

**PARKS & RECREATION COMMITTEE**

**OF THE**

**SUFFOLK COUNTY LEGISLATURE**

**VERBATIM TRANSCRIPT**

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 April 20, 2011.

**MEMBERS PRESENT:**

Leg. Lynne C. Nowick, Chairperson  
Leg. Thomas Barraga  
Leg. Ricardo Montano  
Leg. Steven H. Stern

**MEMBERS NOT PRESENT:**

Leg. Wayne Horsley, Vice Chairperson

**ALSO IN ATTENDANCE:**

Legislator Kate Browning, Third Legislative District  
Terry Pearsall, Chief of Staff, Office of Presiding Officer  
George Nolan, Counsel to the Legislature  
Sarah Simpson, Assistant Counsel  
Renee Ortiz, Chief Deputy Clerk  
Ed Hennessy, County Executive's Office  
Gail Vizzini, Director of Budget Review Office  
Jill Moss, Budget Review Office  
Joe Montuori, Commissioner of Parks Department  
Paul Perillie, Aide to Majority Leader  
Jack Caffey, Aide to Presiding Officer  
Greg Moran, Aide to Leg. Nowick  
Bob Martinez, Aide to Leg. Montano  
Debbie Harris, Aide to Legislator Stern  
Josh Slaughter, Aide to Legislator Browning  
Ali Nazir, Aide to Legislator Kennedy  
Lance Reinheimer, Interim Director of Vanderbilt Museum  
Dot Kerrigan, AME Legislative Representative  
And all other interested parties

**MINUTES TAKEN BY:**

Lucia Braaten, Court Stenographer

*(\*THE MEETING WAS CALLED TO ORDER AT 1:04 P.M. \*)*

**CHAIRPERSON NOWICK:**

Okay. Good afternoon. We're going to start the committee with a Pledge to the flag, led by Legislator Stern.

*(\*Salutation\*)*

**CHAIRPERSON NOWICK:**

Good afternoon, and welcome to the Parks and Recreation Committee. We do have two cards. Lance. Where is Lance? There you are. Come on up Lance, Lance Reinheimer. You having fun, Lance?

**MR. REINHEIMER:**

I actually am, so I'll state that on the record. It's been a challenge, but it's been energizing. There's a lot to do at the museum.

I'm here to speak on one resolution, that's 1276. It's the transfer of the GOTO projector to the museum. The planetarium is scheduled to close August 1st. From talking to Public Works, their contracts are in place. It looks like that will be the date. We're optimistic that the star projector, which is being manufactured in Japan, will be delivered October 1st. We haven't heard anything to the contrary. I'd like to be optimistic. It's hard to say, but we haven't heard anything, so we're going in that direction.

Transferring the GOTO projector to the museum, the museum is looking for somebody to purchase it. Our hope is that somebody will purchase it whole, remove it and transport it. There is a small planetarium in Texas that may be interested in it, so that's encouraging.

The funds that we expect to get from the projector, it's hard to say what it's worth, will be either used back into the Capital Program to purchase chairs, renovate the lobby, build a kiosk for ticketing, and to get an updated ticketing system. So that's what we anticipate to do with the projector. Public Works told us that they want to know what's going to happen with that projector by August 1st. So this gives us time to find a buyer, know what's going to happen, and where it may be going.

In addition to that, I'd like to report something that happened yesterday that's very exciting. We had a ten thousand dollar contribution to the museum for renovations for the planetarium, and that was a result of a talk that we had out in Fort Salonga, meeting with Fort Salonga Civic Association, and somebody stepped forward and donated \$10,000 towards the planetarium renovation, so we're real excited about that.

If you have any questions about this resolution or anything else, I'm here to answer your questions.

**CHAIRPERSON NOWICK:**

Anybody have any questions?

**LEG. MONTANO:**

No, just a comment. Hi, Lance. How are you? I just want you to know I'll be at the museum later

with Rodney Rodriguez, we're going to take a tour. So, if you're going to be there, I'll knock on your door.

**MR. REINHEIMER:**

Oh, today?

**LEG. MONTANO:**

Today.

**MR. REINHEIMER:**

Absolutely.

**LEG. MONTANO:**

And when we leave here.

**MR. REINHEIMER:**

That's where I'm going.

**LEG. MONTANO:**

All right. See you there.

**MR. REINHEIMER:**

Good. Actually, one more thing that's exciting that we're doing, it can be public now. I met with CEO this morning over at Blydenburgh Park to talk to the Historic Trust group, which is a subcommittee of CEO, about a concept that we're pursuing, which is to use Normandy Manor as a design house showcase, or show house I should say, starting this Fall. It's a local designer who produced the show house at Caumsett Park, the Winter Cottage. We went through the Winter Cottage, saw what they did there, how they left it.

I spoke to one of the principals there and everything was very positive. We anticipate a couple of things there. The museum will receive about \$100,000 in renovations to Normandy Manor, and we anticipate about a \$30,000 revenue from gate receipts, journal books, opening day party, and associated revenues with the show house. It helps us define what we're going to do with this facility. Right now, it's being used for administrative purposes. I've made arrangements to move staff out, get internet into various buildings on the other side of the museum. It puts the administration closer to the operations, which is positive. All the staff is happy to be moving across the street. It's a better physical location for us to manage.

One of the ideas that we're considering when this is done, it's a six-week program, it would start -- September 2nd would be the opening day, runs six weeks to the end of October. When that's completed, we're thinking of using the Winter -- I'm sorry, Normandy Manor as a conference center for small conferences or a bridal suite, so that will give us something to use the house for. I mean, those are concepts. We haven't made definite decisions on that, but the Executive Board of the museum has approved it, and I'm getting all the approvals that I need. And I want everyone to know what we're doing so that they understand. We're not impacting the historic nature of the house. We're writing a contract that will protect the historic part of the house, the gardens. We're not expanding the driveway, we're not increasing traffic also on that property. So that's pretty exciting, we're excited about that.

**CHAIRPERSON NOWICK:**

Thank you.

**MR. REINHEIMER:**

Thank you.

**CHAIRPERSON NOWICK:**

Okay. Next, we have Paul {Shmeck}. And I don't know if I say that right.

**MR. {SHMECK}:**

Yes, thank you. I am going to waive.

**CHAIRPERSON NOWICK:**

Okay.

**MR. {SHMECK}:**

I'm having a little trouble breathing.

**CHAIRPERSON NOWICK:**

Okay. If you want to come back again, you let me know. Okay.

**MR. {SHMECK}:**

Okay. Thank you very much.

**CHAIRPERSON NOWICK:**

And next, Bill Raab.

**MR. RAAB:**

Hi. You got a sign, that's good. Hi, everybody. Most of you know who I am and what I'm here about. I'm here to talk about the Trap and Skeet Range. We have a presentation going on with a budget analysis, and my understanding of the budget, I have watched this contract go from an RFP to a contract to a working thing. We have a lot of debt service. Our revenue is over the amount of the debt service annually, so we're dealing with a positive factor, which will -- as the terms of the contract go out, we won't have to bond that \$500,000 again, so the County will seek to make more money in their next round of the contract.

Part of the reason a lot of that money had to be spent was efforts by many people to keep the range from operating to its full potential, which caused the County to have to spend more money than they had to in the first place. So the people who were complaining about it, well, they were part of the problem.

One of the other things is I look forward to this thing operating and making more money. The contract was approved. If this is such a problem, why was the contract approved in the first place? It didn't seem to be a problem then, except for a very small group of people. Any problems with this facility, we know what's been going on, we know how to deal with it. And I'm always here to answer questions or anything else at any time, and you all know that. Thank you.

**CHAIRPERSON NOWICK:**

Thank you. Is there anybody else from the public that would like to address the committee? Commissioner, did you want to come talk to the Committee, or do you want to wait until voting, or do you not have anything?

**COMMISSIONER MONTUORI:**

No.

**CHAIRPERSON NOWICK:**

Okay. All right. Okay. Next on the agenda is Legislator Browning is going to have a presentation of the fiscal status of the Suffolk County Trap and Skeet Range. Legislator?

**LEG. BROWNING:**

Thank you, Lynne. Well, first of all, I'd like to say a special thank you to my Aide, Josh, who worked very hard in putting this together, and also to our Budget Review Office for helping us in providing the information that we have today.

You know, we talked today about -- we've been hearing about the financial crisis that we're in and we're about 179 million dollars in the hole. How are we going to fill that hole and where are we spending our money and are we spending it wisely? You know that we have talked recently. There's been the talk about closing or selling John J. Foley. We have a financial crisis with our health centers. What do we do with these people?

You know my passion when it comes to the nursing home and the health centers. Do we not spend money on the least fortunate and the infirmed? And do we continue to spend money on things that we really don't necessarily need? So I know that many of you have said that in the past. It's not about what we need -- it's not about our wants, it's about our needs today that we should be addressing.

You're all familiar with the contract with the -- we have a contract with a vendor. And obviously, you've all read in Newsday about the vendor, that he's currently on some charges, and we'll see what is going to be determined with him. And at some point, I think, if it doesn't turn out in his benefit, we may have to face the issue of what do we do with the Trap and Skeet Range with a vendor who may not be able to operate it anymore.

I think this Legislature needs to have the facts on this Trap and Skeet Range as far as our budgets are concerned. Mr. Raab likes to come and speak on the Trap and Skeet Range. I can tell you that I don't know about the rest of you, but the majority of the contracts that I get are from Nassau County, Queens, Westchester, and all other places, and that's the majority of the communications I've had from people wanting to keep the Trap and Skeet Range open. Let's not forget Suffolk County taxpayers are paying for this. There is no out-of-county non-resident fees at this Trap and Skeet Range. And I have to tell you, when I've had -- been with the residents at the Trap and Skeet Range, we've had more people from outside of Suffolk County in opposition to what we're doing here and any concerns that I've had about this Trap and Skeet Range. So I do question how many Suffolk County residents are really using it.

We talk about losses. We have Mr. Ryan here from the Town of Brookhaven. Many of the residents within the range have had tax abatements because of the Trap and Skeet Range and the noise. So Suffolk County loses, the Town loses, the school district loses on some money for their districts because of a Trap and Skeet Range. It is up to this Legislature to make a decision what the future of the Trap and Skeet Range is, but I think it's important. This is something that we've been working on before the incident with Mr. Wroobel, but I think that it is important for each and every one of you to know what is going on at this time, what the County's been spending, and with what the vendor has been doing.

With that, I'm going to turn it over to Josh and he will give you the information. I believe you all have a handout. So, go ahead, Josh.

**MR. SLAUGHTER:**

Thank you. I appreciate having the time here to present this information. It's just a brief PowerPoint presentation, shouldn't take too long, five to ten minutes.

The County expenditures since 2001 to now, we started spending capital monies to provide infrastructure at the facility to get it up and running, and that was prior to it even opening. So we did originally, back in 2001, spend between 200,000 and \$300,000 to clean up lead. The prior vendor had actually been illegally dumping it throughout the park and this was a cost to the County to go ahead and clean that up. And we are trying to get more detailed information as to just how much was spent. This figure comes from some minutes from prior Parks Commissioners in 2001 at a committee meeting.

In 2002, we hired a consultant to do an initial environmental evaluation report that cost the County \$9,785. We did also fund an acoustics evaluation from Hansen Consulting. We still haven't gotten those numbers from the Parks Department. We have been requesting this information for about six months, dating back to October 2010, so it's been slow coming. We still have some figures that need to be factored in, so this isn't included in the final numbers, so there are additional costs that we don't know yet.

This is also another report that was done by -- I believe it was Cashin Associates. The comments were in an environmental assessment report. Again, that's another report we don't know how much we've spent on and those figures will need to be added into the final number.

As per the County's Integrated Financial Management System, as of March 1st, 2011, the County's expended \$450,000 of the \$800,000 that we originally bonded for capital project 7097. It's the noise moderation attenuation and other improvements at the Trap and Skeet Range. Over the \$450,000, 50,000 was for planning. It was an analysis of noise and lead mitigation prepared by L.K. McLean Associates in 2004. The remainder of the expended funds, \$400,000, was utilized on capital improvements to reopen the facility. The total debt service for the \$450,000 issued over 20 years, the average rate for that is 4.655%, which is a total of \$727,000 when we include the interest accrued over that time frame, which was \$276,000. The estimated average annual payment for the debt service is \$36,355.

Fifteen thousand dollars was to implement the Environmental Stewardship Program in 2010. This was a part of the contract that the vendor signed. He wasn't originally supposed to pay for this. And we did bill Hunter Sports. However, when you actually look at what happened to the money, he was allowed to apply that towards his license fee. Every year he has to pay a flat fee to the County, it's a little over \$20,000, and he was allowed to put that towards that fee. So, in the end, he really didn't end up paying for it.

The license fee also, \$5,000, went towards the Capital Program. The vendor, as you'll see later in the presentation, is required in the first five years to expend at minimum \$275,000 on capital improvements, which to date he still hasn't met that amount.

We've also spent \$6,589 for outside counsel to appeal the Town of Brookhaven's lawsuit. We're currently in litigation with the Town for the noise ordinances. They want the County to pay the fines, and, you know, we are debating that with them in court; it's still ongoing. We only paid for the appeal. We're doing it in-house for the trial court.

In addition, there is a Pine Barrens Commission lawsuit as well. We never filed a hardship application and a judge has ruled that we should be doing that. The County to date has not, and that's still in court as well.

So a total cost to the County, again, I said before, there's a couple of reports we don't have the final numbers on, so that's still supposed to come over from the Parks Department, which will add a little bit to this. But with some of the reports that we had in addition to the capital improvements, it's

\$766,000 in addition to the interest on that bond.

The total cost, as I said, do not account for the missing expenditures for the acoustics evaluation and the Carman's River environmental report. Revenues to the County, we didn't receive any. The range was closed from 2001 to 2005, so there was no revenue to the County during that time. In 2006, it opened in July, so that number is smaller to account for that, it's \$15,501. As you see here, in 2007, 2008, 2009 and 2010, you know, we averaged out at about 46,000 annually. There was also a lead cleanup done for the Environmental Stewardship Plan in 2010. We received 5% of the monies we got from the lead that was removed, that's \$2,251. And you'll see later in the presentation, the vendor received quite a bit for that lead. So total, since we opened the range, we've received \$202,000.

The vendor's expenditures since 2001, you know, it only opened in 2006, so that's when he started expending capital monies. Since that time, he spent \$231,704. Another 8,000 was expended on the air monitoring program, which was a part of the lead reclamation last year. He also spent \$5,000 on the Environmental Stewardship Plan, which we said earlier was applied to his capital spending obligation, which was \$275,000 in the first five years.

The license agreement does require the vendor, as we said, to spend a minimum of 275,000 on capital improvements in the first five years. This has not been met yet. He has expended \$244,704, so there's still roughly about \$30,000 that he will need to spend by July, which will be the five-year mark since it opened. The contract also does require the vendor to spend \$22,500 on advertising and promotions over ten years. At the time we were doing this PowerPoint presentation, we hadn't gotten the information on whether they were doing that. Parks Department did let us know today that they're not in compliance with that.

So the total cost for the vendor since we opened the facility has been \$252,000 -- I'm sorry, \$252,744. In 2006, the vendor received \$189,523. Again, that opened in July, so it's only about a half year's worth of revenue. 2007, a little under 500,000; 2008, 550,000; 2009, 500,000; and 2010, \$488,473. Forty-five thousand of that was also revenue he received from the lead that was removed from the site.

Again, the County only got about, you know, twenty-two hundred dollars from that.

So the total since opening, he's received \$2,230,795. In comparison of the County and the vendor for that profit, as you'll see here on the graph, the County's expended, you know, a little over one million dollars, and to date it's only received around 200,000, where the vendor's received well over two million and has only spent a little over 200,000. So far, the County's in the red for about \$841,000. The vendor has profited 1.9 -- a little over 1.9 million. So it's pretty stark numbers for this contract.

The share of the revenue, as you'll see here on the graph, you know, the vendor's received a little over 2.2 million, we've received about 200,000. So the vendor's received 92% of the revenue, the County's only received 8% since we opened the facility. In contrast, if you look at the expenditure share, the County spent, you know, 776,000, that's also not including the interest on that, and the vendor's spent 252,000. So the County's expended 75% of the funds to get the facility operating and maintaining it, where the vendor's only shared about 24% of that cost. So, as you'll see, he's getting 92% of the revenue, and we're spending 75% of the cost. And that's about it. Thanks.

**CHAIRPERSON NOWICK:**

As I'm looking at this, I'm assuming that was a contractual thing years ago, where the vendor would get a certain amount and the County agreed on that.

**MR. SLAUGHTER:**

Yeah. There's a license agreement. As I said, he's -- he pays a flat fee to the County, it's, I believe, around \$22,000 a year.

**CHAIRPERSON NOWICK:**

But that's included in our profits here, right here, County profits?

**MR. SLAUGHTER:**

Yes, yep.

**CHAIRPERSON NOWICK:**

And that's including it on his bottom line --

**MR. SLAUGHTER:**

Yes.

**CHAIRPERSON NOWICK:**

-- the one-million-nine-hundred- and -- so over those years, one-million-nine-hundred-and-seventy-eight, that was pure profit, or there's more expenses out of that?

**MR. SLAUGHTER:**

No, that factors in what he spent, so that's pure profit, a little under two million.

**MR. NOLAN:**

That's not right.

**CHAIRPERSON NOWICK:**

I don't know. I mean, that's a good business, then.

**MR. SLAUGHTER:**

Sure is.

**MR. NOLAN:**

There's other expenses.

**CHAIRPERSON NOWICK:**

Can that be?

**LEG. STERN:**

Gross revenue.

**LEG. BROWNING:**

I guess maybe Jill would like to --

**CHAIRPERSON NOWICK:**

Then it's not profit, it's --

**LEG. BROWNING:**

Maybe we can have BRO chime in.

**CHAIRPERSON NOWICK:**

Yeah. I'm just -- because I'm looking to go in the business now.

**LEG. MONTANO:**

Yeah.

**LEG. BROWNING:**

Not in Yaphank.

**MS. MOSS:**

The expenditures that are included in the slide presentation do come from the Parks Department. Those are the expenditures that were provided to BRO.

**LEG. MONTANO:**

What does that mean?

**CHAIRPERSON NOWICK:**

Yeah. I think Ric was first, Legislator Montano.

**LEG. MONTANO:**

I'm sorry. I just want to -- could you clarify that for me again? This figure of one point -- one-million-nine-hundred-and-seventy-eight, you have it as vendor profit. Is that what he actually put in his pocket as a -- as the owner, or is that what I would consider gross revenues, and out of that would come operating costs and, you know, personnel and things like that? That's really all I'm asking. I want to get -- does this mean profit or does this mean revenue?

**MS. MOSS:**

It's gross revenue.

**LEG. MONTANO:**

So what is -- what are his expenditures, then, which would be deducted from the gross revenue, which would then equal the profit; isn't that how it's generally done?

**MS. VIZZINI:**

Yeah. We would have to ask the vendor those questions. We don't --

**LEG. MONTANO:**

That's what I'm saying, right.

**MS. VIZZINI:**

Yeah.

**LEG. MONTANO:**

You would need to look at his profit and loss statement, or whatever he does, to determine what profits, you know. And I'm not taking a position here either way, but a business could receive in revenue two million dollars a year and still operate at a loss. So the question is, how much is he making on this contract, not how much he received. Do you know the answer, Josh, or you don't have those figures?

**MR. SLAUGHTER:**

No.

**LEG. BROWNING:**

Our Parks Commissioner is here. I'm wondering, does he have an answer.

**CHAIRPERSON NOWICK:**

Commissioner, you want to come on up?

**LEG. MONTANO:**

Hi, Commissioner, how are you?

**COMMISSIONER MONTUORI:**

Good, sir. How are you today?

**LEG. MONTANO:**

Good to see you again. You, obviously, heard the question. Do you have the answer?

**COMMISSIONER MONTUORI:**

No, I don't. Sorry.

**LEG. MONTANO:**

Oh, okay.

**CHAIRPERSON NOWICK:**

Okay. I think Legislator Stern was next, and then -- or Legislator Barraga, choose.

**LEG. BARRAGA:**

I guess the question I have, and it's a fundamental question, there's a contract that exists between the vendor and the County. Is the vendor in violation in any way, shape or form of the contract?

**LEG. BROWNING:**

No. No, he's not.

**LEG. BARRAGA:**

The answer is no, okay, according to the Legislator.

**LEG. BROWNING:**

But the main objective is to let you see what the financials are. We're all talking about our financial crisis.

**LEG. BARRAGA:**

Yeah, but the reality is, in this particular case, it's hard to determine the net profit. But if it was a huge net loss, I'm not so sure we'd have the presentation at this moment. The question is he is not in violation of the contract. At some point in time, the County sat down with the vendor and they defined the provisions associated with the contract and this is the result. Whether you like it or you don't like it, this is what it is. At some point in time, I'm sure there's a limit on this contract that it has to be renewed, or amended, or renegotiated. I mean, I've seen contracts in the past. For example we have a very interesting contract with the fellow who basically is running our baseball stadium over there in Central Islip and he's doing very well. All right? Sometimes these contracts work to the decided advantage of the vendor and sometimes they don't, but the question is, fundamentally, he is not in violation of the existing contract.

**MR. SLAUGHTER:**

That's correct. I mean, he does still have to expend \$30,000 this year to meet his obligation on the capital spending.

**LEG. BARRAGA:**

But he has spent -- I only got this report, and it's a very good report, too. Did you put this

together?

**MR. SLAUGHTER:**

Yes.

**LEG. BARRAGA:**

Okay. You did a great job. But he's only -- out of 270,000, he's 30,000 short on what he should have invested. That's about the only thing I could really see here, there are no major violations. Is the County -- is the County taking him to court or anything with reference to the contract?

**MR. SLAUGHTER:**

Well, he's been indicted, but we have to wait and see what happens with that.

**LEG. BARRAGA:**

No, no, don't.

**CHAIRPERSON NOWICK:**

Yeah, but I --

**LEG. BARRAGA:**

That has nothing to do with this, nothing to do with this.

**CHAIRPERSON NOWICK:**

I don't think that was your intention with you just showing us --

**MR. SLAUGHTER:**

No, no, not at all, no.

**CHAIRPERSON NOWICK:**

-- exactly what -- just so we had an idea.

**MR. SLAUGHTER:**

Well, the other costs that we have to factor in, and, you know, it's still in litigation with the Town of Brookhaven, but they have been fining us noise violations.

**LEG. BARRAGA:**

But he's not in violation --

**MR. SLAUGHTER:**

No, no, not --

**LEG. BARRAGA:**

-- of the existing contract. That's the --

**MR. SLAUGHTER:**

Correct.

**LEG. BARRAGA:**

That's the point I want to make. All right. Thank you very much.

**MR. SLAUGHTER:**

No, we weren't trying to say he was.

**LEG. MONTANO:**

When does the contract expire? May 1?

**CHAIRPERSON NOWICK:**

I think Legislator --

**LEG. BROWNING:**

The contract expires 2015.

**MR. SLAUGHTER:**

Yeah, in 2015 we can renew the contract.

**CHAIRPERSON NOWICK:**

Yeah, yeah. No, I think -- I think you were just making a presentation to inform us.

**MR. SLAUGHTER:**

Yes.

**CHAIRPERSON NOWICK:**

Is that correct?

**LEG. BROWNING:**

Correct.

**CHAIRPERSON NOWICK:**

Legislator Stern, you had a question?

**LEG. STERN:**

Yeah. Thank you, Madam Chair. I agree with the purpose of the question that Legislator Montano asks. We're asked to take a look at numbers and vendor profit of the 1.978, is really probably not the appropriate label here, although I agree with Legislator Barraga, it's an excellent report. The question really I think for these purposes is operating expenses and ultimately what is the real picture here. So my question, Commissioner, is are you aware as to whether or not the vendor is responsible pursuant to the contract to provide financials to the County annually or upon request? Is there any kind of financial summary or financial statement in the operation of the ongoing business that we have the opportunity to review?

**COMMISSIONER MONTUORI:**

He does send a report to our contract division. If we need that information, I'll try to get it for you, no problem.

**LEG. STERN:**

Do you know, Commissioner, offhand, is that a requirement that the vendor furnish that information pursuant to the contract, or does the vendor just do it as a matter of course as a courtesy?

**COMMISSIONER MONTUORI:**

No. I think it's per the contract, because we have to know what the gross sales are. Also, there's other things that we get a percentage from.

**LEG. STERN:**

So there is going to -- there are additional numbers which are, I'm assuming, an important part of this ongoing conversation as to what the real -- the real financial picture is regarding the vendor.

**COMMISSIONER MONTUORI:**

Yes.

**LEG. STERN:**

Yeah. All right. Thank you.

**CHAIRPERSON NOWICK:**

Were there any other questions, Legislator Browning? You wanted to make a comment?

**LEG. BROWNING:**

I would just like to see if Jill could answer a question for me. You know, if we continue to receive the same revenue at this facility, when will we break even after our debt is factored in?

**CHAIRPERSON NOWICK:**

Is this the profit, even with the data?

**LEG. BROWNING:**

Well, what we have paid in so far. We're -- you now, we're receiving some revenue, but at what point in time will we actually break even?

**MS. VIZZINI:**

Based on the memo that we issued to you, Legislator Browning, we confirmed that the revenue that we are gleaning from the operation is just about enough to cover the current annual debt service. But any other expenditures for surveys or anything else that we've undertaken, I don't know when we would ultimately break even from additional expenditures.

**LEG. BROWNING:**

So you can't estimate like five years, ten years?

**MS. VIZZINI:**

No.

**LEG. BROWNING:**

Okay. So we're just breaking even on -- we're just paying our debt service on this.

**MS. VIZZINI:**

Yes.

**LEG. BROWNING:**

Okay. You know, I know that we have, you know, court hearings, and if, in fact, we lose, there's -- you know, the Town Code states that the first offense is 25 to a \$100, second offense, 50 to 150, if we're in violation of their noise ordinance. So I'm just -- you know, if we lose this court case, you know, have you -- have you been able to look at what it would cost us if we have to keep paying violations, if, in fact, we lose the court case? No? Okay.

**MS. VIZZINI:**

No. We basically look took this -- your questions to mean what has -- what has the County spent on the facility, not the -- you know, what -- not the "what if" scenarios, or what could happen if.

**LEG. BROWNING:**

Okay. So, you know, like I said, basically we just wanted you to get an update on what's going on with the Trap and Skeet Range. Let's look at our financial crises. Everybody's real quick to cut

back on health centers and nursing homes. You know, what should we be doing, and what people in Suffolk County are more important? Should we be providing a facility for Nassau County residents? That I question, especially in this crisis that we have today. 2015, the contract expires. And like I said, we are not sure. I see Mr. Wroobel has walked into the room, he's at the back of the room. We don't know if he'll be able to continue to keep the contract with the County as a vendor, that will be determined. And if, in fact, he cannot, we need to be seriously looking at what do we do with the trap and skeet range if, in fact, things do not turn out in his favor. So I appreciate, Lynne, you giving us the time to do this presentation, and if anyone has anymore questions --

**CHAIRPERSON NOWICK:**

Legislator Browning, you know, not for anything else, but it's good for us to know this. This is --

**LEG. BROWNING:**

Absolutely.

**CHAIRPERSON NOWICK:**

This is very informative. Thank you.

**LEG. BROWNING:**

And I -- you know, I would like -- I don't know if -- Mr. Ryan, do you have any numbers? I mean, Town of Brookhaven is here, the Tax Assessor. And do you have any numbers that you could provide us with the loss in revenue in taxes because of the abatements?

**MR. RYAN:**

Good afternoon. We were contacted by several residents in the area complaining that the noise is adversely affecting the value of their properties. And the first step in the research was to determine whether or not any of the assessments had already been mitigated to reflect the negative influence of sound, and our records did not show that at all. And so we met with them, and after some discussion and some research on locational obsolescence and its effect on value, we decided in our best judgment that we would reduce the assessments immediately adjacent to the gun range on a decreasing basis as you went out further from the gun range. And in our final analysis, based on today's tax rates, there was a reduction in tax revenue generated by these properties in the amount of approximately \$75,000.

**LEG. MONTANO:**

A year.

**LEG. BROWNING:**

A year? Is that a year?

**MR. RYAN:**

Yes. I'm sorry. And the adjustment was made beginning with the '7-'8 eight tax year, and I guess given the change in the tax rate over time, I would estimate that probably on average, we've lost between 68 and \$70,000 per year since 2007, '8.

**CHAIRPERSON NOWICK:**

Okay.

**MR. RYAN:**

Thank you.

**LEG. BROWNING:**

Thank you, Jim.

**CHAIRPERSON NOWICK:**

Thank you. And thank you, Legislator Browning. Thank you very much.

**TABLED RESOLUTIONS**

Okay. We're going to go to the agenda. Tabled Resolution 20 -- tabled resolution ***2093 - Authorizing Site License Agreement to Strawberry Fields site, Town of Southold (Romaine)***. I'm going to make a motion to table.

**LEG. MONTANO:**

Second.

**CHAIRPERSON NOWICK:**

Second by Legislator Montano. All in favor? Opposed? 2093 is tabled. ***(Vote: Tabled 4-0-0-1 Not Present: Leg. Horsley)***.

***2240 -To improve the condition of County Rental Properties (Romaine)***. I'll make a motion to table, second by Legislator Barraga. All in favor? Opposed? 2240 is tabled. ***(Vote: Tabled 4-0-0-1 Not Present: Leg. Horsley)***.

***1208 - Appoint member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, Kathleen Gooding (Romaine)***. Kathleen is here? Come on up and talk to us and give us a little background. You could sit over there by the Commissioner. Ms. Gooding, if you could just give us a little bit of -- a little bit of your background and --

**MS. GOODING:**

Hi. I'm Kathleen Gooding, I'm a retired educator. I had worked in the school system for, oh, thirty-eight years. I then taught college for a while, and I'm presently involved on a project on Shelter Island where we are restoring an historic cabin, the Smith-Taylor Cabin on Taylor's Island. And we just received a historic preservation grant to do that, and I guess that's how I was nominated for this position, because I've been involved with the restoration of this historic property.

**CHAIRPERSON NOWICK:**

So you're retired now.

**MS. GOODING:**

I am retired.

**CHAIRPERSON NOWICK:**

And you seem to have a love of historic buildings --

**MS. GOODING:**

Yes, I do.

**CHAIRPERSON NOWICK:**

-- and that sort of the thing and --

**MS. GOODING:**

And history and parks. I'm also -- I just came back. I missed last month's meeting because I was

in New Mexico camping. So I also --

**CHAIRPERSON NOWICK:**

Okay, good for you. So, well --

**MS. GOODING:**

I also enjoy the outdoors and parking and -- you know, parks and hiking and that type of thing.

**CHAIRPERSON NOWICK:**

This sounds like a wonderful match for you and for the County. And I do have to thank you for coming forward and volunteering, because I know it's a lot of work. We have members of our Board of Trustees here, they come all the time. It's really -- it's good for the County.

**MS. GOODING:**

Good. I'm actually looking forward to it. We just started exploring the Suffolk County parks, you know, as far as the camping facilities go, within the last year or so, and I have found them, most of them, in excellent condition and a lot of interesting places to go and things to see, so I'm excited about it.

**CHAIRPERSON NOWICK:**

A lot of pretty areas, right?

**MS. GOODING:**

Very pretty, very pretty.

**CHAIRPERSON NOWICK:**

Does anybody have any questions? Well, if not, I'm going to make a motion to appoint Kathleen Gooding to the Suffolk County Board of Trustees of Parks, Recreation and Conservation. I'll make a motion, second by Legislator Stern. All in favor? Opposed? 1208 has been approved. **(Vote: Approved 4-0-0-1 Not Present: Leg. Horsley)**

And you do not have to come to the meeting on Tuesday, unless you wish to come. God bless you if you do.

*(\*Laughter\*)*

**CHAIRPERSON NOWICK:**

Thank you very much.

**MS. GOODING:**

Okay. Thank you very much.

### **INTRODUCTORY RESOLUTIONS**

**CHAIRPERSON NOWICK:**

Okay. Introductory Resolutions: **1257 - Authorizing the use of Southaven County Park for the Kara's Hope 5K Run and Walk (Browning)**. I'll make a motion, second by Legislator Montano. All in favor? Opposed? 1257 is approved. **(Vote: Approved 4-0-0-1 Not Present: Leg. Horsley)**

**1275 - Authorizing changes in Investment Management Policy for the Suffolk County Vanderbilt Museum Endowment Trust Fund (Presiding Officer)**. I'm going to ask Budget Review if we might think about bringing the management investment brokers in to talk to us about

that.

**MS. VIZZINI:**

Well, actually, Legislator Nowick, if you recall, at the March meeting, we did have PFM come and give a presentation, and it was as a result of their remarks that we put together this resolution and Legislator Cooper agreed to sponsor it. What this is is they won the bid and were awarded the responsibilities of managing the endowment. They do not invest in stocks and bonds, but, rather, in mutual funds. And our previous philosophy or our previous legislation was expressly you invest in 50% bonds and 50% stocks. So what they've asked for is the language that's incorporated in this resolution they feel would give them the latitude, so that if you look at the investments as a whole, that there is a split of those mutual funds that invest in stocks and bonds. They don't want to interpret this as I can't invest in this mutual bond because it in and of itself is not a 50-50 split. But when you look at the investments in the aggregate, they are split in accordance with our investment policy.

**CHAIRPERSON NOWICK:**

Legislator Barraga, you have a question?

**LEG. BARRAGA:**

Yes, to BRO. As I look at the legislation, it seems to me that one of the key provisions they're looking to initiate is on the bond investment side. They want to be able to go from a minimal limit of B-AA down to C-AA, which is a lower level, higher risk, probably greater return bond, but the risk factor is increased. I think that's a major tenet in the bill. Right now, they have to invest bond-wise at a B-AA and above. Now they want to reduce that to a C-AA and above. When you do, you may get a greater return on the bond, but you're all increasing the risk.

**MS. VIZZINI:**

Well, they are also looking to maintain an overall average quality --

**LEG. BARRAGA:**

I know that.

**MS. VIZZINI:**

-- quality rating, right.

**LEG. BARRAGA:**

Overall, maybe AA, but, you know, certain segments get hit pretty hard, especially on a C-AA where there's greater risk, you're going to take a hit.

**MS. VIZZINI:**

The upside --

**LEG. BARRAGA:**

And the history of this museum, you know, based on their financial history, I'm not so sure they want to move in that direction, because things change very rapidly in the financial markets.

**MS. VIZZINI:**

The only other thing I would add to your comments is that the museum is currently subsidizing primarily on the Hotel/Motel Tax, which is in effect for the next five years. And it -- they are not receiving a disbursement from the endowment. The Legislature's philosophy in that is to try to grow the endowment so that -- you know, bring it back up closer to where it was before the market plunged, the 12 million dollar area within that period of time, so that, if need be, if the Hotel/Motel

funds are not continued, or if they are reduced in any way, that the endowment can then begin to give some disbursements.

**LEG. BARRAGA:**

Yeah. I certainly understand, you know, their point of view in terms of increasing their return on investment, increasing their endowment, but in the past they've gotten in trouble with some of the their investments in terms of what was generated. The endowment was almost threatened, and I just see this as another means of where, you know, they're increasing their risk. I understand the overall portfolio has to be a AA, but you could also have certain C-AA types of bonds having problems and that would result in a problem for the Vanderbilt. Right now, it's B-AA and it seems to be pretty safe. They may not get as much in the way of return, but the risk factor is minimal. That's the only point I'm making.

**CHAIRPERSON NOWICK:**

Legislator Montano.

**LEG. MONTANO:**

Yeah, I actually have to agree with my investment advisor over there. The problem that I see is that the amount that -- of the endowment right now is at a critically low level.

**MS. VIZZINI:**

Well, actually, the endowment is now up to 9.8 million.

**LEG. MONTANO:**

All right. So we need to keep it around eight-point something?

**MS. VIZZINI:**

Well, you can't -- theoretically, you can't go below the 8.2 million dollar mark.

**LEG. MONTANO:**

Eight-point-two.

**MS. VIZZINI:**

Right.

**LEG. MONTANO:**

And what Legislator Barraga is saying, and I agree with, is that if we -- since we're using that money for the investment, if we do take a hit on some high risk, but higher yield, stock, we could wind up dipping below that 8.2, could we not?

**MS. VIZZINI:**

Well, we might end up going -- you know, doing what we did last time, which was liquidate. You know, that's how we avoided going below the 8.2 last time.

**LEG. MONTANO:**

When you say "liquidate", meaning?

**MS. VIZZINI:**

Well, once, you know, that --

**LEG. MONTANO:**

Once you're down there, you pull out, is that --

**MS. VIZZINI:**

Yeah.

**LEG. MONTANO:**

What was that?

**CHAIRPERSON NOWICK:**

Looking to sell the GOTO.

*(\*Laughter\*)*

**MS. VIZZINI:**

Well, that's the next resolution.

**LEG. MONTANO:**

I thought Steve was going to buy it. I'm sorry. In all seriousness, now, when you say "liquidate", you mean pull out of the investment?

**MS. VIZZINI:**

Yeah. When we were at 12 and the market was tumbling, and so, too, was the endowment, we collectively made the decision that we needed to get out of the market.

**LEG. MONTANO:**

Right.

**MS. VIZZINI:**

So we liquidated the assets and we were hovering on or about 8.3.

**LEG. MONTANO:**

Right. But then we in the County had to come up with an appropriation of close to \$700,000, I remember, to support the museum; am I correct on that number?

**MS. VIZZINI:**

We raised park fees for a year.

**LEG. MONTANO:**

Park fees for a year.

**MS. VIZZINI:**

Right.

**LEG. MONTANO:**

And then we passed the Hotel/Motel Tax, which was earmarked money for the museum, which they're using now.

**MS. VIZZINI:**

Yeah. The Hotel/Motel Tax revenue is about seven million dollars, of which the museum gets 10%.

**LEG. MONTANO:**

Which is about \$700,000, so we're back there. But if we approve this resolution and we -- basically, it allows them to go into a lower grade -- well, not lower grade, but a higher risk portfolio, which may yield more money, but has a possibility of, as Legislator Barraga said, not doing so well.

**MS. VIZZINI:**

Well, if it's your desire, we can limit them to the higher grade mix. But we tried to incorporate language that reflected their ultimate objective, which was to be able to invest in mutual funds that when you looked at the investment portfolio in the aggregate, that's where you found the 50% stocks and the 50% bonds. But I'm --

**LEG. MONTANO:**

Yeah. I'm just concerned about them going below the 8.2. What happens if this plan that they have, you know, if the market takes a turn very quickly and very drastically and they dip before the 8.2 million, what are we doing then?

**MS. VIZZINI:**

That would probably be a policy decision much like what happened in the past.

**LEG. MONTANO:**

What did we have -- then we'd have to bail it --

**MS. VIZZINI:**

Well, they are in very close contact with Jill and myself, with Budget Review. We, in turn, are in very close contact with the Chairperson and the Presiding Officer, and then it would be brought to, you know, those individuals' attention in terms of what they would do.

**CHAIRPERSON NOWICK:**

Legislator Stern.

**LEG. STERN:**

Yeah. Thank you, Madam Chair. I think that the -- I mean, the beginning premise is a positive one here. I think you're right, that to have that kind of flexibility to be able to invest in a mutual fund that is 100% bonds, you know, if -- if it's reasonable investment, then that's the kind of thing that we should allow for, as long as, as you point out, in the aggregate, it comes up to that 50-50 split, or whatever the appropriate split might be. But I share Legislator Barraga's concern here.

You know, it's interesting that this is what the investment advisor is coming back with as a result of their appearance and the conversation that we had from the last time they were here, because I think that the ongoing theme around the horseshoe here was prudence, and conservatism, and, you know, making sure that we're pretty careful with this endowment. And yes, we want to see a return, but more important than a higher rate of return was going to be our ability to sleep at night knowing that these investments were reasonably safe. This, for me, is probably going in the opposite direction of the idea that we tried to convey to the financial advisors that were here.

So I guess my question, Gail, is, is there something that we can craft here that gives them the ability to go for those different funds, as long as in the cumulative result, that they are coming up with the appropriate mix without giving them the ability to go for the lower grade?

**MS. VIZZINI:**

Absolutely. Obviously, this resolution has sparked some discussion. What we can do is, if it's the consensus of the Committee and you don't want to go any lower than a B-AA, or something more in line with your more conservative philosophy, we'll get back to them and see if we can modify the language, if it's acceptable to the Committee.

**LEG. NOWICK:**

Okay. So with that, I'm going to make a motion to table, second by Legislator Stern. All in favor?

Opposed? 1275 is tabled. **(Vote: Tabled 4-0-0-1 Not Present: Leg. Horsley)**

**1276 - Authorizing the transfer of ownership of the GOTO Star Projector to the Suffolk County Vanderbilt Museum and Planetarium Board of Trustees for its sale or disposal with proceeds used for Vanderbilt Museum and Planetarium Operations (Presiding Officer).** Do I have a motion?

**LEG. STERN:**

Motion.

**CHAIRPERSON NOWICK:**

Motion by Legislator Stern, second by myself. All in favor? Opposed? 1276 is approved. **(Vote: Approved 4-0-0-1 Not Present: Leg. Horsley).**  
1281 --

**COMMISSIONER MONTUORI:**

Madam Chairman, 1281, 1282, and 1286, they have to be tabled because they've been altered.

**CHAIRPERSON NOWICK:**

Is it 86 or 89?

**MR. NOLAN:**

Eighty-six.

**CHAIRPERSON NOWICK:**

Eighty-six? Okay. So I'll make a motion -- **1281 - Approving a license agreement for R. Michael Patricio to reside at Cedar Beach County Park (Southold) (County Executive).** I'll make a motion to table, second by Legislator Montano. All in favor? Opposed? 1281 is tabled. **(Vote: Tabled 4-0-0-1 Not Present: Leg. Horsley).**

**1282 - Approving a license agreement for Jessie Comba to reside at Scully Estate County Park (Islip) (County Executive).** Same motion, same second. All in favor? Opposed? 1282 is approved. 1283 --

**MS. ORTIZ:**

Tabled.

**CHAIRPERSON NOWICK:**

What?

**MR. NOLAN:**

Tabled.

**CHAIRPERSON NOWICK:**

Excuse me, tabled. **1283 - Authorizing the use of Blydenburgh County Park by the Cystic Fibrosis Foundation for its Great Strides Walkathon (County Executive).** I'll make a motion to approve, second by Legislator Barraga. All in favor? Opposed? 1283 is approved. **(Vote: Approved 4-0-0-1 Not Present: Leg. Horsley).** 1285 - Authorizing the use -- we just did that.

**MR. NOLAN:**

It's a duplicate.

**LEG. NOWICK:**

Okay. *1285 - Authorizing the use of Southaven County Park by Kara's Hope Foundation for their 5k Walk.* Can we do just table --

**MR. NOLAN:**

Subject to call?

**CHAIRPERSON NOWICK:**

Yeah. I'll make a motion to table subject to call, second by Legislator Montano. 1285 is tabled subject to call. *(Vote: Tabled Subject to Call 4-0-0-1 Not Present: Leg. Horsley)*

*And 1286 - Authorizing the use of Blydenburgh County Park by the Care Center for its Annual Walkathon Fundraiser (County Executive).*

**CHAIRPERSON NOWICK:**

Make a motion to table, second by Legislator Stern. All in favor? Opposed? 1286 is tabled. *(Vote: Tabled 4-0-0-1 Not Present: Leg. Horsley).*

*1293 - To appoint member to the Suffolk County Board of Trustees of Parks, Recreation and Conservation (Michael Domino).* Michael's here. Would you like to come on up and talk to us?

**MR. DOMINO:**

Thank you. Michael Domino.

**CHAIRPERSON NOWICK:**

Just tell us a little bit about yourself.

**MR. DOMINO:**

I'm a resident and businessman of Southold Town. I'm the United States Marine Corps Vietnam Veteran. I taught Environmental Sciences thirty-one years at Rocky Point. As the Chairman of the Southold Town Tree Committee for nine years, where I worked with the DOT, the Highway Department, Parks Department. I'm also past president of the North Fork Environmental Council; I'm still on the board. And in that capacity, I represent in NFEC on the Pine Barrens Advisory Committee. I'm also a member of the Southold Town Anti-Bias Task Force. And basically, my philosophy is I feel I'm a lucky person and I want to give back to the community.

**CHAIRPERSON NOWICK:**

Well, I think we're lucky. Thank you. It sounds like you have a love of environment. Does anybody have any questions? If not, I'll make a motion to approve 1293, second by Legislator Montano. All in favor? Opposed? 1293 is approved. *(Vote: Approved 4-0-0-1 Not Present: Leg. Horsley).* And Mr. -- is it Domino? Do I say it right?

**MR. DOMINO:**

Domino.

**CHAIRPERSON NOWICK:**

Domino. You do not have to come on Tuesday, unless you wish. It will go to the full committee on Tuesday, but you don't have to come if you don't want to.

**MR. DOMINO:**

Thank you so much.

**CHAIRPERSON NOWICK:**

Thank you. Thank you for your service. That is the end of the agenda. I'll make a motion to adjourn, second by Legislator Romaine -- Montano. All in favor? Opposed? This is adjourned.

*(\*The Meeting Was Adjourned at 1:58 P.M. \*)*