

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 September 5, 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:

George Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel
Tim Laube, Clerk of the Legislature
Gregory Dawson, Commissioner/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
Lance Reinheimer, Vanderbilt Museum

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 1:14 PM

CHAIRWOMAN NOWICK:

Sorry for the delay in starting this meeting. We'll start with the Pledge to the Flag led by Legislator Horsley.

SALUTATION

Good afternoon. And our lights are back on and our reporter is here. So we can go. We have one card. Lance, come on up.

PUBLIC PORTION

MR. REINHEIMER:

Thank you very much. I'm here speaking in reference to IR 1833, which is a Capital Appropriating Resolution. There's funds scheduled in the 2012 Capital Program in construction for water intrusion. That can include roofs, walls, gutters. And it's campus-wide. It can be used for any building in the Museum.

I don't ask for funds unless it's really crucial, especially in this time in this economic situation that Suffolk County and the rest of the country is in. But I'm also here to protect the best interest of the Vanderbilt Museum and the buildings and preserve it for the future and to really finish up the Planetarium.

It's crucial for any building to have roofs that do not leak. We have roofs that are on buildings that are a hundred years old. We have flat roofs. The Hall of Fishes or the Marine Museum is a flat roof. That's leaking. And that's impacting the artifacts. We have walls in the mansion that are porous and the water is leaking through. We fixed those walls. And within a year they're crumbling. And most important is the Planetarium. We're finishing it up. It looks like November 1st should be a good target date for its opening. The carpeting should be going in in two weeks. The seats are going in at the end of October. The Star Projector is in. The video -- full dome video is in, the Surround Sound. The technicians are there making adjustments. Next week they'll be training staff. So it's a real exciting time. And they -- they've had demonstrations and it's really -- it exceeds expectations. It's just phenomenal.

So that's an exciting time. And these funds also can be used for a contingency for the roof. They've had roofing work done. They continue -- the contractor continues to come back; every time it rains, we find new leaks. They're coming back to assess it. And they are hitting into the budget as far as funds that are already appropriated.

So this would be used for several buildings. And most important it will be -- it can be used as a contingency for the roof for the Planetarium, which is an ongoing problem. And they can't seem to -- or they're working on resolving that problem, but it still leaks and they did work on that roof during the summer. Any questions?

CHAIRWOMAN NOWICK:

Lance, how much?

MR. REINHEIMER:

This resolution appropriates \$400,000 that's scheduled in the Capital Program. If I can remind you, I was here earlier this year requesting \$300,000 dollars for the Planetarium for the heating and air conditioning system. That furnace is in. The controls -- we can control that remotely. They fixed the air conditioning. It's -- that money was well spent.

The point is that the 300,000 -- this is 400 -- this is \$700,000 total. I have another hundred thousand for replacing wiring in the Capital Program. And that's it. There's a million dollars scheduled that we're not asking funds for in the Capital Program. So, a facility for this size and with the problems that the Museum has in terms of maintaining buildings, \$800,000 is a lot of money, but it's -- in the big scheme we're trying to maintain these buildings and keep them from further maintenance problems, crumbling. So this is \$400,000.

CHAIRWOMAN NOWICK:

Lance, did you go over there today to see how they made out when that rain came down?

MR. REINHEIMER:

Yeah, I was -- I was there yesterday. We had a lot of rain yesterday. And in the lobby of the Planetarium, we have these nice looking buckets that are collecting water, so.

CHAIRWOMAN NOWICK:

Does anybody else have any questions? Okay, thank you, Lance.

MR. REINHEIMER:

Thank you.

CHAIRWOMAN NOWICK:

Okay. We do not have any other cards from the public. So, we're going to go right to the agenda.

TABLED RESOLUTION

Tabled Resolution 1700, Repealing twilight fee at County beaches. (Browning)

LEG. HAHN:

Motion to table.

CHAIRPERSON NOWICK:

Motion to table. I'll second that motion.

LEG. MONTANO:

Question.

CHAIRPERSON NOWICK:

Yes.

LEG. MONTANO:

George, can you explain to me again what this one does?

MR. NOLAN:

Earlier this year we passed a resolution, a Certificate of Necessity, establishing a twilight fee at the County parks, beaches. It has not been instituted by the Department of Parks Recreation. So, this is repealing that fee.

LEG. MONTANO:

If I may, it hasn't been instituted.

CHAIRWOMAN NOWICK:

I believe it was. Commissioner, you want to come up?

MR. NOLAN:

I guess it was instituted, but then they stopped charging it.

COMMISSIONER DAWSON:

I thought I was off the hook.

LEG. MONTANO:

On the record, just to be clear, this was implemented and then repealed; am I correct?

COMMISSIONER DAWSON:

That's correct.

LEG. MONTANO:

So if we don't approve this, what happens?

COMMISSIONER DAWSON:

We've been directed -- we've been directed not to collect the fee at the beaches so we'll continue to not collect the fees at the beaches. But -- and it's a moot point, at least, until Memorial Day because we're not charging now anyway. This season's over for all practical purposes.

LEG. MONTANO:

Okay.

CHAIRWOMAN NOWICK:

So --

LEG. MONTANO:

So we'll see you in the Spring?

COMMISSIONER DAWSON:

Probably before then, but, yes.

LEG. MONTANO:

Thank you.

CHAIRWOMAN NOWICK:

So if we don't repeal this, the fee is still in existence. If we want to charge it, if it's the will of the Legislature -- wasn't it the will of the Legislature? Oh, well.

LEG. MONTANO:

Yes, this is so important we passed it on a C of N; don't you remember?

CHAIRWOMAN NOWICK:

I think I do. But I knew that it was going to be repealed because I read it Newsday. I think that Legislator Hahn looks like she wants to comment.

LEG. HAHN:

I just want to know if there was any movement on some of the points that were brought up last meeting about the contract and -- the contract goes to the end of 2015. Has there been any thought about changing the terms eventually to put the onus on the contract concessionaire?

COMMISSIONER DAWSON:

I'm not sure we can. This went out for RFP. I'm not sure we can change the terms of the contract in midstream.

LEG. HAHN:

Well, by 2015 we were looking into changing this. Because I think that if they're going to be holding concerts whereby we don't get the fee for the parking, they need to be responsible for the cleanup, for the bathroom maintenance, for, you know, everything that happens after in and around that time. I think that certainly needs to be part of what we get out of them in the future.

COMMISSIONER DAWSON:

Well, I don't want to speak on behalf of the concessionaire, but he's been very amendable to take on certain responsibilities. So we can certainly look at that.

LEG. HAHN:

And I also had asked about creating maybe a special twilight parking pass, you know, that maybe they wouldn't have to pay every time. But then you need to staff someone at the gate obviously. But there may be other options.

COMMISSIONER DAWSON:

Well, right now there is -- there is a yearly pass for \$65. So that would -- that would allow anybody to go in there seven days a week for \$65, the whole season. So people who utilize the facility can take advantage of that.

LEG. HAHN:

Thank you.

COMMISSIONER DAWSON:

Welcome.

CHAIRWOMAN NOWICK:

Are there any other questions? We have a motion to table and -- I kind of like -- I'd like to keep the twilight fee legislation where it is, where the Legislature has passed it. And I guess we will deal with it again Memorial Day.

I just ask Counsel just one more time, and I promise you I'll leave it alone, but if there's Legislators who want it as Legislators to say to the Commissioner "we voted for this, we would like this to be instituted", with the legislation that we passed, there's just no way to do that? And I'm not saying it's the will of everybody; maybe they'll change their minds, but just curiously.

MR. NOLAN:

I think, just frankly, you know, that conversation would have to be with the County Executive's Office at this point. We passed the bill. We established the policy. In my opinion -- in my opinion, it should either be followed or we should repeal it. If it's not going to be implemented, it's not going to be collected, take it off the books.

CHAIRWOMAN NOWICK:

Yes, Legislator Montano.

LEG. MONTANO:

Commissioner, if -- someone reminded me the other day that when this bill was presented -- correct me if I'm wrong -- I think the statement that was made was that the Department did not need the approval of the Legislature to implement the fee increase, but that it was desired. Is that an accurate recollection of what was said at the meeting at the time we passed this?

COMMISSIONER DAWSON:

That's pretty accurate, yes.

LEG. MONTANO:

So, now on the flip side, having passed this, since you didn't need theoretically -- and I take it at your word -- you didn't need our approval, and if you didn't need it, I don't know why I gave it to you, but if you didn't need it and we passed it, now that we passed it, do you need -- do you feel that you need our approval to not implement it? You know, I'm not trying to put you on the spot. I'm just asking you, you know, as a -- the logical conclusion of the statement that was made back then.

COMMISSIONER DAWSON:

The reason we came to the Legislature is because we're charging a different fee than was set. So, to say we didn't --

LEG. MONTANO:

Set by whom?

COMMISSIONER DAWSON:

Set by the Legislature. We were actually asking for a reduction in fee, which is what we got. So, as to what about -- I defer that to legal.

LEG. MONTANO:

Put it on the record so I get it. Because I don't remember the full conversation. But in all seriousness I'm trying to ascertain what will --

LEG. STERN:

If I remember -- Commissioner, correct me if I'm wrong, the Department already has the authority to charge at a certain level. What this legislation represented at the time was actually a reduction of the amount that the Parks Department already had the authority to charge.

COMMISSIONER DAWSON:

That's correct.

LEG. MONTANO:

All right. So if I understand this correctly, you had the authority but you weren't charging that amount? No, you were charging that amount?

COMMISSIONER DAWSON:

We had the authority to continue to charge until seven, eight, nine o'clock with the fees that were set by the Legislature; the \$8 for the -- for people with the Green Key Card, \$15 for those without. We chose to --

LEG. MONTANO:

To reduce it after hours.

COMMISSIONER DAWSON:

-- reduce that fee. And I just could not do that arbitrarily. I needed to get your approval.

LEG. MONTANO:

Okay. Thanks for clarifying that, Legislator Stern.

CHAIRWOMAN NOWICK:

Legislator Horsley, did you want to say anything?

D.P.O. HORSLEY:

No, I'm good. This is beyond the pale.

CHAIRWOMAN NOWICK:

Anyway, Commissioner, sorry to put you in the middle of this. It's -- I guess it just doesn't make sense to a lot of the Legislators. So, did your lights go off?

COMMISSIONER DAWSON:

No.

CHAIRWOMAN NOWICK:

Anybody have any other questions for the Commissioner?

D.P.O. HORSLEY:

Commissioner, are you pushing your folks on our County Historic Program?

COMMISSIONER DAWSON:

Yes, we are.

D.P.O. HORSLEY:

I haven't had a chance to call Carol back. Is her name? Carol?

COMMISSIONER DAWSON:

Colleen. I think she's -- I think Colleen had spoken to somebody on your staff, so.

D.P.O. HORSLEY:

Okay.

CHAIRWOMAN NOWICK:

Okay. Ready to go? All right, so, we have a motion to table and a second. All in favor? Opposed? **1700 is tabled. (VOTE: 5-0-0-0)**

Commissioner, while you're sitting there, just quickly, and it's not a big deal, but since you are sitting there, I wanted to tell you that I have gone to all of the golf courses and I did get an opportunity to look at the fences. And my Chief of Staff also did that. I felt that the --

LEG. MONTANO:

You were there in a professional capacity, right?

CHAIRWOMAN NOWICK:

Yes. (Laughter) So, I felt that the fence at Bergen Point was fairly high. And I'm not sure about the height of Sayville, but I know that you're all working on it with signs. But just quickly while I have you here, I did check out Indian Hills -- Indian Island. All beautiful golf courses. And I have to commend the Parks Department for doing such a beautiful job. But Indian Hill -- Indian Island has a tunnel that you go through to go to the other side. Would it be possible for you to put a mirror showing -- it's very narrow and if two of those carts collide, well, somebody's going into the water. I thought if you could put a mirror to show the one cart that there's another cart coming, maybe that would be a good idea.

COMMISSIONER DAWSON:

I know exactly the spot you're speaking of. We can certainly look into that.

CHAIRWOMAN NOWICK:

While the Commissioner's here, does anybody have any questions?

INTRODUCTORY RESOLUTIONS

Okay, **Introductory Resolution 1870, Approving a License Agreement for D. Brodie to reside in the Gate House, at Southaven County Park, Yaphank. (Co. Exec.)** Counsel, this is all --

MR. NOLAN:

I believe we're charging 850 a month for this particular rental. And I guess it's been approved by Parks in that rental committee that we set up; correct?

COMMISSIONER DAWSON:

It has. It's fair market value.

CHAIRPERSON NOWICK:

And that's great. Because it's better to have the houses with somebody in them. I will make the motion. Do we have a second? Second by Legislator Horsley. All in favor? Opposed? **1870 is opposed. (VOTE: 4-0-0-1. LEG. MONTANO NOT PRESENT)**

1871, Approving a License Agreement for P. Mayer to reside in the apartment, at North Fork Preserve County Park, Aquebogue. (Co. Exec.)

And, again, Commissioner, this is all --

COMMISSIONER DAWSON:

That's correct. They're going to be paying a \$1,000 which is, again, fair market value. It went through the committee.

CHAIRPERSON NOWICK:

Okay.

SIDE BAR CONVERSATION

COMMISSIONER DAWSON:

I'm sorry to say I don't know. It went through the selection committee. It goes by County employee, police officer, park police officer. I can get the information if you need.

CHAIRWOMAN NOWICK:

The Parks Committee does a review of it. And, yeah, I'm comfortable with the same motion, same second, if anybody else is. If not -- okay, same motion, same second. All in favor? Opposed? **1871 is approved. (VOTE: 4-0-0-1. LEG. MONTANO NOT PRESENT)**

1873, Accepting and appropriating a 75% Project Share from the Federal Emergency Management Agency and 12.5% Project Share from the New York State Emergency Management Office for damage associated with Hurricane Irene at Green's Creek County Park and Coindre Hall from August 26 thru September 5, 2011. (Co. Exec.) I'll make a motion, second by Legislator Stern. All in favor? Opposed? **1873 is approved. (VOTE: 4-0-0-1. LEG. MONTANO NOT PRESENT)**

1853, Appropriating funds in connection with waterproofing, roof and drainage at the Suffolk County Vanderbilt Museum (CP 7439). (Spencer)

LEG. HAHN:

Motion.

CHAIRPERSON NOWICK:

Motion by Legislator Hahn, second by myself. All in favor? Opposed? **1883 is approved.**
(VOTE: 4-0-0-1. LEG. MONTANO NOT PRESENT)

If anybody has anything else for the Parks Committee -- if not, I'm going to adjourn.

**THE MEETING CONCLUDED AT 1:32 PM
{ } DENOTES SPELLED PHONETICALLY**