

PARKS AND RECREATION COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

A regular meeting of the Parks and 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 Wednesday, May 4, 2011, at 11:00 a.m.

MEMBERS PRESENT:

Legislator Lynne Nowick, Chairperson
Legislator Wayne Horsley, Vice Chair
Legislator Thomas Barraga
Legislator Ricardo Montano
Legislator Steven Stern

ALSO IN ATTENDANCE:

Presiding Officer Bill Lindsay, Legislative District No. 8
Legislator Tom Cilmi, Legislative District No. 10
George Nolan, Counsel to the Legislature
Renee Ortiz, Chief Deputy Clerk of the Legislature
Jill Moss, Budget Review Office
Joe Montuori, Commissioner, Suffolk County Department of Parks
Lance Reinheimer, Interim Director of Vanderbilt Museum
Paul Perillie, Legislative Aide to Legislator Jon Cooper
Jack Caffey, Legislative Aide to Presiding Officer Lindsay
Eric Kopp, County Executive's Office
Peter Gunther, Vanderbilt Museum Appointee
Dot Kerrigan, AME

MINUTES TAKEN BY:

Lucia Braaten, Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary

(The meeting was called to order at 1:15 P.M.)

CHAIRPERSON NOWICK:

Okay. Good afternoon and welcome to the Parks and Recreation Committee. I'm going to start with a salute to the flag led by Legislator Stern.

(Salutation)

Okay. Welcome to the Parks and Recreation Committee. I see our Commissioner sitting out there. We do not have any cards from the public. Commissioner, did you want to come up and address our committee for anything at all?

COMMISSIONER MONTUORI:

No, we're doing good in Parks.

CHAIRPERSON NOWICK:

Playing it safe. Okay.

COMMISSIONER MONTUORI:

We're surviving, we're surviving. Thank you.

CHAIRPERSON NOWICK:

Okay. Having heard that, we're going to go right to tabled resolutions. Okay.

Tabled Resolutions

Tabled resolution *2240, To improve the condition of County Rental Properties. (Romaine)*

George, could you just remind us?

MR. NOLAN:

This is the one that -- the resolution that requires the money received from rental properties to go into the fund has to be used for repair of historic properties.

CHAIRPERSON NOWICK:

Do I have any motions on this?

LEG. MONTANO:

Motion to table.

CHAIRPERSON NOWICK:

Motion to table by Legislator Montano. Is there a second?

LEG. STERN:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Stern. All in favor? Opposed? 2240 is tabled. *(Vote: 5-0-0-0)*

1275, Authorizing changes in Investment Management Policy for the Suffolk County Vanderbilt Museum Endowment Trust Fund. (Pres. Off.) Now, we tabled that. It was amended?

MR. NOLAN:

It was amended.

CHAIRPERSON NOWICK:

You want to tell us? George, you want to tell us?

MS. MOSS:

The amended copy changed the restriction on the bond investments to bonds from CAA to BA and above to reflect --

CHAIRPERSON NOWICK:

I believe, Legislator Stern, that was something --

MS. MOSS:

-- the concerns that were here at the committee the last time.

CHAIRPERSON NOWICK:

No, no, no. It was Legislator Barraga that had asked for the change. Was that correct? So the changes have been made?

MS. MOSS:

We also sent the amended copy to PFM. PFM reviewed it and they have no problem with the change.

CHAIRPERSON NOWICK:

Okay. Having heard that, I'll make a motion to approve.

LEG. MONTANO:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Montano. All in favor? Opposed? 1275 is approved. **(Vote: 5-0-0-0)**

1281, Approving a license agreement for R. Michael Patricio to reside at Cedar Beach County Park, Southold. (Co. Exec.)

Whose district is that, anybody? I'll make a motion, second by Legislator Horsley. All in favor? Opposed? 1281 is approved. **(Vote: 5-0-0-0)**

1282, Approving a license agreement for Jessie Comba to reside at Scully Estate County Park, Islip. (Co. Exec.)

Do I have a motion? Motion by Legislator Barraga, second by Legislator Stern? All in favor? Opposed? 1282 is approved. **(Vote: 5-0-0-0)**

And as I recall all of these are -- the amounts that are paid on these license agreements are all -- they're looked over by a committee isn't that --

MR. NOLAN:

Right. I believe my understanding is we have a committee that reviews license amounts that are less perhaps than the appraised value and then they come to us, because there are a number of factors they can consider to charge less than the appraised value.

CHAIRPERSON NOWICK:

Okay.

MR. NOLAN:

But Jill has something to say about that.

MS. MOSS:

For I.R. 1281 the rent will be 1050 per month for the duration of the lease. For I.R. 1282 it's a County Executive resolution, so they did the fiscal. The fiscal indicates that there will be no fiscal impact, but the backup documentation says that it will be 750 per month, so I would defer to somebody from the County Executive's Office or the Parks Commissioner to answer that.

CHAIRPERSON NOWICK:

Jill, what was the question? You're talking about the --

MS. MOSS:

1282.

CHAIRPERSON NOWICK:

1282 would be 750 a month, but you said there's no fiscal impact on the first?

MS. MOSS:

That's what the County Executive's fiscal indicates, but the backup documentation says it should be 750 per month.

CHAIRPERSON NOWICK:

Legislator Montano.

LEG. MONTANO:

I'm just curious. How is the amount determined, the 750. Because I know that 750 is under market value for any rental, unless there's, you know, certain reasons why we would go so low. Do you have the answer?

CHAIRPERSON NOWICK:

I think I know.

LEG. MONTANO:

Go ahead, just curious.

CHAIRPERSON NOWICK:

George was just telling us that when the committee gets together to form the appraised amount, they also consider things that if it's an old house, what the leaser, leasee, has to pay as far as oil and repairs and things like that. Did somebody -- was somebody --

LEG. HORSLEY:

Bill wants to speak.

CHAIRPERSON NOWICK:

Legislator Lindsay, Presiding Officer Lindsay.

LEG. MONTANO:

For 750 I'll move in.

P.O. LINDSAY:

I just remember the history of this whole program, and just to remind everybody. Probably some of you weren't here, but we passed a resolution, I don't know, maybe eight years ago, that it would have to be fair market value and we appraised them all, the intentions were good. The appraisals came in so high that they remained vacant; nobody rented the place. And besides us -- I mean, instead of getting a low rent we got no rent, so we lost revenue. But even worse, when the properties were vacant, the park got destroyed, and especially Scully. I mean, there was tons of damage down there from vandals after we acquired the property. I'm not sure on how the number is determined. It is -- we modified it through subsequent resolution to come up with a committee to take in extenuating factors, like Legislator Nowick said, about heat.

LEG. MONTANO:

Right.

P.O. LINDSAY:

I know the house in West Sayville is rented, but it's right in the middle of the golf course. I mean, you can't really have a Sunday barbecue there unless you want to get killed. You know, so there's some extenuating circumstances with some of these properties.

CHAIRPERSON NOWICK:

Counsel also has more for you.

MR. NOLAN:

Right. Back in 2008 we created this board and gave them the authority to recommend below market rates for people renting, and they listed four factors that they were to consider to do that, including the historic significance and vulnerability of the facility, the tenants familiarity with historic properties, the level of security the facility requires, and the routine maintenance the tenant will provide. So those are factors that could be considered by the board in recommending a below market rental, but of course that's always subject to our approval.

LEG. MONTANO:

Question. What I'm curious about, though, is that once the committee determines what rent they want to charge, taking in all these factors, how do they pick the tenants? Is this advertised in the newspaper? Is it done by word of mouth? You know, because what I want to -- what I'm getting at is, is the -- is the availability of these units made known to the general public? I know in some places like we may want to rent to a sheriff for security purposes; that's a whole different ball game. But if we're just renting to have someone come in and not have the property vacant, then it should be a different process, because there are many people that I know that are looking for a nice place to live that can't afford it. They're either in basements that are illegal, and these may be good tenants. Are we reaching those people?

CHAIRPERSON NOWICK:

No, Ric, you can't rent out the place, if that's what you're looking for.

LEG. MONTANO:

You mean I can't get rid of my daughter? No, but seriously.

CHAIRPERSON NOWICK:

I know what you are saying, and George will say further, but just let me comment that, you know, old is old. These homes are historic homes, they're old, and they cost a lot to maintain.

LEG. MONTANO:

Oh, I know.

CHAIRPERSON NOWICK:

And believe me, I bet the heat on some of these homes are more than a basement apartment. But Counsel has more to say about this.

LEG. MONTANO:

Right, and I'm sure some of them would qualify as a handyman's special, a handyperson's special. But what I'm saying is that I do know of situations where there are people that are looking -- I can tell you right now there are people in my district that, you know, call up and tell me I can't find a place to rent, I've got a kid and the apartments are going for 15, 1600 and they just are not making that kind of money. So are reaching those potential tenants?

P.O. LINDSAY:

Maybe Counsel can -- but there is a preference list that takes in the law enforcement and County employees, that kind of thing, but George, maybe you have that there.

MR. NOLAN:

As the Presiding Officer says, there is a priority list. It goes from the top, which is a Suffolk County Park Police Officer, then to an employee of the Department of Parks, then a law enforcement officer of Suffolk County and down. The last is a resident of Suffolk County. If somebody who's not above them doesn't come forward, then they can go to just a resident of Suffolk County. They do publicize these openings by all employee memorandum, which is in a check, and then also on the Suffolk County internet. But outside of the County there's no provision for advertising these locations. I presume in most cases they find somebody who works for the County who's willing to move into one of these places.

LEG. MONTANO:

Commissioner, is it -- do we ever get to the average resident for these properties, or are they rented out to County employees? Do we ever get to that? I mean, when you deal with that preferential list, do we ever get to the bottom of it that says John Q. Public, you know, there's a place in whatever park that you can rent for 750 if you meet the qualifications? Do we ever get down there? Do we have enough of these properties?

COMMISSIONER MONTUORI:

Like Mr. Nolan said, we do -- we have a list, a priority list, that we go down. It's police and then we go down to employees, etcetera, or whatever. If we don't get anybody, to my best knowledge, I believe last year we advertised in the paper and we had an open house.

LEG. MONTANO:

Which paper?

COMMISSIONER MONTUORI:

That I don't know. I was just informed, because I don't handle it normally, so I was told that they advertised in the paper and they had an open house. But that's what we will do if we don't get any County employee.

LEG. MONTANO:

All right. So do me a favor, if you would just let me know what newspapers you advise in, because some of these newspapers are local and they don't reach the real public. They may reach -- you might be talking about the Smithtown News, you might be talking about Southampton Press. That's all well and good, but that's not going to hit my neighborhood.

CHAIRPERSON NOWICK:

And Commissioner, let me ask you something. When you choose somebody to reside in one of

these homes, what is their responsibility? What do they -- what are they paying for? Do they have to make repairs or do we as landlords make repairs? Is there -- if the plumbing goes wrong who makes the repairs? How does that work?

COMMISSIONER MONTUORI:

What we do is that when we get a vacant house the Maintenance Department in Parks will come in, make all the necessary repairs before that person comes in, and they're responsible to take care of minor repairs and stuff inside. We'll take care of like the roofs and windows and stuff like that. We'll take care of that.

CHAIRPERSON NOWICK:

But let's say -- so if something goes wrong with the plumbing, heating or electrical systems, who takes care of that? Does the tenant call Suffolk County and say come fix my toilet, it broke? Who does that? Are they responsible? What are they actually responsible for, any repairs or anything like that? Any -- who cuts the grass, who works on the outside? How does that work?

COMMISSIONER MONTUORI:

I believe in most of the residence we take care of the grass. Some other people I believe they do. I don't know because I really don't sit in on it because there is a committee, and the committee does it. I mean, if you want I'll do a little bit more research into it. But like I said, major repairs we will do. We expect the person inside -- if a light fixture or something goes that they would take care of that.

LEG. MONTANO:

These are generally -- may I?

CHAIRPERSON NOWICK:

Sure.

LEG. MONTANO:

I think these -- what do they call these, net leases, where the County would be responsible for the major capital improvement like the roof, but any other fixture, broken window and all that, the tenant would be responsible for. It depends on the way the lease is written. But you would be responsible for the fixtures and for the capital -- you know, if the wall were structurally damaged, that's not something you would push on the tenant. If the wall needed -- if the wall needed to be painted, that's something the tenant would do, and that's the difference.

CHAIRPERSON NOWICK:

But you're also saying that the County does the landscaping and cutting of the grass and stuff like that.

LEG. MONTANO:

In some cases they would have to, depending where it's located.

COMMISSIONER MONTUORI:

I'm not sure. That -- I'd have to double check on that one.

CHAIRPERSON NOWICK:

Maybe you could -- yes, Jill.

MS. MOSS:

If I could add to it. The tenant is responsible for the utility charges; heat, gas, oil, telephone, water, etcetera. The tenant has to pay renters insurance and the tenant pays for non-structural

repairs to the unit.

CHAIRPERSON NOWICK:

And who does the landscaping? I want to know who cuts the grass.

MS. MOSS:

Most of these are at historic sites. I would think that it would be the Parks Department to maintain the grass.

CHAIRPERSON NOWICK:

Legislator Montano, did you have any other questions?

LEG. MONTANO:

No, I just wanted to, you know, bring out that point and find out exactly how the tenants are selected; I think that's what concerns me.

CHAIRPERSON NOWICK:

Okay. And, Eric, you want to give us the answer on that 750?

MR. KOPP:

I can't give you the answer, so I would ask that this committee would table it so we can try to find out why there's a discrepancy on the backup.

CHAIRPERSON NOWICK:

Is there any emergency?

MR. KOPP:

We talked about it back here, it might be a scrivener's error of some sort. We have to see.

CHAIRPERSON NOWICK:

Let me just ask you a question then, because we do like to get somebody into the house. What if we discharge without recommendation so you can -- or just if we get it out of committee and you can get us that information before Tuesday. This way we can move forward without waiting another month.

MR. KOPP:

We can do that.

CHAIRPERSON NOWICK:

Is that okay with the committee?

LEG. MONTANO:

Okay with me.

CHAIRPERSON NOWICK:

Okay. And so you can let us know, then, before Tuesday.

MR. KOPP:

Yeah.

CHAIRPERSON NOWICK:

Okay. Did I have a motion on 1282? I don't remember. Oh, yes, I did. I did. Legislator Barraga made the motion and a second by Legislator Stern. All in favor? Opposed? 1282 is

approved. And we will be getting information that we need from the County Executive's Office.

MS. ORTIZ:

1282 was already approved. We're on 1286.

CHAIRPERSON NOWICK:

Which one?

MS. ORTIZ:

We're on 1286.

CHAIRPERSON NOWICK:

We had the debate after we approved it. That sounds like something we could have done. Okay. ***1286, Authorizing use of Blydenburgh County Park by the Care Center for its Annual Walkathon Fundraiser. (Co. Exec.)***

I'll make a motion, second by Legislator Horsley. All in favor? Opposed? 1286 is approved. ***(Vote: 5-0-0-0)***

Introductory Resolutions

1323, Directing the issuance of a request for expressions of interest and a request for proposal in connection with the operation of the County's marinas with boat slips. (Romaine)

I'm going to make a motion to table this.

LEG. MONTANO:

I'll second it.

CHAIRPERSON NOWICK:

Second by Legislator Montano. I'm assuming we're going to be hearing from different marina boat owners. There's a motion and a second. All in favor? Opposed? 1323 is tabled. ***(Vote: 5-0-0-0)***

1385, Authorizing the use of Cathedral Pines County Park by the League for Animal Protection of Huntington for its "Ride Laps for L.A.P." fundraiser. (Co. Exec.)

I'll make a motion by -- there'll be -- motion by Legislator Stern, second by myself. All in favor? Opposed? 1385 is approved. ***(Vote: 5-0-0-0)***

1386, Authorizing use of Meschutt County Park by the Suffolk Bicycle Riders Association for its Bicycle Rally Fundraiser. (Co. Exec.)

Same motion, same second. All in favor? Opposed? 1386 is approved. ***(Vote: 5-0-0-0)***

1387, Authorizing use of Gardiner County Park by Almost Home Animal Rescue & Adoption for its Dog Walkathon Fundraiser. (Co. Exec.)

Same motion, same second. 1387 is approved. ***(Vote: 5-0-0-0)***

1407, Appointing Peter S. Gunther as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 14). (Cooper)

I believe Mr. Gunther is here.

MR. GUNTHER:

Yes, Madam Chair.

CHAIRPERSON NOWICK:

Would you like to come up and just give us a little bit of your background?

MR. GUNTHER:

Good afternoon, Madam Chairwoman, board members. My name is Pete Gunther. I'm born and raised in Northport, reside in Centerport. I'm a retired New York City firefighter, retired from the military out at the 106th Air National Guard. I am presently in the Centerport Fire Department. I'm a former Chief, I'm an elected Fire Commissioner in the Centerport Fire District, member of the Veterans of Foreign Wars, American Legion, Am Vets, coached Little League for basically all my life for all my kids when they started until when they finished. I've been active in the community. I did run for Legislator years ago, but I had lost, and I was asked to be able to try to help out at the Vanderbilt. I've been going there since I was a little kid, my kids have gone there. I'm born and raised in the neighborhood. I'd like to be able to help out wherever I can, and any questions, I'll be more than glad to answer them.

CHAIRPERSON NOWICK:

Does anybody have any questions? Presiding Officer Lindsay.

P.O. LINDSAY:

Yeah, Mr. Gunther. First of all, I am impressed with your resume and I just want to thank you for willing -- your willingness to donate your time to what we feel is a very important component of Suffolk County, the Vanderbilt Museum. And it really depends an awful lot on volunteers coming forward and giving of their time. So I just want to thank you publicly.

MR. GUNTHER:

I appreciate that, and I realize that there's some funding problems. I'll try to help out there as much as I can as far as trying to get some fundraisers and trying to raise some money different ways. I understand that you just appointed an interim Director and I'd like to get with him and do whatever I can. I'm a hands on guy. I'm willing to spend as much time as it takes and to do whatever it takes to do the job.

P.O. LINDSAY:

Thank you.

CHAIRPERSON NOWICK:

Mr. Gunther, you said you were retired?

MR. GUNTHER:

Yes, I'm a retired New York City firefighter.

CHAIRPERSON NOWICK:

So you have some time to devote to the Vanderbilt. That's wonderful.

MR. GUNTHER:

I thought -- I don't know how I found time to work. I'm actually busier now that I'm retired than I did when I was working.

CHAIRPERSON NOWICK:

Well, this will make you twice as busy.

MR. GUNTHER:

Absolutely. Like I said, whatever it takes. I'm willing to put my best foot forward and help out any way I can.

CHAIRPERSON NOWICK:

Thank you. And the County appreciates it, certainly we do. Does anybody else have any questions? Legislator Montano has a question for you.

LEG. MONTANO:

Yes. Mr. Gunther, how are you?

MR. GUNTHER:

Good.

LEG. MONTANO:

Have you had an opportunity to take the tour of the Vanderbilt?

MR. GUNTHER:

Being involved in the fire department, I've been there numerous, numerous, numerous times.

LEG. MONTANO:

Okay, so you don't need the tour.

MR. GUNTHER:

I don't need the tour only for the simple reason is that the alarm system has been faulty for the last 20 years, and we seem to go there two or three times a week to get the tour.

LEG. MONTANO:

One of the Trustees made me go through the full tour, except for the planetarium, so I'll have to go back for that. If you're familiar with the property you have a lot of -- you have your work cut out for you, so you know what you're getting into, and I'll want to thank you also.

MR. GUNTHER:

Thank you.

LEG. MONTANO:

It's a big responsibility. Okay.

CHAIRPERSON NOWICK:

Are there any other questions for Mr. Gunther? If not, I'll take a motion by Legislator Barraga, second by Legislator Stern. All in favor? Opposed? 1407 is approved. **(Vote: 5-0-0-0)**

And you really do not have to come and spend the day with us at the meeting on Tuesday, unless you choose to do that in your busy schedule, but thank you very much.

MR. GUNTHER:

I'll make my time at the Vanderbilt that day, how's that.

CHAIRPERSON NOWICK:

Much more important. Thank you, Mr. Gunther.

MR. GUNTHER:

Thank you very much.

CHAIRPERSON NOWICK:

Is there any other business for the committee? Lance? Nothing? Okay. Then I'll make a motion to adjourn. Second by Legislator Horsley. All in favor? Opposed? We're adjourned.

(The meeting was adjourned at 1:37 P.M.)