

**BOARD OF TRUSTEES
SUFFOLK COUNTY DEPARTMENT OF PARKS,
RECREATION AND CONSERVATION
MINUTES OF JANUARY 15, 2009
MEADOWEDGE, WEST SAYVILLE, N.Y.**

BOARD MEMBERS PRESENT

Gil Cardillo	Chairman, Town of Riverhead
Ray Corwin	Member at Large
Gregory Dawson	Vice Chairman, Town of Islip
Amy Engel	Member of the Board
Scott Hilary	Trustee, Town of Southold
Alexander McKay	Trustee, Town of Huntington
Bill Shilling	Member of the Board
Edward Walters	Trustee, Southampton
Richard F. White, Jr.	Trustee, Town of East Hampton

ABSENT

Miles Borden	Trustee, Town of Smithtown
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PARKS DEPARTMENT

John W. Pavacic	Commissioner
Tracey Bellone	Deputy Commissioner
Nick Gibbons	Principal Environmental Analyst
Colleen Hofmeister	Principal Contracts Examiner
Terry Maccarrone	Coordinator of Community Based Programs
Tom Malanga	Director of Parks Foundation
Richard Martin	Director of Historic Services
Karen Nicholson	Superintendent of Parks
Ann Rothenberg	Assistant to the Commissioner

GUESTS

Lauretta Fischer	Principal Environmental Analyst, Planning Department
Legislator Viloría-Fisher	Legislature
Roger Podd	County Attorney's Office
Maryann Spencer	CEQ

Chairman Cardillo called the meeting to order.

PUBLIC PORTION

Barbara Buscareno, (L.I. Dog) asked if there would be any discussion on L.I. Dog's proposal for Coindre Hall.

Chairman Cardillo asked if the Trustees had any questions or an opinion on this issue.

Trustee Dawson said he had a fair indication of what L.I. Dog is looking for.

Trustee Hilary said perhaps we could reach a compromise with L.I. Dog and Coindre Hall could be used in some limited capacity.

Trustee Engel said the County Executive's position is to strike a balance between the legitimate recreational needs of dog owners and the protection and the safety of non dog park users. If the community, the town, and dog advocates are willing to reconsider the 2003 proposal for a fenced in dog run at the northeast corner of Coindre Hall, the County Executive will support it. He will not support an off-leash dog run at Coindre Hall because of some of the other issues mentioned at previous meetings (i.e. the historic significance of the site, liability issues). The County Executive has expressed his support of off-leash dog runs on parklands dedicated solely for that purpose.

Trustee Schilling asked if he could get a copy of the 2003 proposal.

Legislator Vioria-Fisher would like to see a copy of this proposal too.

Trustee Corwin said we need to separate what we do at Coindre Hall from other areas and he does not see a natural border at Coindre Hall. He supports the County Executive's position.

Trustee McKay was researching the charter and came across a reference that said "no site or building in the Historic Trust may be used for any purpose other than what the dedicating resolution states". In the "dog packet" there was a copy of that very resolution (449-1988) and one of the referenced items refers to "specific functional uses subject to the approval of the majority of the members of the Suffolk County Historic Trust." There's another level of approval either prior to the Parks Trustees or beyond the Parks Trustees that needs to come into play. It also states the property shall not be taken or disposed of or used for any other purpose not specified in this resolution unless authorized by charter law approval on mandatory referendum. There are several additional levels of consideration that would need to be pursued before we could go any further.

Tom Malanga said the resolution from the 2003 proposal that Trustee Engel referred to had gone to the Historic Trust. It actually authorized a 2 year pilot program for a portion of the land.

Richard Martin said the 2003 proposal was reviewed by the Suffolk County Historic Trust and CEQ and did go onto the County Legislature for approval for a two year pilot project. It is his understanding that CEQ would still support that proposal as a 2 year pilot in the same specific location for leashed dogs.

Trustee Walters voiced his concerns about dogs being off-leash. He feels they should be in fenced-in areas.

Chairman Cardillo said the Trustees still have concerns with the recently submitted L.I. Dog proposal. There's also a concern that unleashed/no fence dog activity may hamper the operation of a potential new catering facility at Coindre Hall. The Trustees all have issues with the new proposal put forth by L.I. Dog and he understands that L.I. Dog was not comfortable with the area in the 2003 proposal. Walking unleashed dogs at Coindre Hall is against the regulations and an act of civil disobedience. This is against the regulations.

Barbara Buscareno said that L.I. Dog has probably been to more Trustees meeting than any other group. She has been working for over 11 years trying to get a resolution. When this was put on the table back in April, L.I. Dog was hoping this could be discussed, not summarily dismissed. L.I. Dog is not part of the discussion process and they are the experts. L.I. Dog is here because this hasn't been resolved yet. She asked if anyone even looked at the proposal.

Trustee McKay said he spent over 2 hours reviewing the proposal.

Barbara Buscareno said L.I. Dog put a lot more time than that putting it together. L.I. Dog has been discussing this for three years and has not gotten anything back.

Trustee Cardillo said a letter was submitted to the Trustees regarding community opposition to the proposal.

Deputy Commissioner Bellone took exception with L.I. Dog's comment that nothing has been going on since the last dog park was put in. Out of all the groups that have come before the Parks Department, L.I. Dog has received the most attention since 2004. L.I. Dog has had 7 or 8 tours with 2 Commissioners and several staff people to visit potential sites. The attitude that we have done nothing is insulting. We are all trying to work with L.I. Dog. The County has a dog park in Huntington at West Hills; most communities do not have any dog parks.

Barbara Buscareno said the 2003 proposal was for a fenced in run in a low spot with insufficient ground cover. The area was going to be cleared and left with mud. It would run along the fenced line of Browns Road which would create a barking situation with cars going by. It's also potentially a hazardous situation as far as women feeling unsafe, but it's "doable".

Chairman Cardillo said the general view of the Trustees is that this is not a suitable place for a dog park. Coindre Hall is an historic site.

Barbara Buscareno said she's sorry they feel this way, but the dog owners have been going there for over 30 years. There are people who are committed to taking their dogs to this site.

Chairman Cardillo said the Trustees are willing to go back to the 2003 agreement.

Ginny Munger Kahn gave an overview of L.I. Dog's current proposal. It's a two season program. During the winter they would like to run their dogs' off-leash on the main field in the center of the park. During the summer, from mid May to October, the dogs will be primarily down below in the meadow area. The natural border there is a very steep hill. It is also bordered by heavy brush and a pond.

Trustee McKay reviewed the charter language which states no dogs shall be permitted off leash outside of an authorized dog run area that is fenced in, bordered by natural boundaries or otherwise segregated from other park users.

Ginny Munger-Kahn said her group will work with Parks and the County Executive to create the other natural border dog parks in Suffolk County. She asked that L.I. Dog maintain the status quo at Coindre Hall.

Chairman Cardillo said what is going on at Coindre Hall at this point is against Parks regulations. We cannot approve what is not in the regulations.

Ginny Munger-Kahn said L.I. Dog will continue to work to come to a solution at Coindre Hall that meets the needs of dog owners.

Trustee McKay said the status quo at Coindre Hall cannot continue. The people who are presently making unauthorized use of that property should cease and desist. That would be a show of faith. In the meantime, while there continues to be civil disobedience it is more difficult to come to a compromise.

Commissioner Pavacic said off leash dogs at Coindre Hall is a violation of the law and he cannot condone its continuation. Maintaining the status quo would be breaking the law.

The following motion was put forth: “Whereas the Suffolk County Parks Trustees have considered the proposal of L.I. Dog regarding the use of the property at Coindre Hall for an unleashed, natural borders dog area...and Whereas the Trustees have considered the historic nature of the property conflicts with other park users, vendors, etc.. be it Resolved that the Trustees do not consider Coindre Hall a proper location for an unleashed dog park. Be if further Resolved that the Trustees will endeavor to assist the Parks Department to find a proper location for an unleashed, natural borders dog run in another suitable area (other than Coindre Hall) and will advance the provision for a fenced in dog run at the Coindre Hall location put forth in the 2003 proposal.” A motion to approve this resolution was made by Trustee McKay and seconded by Trustee Corwin. The motion was unanimously approved by a vote of 9-0-0.

Chairman Cardillo reviewed a letter addressed to the Trustees, from William A. Milanese Jr., regarding the neighborhood reaction of outrage to the 2003 proposed fenced in dog run immediately across the street from residents on Browns Road. They strongly urge that the Trustees not proceed with the original location plan, but consider another location that will not inflict an adverse impact upon bordering residents.

APPROVAL OF MINUTES OF DECEMBER 18, 2008

Change on page 4, paragraph 4 to read: off leash outside of an “authorized” dog run...

A motion to accept the minutes was made by Trustee White and seconded by Trustee McKay. The minutes were unanimously approved by a vote of 9-0-0.

PRESENTATION BY DEPARTMENT OF PLANNING AND REAL ESTATE

Lauretta Fischer proposed one acquisition. A colored site map was distributed describing the property.

Flanders County Nature Preserve Addition – Shanchuk Property, Pine Barrens Core

The acquisition of .92 acres in Flanders, Town of Southampton. This will be acquired under the Old Suffolk County Drinking Water Protection Program (C12-5(E)(1)(b)).

A motion to approve this acquisition was made by Trustee Walters and seconded by Trustee White. The motion was unanimously approved by a vote of 9-0-0.

COMMISSIONER’S REPORT

Remove Sediment from the Nissequogue River

The Commissioner had previously discussed a proposal by the Town of Smithtown to do work in the northeast branch of the Nissequogue River (which runs through Parks property). Over the years when ground water levels went to record highs, some properties had severe flooding in basements. Last year the Town of Smithtown made an ambitious proposal to remove sediment from the entire length of this river. Parks had some significant concerns with this proposal and the Town of Smithtown has since hired some professional consultants to revise and reduce the scope and scale of the proposal. The Town is looking for permission from Parks to allow them to enter onto Parks property to do this work. The Commissioner will review this proposal once he receives it.

Indian Island Concessionaire

The Commissioner reported the concessionaire is again going to start to build up the target greens. Last year there were some issues and the Town of Riverhead asked that this year we use one of three approved town soil vendors. The concessionaire will contract with one of the three approved vendors. The work will start at the beginning of February and should be completed prior to opening day on March 13th.

Parks Fees

The Commissioner reported Deputy Presiding Officer Vilorio-Fisher has proposed a revised version of the proposed fee increase. One of the most significant changes is a sunset clause whereby instead of being open ended in duration, the fee increase would just be for 2009. A copy of this proposal was distributed to each Trustee for their review.

Trustee Dawson said he had concerns about one group being unfairly targeted, i.e. golfers would make up most of the money.

Trustee Corwin said some of the changes in the proposal are not fee changes, but language changes.

Trustee McKay said we are going to raise the park fees, temporarily, and those fees are going to go to the general fund and not go to offset the cuts in the Parks Department. Then we're going to stop the increase fees and the Parks Department will still be the poor stepchild. It doesn't make any logical sense to pursue this, plus the fact it's going to put a burden on the park patrons. The rationale we are supposed to accept is our expenses have gone up and we should increase our fees for only one year. Those expenses are not going to go down, so the rationale for increasing Parks fees to meet the increase in Parks expenses makes no sense if you are only going to do it for one year and that money is not earmarked for Parks.

Historic Structures Survey

The Commissioner reported that each Trustee received a copy of the survey which contains Phases 1 and 2 of an engineering and building condition assessment of an initial grouping of County Parks 200 historic structures. It provides an assessment of existing conditions as well as what it would cost to stabilize the structures all the way up to full renovations.

Richard Martin said there are two lists: one according to condition, which was created by the consultant, and the other list according to the historical significance which was created by the Parks Department. This survey will help set priorities.

CHAIRMAN'S REPORT

Chairman Cardillo reviewed the 2009 meeting schedule with the Trustees and determined meeting locations. A copy will be forwarded to meeting participants.

ROUND TABLE

South Bay Street Acquisition in Lindenhurst

Deputy Commissioner Bellone distributed an opinion from the County Attorney's office regarding the South Bay Street Acquisition in Lindenhurst. This opinion states that the New Drinking Water Protection Program was adopted via Local Law 35-1999 and does not require the Parks Trustees recommendation as the prior law did.

Trustee McKay did not agree with this decision. He said approximately ten years ago there was a proposal to acquire the Benton Bays property under the Old Drinking Water Protection Program (under Article 12) that was not approved by the Trustees and not acquired by the County.

Deputy Commissioner Bellone reported the County Attorney will attend the next Board of Trustees meeting to discuss their determination with the Trustees.

Article in Memory of Trustee John Fritz

Trustee Greg Dawson distributed an article eulogizing Trustee John Fritz for his historic significance as a staunch advocate for enhanced recreational opportunities and the protection of our natural resources.

Dredging at Smith Point and Cupsogue

Terry Maccarrone reported that the dredging is in progress at Smith Point and Cupsogue. The dredging at Cupsogue is complete and they are presently dredging at Smith Point.

Parks Foundation

Tom Malanga reported that the contract from the County Attorney is imminent.

Long Island Maritime Museum

Tom Malanga reported we received an enormous response from the ad that was placed in Newsday for an Executive Director at the L.I.M.M. There are many qualified candidates and the resumes are being reviewed.

Fishing Pier at Smith Point

Trustee White asked about the status of the fishing pier. Terry Maccarrone reported we are presently in a holding pattern due to an issue with one of the bidders. We hope to have a decision on this issue by March.

Boardwalk at Cupsogue

Terry Maccarrone reported we are waiting for elevations from DPW so that Nick Gibbons can proceed.

Role of Parks Trustees

Lauretta Fisher added to what Deputy Commissioner Bellone mentioned regarding the role of Parks Trustees regarding the Old Water Drinking Protection Program. The Planning Department also has concerns with the County Attorney's interpretation as well and they look forward to hearing their comments.

Scully Estate/Seatuck

Colleen Hofmeister reported that the Contracts Department has been working with Seatuck to assist them in drafting an RFP for the initial stages of getting a consultant on board to review what can be done at the Environmental Interpretative Center. The Parks Department will be looking for a Trustee volunteer to work with us as we proceed.

Trustee Greg Dawson volunteered to assist in this endeavor.

The next meeting is scheduled for Thursday, February 19th, Meadowedge in West Sayville.

A motion to adjourn the meeting was made by Trustee White and seconded by Chairman Cardillo. The motion was unanimously approved by a vote of 9-0-0.