

PARKS & RECREATION COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Parks & Recreation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Wednesday, May 6, 2015 at 12:30 p.m.

Members Present:

Deputy Presiding Officer Jay Schneiderman - Chairman

Legislator Kara Hahn - Vice-Chair

Legislator Tom Cilmi

Legislator Bill Lindsay III

Legislator Kevin McCaffrey

Also in Attendance:

George Nolan - Counsel to the Legislature

Jason Richberg - Chief Deputy Clerk/Suffolk County Legislature

Jason Hann - Aide to Deputy Presiding Officer Schneiderman

Michael Pitcher - Aide to Presiding Officer Gregory

Mike Cavanagh - Aide to Legislator Lindsay

Alyssa Turano - Aide to Legislator Hahn

Benny Pernice - Budget Review Office

Greg Dawson - Commissioner/Suffolk County Department of Parks

Tom Vaughn - County Executive Assistant

Katie Horst - County Executive's Office

Greg Dawson - Commissioner/Suffolk County Department of Parks

John Fry

Michael O'Connor

Edward Newman

Art Boyd

Craig Burkhardt

All Other Interested Parties

Minutes Taken By:

Gabrielle Severs - Court Stenographer

Minutes Transcribed By:

Denise Weaver - Legislative Aide

*(*The meeting was called to order at 12:37 p.m. *)*

CHAIRMAN SCHNEIDERMAN:

Good afternoon. I'd like to call this meeting of the Parks and Recreation Committee to order this 6th day of May, 2015. All rise and join us in for the Pledge of Allegiance led by Legislator Hahn.

(*Salutation*)

Please be seated. Thank you for coming out this afternoon. We begin with public portion. I have a number of cards. If you wish to be heard by the Committee and have not filled out a yellow card, please do so, they're available at the table in front of the horseshoe. Okay.

Our first speaker is John Fry. Each speaker will be given three minutes to make their comments known. Mr. Fry if you'll step over to the podium, identify yourself for our records, and then you may begin.

MR. FRY:

I'm here representing myself but also unofficially on behalf of a lot of campers and outer beach day-trippers who use Shinnecock East, there's really questions directed to the Parks Department to try to avoid a lot of the frustration from last summer. So I have basically four questions, they tend to run together. With a continued issue with the piping plovers at Smith Point, is there any consideration to develop some sort of a bypass that would get around the areas that -- that the plover that would allow the outer beach to be -- become open? Okay? Okay.

CHAIRMAN SCHNEIDERMAN:

Can you ask the questions to us and then we can ask them to the Parks Commissioner.

MR. FRY:

Okay, I mean, do I wait for --

CHAIRMAN SCHNEIDERMAN:

No, no. Go ask all your questions to us and then -- I'm writing them down.

MR. FRY:

Okay. And then, similar question, with Smith Point's outer beach closed, has the park considered anything to mitigate, if you will, some of the -- the impact by allowing more people onto Shinnecock, for example, allowing two rows of -- of day-trippers along the ocean instead of one, which would, you know, effectively double the capacity. Okay. There may be other things that could be done along that route, but something to make sure that if Smith Point's still impacted, a lot more can happen at Shinnecock.

CHAIRMAN SCHNEIDERMAN:

I just -- I want to make sure I understood that last question. At Shinnecock East you're suggesting a double -- two rows of outer beach camping?

MR. FRY:

Well, there used to be -- used to be --

CHAIRMAN SCHNEIDERMAN:

Is the beach wide enough?

MR. FRY:

There's no real rules for day-trippers parking along the ocean, kind of first come, first serve and down by the inlet, you know, sometimes there'd be two and three, you know, trucks or vehicles, you know, back to back.

CHAIRMAN SCHNEIDERMAN:

Not campers, just trucks.

MR. FRY:

No, not campers. No, no. Just day people. Okay.

CHAIRMAN SCHNEIDERMAN:

Okay.

MR. FRY:

Day-trippers.

CHAIRMAN SCHNEIDERMAN:

A couple years ago, I'm not -- I don't want to say exactly when, but a few years ago they started saying there could only be one row of trucks so you can't park in front of another beach buggy --

CHAIRMAN SCHNEIDERMAN:

Okay.

MR. FRY:

-- which effectively cuts a lot of the capacity out of it.

CHAIRMAN SCHNEIDERMAN:

Beach is wide enough to allow two?

MR. FRY:

Oh yeah, down by -- usually this would happen down by the inlet there'd be in some cases two to three, you know, occasionally four people and usually -- usually but not always -- these people would know each other and they'd be, you know, parked by each other but the park stopped that.

CHAIRMAN SCHNEIDERMAN:

Okay, so continue on. So I got the first two questions.

MR. FRY:

Okay. The others, and I know there was discussion at the last meeting about the reservation system, but I guess I just would ask, has the vendor been held accountable for the problems of the reservation system, it'd had been effect for four months and still we had a lot of major problems two weeks ago and has the vendor come back with root cause and corrective actions or will we face this again and again? Although, I do say yesterday it all worked really good for reservations.

CHAIRMAN SCHNEIDERMAN:

Oh, good.

MR. FRY:

Okay. And, then finally, and this was a frustration that a lot of people down at the -- Shinnecock beach had last year, especially when Smith Point outer beach was closed. Nobody seemed to have

any feel for input into the parks system on planning, on decisions; things were just arbitrarily changed and had no one seemed to know how to get input into the parks system as far as from the public standpoint, there doesn't appear to be any feedback loops available. Okay? And, you know, calls to the Parks Department, there doesn't seem to be any -- any vehicle or any process in the Parks Department for recording complaints. Okay. So -- and the only answer you get is call the commissioner's office and all they do is take a message, there's no, I mean --

CHAIRMAN SCHNEIDERMAN:

Okay.

MR. FRY:

Sometimes he does follow up, but, I mean, it's one guy and he's got a lot of calls so I sympathize for him but there doesn't seem to be any process for lodging a complaint or a question and getting some feedback other than waiting for a guy who's pretty busy to call you back.

CHAIRMAN SCHNEIDERMAN:

All right. So, I mean, here's what my inclination is, you know, you're asking four specific questions, I'm sure the Commissioner would like to respond to them but I am in the middle of public portion so I kind of would like to get the other two public speakers --

MR. FRY:

Yeah, no problem.

CHAIRMAN SCHNEIDERMAN:

-- and then I'll come back and we'll go through methodically the four questions and if I need you for clarification please stay in the audience and we'll try to get your questions answered.

MR. FRY:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Okay. So thank you, Mr. Fry.

MR. FRY:

Thanks for allowing me to speak.

CHAIRMAN SCHNEIDERMAN:

Our next speaker is Michael A. O'Conner.

MR. O'CONNOR:

I'm going to decline on that for right now.

CHAIRMAN SCHNEIDERMAN:

You're declining? Okay.

MR. O'CONNOR:

For right now.

CHAIRMAN SCHNEIDERMAN:

Okay. And Art Boyd.

MR. BOYD:

Good afternoon, I'm Art Boyd from Long Island Beach Buggy Association. We represent about 1100 families who use the outer beaches in Suffolk County. As you know, we've been active since 1958 with numerous beach projects.

In 30 -- in the last 30 years, we've been treated as intruders on our beaches in the name of the plover. During that time we have put up string, snow fencing and habitat enhancements for the birds. We find these recent events at Smiths Point disturbing while the rest of Long Island and the whole East Coast is struggling to rebuild our beaches, Suffolk County is leveling dunes at Smiths Point to create habitat for the plover. We're not aware of any environmental impact study nor were we given any reasonable period for public comment. We ask that this body join with us and say enough is enough, we're tired of being bullied by the Nature Conservancy, the Audubon Society, with the deep pockets they use to influence U.S. Fish and Wildlife.

Now we have demonstrated our ability to exist -- coexist with our native wildlife and feel that foreclosures and leveling of our outer beaches are not the answer. Thank you very much.

CHAIRMAN SCHNEIDERMAN:

Okay. Thank you, Mr. Boyd. Any questions for Mr. Boyd? Okay.

Is there anyone who wishes to be heard by the Committee who has not spoken. Sir, if you'll come forward.

MR. NEWMAN:

I have copies of the remarks for the Committee.

CHAIRMAN SCHNEIDERMAN:

Okay. If you'll start by identifying yourself.

MR. NEWMAN:

Sure. My name is Edward Newman, I'm a resident of Bay Shore, New York.

Mr. Chairman, Members of the Committee, I'm here today on behalf of myself and the over 15,000 off-road vehicle beachgoers in Suffolk County to discuss the ongoing outer beach access situation. Unfortunately, many of them are at work today and unable to join us due to the timing of this meeting. They're working hard to support their families in these challenging economic times.

Loading the family into a truck and going to the beach is a fun, cost-effective way to spend a Saturday or Sunday with your family and one of the key reasons many of us still live on Long Island. This option is currently being taken away from us. Albert Einstein defined insanity as doing the same thing over and over again and expecting a different result. Every year, we have the same issue with access to many of the -- Suffolk County parks including Smith Point, Cupsogue and Cedar Point. Every year we expect that our Parks Department will do something different and that we'll be able to enjoy our parks from spring to fall. Last year it took the threat of thousands of people storming the beach and coverage of the situation by the news media to open our parks. We will not tolerate this anymore. The County is able to open our golf courses on time but not our beaches. Annually between ten and 15,000 Suffolk County residents, and a few nonresidents, pay an additional \$93, some more some less, per vehicle for this access. This fee generates approximately \$100,000 per year in revenue for the County above and beyond our Suffolk County property taxes. The question at hand is why are the beaches, once again, not yet open. The particular focus here is on Smith Point, the largest of the beaches, which on a busy summer day is enjoyed by thousands of

Long Island families. Here are the some of the answers that have been provided to myself and others in the past two weeks. Two weeks. It's closed because of dredging. The dredging has already been completed, everybody's aware of that. It's closed because the string or sand fence is not yet installed. My prior business I installed miles of industrial chain link in less time. While I do not consider this a valid excuse, if the County lacks the resources and needs assistance, I believe the community who utilizes the beaches could have easily mobilized hundreds of volunteers to help accomplish this in a short period of time. Had this been a golf course I am sure that it would have been completed in a timely manner.

Next reason given was it is closed because the park rangers have not yet been hired. Are there no park rangers employed during the winter spring and fall? As I recall, the parks police was merged into the Suffolk County Police Department. Is the Suffolk County not meeting their obligations to patrol the parks if and when rangers are not available? I'm aware that Suffolk County Marine Bureau does patrol a significant portion of our outer beaches in the adjacent Fire Island National Seashore; if that obligation's interfering with the availability of resources on the Suffolk County beaches then those patrols in the National Seashore should be left to the National Park Service.

Next reason; it is closed because of the piping plovers. According to the Fish and Wildlife Service piping plover hotline there are no current closures. This was further confirmed by the Office of the Regional Director of National Fish and Wildlife Service in Massachusetts. They further stressed to me that any closures, as well as the operational plan to manage and protect the piping plover, are the sole decision of the County on County beaches.

Lastly, we had been told that there is, and I quote, *"some other work to do this weekend to get the beach ready from an operational standpoint."* Once again, I question why this work was not completed on schedule to provide for a timely opening of the beach. I personally have called the beach office and Suffolk County Parks and Recreation Offices. The one thing that is clear is that no one has a clear answer. This is unacceptable and someone needs to be held accountable. I was advised that the only person who can provide a definitive answer is the Parks Commissioner, Greg Dawson, and he has not returned my calls. This is also unacceptable.

Today I stand in front of you representing the taxpaying families of Suffolk County and demanding accountability. The parks commissioner must either perform his job to the satisfaction of the citizens or he should resign his position. This means that the beaches be open for public use as soon as possible and that all possible steps are taken to maintain and maximize public access throughout the seasons. This should include development of site specific piping plover protection plan in cooperation with the National Fish and Wildlife Service based on the special circumstance and the County beaches of heavy recreational use. Further, steps should be taken so the beaches are open no later than April 1st of next year. No more excuses, no more delays. Thank you for taking the time to listen to my concerns.

CHAIRMAN SCHNEIDERMAN:

Thank you. Any questions for Mr. Newman?

LEG. CILMI:

I do.

CHAIRMAN SCHNEIDERMAN:

Mr. Newman, if you'll step back, we have a question from Legislator Cilmi.

LEG. CILMI:

Ed, it says in your testimony here that you -- that phone calls to our parks commissioner have gone unreturned. And I'm sure based on your comments and previous comments we'll have a conversation with the commissioner about that and I know how busy he is, but to me, there should be some mechanism in place for his office to get back to folks who call, and there may be, I don't know. But how many times did you -- have you called that office in the past? I don't know --

MR. NEWMAN:

The specific parks commissioner's office? Three times.

LEG. CILMI:

Three times. Over the past how?

MR. NEWMAN:

Two weeks.

LEG. CILMI:

Over the past two weeks.

MR. NEWMAN:

And I believe a similar sentiment was expressed by one of the other speakers.

LEG. CILMI:

Yeah, yeah, I noticed that.

And you've listed a number of different, what you called, I think excuses, in terms of the beaches not being open. What is -- what is -- so you pay for a permit to utilize these beaches?

MR. NEWMAN:

That's correct. Residents pay and nonresidents pay an additional fee for permit to access the --

LEG. CILMI:

And what is the length -- like, when does that -- when do the beaches technically are supposed to open based on what you pay for and technically close?

MR. NEWMAN:

I think that's kind of one of the questions that seems to be --

LEG. CILMI:

So we don't --

MR. NEWMAN:

-- unanswered is what is the official schedule.

LEG. CILMI:

Okay.

MR. NEWMAN:

There have been special circumstances over some of the past years; Hurricane Sandy being most recently.

LEG. CILMI:

Sure.

MR. NEWMAN:

But, yeah, there seems to be a definite question what the appropriate schedule is.

LEG. CILMI:

Right. The mechanism by which you would know that the beach is opened or closed what is -- how is that?

MR. NEWMAN:

So Parks and Recreation does have a beach update, website page, as part of the County's website that does provide certain details. Generally, it's updated reasonably well. There's also a significant number where people will place phone calls to the beach office asking what the current status of the different beaches are.

LEG. CILMI:

Okay. And the fact that the beaches aren't open -- at Smith Point, let's use a specific beach, that Smith Point isn't open right now, well I guess that's a question we really have to ask of the commissioner. Is it still not open as far as you know?

MR. NEWMAN:

As of this morning the website said it was still closed.

LEG. CILMI:

Okay. All right, thank you.

MR. NEWMAN:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, sir. Is there anyone else who wishes to be heard by the Committee who has not spoken? Sir, step forward. Same rules apply, three minutes for your comments.

MR. O'CONNOR:

All right. I'm not good at this, speaking in front of people.

CHAIRMAN SCHNEIDERMAN:

Start by telling us your name.

MR. O'CONNOR:

As of this morning the beaches -- Smith Point outer beach is still closed.

CHAIRMAN SCHNEIDERMAN:

Just tell us who you are, please.

MR. O'CONNOR:

Michael O'Conner.

CHAIRMAN SCHNEIDERMAN:

Okay.

MR. O'CONNOR:

As of this morning I called the beach and they said that they were out checking the beach. Why are they checking the beach? I don't know. It's -- all the dredging's done. All the -- everything that's supposed to be done should be done by now. It's just more stall tactics. I pay a permit, like everybody else. I'm a member of LIBBA, sorry, excuse me. I camp on the outer beach, I can't camp on the outer beach in Smith Point any more. I think that's BS. I'm getting nervous, sorry.

CHAIRMAN SCHNEIDERMAN:

We don't bite. We're easy.

MR. O'CONNOR:

Yeah, I know, it's just a -- I can talk a mile a minute in front of friends but not here. You know what, I'm just frustrated. I pay, like everybody else, I buy a camper to camp on the beach, I can't use it at Smith Point, I got to go to Shinnecock and I live four tenths of a mile from Smiths Point and I can't even access that beach. I have to go out East. And, as far as I know, the beaches never had a season. They were open year-round. There was never open season/closed season, except for Smith Point. It's whenever they want to close the beach. If the water comes up too high, *oh well, we can't go out there, water's up too high*. I fish on the beach year-round, water's an issue, that's why you're going on the beach. People should know of this, people who have trucks know it. You go out on the beach it's at your own risk. But, you know, they just keep closing the beach and I'm getting tired of it just like everybody else. Thank you.

CHAIRMAN SCHNEIDERMAN:

Questions? Hold on, sir. Don't sit down yet. Legislator Cilmi has a question for you.

MR. O'CONNOR:

Sorry.

LEG. CILMI:

Thanks for talking to us, sir. You said you made a phone call this morning and they told you that they were --

MR. O'CONNOR:

Sorry. I called Suffolk County Smith Point booth and it's 852-1315, I know the number by heart.

LEG. CILMI:

Okay.

MR. O'CONNOR:

And the reason I was told is because Army Corp of Engineer has not released the beach yet. My friend was sitting in the car, we made the same phone call again, another lady got on and said the same exact thing.

LEG. CILMI:

Okay, so --

MR. O'CONNOR:

We don't know what -- they don't know the reason why the beach -- because nobody's telling them why the beach is closed.

LEG. CILMI:

Okay. So they -- they gave you a reason and the reason that they gave you was that Army Corps hasn't released the beach yet. And then when you further --

COMMISSIONER DAWSON:

They said that today?

MR. O'CONNOR:

Excuse me?

COMMISSIONER DAWSON:

They told you that today?

MR. O'CONNOR:

A half an hour ago.

LEG. CILMI:

Okay. And, so again, that's something that we'll address with the commissioner as to what oversight authority Army Corps has and on the variety of agencies have, over our beaches. But so you were told that the Army Corps was holding up the opening of the beach for some reason.

MR. O'CONNOR:

That's what I was told this morning. I was told by a store owner that I deal with he's not -- he was supposed to come here but he's not, cause this is affecting his business because he's a bait and tackle store.

LEG. CILMI:

Oh, I'm sure.

MR. O'CONNOR:

It's really affecting his business. He called them, they told him that they were out assessing the beach to see if it could be open. Open the damn beach.

LEG. CILMI:

Right, well, you know, I don't want to deal with secondhand or thirdhand, you know, statements, but, you know, when somebody says, they, I always have to ask, well, who is they exactly.

MR. O'CONNOR:

They meaning the park officials in the park.

LEG. CILMI:

Right. Did you further your questioning -- your question this morning when you were told that the Army Corp was looking at the beach, did you ask why the Army Corp? Did you ask any questions about --

MR. O'CONNOR:

My friend, Frank, asked the lady. He said that's not the information we were told, we were told -- what'd you say, Frank? What'd you tell the lady?

UNKNOWN SPEAKER:

I forgot already.

MR. O'CONNOR:

He forgot already.

LEG. CILMI:

Okay.

MR. O'CONNOR:

That's not the information that we were told.

LEG. CILMI:

Okay.

MR. O'CONNOR:

We were told it'd be another reason.

LEG. CILMI:

Right.

MR. O'CONNOR:

Like, they don't know.

LEG. CILMI:

Right.

MR. O'CONNOR:

They keep telling you the same thing. I call the beach on a regular basis.

LEG. CILMI:

Uh-huh. How much do you pay for your permit to --

MR. O'CONNOR:

I pay handicapped rate, half price.

LEG. CILMI:

And what is that?

MR. O'CONNOR:

Forty-three dollars.

LEG. CILMI:

Forty-three dollars. So the regular is \$86? Ninety something. Just out of curiosity, and I'm not suggesting that we do this, don't read into the question at all, but I'm wondering given the amount of time that -- that the beaches are closed apparently, I wonder if it would make more sense to go to a use fee as opposed to a, you know, a permit situation.

MR. O'CONNOR:

I don't know anything about that, but I also -- I camp on the beach, I fish on the beach so I fish during fishing season I'm on all the beaches, South Shore beaches out in Montauk I go -- I buy all the permits I need to go on the beaches.

LEG. CILMI:

Right.

MR. O'CONNOR:

You know.

LEG. CILMI:

Okay.

MR. O'CONNOR:

Like I said, I camp on Shinnecock, I would like to camp in my backyard at the outer beach at Smith Point, used to have camping, hundreds of campers.

LEG. CILMI:

Right, okay. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, sir. All right. Is there anyone else who wishes to be heard by the Committee who has not spoken? Sir, if -- you want to come up, identify yourself for our records and then you'll have three minutes to make your comments known.

MR. BURKHARDT:

My name is Craig Burkhardt. First of all, I'd like to apologize for being late, had a hard time finding the place. We were in the Dennison Building and we got lost.

You know, my -- my issue really with the -- with the Suffolk County access at Smith Point is the fact, you know, I've been on that beach since the 70's, it's where I camped all my life, it's a very important place to me, it's a very important place to my children and we have had a real big problem with the access obviously over the past five to ten years. With that, I also own the tackle shop with my father up the block, called Smith Point Bait and Tackle. And the problem is when this beach closes we're losing 40% of our income and it's been a family business since 1981, it's been an established tackle shop since 1952, so the access is very, very important to us, you know, especially as a business as a family man, I own my house here in Brookhaven, I own a piece of property here, and it's almost like if this doesn't work the past five years with this beach closure, it's really, really affected the business. And it's almost like if it doesn't work, you know, it's something that's going to have to be sold and, you know, it would break my heart to move off this Island but that would be my only option honestly, you know.

So the beach access is very, very important to me, very important to my family. Means a lot to a lot of my friends, means a lot to have pictures of my kids' footsteps in that sand, you know, taking them down the beach, so, you know, I mean, it's really affecting more than just the access, it's affecting my family life.

So it's about all I have to say, you know, I mean, I wish -- I wish it wasn't so hard to access this beach like it used to be, you know, we all had, you know, access all yearlong until the past five, six, seven years, they've really restricted us a lot. That's about all I have to say and, again, I apologize for being late.

CHAIRMAN SCHNEIDERMAN:

I think there may be some questions for you so don't go anywhere yet. I'll start to my right. Legislator Cilmi.

LEG. CILMI:

Thank you for coming to testify. The -- my wife and I used to -- my family and I used to have a four wheel drive fishing permit that we got from New York State, we used to go over to -- to Cedar and I guess that's Overlook over there and a couple of the other beaches were there to do some fishing and just to hang out for the day and, of course, with -- with the erosion that's gone on over the -- over the years, especially with Sandy, it got to a point where there was just such -- the beach itself was so small and we just eventually decided, you know, it's not worth paying the money for the permit any longer and I would suspect that there -- there are -- that we have residents who used to purchase the County permit to go on Smith Point and the other beaches who have now decided just it's not worth making the investment any longer if there's little predictability to when the beach would be open and if there's -- if the access that they hope for is not granted on a regular basis, and I have to imagine that, in addition to your drop-off of business associated with, you know, the specific closure events that take place, that there's been a drop-off in business in general just because people are just tired of dealing with --

MR. BURKHARDT:

I hear it on the phone.

LEG. CILMI:

-- you know, the constant closures. Right?

MR. BURKHARDT:

I'm not even going to go, I'm not even going to get the permit anymore because, you know, I'm sick and tired of driving from Patchogue or, you know, wherever they're coming from, Stony Brook, and getting to the beach and it's closed, you know, and they're not calling pre-hand and they're going out at 10:00, 11 o'clock at night, you know, so people are definitely fed up.

I also try to encourage people now at this point to not buy the permit until the beach is open, you know, it's only fair, if they're particularly looking for access to Smith Point County Park, you know, it's a different story if they're going to go to Shinnecock. But, you know, I don't know, Michael had said, but, you know, I mean, I -- I'm not going to go, you know, I'm not going to drive all the way out to Shinnecock -- Moriches, Smith Point is -- is, you know, I feel like my beach, our beach.

LEG. CILMI:

Right.

MR. O'CONNOR:

And it's just a shame to see it being lost, you know, and again, it obviously, you know, it's a very tender spot for me.

LEG. CILMI:

Personal. Right, right.

MR. BURKHARDT:

Personal.

LEG. CILMI:

Thank you very much.

MR. BURKHARDT:

Thank you very much.

CHAIRMAN SCHNEIDERMAN:

Any other questions for this gentleman. Okay. Anyone else who hasn't been heard by the Committee who wishes to be heard. All right. Seeing none, all right.

Commissioner Dawson. All right. So we heard a lot of testimony, compelling and somewhat emotional at times. A lot of it, you know, I have the questions that were raised earlier by Mr. Fry but a lot of those subsequent questions had to do with Smiths Point beach and how the fact that it's not open to beach buggies or four wheel drive is affecting people's lives and livelihoods. So let's start with that issue and currently, I take it, it is closed still and why is it closed and, you know, what do we -- what can we do to open it up.

COMMISSIONER DAWSON:

Actually, they were correct. The crews were out there this morning doing one last check. The beach is supposed to open this afternoon and in time for the weekend. Usually we -- we need to set up probably between five and six miles of snow fence that we get -- usually get done during the winter. The Army Corp of Engineer, the dredging project, was only -- left the beach on April 1st, they left us a very short window. We had, again, we had to set up miles and miles of snow fence, string fence, signage and whatnot to -- to get that open. That was done by the end of last week but in order to operate a recreational facility, in conjunction with the piping plover we need to have a -- security measures in place to keep people where they need to be -- give them access on/off the beach. So, you know, we have to work in conjunction with the park rangers, the plover stewards and the parks maintenance staff. That was all coordinated. We did not want to open up last Saturday, you know, have a dry run on a Saturday so, you know, we made the decision to do it, you know, mid this week and, again, it should be open, there should be something posed by this afternoon that the -- - that the outer beach is open.

To get back to --

CHAIRMAN SCHNEIDERMAN:

So there's no -- there's no plover issues currently?

COMMISSIONER DAWSON:

No and Fish and Wildlife, I mean, a little cagey in how they -- in how they answer their responses, no, there are no plover issues but there are plover on the beach so we do need to set up string fencing and we do need to ensure that, you know, when they do, and they can set up a nest at any time, that we have staff out there to identify it and close off the area. So we have to have a --

CHAIRMAN SCHNEIDERMAN:

To the best of your knowledge that beach at Smiths Point will be open to four wheel drive vehicles this afternoon.

COMMISSIONER DAWSON:

Yeah, or tomorrow. Yep, absolutely.

CHAIRMAN SCHNEIDERMAN:

Tomorrow the latest.

COMMISSIONER DAWSON:

Tomorrow the latest. I mean, I got -- like I said they were checking it this morning to make sure the --

CHAIRMAN SCHNEIDERMAN:

Is there anything that could change that?

COMMISSIONER DAWSON:

I'll tell you what happened last year, Sandy had a lot to do with it, as you know, we had one breach and two major washovers. The Burma Road was pretty much inaccessible. And the only way to access the outer beach was through the -- through the first cutover by the east booth. We had a pair of plover set up right just to the -- just to the east -- just to the east of that cut and everything east of that location had to be closed down. Part of the renourishment program, and again, they only had maybe a third completed now, they had to leave in April because of the plover season. They were able to reestablish Burma Road so Burma Road now goes from -- from the east booth all the way out to inlet. And, as Mr. Fry alluded to before, we do have cuts where we can kind of jump on and off the beach. That wasn't available till last year, it is available to us this year. Because if we do have plover set up after the first -- after the first cut, we can open up beach, you know --

CHAIRMAN SCHNEIDERMAN:

And the dredge is scheduled to come back, what, in the fall?

COMMISSIONER DAWSON:

September 17th, I think, is the due date. Again, they wanted to come back -- they were looking to come back Memorial Day. We understand that, you know, we just, you know, we can't -- couldn't allow that. So --

CHAIRMAN SCHNEIDERMAN:

Right. But we'll get a lot of the beach back that was lost so from the beach driving perspective they'll have a wider beach to use.

COMMISSIONER DAWSON:

That is -- that is correct. I mean, they've gotten just past Great Gun for going -- going east to west. That's about how much they've -- that's about how much is completed. But, I mean, the important thing was that they got Burma Road done so we have -- we have a second option to kind of be able to go behind the birds should they set up. But, you know, to answer your question if we have a bird set up, you know, anywhere along that beach, there could be closures and that's just, you know, that can happen any given day.

CHAIRMAN SCHNEIDERMAN:

And this opening this year, is it later than typical? Is that because the Army Corps was --

COMMISSIONER DAWSON:

Well, we normally would have had the snow fence up much earlier but we, again, we couldn't access the beach until April 1st.

CHAIRMAN SCHNEIDERMAN:

The Army Corps was --

COMMISSIONER DAWSON:

And, again, we had the, you know, we had that all set up probably about a week ago and we needed to coordinate the plover stewards along with the park rangers and along with the operations there. I mean, you have to understand there a -- when we open that up, you get hundreds and hundreds of cars out there.

CHAIRMAN SCHNEIDERMAN:

You said there was miles of snow fencing and, as you know, is put up by park employees.

COMMISSIONER DAWSON:

It was.

UNKNOWN SPEAKER:

Imagine that.

CHAIRMAN SCHNEIDERMAN:

Somebody had suggested, one of the speakers, that they would have gladly volunteered to help. Maybe a group like the, I see lots of hands going up, maybe the Long Island Beach Buggy Association, maybe we could put out a call next time we're in a situation like that for volunteers and, you know, maybe through our website we might actually get -- it might help because I know we don't have a tremendous amount of staff in parks and -- having volunteers from organizations assist us is not a bad thing.

COMMISSIONER DAWSON:

We don't object.

CHAIRMAN SCHNEIDERMAN:

Okay.

COMMISSIONER DAWSON:

And contrary to probably what you heard here we actually do have a very good relationship with LIBBA, they sit on our Sportsmen's Advisory Committee and I know they have a very good relationship with -- with Nick Gibbons on my staff.

CHAIRMAN SCHNEIDERMAN:

Okay, good. I know other Legislators wanted to ask questions of you, Commissioner. Let's stick with this topic first before we move onto some of the others. Legislator Hahn.

LEG. HAHN:

So I'm -- I'm hoping that you can just do a little bit of an overview for folks who don't drive their buggies on the beach so can you just explain to me, you know, why at one point there was a year-round access, you know, I'm just a fervent believer in access to our parks and our beaches. As you know, I put the parking lot in the -- for McAllister County Park in Belle Terre because I believe in access. I put a parking lot at Forsythe Meadow Woods in Stony Brook because I believe in access and access to our beaches is extremely important to me.

So I just -- I want to understand who makes the decision to close, when is it closed and what are the reasons for closure, you know, it's -- some things have been talked about but there's -- I just want to have a firm understanding of when it's cut off and why. I want -- I'm sure you must know the number of days it's been closed over the past five years or more. Why? And, you know, have a better understanding of what resources are required from the Parks Department, you know, when the beach is open versus when it's closed. And that's to start.

COMMISSIONER DAWSON:

That's a lot questions. But, generally, the beaches are -- the beaches are open, they're open -- well, we have beaches out at -- Smith's Point, it's probably the most popular, we have Montauk, we have Shinnecock and somebody mentioned before Cedar Beach. They're pretty much open. The only

thing we have closures is pretty much based on the Piping -- on the plover and when they set up nests and they usually start around, you know, sometime in April. If we don't have activity, any nesting by July 1st, we can open up certain areas, but once the plover's nest or there's activity in that area, it has to be shut down.

LEG. HAHN:

Okay. So the only reason it's closed is cause of piping plover?

COMMISSIONER DAWSON:

That and tides and excessive -- you know, again, depending on erosion, Mr. Fry alluded to before, one of the other gentleman talked about at Smith's Point, depending on the amount of beach that we have, and we have to -- we have to do it based on, you know, on tides, last year we did not have Burma Road, if we had somebody go out to the inlet and then the tide comes in, they're pretty much stuck out there. And I know that there are some people who are very good four-by-four, you know, and they know their way around, but not everybody is and we have to -- we have to operate the beach as safely and efficiently as we can.

LEG. HAHN:

So they're open in the wintertime, they can go out in the wintertime.

COMMISSIONER DAWSON:

Yeah, nobody -- nobodies stopping anybody going out there and the pass is good, it's a yearly pass, and it's, again, it's \$93.

LEG. HAHN:

So how many days was Smith Point Beach closed last year?

COMMISSIONER DAWSON:

Off the top of my head, I could not tell ya. I think -- I'll have to get back to you. I couldn't tell you.

LEG. HAHN:

So I'd like to know how many days it's closed so far this year, last year?

UNKNOWN SPEAKER:

Eighty percent of the year last year, the beach was closed.

COMMISSIONER DAWSON:

It hasn't been open this year, has not been open this year.

LEG. HAHN:

Has not yet been open -- the beach has not yet been closed this year -- open this year?

COMMISSIONER DAWSON:

Has not yet been open this year.

LEG. HAHN:

Because of these fencing issues?

COMMISSIONER DAWSON:

No, because the --

LEG. HAHN:
Burma Road?

COMMISSIONER DAWSON:
-- Army Corp of Engineers was working out there until April 1st, then my crews got out there and set up snow fencing, signage.

LEG. HAHN:
So Army Corp of Engineer -- so it's not just the plovers, it was the dredging. Army Corp of Engineer was there from January until April, is what you're saying?

COMMISSIONER DAWSON:
Correct.

UNKNOWN SPEAKER:
They close the beach in November.

LEG. HAHN:
Okay. I'm sorry -- but in this year, so if we're talking about this year, January until April they closed it because of dredging.

COMMISSIONER DAWSON:
There was a ton of equipment out there; pipes, bulldozers, dump trucks, we just couldn't open it.

LEG. HAHN:
And this is something that was because of the fix of what happened after Sandy?

COMMISSIONER DAWSON:
That's correct.

LEG. HAHN:
Okay. So it's a one -- I'm going to knock on wood, one time occurrence. This isn't something that happens annually, this was a fixing of the beach --

COMMISSIONER DAWSON:
Right.

LEG. HAHN:
-- really building of the beach project.

COMMISSIONER DAWSON:
And Sandy -- and Sandy happened almost three years ago so everything's kind of --

LEG. HAHN:
Right. I do look forward though to getting those numbers on over the past five years, if possible, I'd like to know --

COMMISSIONER DAWSON:
I'll do the best I can.

LEG. HAHN:

-- the number of days it was closed and why. I do really like the idea of having a Friends of the Park, you know, committee that can -- that can be called on, you know, our wonderful park staff, we all know, are just stretched far too thin and I'm, you know, and things like this where we have this shorted window that's incredibly unusual scenario where we needed to get fencing put in where volunteers could potentially help, I would imagine a Friends of the Park kind of group could -- could help with that and with, I'm sure many other things -- kinds of projects.

I'm sorry, sir, I see your hand, I'm not allowed to call on you, I'm not the Chair, but I don't want to ignore you. You know, so I would very much encourage you, Legislator Calarco and Legislator Browning, maybe, is it a combination of their districts?

COMMISSIONER DAWSON:

The beach is in Legislator Calarco's district.

LEG. HAHN:

Yeah, I would certainly encourage -- well neither of them are on this Committee and I'm sure many of us would, because we're on this Committee would like to be part of that, but -- but also encouraging the Legislators whose districts are directly affected by these closures involving them as well. I think the community, our local parks and our local beaches are the sense of the place of our community and it's what we are about as Long Islanders is our beach and our access to the water. That's why we're here. It's really why we're here.

CHAIRMAN SCHNEIDERMAN:

I don't think the Commissioner will disagree with that.

COMMISSIONER DAWSON:

You don't have to tell me.

LEG. HAHN:

Oh, I know that, I know that. And, so, but I'm saying I think we have to take a much more comprehensive community-minded approach to all of our problems and our potential solutions because I think the community wants to help and wants to be part of -- of finding solutions to -- to these problems and really wants to be part of it. So -- and we heard that today and -- and because of how integral our parks are to who we are as Long Islanders, you know, I think it's just -- I think it's important that as we -- we move forward we don't -- it doesn't need to be us against them, you know, it needs to be all of us together to solve that problem and I think -- I think we really can.

COMMISSIONER DAWSON:

And I don't -- I don't --

LEG. HAHN:

I know you agree, I know.

CHAIRMAN SCHNEIDERMAN:

Any other questions, Legislator Hahn, because I have other Legislators also who have questions. Come back in if you do.

LEG. HAHN:

No, I think -- I think that's it for now but I look forward to the data and the statistics. Thank you.

CHAIRMAN SCHNEIDERMAN:

All right. Legislator Cilmi.

LEG. CILMI:

Thanks, Mr. Chair. Commissioner, you talked about, I think I heard two different agencies mentioned when we were discussing the reasons for closure or potential closure, one was the Army Corp of Engineers and the other is U.S. Fish and Wildlife Service. Can you talk to us about the role that each of those agencies plays in whether or not we open our beaches.

COMMISSIONER DAWSON:

I mean, the Army Corp of Engineers it's only when they're doing the -- when they're doing a current project. But, you know --

LEG. CILMI:

What would that project be exactly?

COMMISSIONER DAWSON:

The project they're doing, a renourishment of Smiths -- actually it's all part of the FIMP Project, Fire Island and Montauk, they broke that into a smaller project called FIMI --

LEG. CILMI:

Right.

COMMISSIONER DAWSON:

-- Fire Island to Moriches Inlet project, Smith's Point falls within that -- within that project. I think it's a \$70 million dredging -- dredging project.

LEG. CILMI:

Okay.

COMMISSIONER DAWSON:

In order to get the federal money we needed to submit a plan to the Army Corp of Engineers, I'm sorry, Army Corp of Engineers actually needed to submit a plan to Fish and Wildlife and, you know, contrary to what people think, it was a tremendous amount of debate and tremendous amount of public -- public input but -- public notice on these -- on these projects and you'll know because the Audubon Society kind of weighed in last year based on --

LEG. CILMI:

I remember.

COMMISSIONER DAWSON:

-- based on that. So in order to get a positive biological assessment in order to proceed with the project the Fish and Wildlife needed to sign off on this -- on this project.

LEG. CILMI:

Okay. So the Army Corp is doing the work?

COMMISSIONER DAWSON:

The Army Corp does the work.

LEG. CILMI:

The dredging and the replenishment issue -- renourishment, as you said.

COMMISSIONER DAWSON:

Correct.

LEG. CILMI:

But their plan had to be approved by U.S. Fish and Wildlife.

COMMISSIONER DAWSON:

-- we needed to get a positive biological assessment from the Fish and Wildlife, yes.

LEG. CILMI:

Okay.

COMMISSIONER DAWSON:

And we couldn't move forward without that and that entailed a very voluminous document on what we need to do --

LEG. CILMI:

Right.

COMMISSIONER DAWSON:

-- to manage and maintain that.

LEG. CILMI:

So Army Corp is subject to U.S. Fish and Wildlife oversight? Are we --

COMMISSIONER DAWSON:

They're sister agencies, but, yes, the one campus -- one can't proceed without the approval of the other.

LEG. CILMI:

Right, okay. And we are likewise subject to or dependent upon the Army Corp and separately U.S. Fish and Wildlife in terms of our ability to open the beaches.

COMMISSIONER DAWSON:

Well --

LEG. CILMI:

So if Army Corp is doing work there, for example, would they -- would they necessarily preclude us from opening the beach or is that a decision that we make on our own?

COMMISSIONER DAWSON:

I think it's a mutual decision, I don't think we'd want anybody out there. Once it falls under the auspices of the contractor, I mean, they're responsible, they have all the insurances in place, we don't want people out there, and if you've seen the size of the trucks that move around out there, you would not want --

LEG. CILMI:

Okay, that's fair enough. And what about U.S. Fish and Wildlife, you said their oversight in terms of

-- direct oversight of the County has more to do with the piping plover issue?

COMMISSIONER DAWSON:

Correct and I'll give you an example. Last year when we enacted the bridge contingency plan, that came with certain, I'll call them strings, in that we need to do certain things to, once they built the dune we needed to keep the dune at nine feet, we couldn't put up snow fence, we got multiple letters. We had to have a security plan in place to keep -- to keep the plover safe. I spent a good part of last summer, my staff actually did, dealing with Fish and Wildlife where they were out there. Oh, I'm sorry, with the bridge contingency plan, they -- they put monitors out there to monitor our operation of the beach. We got, I don't want to say daily updates, from those monitors in how we were, you know, requesting additional security, requesting additional fence, people were going into areas. I mean, to try to manage and maintain a six mile beach, you can imagine, is very difficult.

LEG. CILMI:

Sure.

COMMISSIONER DAWSON:

But, you know, it got to the point where they were sending me e-mails when they were, you know, finding footprints of dogs in the sand because people were coming over by boat even though we had -- even though we had the beach closed.

LEG. CILMI:

Right.

COMMISSIONER DAWSON:

And, I would use the word, threatening us, with legal action and they could theoretically shut us down from operating the -- from operating a beach -- I don't want to get too much into the legal on that, I'd really rather have my environmental guy explain that to you, but --

LEG. CILMI:

So, I'm not sure if what -- what you just said sort of answers the questions I have but, U.S. Fish and Wildlife Service, do they directly tell us that we cannot open the beach because of -- or do -- because of whatever the case, you know, piping plover or whatever or do they say to us, you know, you must be prepared or have a plan in place to deal with any piping plover nesting area or whatever, how exactly do we fall under their regulation?

COMMISSIONER DAWSON:

They say we have to comply with the plan, we can't have any disturbance of any birds or any nests and they leave that up to us on how to -- on how to manage that. They don't say, you have to shut the beach, but there's no -- there's no effective way of not allowing pedestrians or cars out there without closing the beach.

LEG. CILMI:

Okay. Well, let me just explore that -- let me just explore that statement for a second, you said there's no effective way of preventing disturbance of piping plover nesting areas, let's say, without closing the beach.

COMMISSIONER DAWSON:

And if I can clarify.

LEG. CILMI:

Sure.

COMMISSIONER DAWSON:

Birds need to go from their nests to the water, back to their nests so we can't have vehicular traffic going from the -- anywhere going through. So, they say you don't have to close the beach, but in effect you can't keep vehicles out there without -- without closing the beach.

LEG. HAHN:

Does the road --

COMMISSIONER DAWSON:

-- put the onus on us.

LEG. HAHN:

Does the road go behind, like can -- can -- I wish we had a map up there, okay. So let's say there's a plover nest and then --

UNKNOWN SPEAKER:

What happened?

LEG. HAHN:

I don't know, I'm sorry, I just want to clarify this. Can the road go --

CHAIRMAN SCHNEIDERMAN:

You still have the floor.

UNKNOWN SPEAKER:

Thank you. All right. I just -- somebody jumped in, it's perfectly okay.

COMMISSIONER DAWSON:

I'll get back to that point, but --

LEG. CILMI:

Please answer Legislator Hahn's -- she's looking for clarification.

COMMISSIONER DAWSON:

While we had Burma Road we have three cuts and -- and where we did not have that last year or the year before you can theoretically kind of come in behind and go around, but, again depending on where these birds set up.

LEG. HAHN:

Okay, so the cuts in the dune, so this is like where, maybe not buggy ride, so you know have the cut in the dune in the right place to be able to go around the nest. Can we cut more to make it?

COMMISSIONER DAWSON:

We got three cuts.

LEG HAHN:

No?

LEG. CILMI:

Okay, so -- right so -- so your assessment is that we can't -- we can't effectively have an open beach when the piping plover are nesting.

COMMISSIONER DAWSON:

Correct.

LEG. CILMI:

Is that something that we've discussed with the U.S. Fish and Wildlife service?

COMMISSIONER DAWSON:

Yes, at length.

LEG. CILMI:

Have they -- have they made any suggestions to us in terms of how we may be able to open the beach? They don't really care.

COMMISSIONER DAWSON:

I'll give you a -- I'll give you a scenario. Last year, again, when I had gotten an e-mail on a Sunday that there were dog prints in the beach, you know, they directed us to, you know, stop boats from beaching along Smith's. I said, well, do you have any suggestion on how to do that? And it was, you know, no, that -- that's your responsibility. So it's -- no, I mean if -- if Fish and Wildlife had their way it would -- there would not be any recreational use of Smith's Point beach when the plover are out there.

LEG. CILMI:

Okay.

COMMISSIONER DAWSON:

We do the best we can to manage a recreational facility and protect the birds as well.

CHAIRMAN SCHNEIDERMAN:

Just, you know, just -- sorry for my indulgence but --

LEG. CILMI:

Go ahead.

CHAIRMAN SCHNEIDERMAN:

There's some research that shows that actually the plovers have been doing better when there is some human activity.

COMMISSIONER DAWSON:

I couldn't speak to that.

CHAIRMAN SCHNEIDERMAN:

Okay. Because, you know, some of the predators that are, you know, (inaudible) of the plover eggs may be discouraged when there's some activity in the area. I've read some things to that effect. All right.

LEG. CILMI:

So let me get back to the matter at hand, the fact is right now the beaches are not closed for any plover related activity. Is that correct? Or Smith Point beach, let me just specify, is not closed for any plover related activity.

COMMISSIONER DAWSON:

Smith's Point is -- it was more -- it was more getting the beach open and the fencing in place and the security people in place and the plover stewards and the operations.

LEG. CILMI:

What's a plover steward?

COMMISSIONER DAWSON:

They're employees that are hired by us that actually we're mandated to have X number of people monitoring, like we have to have people out on the beach checking for nests every single day, and when they find the nest they have to put enclosures and encasements around and they have to monitor them and they have to have data, you know, when the -- when the nests were made, when the eggs were laid, when they hatched, when will they fledged, how many we fledged. We have statistical data dating back 15 years on.

LEG. CILMI:

So any time we find -- so we have these stewards out on the -- how many steward -- how many plover stewards do we have at Smith Point Beach?

COMMISSIONER DAWSON:

We have 12 in total, so on any given day we can have probably three out there. Three at Smith Point Beach. So three employees that we pay just to look for piping plover.

COMMISSIONER DAWSON:

And protect piping plover.

LEG. CILMI:

Well, you said before that the only way to protect piping plover is to close the beach. So are we -- every time we find piping plover at the beach are we closing the beach?

COMMISSIONER DAWSON:

We're closing down sections of the beach, yes.

LEG. CILMI:

We're closing sections of the beach. But before you said that it wasn't really practical to have the beach opened at all to four-wheel drive vehicles if there are piping plover there because they go back and forth to the water.

COMMISSIONER DAWSON:

Getting back to Legislator Hahn's point, there are three cuts at Smith's Point so and --

LEG. CILMI:

Okay, so --

COMMISSIONER DAWSON:

-- last year we didn't -- three cuts so you could kind of go behind. And just to be clear, while we

might open the beach, we might only have a half-mile or a mile of beach open at any given --

LEG. CILMI:

Right.

COMMISSIONER DAWSON:

-- any given -- and, you know, we're looking at -- there's some activity between cut one and cut two now, we're looking at possibilities of going out to cut three and then backtracking back in, you know, coming from east -- east to west.

LEG. CILMI:

Is there a period of time during which piping plover typically nest or during which the U.S. Fish and Wildlife Service says you must protect the piping plover?

COMMISSIONER DAWSON:

It pretty much goes from April to September, but if we have -- but, again, to your point, if we don't have any activity in an area on July 1st, we're allowed to take down the string fencing and whatnot and open that up. If we do have a nest, and a lot of times what happens is once a nest is established, the fledging hatch, if something happens to that nest the plover will, you know, will re-nest if a predator comes in and takes the eggs, like a fox or a seagull or something takes the eggs, the plover will continue to re-nest that and then, there's a clock at these 45 days we need to -- once they hatch, we can't do anything until they fledge. If something disturbs that nest in two weeks the clock restarts all over again. Generally, by August if they haven't -- mid-August, if they haven't established the nest they're usually gone and we can open then, I think that's what we did last year at Smith's Point, we opened up again in mid-August.

LEG. CILMI:

Do we have beachfront that's non accessible to four-wheel drive vehicles or to -- or to our residents, just in general, throughout the County? Do we have beachfront that's available to us that's, available to us is the wrong word, do we have beachfront that's not accessible to residential use?

COMMISSIONER DAWSON:

I'm sure we do. We have --

LEG. CILMI:

What's the potential and is it -- do you think it may be practical or impractical and is it something that we've discussed with U.S. Fish and Wildlife of transporting, if we find piping plover at one point on Smith Point Beach, for example, is it -- I guess it's probably not practical to move them to another location where there's no people.

COMMISSIONER DAWSON:

No.

CHAIRMAN SCHNEIDERMAN:

You can't touch them.

LEG. CILMI:

Okay. So -- so plover hasn't been part of the closure now it's been a result of the fact that Army Corp of Engineers has been working there for several months and they finally left and after they left we had to put up miles of fencing. The fencing couldn't have been put up while they were there, were they in the way?

COMMISSIONER DAWSON:

They were still working out on the --

LEG. CILMI:

Okay.

COMMISSIONER DAWSON:

-- and it was a -- it was a, I mean, it was a brutal winter.

LEG. CILMI:

Right.

COMMISSIONER DAWSON:

And it was still snowing in March.

LEG. CILMI:

Okay. I'll yield, thank you.

CHAIRMAN SCHNEIDERMAN:

Anyone else? Okay. So what I'd like to do, Commissioner, we have other questions that came up during the public portion so I'd like to go through some of the other questions if I may.

COMMISSIONER DAWSON:

Sure.

CHAIRMAN SCHNEIDERMAN:

I know members the audience keep raising their hands. That really -- the public portion is over now, it's really up to the Committee and the Commissioner, public officials, etcetera.

So let me start with our first -- the first speaker raised several issues, some have been relatively answered. The first one had to do with piping plovers at Smith Point and whether we could bypass it. You've talked a bit about whether that might be a possibility.

The second one also was related to Smith's Point in that since it's not accessible and we understand it will be accessible so when this comes -- becomes somewhat moot but Shinnecock East could that be expanded at all, no, and maybe if you want to say anything about that in terms of like the doubling up and he spoke of beach buggies.

COMMISSIONER DAWSON:

We did look at that last year, I know you went out there with Mr. Fry, I've had a number of conversations with him, we've e-mailed back and forth quite a bit in the last year. In talking to the Park staff, at least last year with the amount of beach that we lost, it was not -- it was not feasible and it was not safe, in their opinion, and I rely on my Park supervisors, we've been doing this for, you know, 20 some-odd years, to give me direction on what's safe and what's not safe. And again, I'll say that, you know, nobody is more frustrated than us, the more people we get out onto the beach and the more access we have the less complaints we get. So, I mean, it's not something that we cherish doing and we try to get as much access as we possibly can. I mean --

CHAIRMAN SCHNEIDERMAN:

Has that beach built up at all? Is it wider now?

COMMISSIONER DAWSON:

It had over the winter, and from what I understand, it was -- they had some erosion, again, I haven't -- I haven't checked with them.

CHAIRMAN SCHNEIDERMAN:

So you'll do an assessment -- so there's nothing that, I don't want to say sets it in stone because we're talking about sand, but in terms of the policy there's nothing that you are dead-fast against in terms of having two buggies versus, you know, two vehicles versus one. As long as the beach is wide enough?

COMMISSIONER DAWSON:

Yeah, and I think it's safety. I think that they don't want people kind of cutting, going back and forth, you've got to understand when these vehicles are out there, there are, I mean, it's kids and they're going -- going back and forth.

CHAIRMAN SCHNEIDERMAN:

I drive on the beach, I'm familiar with, but if the beach is wide enough I don't see why there'd be a problem if it allowed twice as many people out on the beach. I mean, I often see by me two, three, four, you know, four-wheel drive vehicles and, but it was a very wide beach so, I guess, it really is a determination of the department, it's an administrative function whether you feel the beach is -- is wide enough. I know I hate to bring up controversial aerial drones but that's what we -- I used a drone to take picture -- photographs of that Shinnecock East beach to show that it was wide enough to put those campers last year and I think that was -- that was a helpful tool in that debate.

COMMISSIONER DAWSON:

And sometimes it's not just the width of the beach it's the contour of the beach.

CHAIRMAN SCHNEIDERMAN:

Yes.

COMMISSIONER DAWSON:

I mean, I know last year with, and Mr. Fry and I debated this at length, it was -- it was the drop-off and, again, while some people are very good about maneuvering, they could turn a tractor trailer on a dime, others might not be so we need to manage the facilities if, you know --

CHAIRMAN SCHNEIDERMAN:

Right, but for -- it's not so much an issue with the four-wheel drive vehicle, I mean, that {contour} was not really a challenge for -- maybe for a camper but certainly not for a four-wheel drive vehicle, which can extend fairly steep slopes.

All right. Let's move onto question number three, which has to do with one of our favorite subjects, the reservation system. We had a lot of debate about the system last time we were here. I think there was some testimony that, as of, I guess yesterday, it seemed to be working fine?

COMMISSIONER DAWSON:

I think he said two weeks ago.

CHAIRMAN SCHNEIDERMAN:

Oh, two weeks ago, two weeks ago it was working fine.

COMMISSIONER DAWSON:

Yes.

CHAIRMAN SCHNEIDERMAN:

So just give us an update on where we are with, you know, has the vendor fixed the problems? I know there's certain functionality that is not operative yet, but --

COMMISSIONER DAWSON:

The main problem was that when people went onto the server it would crash and all that should be hold -- it should be able to accommodate hundreds of people, it was only accommodating dozens of people, people were able to get on but it was like a self-imposed lottery system. Those that got on were able to make reservations but it was very frustrating and it took so much time and the computer would spin.

About three weeks ago, maybe four weeks ago, we just, I think I -- I think it was the last committee meeting I was here, we actually took the system offline. We just said, you know what, it's not fair to the public, it's not fair -- we took it offline, within 24 hours it was back up and running. We sat down with IT, we had a conference call with the CEO of the company, at IT's direction they put the, and again, I'm not an IT guy, but they took it off of one server and put it onto three to kind of -- to kind of --

CHAIRMAN SCHNEIDERMAN:

In your mind has the vendor been responsive?

COMMISSIONER DAWSON:

The vendor's been very responsive. It's -- but, I mean, there were a lot of problems.

CHAIRMAN SCHNEIDERMAN:

I mean, it's unfortunate. Did you identify what the root cause of the problems were? Was it bandwidth?

COMMISSIONER DAWSON:

It wasn't -- you know, I'm going to defer that to IT.

CHAIRMAN SCHNEIDERMAN:

No, it's okay, if you don't know.

COMMISSIONER DAWSON:

They fixed it, they got the platforms --

CHAIRMAN SCHNEIDERMAN:

We're still waiting though, like the interactive map.

COMMISSIONER DAWSON:

The interactive map is not in, our next priority was to get the golf reservations up and running while people could make reservations by calling the golf courses, they couldn't do it online, that was our next priority. We were set to put that online last week, but in a conference call, a meeting, I actually met with the pros, they suggested holding off until this Friday because they had taken a lot of the paper transactions and whatnot and we didn't want to double book, we didn't want to have the same issue we had with Smith's Point last year at the 4th of July. You're online --

CHAIRMAN SCHNEIDERMAN:

You as Commissioner, as the head administrator of the department, are you satisfied with this software and with this company as, you know, that next year things will go smoothly or -- you know, we had testimony from the Comptroller that, you know, he was not satisfied at all with the software he inherited. This you didn't inherit because it's relatively new, but are you feeling like this company and this software will do the job?

COMMISSIONER DAWSON:

Yes, and we're working towards getting those interactive maps back up. Being able to see sites that are going to become available in the future. The platform is now stabilized. We have another conference call scheduled tomorrow at 10 o'clock in the morning to kind of go over other issues. The golf reservation system, while it's ready to go now at the request of the pros and we think it's actually a good idea we're go to put it online at 10 o'clock on Friday morning. And, you know, we, like I said, we still have some issues with some report writing and whatnot and we're working with Vermont Systems and our IT Department to resolve them.

CHAIRMAN SCHNEIDERMAN:

So on this issue of the reservation system Legislator McCaffrey also had a question.

LEG. MCCAFFREY:

Thank you. Commissioner, I know this was something that was subject to the RFP process, I mean there's been, I mean, it's just surprising to me that, you know, we're at this point, we're up and running and we find out we have all these problems. This is a similar -- this company's done business with similar size counties and organizations, what went wrong here, I mean, that -- did it ever happen anywhere else with them?

COMMISSIONER DAWSON:

These systems need to kind of be -- kind of be designed to our -- to our needs and we have a lot of needs and we have a lot of rules and we have a lot of fee structures and it confuses things. I mean, they're rolling out, I think the golf is a new -- is relatively new system, it's like an upgraded system and anytime you go new at IT you have some -- you have some -- some bumps in the road and that's what we're trying to work through and, you know, we're taking the problems one by one, we have biweekly meetings with Vermont Systems to kind of address those and we're working our way -- working our way through it and, like I said, it's a five year contract and once it's in place it should work the way it's supposed to work, but the core mission of is to make reservations and you can do that now, so.

LEG. MCCAFFREY:

Right. But when did it and we hired them didn't we say look, *this is our needs, this is what we're doing, have you done this in the past*, you know, doing recommendations from people. I'm sure if somebody calls us what are we going to tell them -- goes to Vermont, we're thinking about Nassau County says we wanted to use Vermont Systems, they call up Greg Dawson, Parks Commissioner, what would you tell them?

COMMISSIONER DAWSON:

Right now? I'd say we're working our way through -- we're working our way through the system. But just so you know, Nassau County does have Vermont Systems and that was one of the people that we checked with and it's, again, I don't know how it was when they first got up and running, but they're running fine now, so. But I don't think they have quite -- quite the issues we have. And, again, our system not only does reservations for -- for camping it does reservations for golf, it sells green keys, it does gift cards, it does a multitude of things and it, you know, it needs to get

into our, you know, our system so I think that's -- I think that that's the challenge.

LEG. MCCAFFREY:

Right. So we can be assured that people can make reservations for golf and camping and it's up and running now to the satisfaction of yourself and probably more importantly the residents of Suffolk County.

COMMISSIONER DAWSON:

Well, I would like to see the features that we -- that, you know, the feature that were -- were advertised that we have that we can have the interactive maps again and they said once the -- and now that we know that the platform has been stabilized for the two weeks, we're going to get those things back on. The residents have ask for -- in the old system they had a grid system where you could see in advance campsites that were going to become available, we want to get that -- we want to get that back on. But, again, our focus for the last week-and-a-half has really been to get the golf reservation system up and running and then we're going to tackle each thing kind of, you know, systematically, you know, we have a set of priorities what we want -- what we want to accomplish and we're doing it. They just can't do everything at once, so.

LEG. MCCAFFREY:

Some you're going to assure me we're going to have happy campers going forward. Right?

CHAIRMAN SCHNEIDERMAN:

Can assure you we're going to have --

LEG. MCCAFFREY:

Thank you.

CHAIRMAN SCHNEIDERMAN:

So, all right. So, Commissioner, there was one other category of questions and, this is more in the broad sense of how do people get their concerns known to department and addressed by the department, there was one gentleman who, and I'll give you an opportunity to respond, who said he didn't get a call back but, you know, a lot of people came out today. They're certainly welcome to come to committees. We don't normally see a lot of people at committees and tell us what they think is working or not working about the parks but this is certainly not the most efficient way, I think, to -- to voice complaints. I'd much rather see it go to through the Parks Department and have a way to track those complaints and address those complaints. So can you talk a little bit about that process? And --

COMMISSIONER DAWSON:

I do not have a complaint tracking system in place. I think that's something we could work with Performance Management on. I will say that, you know, complaints do come in via e-mail and they're responded to. I'll also say that, you know, a lot of -- and I apologize for not getting -- getting back to Mr. Newman but about a week-and-a-half ago when we -- when we said that we were -- there was a statement made at the Sportsmen's Advisory Committee that we would not be opening, I guess a massive text went out, and I got them through my office, probably got a hundred phone calls and just as many e-mails, so trying to respond to all of those is just, you know, and some of them were -- some of them were standard response, some of them needed a specific response. But, again, e-mails do come in, they get answered. I try to -- I do try to get back to every constituent but I will say that, in my experience, that everybody wants to talk to the commissioner and they do get the answer and, again, the outer beach wasn't open. They shouldn't have gotten misinformation, it was Army Corp of Engineer, and I apologize for that, but, you know,

is the beach either open or closed, they got the answer. They don't necessarily like the answer, so they just keep elevating it up till they actually get to the speak to the commissioner and I got to tell you it's, you know, I was in the office for six hours on Saturday. I just can't, you know, I just can't keep up with the volume, so I kind of pick through and call back when I can.

CHAIRMAN SCHNEIDERMAN:

All right. Anybody else on that issue? Yeah, Legislator Cilmi.

LEG. CILMI:

So, Commissioner, I do really appreciate, you know, that. Certainly appreciate your extra hours that you put in and I know you're always very responsive to me and I know how busy you are during the day with all the parks here in Suffolk County so from a personal perspective I get it. But there should be some mechanism in place to -- to react to phone calls whether it's not by yourself, you know, if it was somebody else in the department, I mean, what can you -- what can we do, what can you do going forward to ensure that folks who reach out to you are at least contacted by a member of our staff.

COMMISSIONER DAWSON:

I agree with you, we had a conversation about three weeks ago with one of my senior administrators in the department on just this topic on tracking complaints because a lot of times what would happen is they'll call three different places and three different people are calling them back and we want to make sure that we're not -- we're not duplicating our efforts.

LEG. CILMI:

Sure.

COMMISSIONER DAWSON:

So we want to have something in place where we can, you know, I guess get them onto some kind of database or spreadsheet so we can -- we can make sure everybody gets responded to. Unfortunately, this is a very busy time of year and we've been dealing with a lot with the reservation system but it's something that we'd like to -- we'd like to address. And, again, I think we're going to, you know, speak with Performance Management to see what kind of tools they can give us to -- to do that. I agree with you, it's, you know, it's unacceptable not to -- not to get back to somebody else.

LEG. CILMI:

Yeah, I mean, that would -- that would certainly be ideal. A tracking system would be -- would be great. Putting that system online would even be better so that folks could make their, and this is matter of fact, I sponsored a bill, which was approved out of committee Tuesday or Monday to give residents access to a mobile app eventually and to a web address that they could file complaints about infrastructure here in Suffolk County; potholes, graffiti, overgrown grass, etcetera. Maybe you want to reach out to the folks in Public Works and/or IT to see if you could sort of jump onto that because that might be a -- an opportunity to provide people with some access. But -- so that's all good.

But -- but equally as important though and separate is the, you know, the need to get back to people when they call just as a matter of saying, *hey, listen, I don't know what you called about or I know what you called about, we're working on it, whatever.* So if you could create some sort of a -- a chain, if you will, you know, within your office so that your staff, you know, can get back to people in a timely fashion when you're not personally able to get back to people just to say, *The Commissioner's busy, wanted to check in with you, he can call you back, you know, in a couple of*

days, whatever the case may be, just so that people don't feel like they're being ignored.

COMMISSIONER DAWSON:

I will say that that generally does happen.

LEG. CILMI:

Okay.

COMMISSIONER DAWSON:

There'll be times where they have spoken to somebody on my staff.

LEG. CILMI:

Right.

COMMISSIONER DAWSON:

And the call is bumped up to my office and what I'm having my secretary do is she actually e-mails me the call so that I don't -- you know, so that I can --

LEG. CILMI:

Right.

COMMISSIONER DAWSON:

-- this one was called, and I left a message for this one, just so there's a -- a tracking so people say --

LEG. CILMI:

Yeah.

COMMISSIONER DAWSON:

-- if you want to call back I can refer back to something. So, but again, everybody seems to want to elevate it and sometimes they get the answer and they don't like the answer so they just want to just keep -- and it's -- I'm not talking about five phone calls, I'm talking about 50 phone calls, so.

LEG. CILMI:

Right, right, right. I can imagine.

COMMISSIONER DAWSON:

We're going to need to get to the agenda here too.

LEG. CILMI:

Sure, sure, sure. I'm pretty much done. As long as I have your assurance that that -- that something is in place to deal with that to make sure people's phone calls are returned then I'm okay, you know, for now and we'll move on from there. Thank you.

CHAIRMAN SCHNEIDERMAN:

All right. Thank you, Commissioner. I want to get to the agenda here so I thank all those people who came out today and let us know about their concerns. I hope that you had your questions answered for the most part and we'll move onto the agenda.

TABLED RESOLUTIONS

IR 1043-15 - Authorizing use of Smith Point County Park property in 2015 by the Mastics-Moriches-Shirley Community Library's Family Literacy Project. (Browning) I'll make a motion, oh sorry, Legislator Hahn making a motion to approve, I will second. Commissioner, this is good to go as I understand it?

COMMISSIONER DAWSON:

It is. The fees are correct provided we charge for parking at the day of the event, which we plan on doing, so.

CHAIRMAN SCHNEIDERMAN:

Okay. But if -- if for some reason the booth is not open then it's just the one fee that they pay.

COMMISSIONER DAWSON:

Correct and the booth opens around 8 o'clock in the morning, so.

CHAIRMAN SCHNEIDERMAN:

Right. But you may have opened at nine that morning, who knows? Might be a rainy day, you might not have anybody out there. Okay, so --

LEG. CILMI:

Mr. Chairman, suffer me a quick question here. So if we approve the use of one of our beaches, you know, for one of these organizations for an event and we have, you know, an issue with -- with plover or something that causes a beach closure, what happens, they're sort of out of luck?

COMMISSIONER DAWSON:

This isn't on the beach, they're using a parking lot as an --

LEG. CILMI:

Okay, okay.

COMMISSIONER DAWSON:

And we wouldn't -- we generally look at the calendar for -- we do get requests to do things on certain -- like out Montauk and whatnot --

LEG. CILMI:

Right.

COMMISSIONER DAWSON:

We just wouldn't issue the permit --

LEG. CILMI:

Okay.

CHAIRMAN SCHNEIDERMAN:

Okay. All in favor? Opposed? Abstentions? **1043 is approved. (VOTE: 5-0-0-0)**

IR 1272 - Directing the Department of Parks, Recreation and Conservation to enter into an agreement with the Mount Sinai Heritage Trust to create an Educational Agricultural Support Initiative (EASI) Program and Education Garden for local schools and

organizations. (Anker)

LEG. HAHN:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator Hahn, I'll second.

LEG. CILMI:

On the motion.

CHAIRMAN SCHNEIDERMAN:

On the motion, Legislator Cilmi.

LEG. CILMI:

I was hoping Legislator Anker would still be here --

CHAIRMAN SCHNEIDERMAN:

Yeah, she had to run.

LEG. CILMI:

-- when we got to this. Can somebody kind of explain this to me?

CHAIRMAN SCHNEIDERMAN:

Yeah, I have a press release, Commissioner, do you want to --

COMMISSIONER DAWSON:

I'm going to defer to Sarah.

CHAIRMAN SCHNEIDERMAN:

-- clarity?

MS. SIMPSON:

So this will create an educational garden for -- filled with pollinating species of plants at Mount Sinai Heritage Trust in the Heritage Trust parcel and the -- all of the work is being done by other entities. The plants are being provided by other entities, all maintenance is being done by other entities, we're just involved in determining if this would be something feasible in the future at -- at other parks.

CHAIRMAN SCHNEIDERMAN:

I have a little detail here that the EASI Program will include the Mount Sinai Heritage Trust who'll provide the garden plot, Long Island Native Plant Initiative who will donate native plant material through their local grant program and Suffolk County Soil and Water Conservation District and Cornell Cooperative Extension of Suffolk County who will provide their expertise and guidance. The program will facilitate resources and materials dedicated to educate residents and school-age children on beneficial environmental propagation and -- plant species and farmland sustainability.

LEG. CILMI:

So -- thank you, Mr. Chairman. All that sounds well and good. I guess the question I have is the extent to which our Parks Department then needs to be involved and, I mean, are we -- what's the purpose of passing this resolution, I'm not quite sure I understand. Commissioner?

CHAIRMAN SCHNEIDERMAN:

This would allow the agreement to --

COMMISSIONER DAWSON:

Right.

CHAIRMAN SCHNEIDERMAN:

-- be put in place to allow them to do this.

COMMISSIONER DAWSON:

Well, actually -- actually we have an agreement in place for -- is a property called the Wedge. This is a little portion just to the north of the property where they're going to put this community garden and I think really what it asks us to do is to look at their program and see if it -- if we can take it to other parks in Suffolk County. That's the way I understood the resolution.

LEG. CILMI:

Okay. So -- so really from a practical point of view the purpose of this resolution is to direct the Parks Department to determine whether or not this -- this garden could be implemented in other places.

COMMISSIONER DAWSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

But it also allows them to implement it there.

COMMISSIONER DAWSON:

It does but the property is not -- the property they're going to do this on is not --

CHAIRMAN SCHNEIDERMAN:

Is the Heritage Trust Property, they already have --

LEG. CILMI:

But we don't have to allow them to do it there. Correct, Counsel? We don't -- I mean, there's no approval that they need from us.

MS. SIMPSON:

We don't have to allow them to do it there.

LEG. CILMI:

That's the wrong question really.

MS. SIMPSON:

My understanding is that our involvement is for the purpose of potentially replicating this in park properties that the County owns. So it's being involved in a project so that it can be done elsewhere in the future.

LEG. CILMI:

So, I mean, how would you go about the process of fulfilling the requirements of this resolution then, Commissioner?

COMMISSIONER DAWSON:

I think we'd take a look at what they're doing up there and seeing if it -- and seeing if it fits in with any of our other -- any of our other local parks, you know, enter into agreement maybe with Seatuck, with Mattituck, you know.

LEG. CILMI:

Do you see this as a relatively inconsequential -- not a heck of a lot of time, your going to spend on this?

COMMISSIONER DAWSON:

I don't think we're going to spend a lot of time on this. I don't think Parks -- I -- it doesn't really -- I don't think it's going to be that big a deal for us to be honest with you.

LEG. CILMI:

Okay. What if you decide that it is something that we want to -- that we want to explore doing in other places. Is that then something that you're going have to spend more time on?

COMMISSIONER DAWSON:

If we decided that we wanted to do it and we'd weigh out the -- the benefits of it compared to what the other employees are doing.

LEG. CILMI:

Okay. All right, thank you.

CHAIRMAN SCHNEIDERMAN:

Any others questions?

LEG. HAHN:

No, I would just -- I would just argue that finding ways to replicate this around the County to increase the use of local native plants and especially species that help with -- with the pollinating creatures; bees, butterflies, etcetera is -- is important. We lost, and Legislator Anker has mentioned this, we've lost, and I think it was almost 90% of the Monarch butterfly, and we have declining bee population as well, and so if we can find a way to get these species in our parks and to replicate what they're doing here it could be, you know, it'll be valuable.

CHAIRMAN SCHNEIDERMAN:

Okay. So we have a motion and a second. Any further discussion? All in favor? Opposed? Abstentions? You guys, okay? All right. **IR 1272 is approved. (VOTE: 5-0-0-0)**. Moving onto introductory resolutions.

INTRODUCTORY RESOLUTIONS

IR 1337 - Authorizing the transfer of a sawmill to the Long Island Antique Power Association. (Krupski) I'll make a motion, seconded by Hahn. Commissioner, the sawmill is currently where?

COMMISSIONER DAWSON:

It's currently at Cathedral Pines. It's a very big piece of equipment, we haven't used it in almost 16 years, it's just kind of an eyesore. Somebody can - if somebody can make use of it we have no objection just -- but just so you know we reached out to Long Island Maritime Museum to see if they had an interest in this thing and they did not, so.

CHAIRMAN SCHNEIDERMAN:

No particular value historically? Or --

COMMISSIONER DAWSON:

There's no historic value to it whatsoever. And, you know, we reached with Richard Martin he hadn't -- it's not historic so it's not really his purview. And, again, we reached out to the Maritime Museum to see if they had any interest and it's not something they were looking to restore. It's not in there --

CHAIRMAN SCHNEIDERMAN:

Or are we giving -- them -- and they're not able then to sell it, they're able to use it for museum purposes?

COMMISSIONER DAWSON:

The intent is for them to get it up and running and use it for exhibits, I believe.

CHAIRMAN SCHNEIDERMAN:

Okay, so it -- it will be housed in a public place.

COMMISSIONER DAWSON:

Yeah, I'm not really sure where there -- I'm not really sure where the group is located.

CHAIRMAN SCHNEIDERMAN:

Legislator Hahn, do you have a question about this?

LEG. HAHN:

So those are very good questions. And so, is there a contract to this giving?

COMMISSIONER DAWSON:

No.

LEG. HAHN:

You know, it's just like we surplus it --

COMMISSIONER DAWSON:

-- that's pretty much --

LEG. HAHN:

-- and is there -- are there potential for those kinds of conditions to be put in a surplus agreement like that it be -- not be resold for scrap or whatever the, you know, that its purpose is a public one. I guess that's to Counsel.

MS. SIMPSON:

When we declare something excess then it's just saying that we no longer need it, we don't want it anymore. So I'm not sure where additional information is. However, I can say that I did speak with the organization associated with this -- in the development of this bill and their intention is to use the parts to -- to be used in a working sawmill.

CHAIRMAN SCHNEIDERMAN:

Any other questions? All right, so let's move the bill then. We have a -- we do have a motion and a second, Jason?

MR. RICHBERG:

Yes, we do.

CHAIRMAN SCHNEIDERMAN:

All right. All in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0)**

IR 1356 - Authorizing use of Manorville Hills County Park by Paniagua Cycling, Inc. for its Head for the Hills fundraiser. (Co. Exec.) Do I have a motion? Motion by Legislator Lindsay. Anyone else? Got a second for cycling by Legislator Cilmi. Okay. Commissioner, you're okay with this?

COMMISSIONER DAWSON:

Yeah, we're fine.

CHAIRMAN SCHNEIDERMAN:

All right. All in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0)**

IR 1363 - Requesting legislative approval of a contract award for renovation, operation, maintenance and management of a food service and related activities concession at Meschutt Beach County Park, Hampton Bays. (Co. Exec.) I'll make the motion, at least for discussion. Do I have a second? Second for purposes of discussion by Legislator Lindsay. I suspect that a lot of my colleagues haven't had a chance to review the contract. I know there was only one bid, Commissioner, on the RFP, they were it. Can you take us through the terms of the contract because I know there's several changes.

COMMISSIONER DAWSON:

Sure. It's going to be a ten year contract with an option, at my discretion, to renew for an additional five. The terms of the contract are: I believe it's \$15,000 a year in just out-and-out rent. We're going to get 10% of all gross receipts above and beyond \$100,000 and we're going to get \$150,000 in capital improvements to the facility within the first ten years of the contract. And if we decide to go on the next five, we'll renegotiate that.

CHAIRMAN SCHNEIDERMAN:

Now to differentiate; this is the same vendor we have currently.

COMMISSIONER DAWSON:

It is.

CHAIRMAN SCHNEIDERMAN:

Now they're 5% of --

COMMISSIONER DAWSON:

We had the -- the last --

CHAIRMAN SCHNEIDERMAN:

-- above 65,000 so it's going to 10% above 100,000.

COMMISSIONER DAWSON:

That's correct.

CHAIRMAN SCHNEIDERMAN:

And that amounts to more money than currently.

COMMISSIONER DAWSON:

Considerably more money.

CHAIRMAN SCHNEIDERMAN:

Around how much more money?

COMMISSIONER DAWSON:

They're paying right now they're paying --

CHAIRMAN SCHNEIDERMAN:

Based on current.

COMMISSIONER DAWSON:

-- a year.

CHAIRMAN SCHNEIDERMAN:

I think it's about 35,000 more.

COMMISSIONER DAWSON:

Yeah, I'd say it's 30, almost double.

CHAIRMAN SCHNEIDERMAN:

Okay.

COMMISSIONER DAWSON:

Again, it's based on the gross --

CHAIRMAN SCHNEIDERMAN:

And who decides the terms? You?

COMMISSIONER DAWSON:

We negotiate the term. What we did was, when we put the RFP out and we looked at what, you know, similar -- similar agreements pay, you know, at our concession stands, at our catering facilities, we kind of based it -- we based it on that and we put the RFP out and then when he -- he responds to the RFP and then we -- then we negotiate.

CHAIRMAN SCHNEIDERMAN:

Now isn't this vendor looking to expand that facility there, add more seating, add a roof deck. I've seen some plans somewhere across my desk.

COMMISSIONER DAWSON:

Well, the RFP that we put out we actually put -- we actually put that into the plan so he was responding to our request to add, you know, for, you know, maybe a rooftop deck so you can overlook the water, you know, additional bathrooms because the bathroom facilities are --

CHAIRMAN SCHNEIDERMAN:

If the facility changes, do we start all over again with the RFP?

COMMISSIONER DAWSON:

I'm sorry.

CHAIRMAN SCHNEIDERMAN:

Right now, who would do that build-out? He would do the build-out?

COMMISSIONER DAWSON:

He does the build-out. There are times where we might, if we feel that it's more cost effective, we might take the capital, we might take (inaudible) have the concessionaire buy the material and we do the work, it just -- it makes our money go a little bit further and, you know, sometimes we do that, sometimes we send it --

CHAIRMAN SCHNEIDERMAN:

All right. I would just caution because it's in basically a residential area that we bring in some input from the town if we're planning on expanding the number of seats we probably should get a Suffolk County Health Department approval too.

COMMISSIONER DAWSON:

They do. They absolutely have to go through and, again, yeah, we talked about -- we talked about redoing the bathrooms and redoing the septic system, it would all be -- it would all be subject to board of health permits and anything that they built would be subject to Department of Public Works building permits, we do that as a matter of course.

CHAIRMAN SCHNEIDERMAN:

Right. I would like for the committee or -- and the trustees to review any kind of plans for changes to that facility.

COMMISSIONER DAWSON:

But, I mean, the parking lot is -- is a set size.

CHAIRMAN SCHNEIDERMAN:

That's a set size.

COMMISSIONER DAWSON:

It's just a set envelope of people that can -- kind of get in there.

CHAIRMAN SCHNEIDERMAN:

Right, but if you're doubling the seating capacity, that affects parking.

COMMISSIONER DAWSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

Anywhere else any town would make you put in more parking spaces if you expanded.

COMMISSIONER DAWSON:

Uh-hum.

CHAIRMAN SCHNEIDERMAN:

Okay. I think there are other questions on this so we'll start with Legislator McCaffrey.

LEG. MCCAFFREY:

Thank you. Commissioner, is this the only respondent to the RFP?

COMMISSIONER DAWSON:

It was. That's why we're here and I'll just give you a brief history. We sent out 133 letters to people on our list of people that we think might be interested in this type of thing, we listed in the two publications as -- like we're supposed to do, we put it on our website. We actually only had three people respond to actually pick up the packages. Then we do a tour of the facility, the tour of the facility only one vendor showed up, it happened to be -- it happened to be Beach Huts. We got one phone call from an individual who said because the weather was lousy, could we reschedule it, we generally don't do that. But in, you know, in the (inaudible) we wanted to attract as many people as we can, we rescheduled another touring of the facility, that gentleman did come, he chose not to put in -- chose not to put in a proposal so, I mean, we do everything we can do to get the word out to kind of get the best deal we can. But --

CHAIRMAN SCHNEIDERMAN:

Commissioner, that list, you said that you reached out, you sent 137 letters.

COMMISSIONER DAWSON:

One hundred and thirty-three.

CHAIRMAN SCHNEIDERMAN:

Hundred thirty-three. Where does that list come from?

COMMISSIONER DAWSON:

People that generate -- sometimes they know that we're going out for an -- you know, or they'll be at the facility, say, *hey, how do I get, you know, how do I get a crack at this?* And we have, you know, we reach out to Department of Public Works as well. So, like I said I don't --

CHAIRMAN SCHNEIDERMAN:

-- let's say, to, you know, the Health Department to get all the people who have, like food service permits within Suffolk County, you know, existing restaurateurs who might --

COMMISSIONER DAWSON:

I don't --

CHAIRMAN SCHNEIDERMAN:

-- be interested in expanding their operations.

COMMISSIONER DAWSON:

Yeah, I don't want to get into detail on those 133, I mean, I could find out for you.

CHAIRMAN SCHNEIDERMAN:

No, I'm just curious because, you know, it's a -- it's a beachfront concession in Hampton Bays and, you know, it's out in the Hamptons, it's on the beach, there aren't too many bars on the beach anymore. I just think that it would be a very competitive bidding process. A lot of people might want that, and I don't know, but I just -- makes me wonder whether we really reached out to enough people or the right people.

COMMISSIONER DAWSON:

I mean I don't know how much more to tell you, I mean I --

CHAIRMAN SCHNEIDERMAN:

No, I understand, I'm sure you did -- you did the legal process.

COMMISSIONER DAWSON:

Not illegal, I think we -- I think we, you know, we tried, and again, normally we wouldn't go out for a second touring of the facility, and we did, I mean, I don't know how much more we could do.

CHAIRMAN SCHNEIDERMAN:

Right, I mean, I think if it was, let's say, a private landlord they would advertise it, they'd advertise it in, you know, or with the --

COMMISSIONER DAWSON:

We did.

CHAIRMAN SCHNEIDERMAN:

-- real estate agency that would go out and try to get them the best deal they could get for that. I just -- I hope this is the best deal. It's certainly better than the deal we had.

COMMISSIONER DAWSON:

Yes, I think it's the best deal.

CHAIRMAN SCHNEIDERMAN:

Okay. All right. Any other?

LEG. MCCAFFREY:

Yeah, I just want to finish saying, yup -- so it's -- we originally thought was that it was the only complete response that came back, you're saying it's the only response that we got back.

COMMISSIONER DAWSON:

It's the only response that came back.

LEG. MCCAFFREY:

Okay. All right, thank you.

CHAIRMAN SCHNEIDERMAN:

Anyone else? Legislator Cilmi.

LEG. CILMI:

Have we explored the history of this company in other place, you know, in places where they're presently operating to see if those places are operating satisfactorily and if anyone had any complaints or anything?

COMMISSIONER DAWSON:

I mean, they have -- they also have the concessionaire for Smiths Point and Cupsogue beach so we certainly haven't had any complaints and they pay their bills on time. They're responsive to our requests, so, I mean --

LEG. CILMI:

Okay.

COMMISSIONER DAWSON:

-- we certainly think they're doing a good job.

LEG. CILMI:

Okay. All right, thank you.

CHAIRMAN SCHNEIDERMAN:

Okay. Anyone else on this? Commissioner, after we vote I did want to get an update on Cupsogue.

COMMISSIONER DAWSON:

Sure.

CHAIRMAN SCHNEIDERMAN:

You just mentioned Cupsogue with --

COMMISSIONER DAWSON:

Absolutely. We got good news.

CHAIRMAN SCHNEIDERMAN:

Okay, good. So I'll call the vote. I'm sorry, Legislator Hahn.

LEG. HAHN:

And does this -- did this RFP -- does this contract comply with all local laws?

COMMISSIONER DAWSON:

Absolutely and that, you know, that -- part of the RFP process is we send out a -- a sample.

CHAIRMAN SCHNEIDERMAN:

You mean like no trans fats.

LEG. HAHN:

Mean like the healthy food options.

CHAIRMAN SCHNEIDERMAN:

Healthy foods and all that.

COMMISSIONER DAWSON:

It was actually -- and, again, that is in the --

CHAIRMAN SCHNEIDERMAN:

No energy drinks.

COMMISSIONER DAWSON:

The RFP -- the sample agreement that we send out includes all of the regulations, you know, including, I mean -- everything including our pesticides.

LEG. HAHN:

Thank you.

CHAIRMAN SCHNEIDERMAN:

All right, all right. All in favor? Opposed? Abstentions? All right. **Approved (VOTE: 5-0-0-0)**

So just, Commissioner, real briefly, Cupsogue Beach.

COMMISSIONER DAWSON:

Okay.

CHAIRMAN SCHNEIDERMAN:

Right around the -- the season's right around the corner, so how we doing?

COMMISSIONER DAWSON:

DPW's been doing a bang up job as in Awesome Interiors. The deck work is just about complete. The portable restrooms came in last Thursday, they've been put in place. Department of Public Works is working on getting the -- the discharge pumps to connect into the current septic system. The kitchen area, you know, where they prepare food is due to be delivered mid next week. I encourage everybody to take a look. It's really come along. We have no -- no reason to believe that we're not going to be open in time for Memorial Day. That's great news.

Anything else for the Commissioner? Seeing no other business we are adjourned.

(*The meeting was adjourned at 2:06 p.m.*)

{ } Denotes Spelled Phonetically