

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, September 30, 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 Hann - Aide to Deputy Presiding Officer Schneiderman

Michael Pitcher - Aide to Presiding Officer Gregory

Alyssa Turano - Aide to Legislator Hahn

Jason Richberg - Chief Deputy Clerk/Suffolk County Legislature

Benny Pernice - Budget Review Office

Greg Dawson - Commissioner/Suffolk County Department of Parks

Katie Horst - County Executive Assistant

All Other Interested Parties

Minutes Taken & Transcribed By:

Gabrielle Severs - Court Stenographer

(The meeting was called to order at 12:31 p.m.)

CHAIRMAN SCHNEIDERMAN:

Good afternoon. I'd like to call this meeting of the Parks and Recreation committee meeting to order this 30th, last day of September, 2015. All rise, if you are able, and join us for the Pledge of Allegiance led by Legislator Lindsay.

(Salutation)

Please be seated. We're going to start today's meeting with public portion. If you wish to be heard by the committee, you have to fill out a yellow card, and each speaker will be given three minutes to make their comments known. When I call your name, I ask you to come up to the podium. Make sure you press the button so that that light is on and we can hear you. John Palasek is our first speaker. John, just for our records, if you could identify yourself as well.

MR. PALASEK:

Thank you very much. Hi. My name is John Palasek, resident of Yaphank, representing South Yaphank Civic Association. I'm here to comment on the Suffolk County Trap and Skeet Range. Let me just start with this: The licensee, and also Suffolk County, because you're both being fined for noise violations, just lost its third and final appeal in criminal court. It upholds previous decisions affirming the judgment and the conviction of the sixth district court, Suffolk County, from December of 2012. This was a -- one ticket was used as a composite for all tickets. There are about 350 violations out there. So this effectively says, in my opinion, and to any layperson, that you're breaking the law at this point I'm sure a lot of people would disagree with that, but your contract with the vendor states that he has to abide by all federal, state, county or municipal law, ordinances, rules, orders, or regulations now in effect or hereinafter enacted, amended, or adopted, and he signed it.

Now, as far as I'm concerned that's a signed contract, so I personally don't see why this range is operating at all because of this, but the reason I bring it up is because you're up for a renewal of this contract at the end of this year. It's after 10 years. There are two five-year options for renewal. The current contract expires December 31 of this year.

I'm here to ask that because of this court ruling and the ongoing civil case, which has yet to be adjudicated, and probably will not be for at least another year and a half that you delay any renewal of this contract until such time as all litigation has been adjudicated and all decisions are final. To me, going ahead with the renewal of a contract with all of this still up in the air and all of this still undecided is irresponsible and it defies common sense. The moneys that have been expended on this range by the county, by the taxpayers to support it, to defend are up in the millions. It's over a million by now including cleanups, including debt fees that are now going to have to be serviced for at least another five years for the bond that was floated for this.

I think it's unfair at this point to move ahead with a contract renewal. If the goal of this, in my opinion, frivolous lawsuit was to extend this contract or at least get the 10 years out of it, then that's been accomplished. In my opinion, put that one in the wind column and call it a day and move on, but any renewal at this point, I think, is ridiculous. I think it needs to be examined. I think the court needs to weigh in. I think you need to know exactly what it is you're facing.

If you delay it and wait for the courts to approve or disapprove, at least you'll know where you stand; then you'll know what kind of a decision to make with moving forward. It can be a responsible decision, not something based on emotion or on the pleadings of special interest groups. We've been putting up with this -- I've personally been putting up with this for 23 years, but we, as

a community, have been putting up with it for the last 10 years. We feel it should never have been reopened, and all of this legal nonsense -- that's the only word I can think of -- should have been dealt with before it was reopened, but now that we are where we are, you have the option to renew this, not the requirement, and we ask that you exercise that option and not renew this contract. Thank you.

CHAIRMAN SCHNEIDERMAN:

All right. Thank you for comment, Mr. Palasek. Any questions for Mr. Palasek? Seeing none, you may be seated. We'll move onto Johan -- I'm sorry. I'm reading it wrong.

MS. MCCONNELL:

This happens every time I come up. It's Johan. It's fine.

CHAIRMAN SCHNEIDERMAN:

How do you spell it, J-O-H-A-N?

MS. MCCONNELL:

Yes.

CHAIRMAN SCHNEIDERMAN:

Johan McConnell.

MS. MCCONNELL:

Johan McConnell, past president of the South Yaphank Civic Association. I come today to speak about the contract for the Suffolk County Trap and Skeet Range located in Southaven Park in the community of South Yaphank. The contract is up for renewal at the end of the year, and the community believes it should not be renewed for the following reasons: The range is costing the county and the taxpayers far more than it could ever run and that renewing the contract would be throwing good money after bad. The contract favors the vendor, not the county. The county received five percent of the gross revenue after the venue's first \$95,000 is earned. A serial bond was issued in 2005 for \$450,000 with a debt service of approximately \$36,000.

The vendor's paying the county approximately \$46,000 per year. Subtract the debt service of \$36,000, and the county is actually receiving a revenue of approximately \$10,000. Over the 10 years of the contract, the county has received approximately \$100,000, while the licensee has received 5 million. Cost of the county attorneys to defend the court in the numerous lawsuits in the supreme court, district court, appellate court and the New York State Court of Appeals, even though they are paid by the county and you're not paying outside lawyers, I'm sure their time and effort could be better spent on other issues that you have seeing as I understand there's a decrease in the number of county attorneys you have. So we figure that you spend approximately \$50,000 a year in legal fees. Over the course, that's another \$500,000 added to the bond, so you're up to almost a million dollars that you've spent with a very small return of up to \$100,000. Plus we add in the cost of property taxes for \$170,000 of homes surrounding the range that were lost due to reduction in their assessed evaluation; that's for the town, the county, and every other assessing body. So for economic reasons, the community believes that this contract should not be renewed. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, Ms. McConnell. Okay. That's the last speakers card I have. Was there anyone else who wanted to be heard who did not fill out a card?

Okay. We will move to the agenda. All right. I'm going to **start with IR 1441, Authorizing Inter-Municipal Agreement with Flanders Fire District to maintain fire lanes in County parks (Schneiderman)**. Commissioner, before I make a motion, let's update us. You've started

the work as promised?

COMMISSIONER DAWSON:

We have started the work this week, as promised, and I believe that Supervisor actually met with a member of the Flanders fire district out there as well this week, so we're moving along. We have chainsaws --

CHAIRMAN SCHNEIDERMAN:

The parks supervisor, Sears Bellows?

COMMISSIONER DAWSON:

I think it's the environmental crew is the crew that's doing it.

CHAIRMAN SCHNEIDERMAN:

Okay, and how's it going?

COMMISSIONER DAWSON:

It's moving right along. Like I said, they started out there. They have a tractor out there, a couple chainsaws and they're moving.

CHAIRMAN SCHNEIDERMAN:

Okay. Great. I'll, then, make a motion to table. Second by Legislator Lindsay. All in favor? Opposed? Abstentions? 1441 is **tabled. (VOTE: 5-0-0-0)**

We're going on to introductory resolutions.

IR 1734, Authorizing use of Indian Island County Park by Jayasports for its Indian Island Trail Runs fundraiser (County Executive). Commissioner, is that all set?

COMMISSIONER DAWSON:

Yeah, all the fees are in place. It's a fundraiser for the Greenbelt Trail conference, so we're good to go.

CHAIRMAN SCHNEIDERMAN:

Okay. Is there a motion? Motion by Legislator Lindsay. Second by Legislator Cilmi. All in favor? Opposed? Abstentions? **Approved. (VOTE: 5-0-0-0).**

That's all I got on the agenda. Does anybody else have anything for the commissioner? Yeah, Legislator Cilmi.

LEG. CILMI:

Commissioner, just quickly, I know the department continues to have ongoing discussions with the reservations system vendor. How is that all that going?

COMMISSIONER DAWSON:

We do. We're moving along. The reservations system is up and running. We haven't really gotten any complaints about people's ability to make reservations.

LEG. CILMI:

Oh. It was my understanding that there was still some ongoing issues; maybe I'm wrong.

COMMISSIONER DAWSON:

We're working with the vendor on report writing and whatnot, but we're able to do everything we need to do, and, more importantly, the public is being serviced.

LEG. CILMI:

Okay. Thanks.

CHAIRMAN SCHNEIDERMAN:

I know, Commissioner, we have a resolution forthcoming on the advanced wastewater systems for Meschutt. We met out there. Just so everybody's aware of that, we're looking to upgrade the septic sanitary system, which currently doesn't have a septic tank or a grease trap and it'll have an even more modern system than the current code provides for.

COMMISSIONER DAWSON:

Right. The RFP is out. They're issuing the RFP for somebody to come up with a design for a better system that would take the nitrogen out of the wastewater before it's discharged.

CHAIRMAN SCHNEIDERMAN:

Okay. Any other questions for the commissioner? Okay. So we are adjourned, and we'll see you next time.

(The meeting was adjourned at 12:48 p.m.)