

**PARKS & RECREATION COMMITTEE**  
**OF THE**  
**SUFFOLK COUNTY LEGISLATURE**  
**MINUTES**

A meeting of the Parks & Recreation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislature Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on May 30, 2012.

**MEMBERS PRESENT:**

Leg. Lynne C. Nowick, Chairwoman  
Leg. Ricardo Montano, Vice Chair  
Leg. Kara Hahn  
Leg. Wayne R. Horsley  
Leg. Steven H. Stern

**ALSO IN ATTENDANCE:**

Leg. DuWayne Gregory, Fifteenth Legislative District  
George Nolan, Counsel to the Legislature  
Renee Ortiz, Chief Deputy Clerk  
Jill Moss, Budget Review Office  
Tom Vaughn, County Executive's Office  
Gregory Dawson, Commissioner/Parks Department  
Nick Gibbons, Parks Department  
Greg Moran, Aide to Leg. Nowick  
Deborah Harris, Aide to Leg. Stern  
Bob Martinez, Aide to Leg. Montano  
Paul Perillie, Aide to Leg. Gregory

**MINUTES TAKEN BY:**

Diana Flesher, Court Stenographer

**MINUTES TRANSCRIBED BY:**

Denise Weaver, Legislative Aide

**(THE MEETING WAS CALLED TO ORDER AT 1:09 PM)**

**CHAIRWOMAN NOWICK:**

Legislators we're about to start the Parks and Recreation Committee with the salute to the flag led by our Legislative Counsel.

**(SALUTATION)**

Good afternoon and welcome to the Parks and Recreation Committee. We really do not have a long agenda and I don't see any cards. And, Commissioner, I see you sitting there. Did you want to address the Committee or come up? Is there anything you want to talk about or are we just going to swing right through this?

**COMMISSIONER DAWSON:**

Just swing right through.

**D.P.O. HORSLEY:**

One question.

**CHAIRWOMAN NOWICK:**

Uh oh, there you go.

**D.P.O. HORSLEY:**

You don't even have to come up. It an easy one.

**COMMISSIONER DAWSON:**

I may as well stay while I'm here. Yes, sir.

**D.P.O. HORSLEY:**

How we doing on the historic homes RFP's? Are we moving -- are we making any progress? You know what I'm talking about.

**COMMISSIONER DAWSON:**

I know exactly what you're talking about. Right now our Contracts Division is working on two RFP's for both Timber Point and West Sayville Golf Courses. Right after that, that's the next thing on the agenda.

**D.P.O. HORSLEY:**

One month, two months? That type of thing or?

**COMMISSIONER DAWSON:**

I would say within a month, month and-a-half, two months.

**D.P.O. HORSLEY:**

Okay. We don't want to lose any one of those houses.

**COMMISSIONER DAWSON:**

No.

**CHAIRPERSON NOWICK:**

Are you happy?

**D.P.O. HORSLEY:**

Done. I have him on record.

**CHAIRWOMAN NOWICK:**

So then we're going right to tabled resolutions.

### **TABLED RESOLUTIONS**

**1001, Appropriating funds in connection with building for Wildlife Rescue and Education, Marine Science Center, Southold (CP 1766). (Romaine)** Are those funds, George, already in the budget and we're just appropriating them?

**MR. NOLAN:**

Yes, that's correct.

**CHAIRWOMAN NOWICK:**

Okay. So I'll make a motion. Do I have a second? I don't have a second. Okay.

**LEG. HAHN:**

Motion to table.

**CHAIRWOMAN NOWICK:**

Motion to table. Do I have a second?

**LEG. STERN:**

Second.

**CHAIRWOMAN NOWICK:**

Second on the motion to table. All in favor? Opposed? Abstentions? **1001 is tabled. (VOTE: 4-0-0-1 Not Present: Leg. Montano)**

**1018, Amending Resolution No. 918-2011, establishing A Historic Structure Pilot Program and directing the Department of Parks, Recreation and Conservation to issue a Request For Proposals. (Gregory)** Legislator Gregory, what is your --

**LEG. STERN:**

Motion to approve.

**D.P.O. HORSLEY:**

Second.

**CHAIRWOMAN NOWICK:**

I have a motion to approve by Legislator Stern, Legislator Horsley. All in -- that would be the Clerk to mark -- Legislator Montano, we're doing 1018, amending a resolution establishing a Historic Structure Pilot Program. We have a motion by Legislator Stern and second by Legislator Horsley. All in favor? Opposed? Abstentions? **1018 is approved. (VOTE: 5-0)**

**1451, Renaming the County park in Montauk and designating the Third House. (Schneiderman)** Legislator Stern, has that gone through the Siting's Committee yet?

**LEG. STERN:**

1451 was considered by the Siting's Committee yesterday and it was approved unanimously.

**CHAIRWOMAN NOWICK:**

You want to make a motion?

**LEG. STERN:**

I will make a motion to approve.

**LEG. HAHN:**

Second.

**CHAIRWOMAN NOWICK:**

Second by Legislator Horsley.

**LEG. STERN:**

Just on the motion very quickly.

**CHAIRPERSON NOWICK:**

On the motion, Legislator Stern.

**LEG. STERN:**

There were three elements in this bill. One was to change the name of the Park. The other was to formally name Third House, Third House; and that there would be -- the main room within Third House would now be the President Theodore Roosevelt Room. Those are three elements that were approved unanimously.

**CHAIRWOMAN NOWICK:**

So again -- so there are three elements. The Third House will be named what?

**LEG. STERN:**

Very formally, Third House.

**CHAIRPERSON NOWICK:**

Oh, then there's a room named for Teddy Roosevelt and then what's the third?

**LEG. STERN:**

The third right now it's the Theodore Roosevelt County Park. The new official name will be the Montauk County Park.

**CHAIRWOMAN NOWICK:**

We have motion and a second, don't we?

**MS. ORTIZ:**

Yes.

**MR. NOLAN:**

We do.

**CHAIRWOMAN NOWICK:**

All in favor? Opposed? Abstentions? **1451 is approved. (VOTE: 5-0)**

## **INTRODUCTORY RESOLUTIONS**

**1521, Adopting Local Law No. -2012, A Local Law to prohibit smoking in County parks. (Spencer)** Has to be tabled for a public hearing. I'll make that motion, second by Legislator Stern. All in favor? Opposed? Abstentions? **1521 is tabled. TABLED for PUBLIC HEARING (VOTE: 5-0)**

**LEG. HAHN:**

Lynne, would you mind if I just ask the Commissioner one more thing since I see Nick. Nick is here as well. There were two resolutions that we had in EPA Committee that we had wanted the Parks Department's input on. And while you weren't able to be in EPA, I was just wondering if you'd be willing to give us a little bit of understanding. There's a property in Lake Montauk where there's a -- it's a single .75 acre piece of property that's completely 100% surrounded by a County Park. And I was just wondering if you could speak to how difficult it would be to manage the rest of the Park if there was ownership -- a private owner that owned a piece of property in the middle of that. Or if you'd rather put something in writing to the Committee, that would be helpful.

**COMMISSIONER DAWSON:**

Yeah, I think we'd be more comfortable putting it in writing to the Committee.

**LEG. HAHN:**

Okay. Because the two pieces of property that our EPA Committee needed your input on was that one and the one next to the North Fork Preserve. We wanted just to get an input from the Parks Department about how you felt about those two purchases. Thank you. So, if you could put that writing for our Committee that would be very helpful.

**COMMISSIONER DAWSON:**

Yeah, sure we'll do that, that'll be fine.

**LEG. HAHN:**

Thank you.

**CHAIRWOMAN NOWICK:**

Commissioner? Commissioner, let me ask you question. In the County Parks right now, anybody can smoke within the park or how does that work?

**COMMISSIONER DAWSON:**

They need to -- they can smoke in any County Park. Where there's a building, they need to be within -- more than 50 feet from the front entrance.

**CHAIRWOMAN NOWICK:**

So like in Blydenburgh there are buildings but there are areas of the Park that are way more than 50 feet. They can -- aren't there?

**COMMISSIONER DAWSON:**

You can smoke anywhere in a County Park. You just can't smoke within 50 feet of a building -- of a public building.

**CHAIRWOMAN NOWICK:**

Okay, so right now there is smoking, of course, in the County Park. And this -- okay, and this bill that we are tabling for public hearing prohibits smoking entirely; right?

**COMMISSIONER DAWSON:**

That's the way I read it, correct.

**LEG. MONTANO:**

Can I speak, Lynne?

**CHAIRWOMAN NOWICK:**

Yes, Legislator Montano.

**LEG. MONTANO:**

Yeah, I may have missed this. How are you? Is there -- I had read that New York City either had a similar bill or they passed a similar bill or it did not pass. Do you know the status of that?

**COMMISSIONER DAWSON:**

I believe you cannot smoke in any New York City Park.

**LEG. MONTANO:**

Okay. And are there any other jurisdictions where park -- smoking in a park is prohibited that you know of?

**COMMISSIONER DAWSON:**

Apparently in New York State, but they just -- they're reviewing that now. There was an article in today's Newsday about it.

**LEG. MONTANO:**

I'm sorry, what was that?

**COMMISSIONER DAWSON:**

New York State has a ban on smoking in all of their Parks --

**LEG. MONTANO:**

In State parks.

**COMMISSIONER DAWSON:**

-- in their State Parks, but they're currently reviewing that. They just -- they just pulled back from that -- that law. There was an article in today's Newsday about it.

**LEG. MONTANO:**

Oh, I didn't read it. What do you mean they pulled back? I don't understand the terminology. Did they -- are they looking at the constitutionality? Is it --

**COMMISSIONER DAWSON:**

I don't think it went through the 45-day public portion. I think that's --

**LEG. MONTANO:**

Oh, so apparently there's a technical defect in the way the law was passed. Is that what you're saying?

**COMMISSIONER DAWSON:**

That's the way I understand the article, yes.

**LEG. MONTANO:**

Right. Outside of New York State, do you know of any other jurisdictions that prohibit smoking in parks, like Pennsylvania or Wyoming, wherever?

**COMMISSIONER DAWSON:**

No, I don't.

**LEG. MONTANO:**

All right. Okay. Who's the sponsor? Oh, he's not here, Dr. Spencer. Okay, we'll ask these on Tuesday. Thank you.

**COMMISSIONER DAWSON:**

Very good.

**CHAIRWOMAN NOWICK:**

Commissioner, is there ever a time when there's a drought that the County would not allow smoking? Had that ever been done in the past when there's a drought, just so -- worrying about fire, and I could see that happening.

**COMMISSIONER DAWSON:**

Absolutely, we get notifications everyday from FRES telling us what the rating is for fire: High, medium or low. When it is was high -- as a matter of fact, the last couple of -- it's low now but the last couple of weeks we banned all open flames in Parks. So that's campfires, anything that would have an open flame.

**CHAIRWOMAN NOWICK:**

So you have to have a lot of Parks Police to go around and make sure everything is --

**COMMISSIONER DAWSON:**

Well, we kind of hope for voluntary compliance.

**CHAIRWOMAN NOWICK:**

I think Kara was next. Kara, go ahead.

**LEG. HAHN:**

Yeah, I was just going to ask about brush fires and if this would help maybe prevent, just by not even allowing smoking at all, I was just wondering if that is part of the reason for this in the Parks.

**COMMISSIONER DAWSON:**

Well, I think enforcement's going to be the issue and actually I have something set up with Legislator Spencer to discuss the resolution.

**CHAIRPERSON NOWICK:**

Any other questions in reference to this? Legislator Montano.

**LEG. MONTANO:**

Yeah, with reference to the bill, is there going to be like any area in the Park that would be designated a smoking zone? Or this is a complete ban?

**COMMISSIONER DAWSON:**

As I understand, it's a complete ban; but, again, I'm setting something up with the Legislator to take a look at the exact wording of the resolution.

**LEG. MONTANO:**

Okay. All right, thank you.

**CHAIRWOMAN NOWICK:**

Commissioner, have they been spraying the golf courses like Timber Point at all for mosquitos?

**COMMISSIONER DAWSON:**

Not that I'm aware. Couple of bites in the last --

**CHAIRWOMAN NOWICK:**

You might want to think about that

**LEG. MONTANO:**

Are the mosquitoes really out there this year, Commissioner? I mean, there have been some years where -- I know it's been raining a lot, but --

**COMMISSIONER DAWSON:**

I think they were fine up until about a week-and-a-half ago when the rains came.

**LEG. MONTANO:**

Okay.

**CHAIRPERSON NOWICK:**

Are you done? Does anybody have anything else?

**D.P.O. HORSLEY:**

One more question on the smoking business. The way the State, they -- it almost sounds like they're leaning back on that there's a technicality in the law. But I got the impression from, at least some of the speakers on the radio, that they're leaning away from enforcement of the ban altogether. They -- you know, that there was more to it than they originally anticipated and that they're -- they're using it as a "well, we'll deal with it later on" type of thing. What is your feeling on it? I mean --

**COMMISSIONER DAWSON:**

I think the article stated they were going through their 45-day waiting public period then review it after.

**D.P.O. HORSLEY:**

And review it.

**COMMISSIONER DAWSON:**

And review it after that.

**D.P.O. HORSLEY:**

Okay.

**COMMISSIONER DAWSON:**

That's my understanding of the article. I didn't get a chance to talk to anybody from the State about it.

**D.P.O. HORSLEY:**

So was that done -- that was done by legislation or was that done by regulation within the Parks Department?

**COMMISSIONER DAWSON:**

I was -- so I couldn't tell you how they passed that.

**D.P.O. HORSLEY:**

Okay, thanks.

**CHAIRWOMAN NOWICK:**

Is there anything else for the Commissioner or for the Committee? If not, we'll adjourn.

**THE MEETING CONCLUDED AT 1:22 PM**

{ } DENOTES SPELLED PHONETICALLY