among trustees whether or not, in fact, they felt we owed that money and there might have been some talk between Risk Management and the Executive Director at the time. But we never had anything in writing so the accountant never took it off but the money and the audit kept it in there.

**CHAIRPERSON NOWICK:**

Okay, I understand. So that's been running on for almost eight years now. I guess eight or nine years. But you were never billed by Risk Management?

**MS. GHIORSI HART:**

That's right. The first bill that -- my bookkeeper who was here during that whole period, the first bill she says that we've seen was in the fall. And that was certainly the first one I've seen since the fall of 2007 when I started.

**CHAIRPERSON NOWICK:**

Legislator Horsley has a question.

**LEG. HORSLEY:**

Hi, Carol. I don't want to belabor this at this point, but the policies of Risk Management itself, when they bill, and Ben, maybe you can answer this, when they bill the different entities within the County, is there a -- do they have a dunning procedure? *You didn't pay your bill last year, why don't you pay up*, anything along that line? Is it suddenly, *wow, they got some money from the hotel/motel tax, let's go get it*. Is that -- how did that -- how does that work out?

**MR. ZWIRN:**

I'm going to defer to Lance.

**MR. REINHEIMER:**

Sure. The way the budget's constructed, there's inter-fund transfers from the General Fund, police district, nursing home. They're all assessed part of the fund 38 liability cost. So it's done through inter-fund transfers. So the departments don't even know -- individual departments wouldn't be aware of how much they're paying in terms of liability because it's done through inter-fund transfers.

**LEG. HORSLEY:**

This being the Museum, they would not realize that?

**MR. REINHEIMER:**

No.

**LEG. HORSLEY:**

Would there be a separate agency and they'd get a bill for it?

**MR. REINHEIMER:**

Yeah. Prior to 2009, there was no inter-fund transfer between the Museum and the County. They were a separate entity. They would be billed and they would remit that as a bill. There was no transfer of funds.

**LEG. HORSLEY:**

So are you saying, then, since they do it anonymously and through inter-funds transfers, that they may have never known that they were owing this bill?

**MR. REINHEIMER:**

No, no. Normal County departments, it's an inter-fund transfer, general fund transfer, police district, nursing homes.

**LEG. HORSLEY:**

I got you.

**MR. REINHEIMER:**

There's no inter-fund transfer for the Museum. There was last year for the revenue that the general fund supported them. Prior to that point in time, there was no inter-fund transfer. So there was no automatic transfer. Generally unless the treasurer's --

**LEG. HORSLEY:**

So if there's no automatic transfer, how do they know?

**MR. REINHEIMER:**

Through a bill. They would have gotten a bill.

**LEG. HORSLEY:**

And they say -- and Carol just said she never got a bill.

**MR. REINHEIMER:**

We're not sure. Carol wasn't here at that point in time so she's not sure. The bookkeeper who has been here is not aware of any bills, so the best they can tell they never received a bill for that period of time after --

**LEG. HORSLEY:**

I think you answered me. You don't have any record that there was a bill sent, you don't know that there was a bill sent. Now suddenly you're saying the money is now owed?

**MR. REINHEIMER:**

That seems to be the situation, correct.

**LEG. HORSLEY:**

That's a pretty screwy way of doing business. You know, hey -- it is going back to what I originally said. You got some money coming in from the hotel/motel tax, and, *boy, you should have paid this. We should have sent you a bill for this. So let's go get that from your money.*

**LEG. MONTANO:**

If I may?

**CHAIRPERSON NOWICK:**

Wait. The point you just said, they did know the money was owing because the accountant kept the record of it as a debt. It just didn't get a bill.

**MS. GHIORSI HART:**

Yeah. Again, you know --

**CHAIRPERSON NOWICK:**

It's like your tax bill.

**LEG. HORSLEY:**

The accountant of the County kept the record that there was a debt.

**MS. GHIORSI HART:**

No, no. Our Museum accountant -- and, again, we're very strict. And unless I get in writing something saying you're forgiven this debt, the accountant and our audit isn't going to say just because the Director says *I talked to Risk Management, they said, you know, forget about it, it's okay*, that's not good enough. So that's why we have kept it on the books; but at the same time it's not been our payables because we never received --

**LEG. HORSLEY:**

-- a bill.

**MS. GHIORSI HART:**

-- a bill.

**CHAIRPERSON NOWICK:**

But here's the problem with that. They did know it was due. There wasn't a -- and believe me I'm not voting either way, I'm not -- this is not -- but if you owe your taxes in December and you don't get a tax bill, guess what? You got to get yourself down there and pay anyway without the physical bill. If you don't get your American Express because you US Postal service screwed up, which never happens, but -- what I'm saying is, if you don't get the physical bill and you know it's due, you do know it's due, you weren't here at the time but the accountant knew it was due.

**MS. GHIORSI HART:**

Yes.

**CHAIRPERSON NOWICK:**

It's just a point that I'm taking. It doesn't mean --

**LEG. HORSLEY:**

All right, well taken.

**LEG. MONTANO:**

Not only do you get a bill, you get a bill with late fees and interest and all of that good stuff.

**CHAIRPERSON NOWICK:**

Legislator Stern had a question.

**LEG. HORSLEY:**

We didn't have a late fee. We didn't get a bill.

**CHAIRPERSON NOWICK:**

Actually he was first but if you want to --

**LEG. MONTANO:**

No. I just wanted to clarify a point. What I heard you say, and just so the record is clear, is that this bill or this amount that was owed was maintained on your own books for those years. It wasn't like you didn't know about it. You knew about it. You carried it not as an account receivable, that would be -- this is more a debit -- not a debit. What's the correct term, Lance? It's not a receivable because it's not owed to you. It's an expenditure -- it's an unpaid expenditure.

**MR. REINHEIMER:**

It's a payable.

**LEG. MONTANO:**

It's a payable. That's the term I was looking for.

**MS. GHIORSI HART:**

Yeah, our accountant --

**LEG. MONTANO:**

And how long has this -- -

**MS. GHIORSI HART:**

-- did do it on an accrued basis since 2002.

**LEG. MONTANO:**

So this has been a payable on your records since 2002?

**MS. GHIORSI HART:**

That's why our fund balance deficit is there.

**LEG. MONTANO:**

Right, I understand that. That increases. What that does is, you can't break even because you have this payable that's due that's accrued every year. And now it's accrued to the tune of approximately four hundred and something thousand dollars; am I correct? Of which you're being billed 200,000.

**MS. GHIORSI HART:**

Approximately. And again I haven't found any records of any bills during that time.

**LEG. MONTANO:**

Right. And by the way we know you weren't there. We understand that. It has nothing to do with you. It has to do with the Vanderbilt and its, you know, its previous administration. But the fact still remains that you're running, you know, deficit after deficit after deficit and this compounds it.

**MS. GHIORSI HART:**

Well, I must also point out that --

**LEG. MONTANO:**

You may point out.

**MS. GHIORSI HART:**

-- from 1996 or seven through 2007, the museum received \$1.2 million every year from its endowment income to help operate --

**LEG. MONTANO:**

Which you don't get anymore because your endowment is --

**MS. GHIORSI HART:**

In 2008 we got 1.1 million from our accounting. Last year we didn't get that 1.2. We got 750,000 from other sources and we were able to function because --

**LEG. MONTANO:**

Right. But you got seven --

**MS. GHIORSI HART:**

-- of all the changes and the differences we made.

**LEG. MONTANO:**

But you got 700,000 from the taxpayer for your operating expenses.

**MS. GHIORSI HART:**

Uh-huh.

**LEG. MONTANO:**

You're getting another 700,000 from the taxpayer this year through the hotel/motel tax. All right? And now you're asking for another 200,000. And you're asking -- or you're ignoring or someone is ignoring the other \$200,000 that you're not even being billed for, which covers a period 2001 to 2005. That's a lot of cash. And that is my point. And that's why I'm not going to vote for this bill.

**CHAIRPERSON NOWICK:**

Legislator Stern.

**LEG. STERN:**

Yeah, thank you, Madam Chair. For many of the reasons that Legislator Montano has already stated very eloquently I'm concerned about this resolution as well. But for those of who us are concerned about the Long Island viability of the Vanderbilt and don't want to see the Vanderbilt in the position where there is this extraordinary expense that could have an adverse impact on all the good that you're doing, Ben, I guess I would go back to you in something you had mentioned before, is there some any other way that we will be able to proceed here in that -- this resolution right now calls for this dollar amount to be eliminated entirely and come up with a structured plan going forward. Is there some workable plan, we can come up with some kind of installment payments so that there is this liability that is recognized that ultimately payments are made to the County; but that it doesn't present an undue burden at this point in trying to help the Vanderbilt along? Ben, you had said going forward that perhaps there might be some kind of a plan structured? Has anybody given that any thought? Is there some alternative that we can come up with here?

**MR. ZWIRN:**

I don't know if it's been given any thought. But I would ask the Committee if they can table this bill, give us an opportunity to see what we can work out before we go forward. I know Legislator Montano had some questions about Risk Management coming down and explaining what the bill is. And I think those are questions that should be answered. So I would just ask you if you can table this bill for the time being. And we can see if we can -- see what options we have without waiving the fees.

**LEG. MONTANO:**

There's no harm -- if I may?

**CHAIRPERSON NOWICK:**

You know what? I think that if we're going to table it --

**LEG. MONTANO:**

We're not --

**CHAIRPERSON NOWICK:**

-- let's do it because --

**LEG. MONTANO:**

We're not even on the agenda yet.

**CHAIRPERSON NOWICK:**

Yeah, because it's ten to two.

**LEG. MONTANO:**

I took this out of order so when we get to that --

**CHAIRPERSON NOWICK:**

Yeah, yeah. All right? Is that all right with everybody? Okay.

**LEG. MONTANO:**

I was going to make one last comment.

**CHAIRPERSON NOWICK:**

If it's short.

**LEG. MONTANO:**

It is short. With respect to tabling this, there is no harm, no problem, because they haven't paid the money and you're not going to close them down if they don't pay the money for a couple of months. They haven't paid in ten years? What's the big deal?

**CHAIRPERSON NOWICK:**

(Inaudible)

**LEG. MONTANO:**

Maybe; maybe not. Got you.

**CHAIRPERSON NOWICK:**

BRO, you had a question.

**MR. REINHEIMER:**

Yes. I just want to expand what Legislator Stern said. Insurance Risk and Management did in their letter put forth that the possibility exists for an installment plan so that is a possibility that they're looking -- you know, that they're willing to discuss and explore.

**LEG. STERN:**

Thanks.

**CHAIRPERSON NOWICK:**

Okay.

**LEG. HORSLEY:**

Carol, I just wanted to get a quick perspective on the negotiations with the College, how are we doing? Do you feel they're going positively?

**MS. GHIORSI HART:**

We've already collaborated and put in one Letter of Intent on the grant. And we expect -- I think when the weather gets a little bit better that -- the college's strong interest is in the waterfront and the seaplane particularly, boathouse. And I think once the weather gets a little nicer, they want to get down there and look at that area and move forward.

**LEG. HORSLEY:**

That's the only thing that they're interested in?

**MS. GHIORSI HART:**

Well, I mean --

**LEG. HORSLEY:**

I'm not sure. I know that you're interested in the boathouse.

**MS. GHIORSI HART:**

Yeah.

**LEG. HORSLEY:**

And the seaplane hangar.

**MS. GHIORSI HART:**

No. In fact that's what they seem the most excited about.

**LEG. HORSLEY:**

Okay. All right. I haven't heard that. Okay.

**MS. GHIORSI HART:**

There's other classroom space among other things. But they're very excited about a project down there because they have a funder in mind so that's what they seem most excited about. But we are moving forward and we probably will be meeting within the next two weeks again.

**LEG. HORSLEY:**

Good. Because I'd love to see that progress and move along in an orderly way because it's a good way to assure that we're all going to be around in the future by working collaboratively as you know. Okay.

Just, Lance, one quick thing on the endowment, how are we doing? I mean is it getting better? Should be.

**MR. REINHEIMER:**

We've got about \$8.7 million in there. They're not getting much better because they're mostly in bonds. So it's going to be pretty stable. They've got about \$300,000 as the projected income annualized from the bonds, which is a pretty good run in this market. If you see interest rates picking up, the endowment will lose some of its capital gains on the bonds.

We're in the process now of finalizing a contract with PFM, which is a new asset advisor. And when things are transferred and the Legislature considers objectives and a new plan for the Museum, then you can probably go forward in equities. But at this point it's just in holding in bonds. So there's not a lot of movement in the endowment.

**CHAIRPERSON NOWICK:**

Thank you, Carol. Okay.

Commissioner, if you have anything you want to talk about, you let us know. But otherwise come and sit and enjoy this nice fast ride we're going on.

#### **TABLED RESOLUTION**

Okay, tabled resolutions, **1035, renaming Dam Pond in East Marion after Ruth D. Oliva.**

**(Romaine)** That has to be tabled for the Naming Committee. Is that correct? I'll make a motion to table, second by Legislator Horsley. All in favor? Opposed? Abstentions? **1035 is tabled. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

**1084, amending Resolution No. 61-2009 to authorize additional time for the Long Island Maritime Museum to utilize the Carriage House in the West Sayville Park. (Lindsay)** I'll make a motion to approve, second by Legislator Stern. All in favor? Opposed?

**LEG. MONTANO:**

Question, question, question. Is there a financial impact on this? It says "not applicable" but that doesn't seem to be -- doesn't make sense to me. There's always a financial impact.

**MS. MOSS:**

There is a financial impact.

**LEG. MONTANO:**

What is it?

**MS. MOSS:**

And what it says is that County would be foregoing the rental fees if they continue to allow --

**LEG. MONTANO:**

Right. But what is that? Because where it says "total financial cost not applicable", that doesn't seem to be accurate. If we're waiving rental fees, what are the rental fees?

**MS. MOSS:**

The rental fee right now is approximately 1900 a month, but that could be readjusted. If it were readjusted 5 to 10 percent like the other properties, then it would be about 1880 to 1700.

**LEG. MONTANO:**

A month.

**MS. MOSS:**

Per month, yes. They're month to month leases.

**LEG. MONTANO:**

So, you're saying it's 1700, 1900, 2000, around there?

**MS. MOSS:**

Yes, that's correct.

**LEG. MONTANO:**

For 18 months. How long are we waiving this?

**MR. NOLAN:**

We had earlier resolutions that authorized the Maritime Museum to use the Carriage House for office space. Right now under an old resolution they had a year to do that. This is extending out to 18 months for them to do that.

**LEG. MONTANO:**

So another six months on the year.

**MR. NOLAN:**

Another six months. And then if they don't move in, then it reverts back and can be rented for the market value.

**LEG. MONTANO:**

All right. So this is a six month extension at approximately \$1800 a month. Is that what we're -- is

that the impact?

**MS. MOSS:**

Correct.

**LEG. MONTANO:**

Thank you.

**CHAIRPERSON NOWICK:**

I have a motion and a second, don't I? All in favor? Opposed? **1084 is approved. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

**1105, waiving the Vanderbilt Museum's reimbursement for self-insurance. (Pres. Off.)** I have a tabling motion from Legislator Montano.

**LEG. MONTANO:**

Yes.

**CHAIRPERSON NOWICK:**

Second by Legislator Stern. All in favor? Opposed? **1105 is tabled. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

**1112, approving a license agreement for Patrick Boyles to reside in the Isaac Mills House, St. James. (Co. Exec.)** Commissioner, is this all to your liking? Is this all agreed upon?

**COMMISSIONER PAVACIC:**

Yes. The rental fee that's being charged is as per the housing Rental Committee that was established in a resolution in 2008 that established the monthly fee. And this is in accordance with that. This allows for us to have occupancy of this significant historic structure, parts of which date from the early 1700's. So it'll be good in terms of providing security for the site plus bringing in revenue.

**CHAIRPERSON NOWICK:**

I will make a motion to approve, second by Legislator Horsley. All in favor? Opposed? **1112 is approved. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

**1113, approving a license agreement for Susan Greer to reside at Robert Cushman Murphy County Park, Manorville. (Co. Exec.)** Are you in agreement with that, Commissioner?

**COMMISSIONER PAVACIC:**

Yes, I am.

**CHAIRPERSON NOWICK:**

I'll make a motion. Same motion, same second. All in favor? Opposed? **Abstentions? 1113 is approved. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

**1114, authorizing use of Blydenburgh County Park by the Care Center for its annual Walkathon Fundraiser. (Co. Exec.)** I see there's \$100 event fee. Motion by Legislator Horsley, second by Legislator Stern. All in favor? Opposed? **1114 is approved. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

**1115, authorizing use of Southaven County Park by Contractors for Kids for their Family Fun Day and Picnic Fundraiser. (Co. Exec.)** There's a \$600 event fee. Same motion, same second. All in favor? Opposed? **1115 is approved. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

**1116, authorizing use of Cathedral Pines County Park by Babylon Breast Cancer Coalition for its Mountain Bike Ride Fundraiser. (Co. Exec.)**

There's a \$100 event fee. Same motion, same second. All in favor? Opposed? **1116 is approved. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

**1152, authorizing use of Makamah Preserve in Northport by Northport Running Club.**

**(Cooper)** There is a \$250 event fee. Same motion, same second. All in favor? Opposed? **1152 is approved. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

**1165, authorizing a further extension of Soccer Field Agreement with the Mastic Sports Club. (Browning)**

**LEG. HORSLEY:**

Motion to approve.

**CHAIRPERSON NOWICK:**

Okay, Motion to approve by Legislator Horsley, second by Legislator Stern. All in favor? Opposed? **1165 is approved. (VOTE: 4-0-0-1. LEGISLATOR BARRAGA NOT PRESENT)**

Motion to adjourn by myself, second by Legislator Horsley. All in favor? Opposed? We're adjourned.

**THE MEETING CONCLUDED AT 2:07 PM**

**{ } DENOTES SPELLED PHONETICALLY**