

5/1/2013 Parks & Rec Committee

PARKS & RECREATION COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

MINUTES

A meeting of the Parks & Recreation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislature Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on May 1, 2013.

MEMBERS PRESENT:

Leg. Lynne C. Nowick, Chairwoman
Leg. Lou D'Amaro, Vice Chair
Leg. Kara Hahn
Leg. Wayne R. Horsley
Leg. Steven H. Stern

ALSO IN ATTENDANCE:

Presiding Officer William J. Lindsay, 8th Legislative District
Leg. Kate Browning, 3rd Legislative District
Leg. Tom Cilmi, 10th Legislative District
George M. Nolan, Counsel to the Legislature
Renee Ortiz, Chief Deputy Clerk of the Legislature
Robert Doering, Budget Review Office
Greg Dawson, Commissioner/Parks Department
Dennis Brown, County Attorney's Office
Thomas Vaughn, County Executive Assistant III
Lance Reinheimer, Director/Vanderbilt Museum
Joseph Dujmic, First Vice President/Vanderbilt Museum Board of Trustees
Greg Moran, Aide to Leg. Nowick
Deborah Harris, Aide to Leg. Stern
Justin Littell, Aide to Leg. D'Amaro
Deborah Tinnirello, Aide to Leg. Hahn
Michael Pitcher, Aide to Presiding Officer
Paul Perillie, Aide to Leg. Gregory
Ali Nazir, Aide to Leg. Kennedy
Josh Slaughter, Aide to Legislator Browning
Rick Brand, Newsday
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

MINUTES TRANSCRIBED BY:

Denise Weaver, Legislative Aide

MINUTES PROOFED BY:

Anne Marie Farrell, Legislative Aide

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THE MEETING WAS CALLED TO ORDER AT 12:15 PM

CHAIRWOMAN NOWICK:

Stand for the Pledge, please, led by our Counsel, George Nolan.

SALUTATION

Okay. Welcome to the Parks Committee. Commissioner, why don't you sit up here with us?

COMMISSIONER DAWSON:

Okay.

CHAIRWOMAN NOWICK:

Is the County Attorney here? Okay. You know what, before the County Attorney starts, with the permission of the Committee, I would like to take Introductory Resolution 1310, authorizing a concession agreement at the Vanderbilt Museum out of order. Lance, because I want you to be able to go back to work, come on up.

LEG. D'AMARO:

Madam Chair, I'll second the motion.

CHAIRWOMAN NOWICK:

Okay. We have a motion and a second. 1310 is before us.

Authorizing a Concession Agreement at the Vanderbilt Museum. (Pres. Off.) Lance, do you want to --

MR. REINHEIMER:

I'll give you a little overview of this contract. This is the result of three, at least three to four years, of negotiating between the Vanderbilt board and the Thatched Cottage. Very comprehensive -- the County Attorney also has reviewed this contract and has advised where necessary.

This is a five-year agreement starting January 1st of 2014, with three options for five years each. What this contract does, it allows the Thatched Cottage to be the exclusive caterer for the Vanderbilt Museum. As many of you know, we have a tent that we set up for six months during the warmer months of the year and we hold events there, weddings. This year we had 11 weddings. This contract, the Thatched Cottage, would be the exclusive caterer. They would maintain our tent, which costs approximately \$30,000 a year. They would do extensive advertising. We have little or no funds for advertising or promoting site use in weddings so it provides that.

It also guarantees in the first year the equivalent 15 or 17 weddings in terms of site use. In dollars amount that's \$135,000. So it guarantees site use fees for the museum of 135,000 in the first year. Then I think it goes up from there.

It also provides or allows the Thatched Cottage to explore establishing concession or snack bars, I should say, in two locations. One location is the planetarium, newly renovated planetarium. The other location is the carriage house or carriage house theatre that we use for our education programs right now. It allows them to explore changing the use of those buildings to accommodate a snack bar. It requires the museum to assist in helping him gather the documents and information required for permitting. He has to comply with all health, sanitary and building codes to do this for those buildings.

So in terms of financial impact for the museum, it relieves us of \$30,000 a year in maintenance for our tent. It provides a guarantee of site use fees from weddings. It helps the museum -- expands the museum's ability to promote and advertise for weddings and events at the museum being that we don't have advertising.

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That's a summary. And I'm here if you have any questions; I'm happy to answer them for you.

LEG. D'AMARO:

Lance, good afternoon. How are you?

MR. REINHEIMER:

Good.

LEG. D'AMARO:

So it's -- what -- how come the lease, how come the contract's not becoming effective until January 1? What about this season?

MR. REINHEIMER:

Well, it's really based on the wedding season. And even for January 1, 2014, in the wedding industry, you know, generally weddings are booked a year, year-and-a-half out from the event.

LEG. D'AMARO:

Right.

MR. REINHEIMER:

So to set -- this year as a requirement to guarantee site use fees and things like that, it's really not realistic. The weddings we have right were booked last year and maybe one or two were booked the preceding year.

LEG. D'AMARO:

So, in effect, the Thatched Cottage is going to do the advertising and you use the Vanderbilt as the venue for weddings, for Thatched Cottage weddings, in effect?

MR. REINHEIMER:

That's correct.

LEG. D'AMARO:

All right. And then giving the County a use fee.

MR. REINHEIMER:

Right. The museum would get a use fee. And the use fee schedule that's contained in this document reflects what we charge now for use fees. So we charge now for use fees. We collect them. What it does is it allows the Thatched Cottage -- it gives us another source to promote and guarantee. You know, last year we only had four or five weddings. He's guaranteeing the equivalent of \$135,000 in site use, which is I think it's 15 -- could be 17 weddings.

LEG. D'AMARO:

What about liability issues?

MR. REINHEIMER:

He has to have all the proper insurances.

LEG. D'AMARO:

Okay.

MR. REINHEIMER:

And workers' comp and whatever is required legally to protect us.

LEG. D'AMARO:

Right. And is the Thatched Cottage at this time in the business of weddings receptions?

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MR. REINHEIMER:

Yes. They have a site -- he has a physical site at the -- Route 25A and Little Neck Road, which is maybe two miles from us.

LEG. D'AMARO:

Right, which we've all been to and they were already in that business.

MR. REINHEIMER:

That's correct.

LEG. D'AMARO:

Right. So we have a track record here to rely on.

MR. REINHEIMER:

For many years.

LEG. D'AMARO:

Yeah, right. Okay. Thank you.

CHAIRWOMAN NOWICK:

Legislator Stern.

LEG. STERN:

Thank you, Madam Chair. Lance, hello. So the Thatched Cottage, the operator, would have the exclusive right to operate obviously. Would we still have the ability to invite or allow not-for-profit organizations to hold events there on-site? Many times there'll be not-for-profits that bring in food that might be donated, given to them free of charge, to continue all of the good work that they do. Do you know or maybe the County Attorney, is that something that -- that we would continue to be -- to be able to provide to these important organizations in our community?

MR. REINHEIMER:

I think there's a provision in here to, you know, if there's a non-profit coming in and they're bringing in -- they would like to bring in an outside caterer, it gives the Thatched Cottage a chance to bid on that job too. And I think it's a financial, you know, who can, you know, which it's not always financial, but which is the better offer, I think that's in here. I can't say for certain. You know, this has gone through many variations, but I think there's a provision for that.

Another provision, and it's not related to your question, but it's part of my overview, is that it requires the Thatched Cottage to provide the museum with, I think, three events to cater for free. So for instance, we have an annual clam bake, this year's our second annual clam bake. He would cater that affair at no charge to the museum. So there's, in my calculation, that's another \$10,000. So it provides, I think, up to three catered events free of charge to the museum. So that's additional benefit.

But getting back to your questions, I can't answer for certain. I think there's a provision in there for bidding.

MR. NOLAN:

I'll let Mr. Dujmic --

MR. DUJMIC:

Hi, Joe Dujmic, Vice President of the Vanderbilt. I'm not sure what the question is, I just walked in in the middle. I had trouble finding parking.

MR. NOLAN:

Why don't I just respond because there is language in here that states that the -- that the licensor

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continues to have the right to conduct any event where food is donated. Where there's a non-profit, the food is donated, that is allowed. And also says that the licensee will provide a menu package for all parties, events held at the Vanderbilt. However, if the licensee declines to cater an event, then the Vanderbilt has the right to bring in another person to cater. Okay.

LEG. STERN:

Okay, thanks.

LEG. D'AMARO:

Just one more question to, Mr. Brown, just the County's -- in the contract itself, what would be the County's right for termination? Is it -- is it for cause only?

MR. BROWN:

I actually am not familiar with that. I can only tell what the standard contract language is, which does include a termination for convenience clause. And I'm assuming that there would be a similar type of clause in this particular contract.

LEG. D'AMARO:

Lance, do you know offhand if there's the standard or, Joe, do you know?

MR. DUJMIC:

Yeah, I am aware there is actually the standard termination for convenience. I believe it's within 90 days.

LEG. D'AMARO:

Okay, that's fine. All right, thank you, Madam Chair.

D.P.O. HORSLEY:

Good afternoon, guys. Joe, it's interesting to see you walk in just as everyone assumes that you have that air about you that you -- that you know what you're going to be talking about.

Let me just ask you quickly, Lance, the financials on -- on what the County should expect for Vanderbilt, do you have that handy what you're anticipating in revenue?

MR. REINHEIMER:

I could give it to you in my list. It's \$30,000 for cost avoidance in maintaining the tent and up to approximately \$30,000 in donated catered food for museum fundraising events. So that's \$60,000. In addition to that, there is -- there's rental fees when the snack bars are up and running of, I think it's somewhere in the neighborhood if he runs two of them, of \$25,000 a year for that plus guaranteeing \$135,000 in site use for the first year.

D.P.O. HORSLEY:

So it's a little over \$200,000 to the Vanderbilt. Now is that -- have you budgeted that into your -- this year's budget? How does that --

MR. REINHEIMER:

This doesn't start 'til next year.

D.P.O. HORSLEY:

Okay, I'm sorry, yeah.

MR. REINHEIMER:

But, yes, that would be figured in our Operating Budget and, you know, to give you an idea of where we are with our budget, our budget's \$1.9 million. Last year it was around 1.7. That's an artificially low budget. It's a case of having a budget fit a revenue. We need to expand our maintenance grounds people, custodial staff. We've held it artificially low because we didn't have

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the funds to pay these people. As we expand our programs, our site use, our services, the planetarium; our budget's going to grow. So this will provide the revenue we need to grow the budget to be able to provide the services and to provide the visitor experience that's required to run a successful operation.

D.P.O. HORSLEY:

Great. So you would say there would be no less than \$225,000?

MR. REINHEIMER:

That's a maximum. And say 200,000 is a good guesstimate.

D.P.O. HORSLEY:

Okay, thank you.

MR. REINHEIMER:

A little more, little less.

D.P.O. HORSLEY:

Nice, very good.

CHAIRWOMAN NOWICK:

Okay. Is there a motion for 1310?

LEG. D'AMARO:

Motion to approve.

CHAIRWOMAN NOWICK:

Motion to approve by Legislator D'Amaro, second by Legislator Stern. All in favor? Opposed?
1310 is approved. (VOTE: 5-0-0-0)

MR. DUJMIC:

Thank you very much.

CHAIRWOMAN NOWICK:

Thank you. Thank you, Lance. The County Attorney is here to talk to us, address us.

MR. BROWN:

Thank you, Madam Chair. Actually, I came in connection with the Resolution 1313 pertaining to terminating to Trap and Skeet Shooting Range license in anticipation of any questions that the Committee might have in connection with this resolution. I don't have a general statement with respect to the resolution.

CHAIRWOMAN NOWICK:

Legislator D'Amaro.

LEG. D'AMARO:

Yes, thank you. Dennis, the County is presently in litigation right now.

MR. BROWN:

That is correct.

LEG. D'AMARO:

Can you just give us a brief summary procedurally and substantive of what it's about.

MR. BROWN:

Sure, just generally because if we have to go into detail, of course, we would have to go into

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Executive Session. But as far as the action pertaining to the Trap and Skeet, there is a Supreme Court action, which involves summary judgement motion practice and was -- and our brief was just filed on April 13th with the Appellate Division and the context of that summary judgement motion that was brought by the Trap and Skeet operator. And just in general terms, it deals with whether or not the Town noise ordinances pertain to the operation of the facility at the park.

LEG. D'AMARO:

So the summary judgement motion was filed by the operator?

MR. BROWN:

Yes.

LEG. D'AMARO:

Is that correct?

MR. BROWN:

Yes.

LEG. D'AMARO:

Okay.

MR. BROWN:

And we participated. And it's for a declaratory judgement action about the applicability of the statutes.

LEG. D'AMARO:

Oh, it's a declaratory judgement action --

MR. BROWN:

Yes.

LEG. D'AMARO:

-- with a motion for summary judgement.

MR. BROWN:

Correct.

LEG. D'AMARO:

How did the trial court rule on that motion?

MR. BROWN:

It was denied and the appeal is pending.

LEG. D'AMARO:

It was denied on -- the motion for summary judgement.

MR. BROWN:

Correct, yes.

LEG. D'AMARO:

Right, okay. All right. And that's on appeal. And the County just filed its brief on April --

MR. BROWN:

April 13th.

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LEG. D'AMARO:

April 13th. Okay, thank you. Thank you, Madam Chair.

CHAIRWOMAN NOWICK:

Does anybody have any questions for the County Attorney? Dennis, thank you. You're going to be sticking around for a while?

MR. BROWN:

Sure.

PUBLIC PORTION

CHAIRWOMAN NOWICK:

Okay. We are going to start the Public Portion. John Palasek and on deck Richard J. Lillis. You have three minutes, Mr. Palasek.

MR. PALASEK:

Okay, I got it. Thank you. This on?

MS. ORTIZ:

It's on.

MR. PALASEK:

Okay. Hi, my name is John Palasek. I represent South Yaphank Civic Association. I'm in support of Resolution 1313. Since you just mentioned court issues, I think that the biggest issue this controversy revolves around is the fact that you're challenging a law that you knew was in existence three years or actually almost four years prior to the reopening of this range. There is a packet of information I'm going to hand to you that has a -- basically a timeline of -- did you take it? Thank you. A timeline of discussions that have been had in this Legislature, in Park Trustee meetings, in various other committee meetings all alluding to the Brookhaven Town noise law. For example, the Trap and Skeet Oversight Committee in 2002 cited that the normal operating range -- normal operating sound levels were 70 to 90 decibels. That's your documentation.

In 2003 your County Attorney stood in this very room and told the Legislature quote "whoever the vendor would be that would take over the operation of the facility would have to adhere to those Brookhaven restrictions whatever they are".

In 2004, the Park Board of Trustees said it was determined that the facility is subject to the Town of Brookhaven's noise ordinance and so on and so on. And there are many more references to this in the documents I handed you.

To say now that this is some kind of a surprise issue or that this is something that needs to be dealt with I think is disingenuous simply because you knew it was going to happen. The whole idea of an appeal to me is you're wrongly convicted of something. But if you knew this was going to happen, where's the wrongness in it? You rolled the dice and you lost. You were found guilty of violating the -- the noise law back in December. That's being appealed, for why I don't know. I mean, this was something that everybody acknowledged was an existing law. The licensee's contract specifies that he has to abide by all existing laws not just the laws he likes or the laws he feels comfortable with. When you get on the Expressway the sign says 55 miles an hour, you may not agree with, but you have to abide by it or risk being cited for speeding and paying the fine and putting points on your license. I mean, that's what this boils down to.

And what happened was Brookhaven said, in 2006, that if you open the range we'll enforce our law and we will hand out citations and they did. Thousands of complaints. Hundreds of citations written. And what is the result is a lawsuit filed by your licensee that's challenging this law. The law that everyone knew existed. I mean, at what point do you acknowledge the fact that you knew

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about this? I don't see any point in continuing this. This is -- should have been dealt with while the range was closed for five years. This should have all been taken care of before it was reopened, but instead what you did is you reopened it and now you're trying to take care of it, which to me is like trying to change a tire while the car is moving.

CHAIRWOMAN NOWICK:

Thank you.

MR. PALASEK:

Thank you.

CHAIRWOMAN NOWICK:

Richard Lillis, on deck John Cushman.

MR. LILLIS:

Good afternoon ladies and gentlemen of the Parks Committee. My name is Richard. I'm representing Doug {Steigerwall} who has to work today. And we are -- let me put my glasses on please -- in favor of the resolution of 1313. And here it says something that John had already said, licensee took a {inaudible} risk in agreeing to run the range and, in fact, wrote the following in their RFP statement. *While we, of course, hope the County of Suffolk can wield its influence and convince the Town of Brookhaven to exempt the property from current noise controls, and they blatantly state, we will prepare to go on regardless.* Your licensee gambled and they lost. It's time to enforce their own contract and stop the onslaught of gun noise that is inflicted on our community five days a week. Brookhaven's noise law -- law was always going to be the problem. Everyone knew that Brookhaven had the intention of granting any exemptions. Indeed the fact that the exemptions were sought at all should be an indication that the Brookhaven noise law was a concern.

This front was made eminently clear by the County Attorney at that time, Paul Sabatino, which stated *whoever the vendor would be that would take over the operation of the facility would have to adhere to these Brookhaven restrictions; whatever they are.* Again, I have to question the same as John, why is it being pursued on an appeal?

Important points to consider, as we have experienced reduced tax assessments and their impacts on revenue to all levels of government as a result of a range opening. We suffer severe negative impacts on our quality of life. Number three, the court's consistent position that this range is violating Brookhaven's noise ordinance and eventually liability to the County to pay these fines. The negative environment impact of core preservation area of the Pine Barrens, the New York State Department of Environmental Conservation position, Suffolk County would not be forced to spend money to clean up the property. It could just fence it off to the public. This is in opposition to a large amount of money that the opposition says would cost the County if they close this.

Alternative locations have been blocked by Legislators and local municipalities for the very same reason that Legislator Browning and the community have called for the closure of the range in Yaphank. We have the right for a better quality living as Executive Bellone stated below at our civic meeting. He stated *people want to live in communities with great parks and great public spaces. Quality of life issues should not happen. People have a right to live in a quiet enjoyment of their property.* Since his victory, Executive Bellone has not returned one e-mail, phone call or a letter of approximate 1,000 requests of concerned citizens.

CHAIRWOMAN NOWICK:

Thank you, Mr. Lillis. Your time is up. Mr. Cushman, John Cushman.

MR. CUSHMAN:

Good afternoon, thank you for the opportunity to address you. I'm here today representing the Sportsman's Association for Firearm's Education and the New York State Rifle and Pistol Association Region One Director.

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This is an issue that, for most of you who know me, have been here since the very beginning a number of years ago. We made all of the right guesses, if you will. I say we made the right decisions. The decisions that all of the issues that were on the table at the time were faced, addressed and were responded to. That included the fact that this range has been there for over 70 years without a single instance of anybody being hurt. It's one of the few facilities of this type anywhere in Nassau County, Suffolk County, New York City. As a matter of fact, the County has had the benefit of thousands of people coming in from Nassau County, New York City, who use this facility because there is no similar such facility available in those Counties. We get the benefit of not only the people that are using that facility raising funds, and which I understand, the range is very operationally effective financially, we're bringing in quite a few dollars. But also we're providing opportunities for people in a variety of areas that generate revenue to the County indirectly such as people who buy meals when they're out here, go shopping when they're out here, including for homes. They also buy gas out here and they do a variety of other things that benefit Suffolk County indirectly financially. These are all good things. We were under the impression, way back when, and I -- from myself, that's exactly where we are today, we are still in favor of those same facilities being kept open for those very same reasons.

We still have a very high safety record. We just recently had Boy Scouts of America, a nationwide organization using our facility to the benefit of young children learning safety, handling and marksmanship. And in today's society where the firearms issue seems to be at the core of what's going on in a number of issues, including this one, the idea of having a place to go to learn safety, handling and marksmanship is to the benefit of everybody in the County even those who may not particularly like firearms. We're here to try to do what we can to keep the range open for the benefit of the majority of the residents of the County including those who don't come from the County. It's in our own best interest to do so because they said in the memorandum that I've seen, *it's not in the best interest of the County*. I don't believe that that's an accurate statement. I think that's a very shaded personal opinion. I was honored enough to serve at the request of the County Executive at the time on the committee to look for other alternative places for a range like this to be. And we reviewed, after almost 18 months, facilities all over the County and in that case we looked and we couldn't find suitable facilities that had the same level of ability of this range.

CHAIRWOMAN NOWICK:

Thank you Mr. Cushman.

MR. CUSHMAN:

Thank you for the opportunity.

(*Applause*)

CHAIRWOMAN NOWICK:

Mr. Kaspshak and on deck is George Spies. And, Mr. Cushman, I don't mean to be rude when I stop you it's just that we have so many people. I'm just going to adhere to the time.

MR. CUSHMAN:

I understand.

CHAIRWOMAN NOWICK:

Thank you.

MR. KASPSHAK:

Good morning. My name is Ed Kaspshak. I am a disabled person. I had a knee operation and I'm -- can't walk very far. This range has all the abilities I need to go there and use it. Furthermore, as far as the noise issue, in 1953 my grandparents bought ten acres of property in Shirley, right next to the Brookhaven Airport. We still have four acres there. Every year we have a

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family picnic, a huge gathering and it's catered. The airplane traffic, we can't hear most of the time with the people sitting outside. If we were to file a complaint about the airport, would you people take it as seriously as you are this issue because the airport traffic noise is much louder, much more annoying than the noise coming from the Range. Thank you very much.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. George Spies; on deck John A. McRingolo.

MR. MERINGOLO:

Meringolo.

CHAIRWOMAN NOWICK:

Yeah.

MR. SPIES:

Good afternoon, thanks for giving me an opportunity to speak. I'm not here representing any particular organization, but the main reason I came down was when I got wind of this resolution, I'm really concerned about the loss of this type of facility for people that do enjoy skeet and trap shooting and shooting in general. I learned how to shoot in the basement of junior high school in the 1950's. Unfortunately, due to political climates, these things have changed. My sons went to school in Sachem who had a rifle range built in their school but was never used. It's used for sports equipment storage right now. I have a son in Afghanistan right now, I had to teach him to shoot at a public range such as this. He's over there covering our butts and no facilities around where he could learn how to do this.

*(*Applause*)*

When I looked at those resolutions, three things jumped out at me. Apparently who ever drew it up doesn't let the facts get in the way with a good story. One of the things I mentioned was environmental problems with the range. There's been numerous studies with this range and other ranges showing that the lead pollution from shooting, if you want to call it pollution, has no effect on the groundwater whatsoever. It's environmentally neutral. It's stable. If you want to pollute the area, put a golf course in there. Between the pesticides and the herbicides and the various runoff of fertilizers it'll destroy the wetlands and destroy the headwaters of that river down there.

*(*Applause*)*

Economically, yes, the people that live around there do have an economic impact, but that was there when they got there. They enjoy the benefit of lower prices just like people that live next to a power line, next to a railroad station, next to an airport, they enjoy the same thing; lower prices for the houses and lower taxes as a result. You can't expect the general public to turn around and remediate that problem for them after they made a conscious decision to live there. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Mr. Meringolo.

MR. MERINGOLO:

Thank you, Madam Chair, Members of the Committee.

CHAIRWOMAN NOWICK:

On deck, Mr. Bachmann.

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MR. MERINGOLO:

My name is John Meringolo. By way of introduction. I'm an attorney, I have a small practice in Commack and I also volunteer as an assistant fire chief in a local fire department. I hope to bring a unique perspective to this issue here today in speaking against the resolution in that I participated in the drafting of the Central Pine Barrens Comprehensive Land Use Plan.

To digress for a moment, I hunt, I fish, I'm a recreational shooter and I enjoy shooting at the Suffolk County Trap and Skeet. Shooting is a family activity. You go there, you see Boy Scouts, you see fathers and daughters, you see mothers and sons. Shooting at a range such as Suffolk Trap and Skeet teaches safety and responsibility, which could be extrapolated from firearms to other pursuits in life.

I have served on the Suffolk County Sportsman's Advisory Council. I am presently an alternate member of the Long Island Pine Barren's Advisory Committee. In 1994 and '95, I assisted in the drafting of the Central Pine Barrens Comprehensive Use Plan. Southaven Park is within the Pine Barrens. It is therefore relevant for this Committee to look at the Pine Barrens plan itself. Under Article 7 of the plan it's entitled Public Lands Management. It indicates that opportunities for recreation are a principal objective of the plan. Recreational opportunities are to serve present and future users as well as users who may be attracted to the area. A shooting range under the plan is considered an exclusive use activity much like a ball field or a golf course. The plan provides for the continuation and enhancement of recreational activities on public land and specifically the plan references shooting ranges as being a valuable recreational resource within the Pine Barrens.

I hope that this Committee will similarly recognize Suffolk Trap and Skeet and sporting clays as a valuable recreational resource and keep the range open to promote and preserve the shooting sports in Suffolk County. Thank you very much.

(*Applause*)

CHAIRWOMAN NOWICK:

Thank you. Jeff Bachmann and on deck Robert Searles.

MR. BACHMANN:

Good afternoon. I live in East Islip, before that I lived in Copaigue. Before that I was a Nassau County resident. I started using Suffolk Trap and Skeet in 1979 where I shot winter trap in a league. And except for several years in the Marine Corps and college, I've always been on Long Island and I've always used this facility.

And, quite frankly, I came here today, I took the day off of work. I'm self-employed. When I don't work, I don't get paid. Unlike many other people, including some people that may be here, if you take a day off, you have a personal day, you have a vacation day. I don't have that. All right? But this is an important issue. I'm getting tired of being attacked for the sport that I enjoy. I support that is an Olympic sport. A sport that the President of the United States does. Guns are not evil. And that's what this comes down to. Right? People that hate guns and think they are evil; it's an inanimate object. Now, that's what it comes down to. And they use excuses. Right. I listened to the first two gentlemen who are for this bill or for this thing and I feel that, they pointed out that *oh, you rolled the dice*. Well, so did you gentlemen and your families when you chose to purchase property that was next to a trap range. Shotguns have not gotten any louder in the last 70 years. Right? The technology really hasn't changed. And if they were lied to, or they didn't understand when they purchased their houses what was there, I feel bad for them, I really do. I wouldn't want to live next to an airport or to trap range or next to a sporting complex. I really wouldn't, but I feel bad for them. But you can't take something that's been around for 70 years and all of a sudden it's a terrible, terrible thing. All right?

Anybody else -- the first gentleman pointed out that there were three or four years that the noise ordinance was available. And how can you say it's a problem now. Well, I point out that the range

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has been here for 70 years. How come only recently, in the last few years, it's a problem?

That's all I wanted to say. If anybody -- if I have time left, I'd like to turn it over to the next person.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Robert Searles and on deck is Giulio Verrelli. Verrelli.

MR. SEARLES:

Good afternoon. Thank you for your time. I don't have a lot to say. I was born in Port Jefferson, spent my life in Patchogue except for a stint in the Navy.

We used to be able to go out in the woods, set up machines, throw targets and shoot them. Didn't bother anybody. Nobody cared. Can't do that anymore. It's impossible. It's unsafe. Too populated. That's why we need this range. A lot of us work. Some of us are retired. We enjoy it. Shooters are demonized. We're not bad people. We are just like you. We work, we pay taxes. We live on Long Island. We just want to enjoy our sport.

That's about it. That's all I have to say. Thank you.

*(*Applause*)*

LEG. D'AMARO:

Okay. Thank you. Okay, next speaker is Giulio Verrelli. Giulio Verrelli.

MR. VERRELLI:

Thank you very much.

LEG. D'AMARO:

Thank you. Welcome.

MR. VERRELLI:

I've been going out there since the early 70's. I've been shooting trap and skeet, sporting clays. I think it's a great facility. I have lots of friends that come from Staten Island, Manhattan. It's the only facility of its kind. It's run beautifully and I've been going there -- when I first started going to that facility, there were no houses, none whatsoever. To bring up this thing of a noise level at this stage of the game is absolutely ridiculous. It's a great facility. It's enjoyed by many. It's the only one of its kind. Thank you very much.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Eugene Celantani. And Eric Collins on deck.

MR. CELANTANI:

Good morning. My name is Eugene Celantani. I currently live in Queens New York, formally Deer Park, was a volunteer fireman and retired from the City.

Anyway, I come out every Thursday with a friend of mine, we carpool and on our way out, just out here, we stop, we pick up gas, breakfast. After we shoot, we buy lunch. So we spend a good amount of money out here. But the big part is I bring my boys out who are high school students. They're both Boy Scouts. We enjoy shooting. It's a great unique facility. If you take this away, you're not just hurting, excuse me, all of the adults here, but the future generation of shooters. So I hope that maybe you can keep it open. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Eric Collins and on deck Valerie Meinken.

MR. COLLINS:

Hi, my name's Eric Collins. I'm in opposition to this -- this proposal to close the range. It's a great place. I'm appearing before you again, I don't know how many times we've been through this, how many years again and again and again and all I hear about in the paper and everything's how the County doesn't have any money. The Town doesn't have any money. The State doesn't have any. The Feds don't have any money, sequestration, and all of these other things. We can hire cops, we can't hire firemen. We're closing nursing homes. We can't even afford to maintain a tent at the Vanderbilt Museum.

Yet here we are again, tons of money for lawyers and all this junk again and again on the same issue that's been decided and approved and decided and approved and courts, I think we just wasted a bunch of money here. It's a great facility. It runs well. There's what, a 100 homes, but maybe a half dozen people complaining and one greased up politician and --

*(*Applause*)*

-- and it's a great place, if you hate guns, don't buy one. If you don't want to live near a gun range; move. And if, you know, you live near Jamaica train station would you complain about the trains, it's only been there since the 1800's or, you know, Islip Airport opened after Lindbergh flew to Paris, people complained about Islip Airport. You know, give it up. Move if you don't like it and stop wasting our money. Stop wasting our money. We don't have any anyway. I'd rather have more policemen on the street than have to go through this again. How many years ago is it? Seven years ago? Ten years ago? It never seems to end. So please stop wasting our money and let's move on. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. We have many, many more speakers, but I just want to say one thing. Comments like that are not necessary. Whether or not I agree with this or I don't agree with this, I'm sure all of my colleagues agree, that attack was not necessary and I apologize to you, Legislator Browning.

LEG. BROWNING:

You know, I just want to make it very clear, there's this mentality that I'm anti-gun. We happen to own six guns at home. My son served in Afghanistan three tours.

*(*Applause*)*

My husband's military. My husband's a police officer. This is not an anti-gun issue. This is about location. Thank you.

CHAIRWOMAN NOWICK:

Thank you.

MS. MEINKEN:

Valerie Meinken.

CHAIRWOMAN NOWICK:

On deck is Alan Graf.

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MS. MEINKEN:

Thank you for the opportunity to speak. I just wanted to let you all know that I do not agree with Resolution 1313. I do not see why the park, which is a recreational park, just like skating parks and dog parks and beaches should not be closed. It should -- just should not. We are recreational shooters and those are the people that use it. It sanctions good and safe use of firearms. My son first went to this site when he was a Boy Scout. He learned how to shoot and shoot safely. This is what the park is promoting. We need to keep the park. Those of us who are recreational shooters, some of us belong to private clubs, but our clubs are not big enough to be able to have this type of facility so even though we do belong to them we still go to facilities like this, the County parks.

Please understand that if you close this, you're also going to lose the revenue that comes from it and all the local businesses will also be affected because, yes, we spend a lot of money when we come there. Not only do we pay the fees to use the facility, but then we visit all the local merchants. Yes, I buy gas there, I buy lunch, I buy breakfast. And it's not for one person, I usually travel with a few including my son.

Thank you for the opportunity to speak to you and voice my opinion.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Alan Graf; on deck James Kline.

MR. GRAF:

Good afternoon. Thank you for letting me speak in front of you. I support the range because it is a -- I go there every week with my friends. We go to lunch after that. And it's my recreation sport. And the range has been here so many years and it's run very well. And there are no other sporting clay facilities on the Island. And it would surely be missed by all of us. Thank you so much.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. James Kline; on deck Gaspare Albanese. James Kline. Is James Kline still here?

P.O. LINDSAY:

Move on.

CHAIRWOMAN NOWICK:

Gaspare Albanese on deck Lyle McFadyen.

MR. ALBANESE:

Yes, good afternoon. I'm here to support the range. It provides a clean, safe environment for everyone that goes there. It's not only individual shooters, it's families, it's sons, daughters all participating, you know, with their families in a clean, safe sport. I mean we're -- we're not talking about a fringe sport here, we're talking about an officially recognized Olympic sport; trap and skeet.

To bring up the issue of sound is really a straw issue. The range has been here, I forget what everyone said, it was about 50 or 60 years. So it's not like it just opened it up yesterday. I mean, if you want a comparison, the, you know, the -- you know, MacArthur Airport recently was expanded and the hours of operation went from nine to eleven o'clock at night. So where -- where is the concern about the noise abatement and the quality of life for those residents around the airport as opposed to people around the range? I live just south of Sunrise Highway. As urban sprawl gets more and more you hear that highway continuously. It doesn't start at 9:00 and end at 5:00. But that was a conscious decision I made when I purchased the property. I knew what was there just

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as everyone did when they bought their property either around an airport or around a gun range. I've been hunting and fishing all my life. I enjoy Southaven State Park. I fly fish in the Carmans and I frequent the Trap range every weekend. Many acquaintances there and developed some good friendships. I don't really think that it is fair and just that it should be closed on a straw issue. Thank you.

(*Applause*)

CHAIRWOMAN NOWICK:

Lyle McFadyen, on deck Bill Ammann.

MR. McFADYEN:

Seems like everybody here has lived here since Christ wore short pants. But I'm actually new to Suffolk County. I'm originally from Vancouver British Columbia home of Frisbee Golf, actually, where it was invented. And we moved out here after doing a test drive, we bought a car, we did a test drive, we drove around Suffolk County and we decided that we really loved it out here. We saw the facilities, we thought that was a great place for our kids to grow up. We saw the different parks, the different things that the County had to offer and decided this was where our kids should grow up. Certainly was better than Manhattan.

When we decided to buy a house we looked around. We looked at a number of places. We decided we didn't want to live next to the LIRR. We decided we didn't want to live next to the LIE and we paid for it. It's not my fault that people are unhappy they decided to buy next to a gun range. All right. For them to buy a house next to a range then demand it be closed because of the noise it's like buying next to MacArthur Airport and then complaining about the noisy airplanes. It just doesn't make sense. It's something that's been there for a long time. Maybe it was closed for five years, I don't know the history on that, but it still doesn't make sense. At least it doesn't to me.

I see a lot of benefits to this range not the least of which are economic benefits to the County. There is benefits when people come to buy gas, they buy groceries, other goods. They rent hotel rooms if they come for tournament. They see the wonderful facilities that the County has and the County offers and not the least of which, which actually applied to me, they see what a great place Suffolk County is to live in guess and guess what, they buy houses, that's what happened to me.

So from that point, you know, Clay Shooting, it's a wonderful sport, it's a safe sport. It's an Olympic sport. There's scholarships for our kids that you can actually get for it. And I'm not talking average schools, I'm talking Duke University, Yale, Purdue, George Mason. I mean, these are not halfway schools. These are very prestigious wonderful schools. And I'm certain if any of our kids wound up going to any of those schools, on one of those -- scholarship of that nature every last one of you would be up there pounding your chest and being very proud that you had something to contribute towards that in any way shape or form. So do consider that.

Another thing I would -- I have very much concern and this comes from my past, I worked for the Ministry of Forests when I worked up in Canada and I know, we always called it the *cides*. Insecticides, herbicides and pesticides. If you want to wreck your groundwater; those are the dangers. Lead is not as bad as any of those things. You need to pay attention to that and nine times out of ten it's golf courses and, yes, housing development and probably we're all guilty of that.

So if we close down the trap range, what happens? You have to remediate it, which means a lot of money. Who's going to pay for it? The County.

CHAIRWOMAN NOWICK:

Mr. McFadyen, thank you, your time is up.

MR. McFADYEN:

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Thank you for your time.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Bill Ammann and Matthew Catania on deck.

MR. AMMANN:

Good afternoon. Thank you for this opportunity. I travel out every weekend from Mineola. Like everybody else here, they spend money at the range, they spend money at the delis. They buy their gas. It's a great facility. There's only one Sporting Clay facility on Long Island. I've shot all over the tri-state area. It's one of the best I've been at and it'll be a shame to see it closed. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Matthew Catania and on deck Victor Alfieri Junior.

MR. CATANIA:

My name is Matthew Catania, I am a Suffolk County resident and I would like to see the range stay open. What I have to say is already been said so it's -- to save time, just say keep the range open. It's a great place. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. And we appreciate that you understand there are so many people that wish to talk and we'd like to get everybody in and I do have 70 cards so thank you, Mr. Catania.

Victor Alfieri, on deck Peter Smith.

MR. ALFIER:

Thank you. Folks, I'm been around for a long time. I guess the first time I had a firearm in my hands was about seven years old. Couldn't shoot it, of course, but that was with my family and friends back behind Idlewild. I look around this room and I don't know how many of you guys know, how many of you people know, Idlewild was Kennedy Airport and that goes back a long time with a whole different mentality about things. I grew. I grew up on Long Island, 1957, seven years old and I participated here in Suffolk County, way back when there was a range in Medford across from the Floyd Bennett stores. Okay. When 110 had their range out there by the college, and several other places, they've been relocated, they've been around a long time now.

I've been away from the shooting sports for a good number of years and got back into it because my children had raised an interest, not just my children, but the rest of my family and the youth. We partake here in Suffolk County because it's one of the closest and it is a damn nice place.

Now, I really don't know what the issues are here, whether they be legal issues. I have a copy of an e-mail that was sent to Your Honor, ma'am, from Mr. {Cabtree}. If, what in fact, is truth in these papers, we don't know why we're here. If it's not legal perhaps it's political. If it's political perhaps we should rethink the few versus the majority. I was on your website, ma'am, and it shows that you have quite a bit to do with Scouts. Well, closing this range is not going to put you in good faith with BSA of Nassau and Suffolk because they will lose a good place to promote their shooting sports and merit badges.

Please, I think we should rethink what's happening here and that's about it. That's it. I'm a little tongue tied, I'm not used to this. It's my first rodeo. Thank you.

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*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Peter Smith, on deck Don Youngner.

MR. SMITH:

Good afternoon. I won't take much time. Thank you for letting me speak. Most of the points that I prepared have already been raised in support of keeping the range open. I feel that I've read both the proposal to close the range as well as the legal response by the range. And my sense was that the information that was delivered on both sides leaves a very strong case for eminent domain in keeping the range open. It has been a well-managed, safely maintained facility and serves a great number of people on Long Island. And because of the number of people that attend here and many of them I think would be embarrassed to speak and, in lieu of time, I would just like a show of hands, if I may, how people here are in favor of this recommendation? In favor? How many people are in favor of this recommendation to close the range?

CHAIRWOMAN NOWICK:

Okay, Mr. Smith, Mr. Smith --

MR. SMITH:

And how many, many people to --

CHAIRWOMAN NOWICK:

Mr. Smith, Mr. Smith,

MR. SMITH:

-- leave it open? Thank you very much.

CHAIRWOMAN NOWICK:

Mr. Smith, this is a public hearing, you're talking to us. Thank you.

MR. SMITH:

I appreciate your help. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Don Youngner and on deck Bill Raab.

MR. YOUNGNER:

Thank you for letting me speak. I have been going to the -- the Range. And I'd like to keep it open. I've been going to the Range for only three -- three weeks. I just started with trap and skeet and met some really wonderful friends all here. I go to the trap and skeet because I've been taking care of my wife who has been -- she had her second stroke September of last year. And it's probably the hardest thing I've ever done is taking care of her and this facility actually allows me some time for myself. I have to bring my wife to my -- my family to watch her as I kind of rewind and -- and relax and this is the way I do it. And I really would wish that you do not close this facility. Thank you very much.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Bill Raab on deck John Allen.

MR. RAAB:

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Good afternoon, Madam Chair, Members of the Committee. I'll try not to waste your time. All right, we've covered a lot of points here. Few things: The range has been contributing to the County much needed dollars since the contract's inception. I believe it's somewhere around \$300,000 with the annual payments going up as time goes by. We talk about noise, well, the decibel rating, I won't even count when I speak because that's very different, but the decibel rating for normal people speaking in here is over 80 decibels so that right there would be in violation of Brookhaven's noise ordinance so just take that into account.

We talk about the Scouts. I just had the opportunity to help with the camporee. We had over 100 Scouts shoot and this is our second time having a camporee at Southaven Park for the Suffolk County Council. Now, I know that the Trap and Skeet range was a big factor in having it here, I believe we paid \$16,000 to rent the park for the weekend. So we paid the last time, we paid this time, we're already looking at 2016 to do it again. You know, I don't speak for the committee because I'm just one person and I'm a volunteer, but I know the skeet range was a big draw in having it at that facility.

We talked about frisbee golf and all these things; archery, I was at Southaven for the whole weekend. It's huge. There's plenty of room for frisbee golf and all those things. Now, we walk about the range Southaven -- the South Yaphank committee says something that you don't have to spend any money. Well, no, you don't have to spend it today. But if you don't you're just kicking the can down the road and we have seen what happens when you kick the can down the road in government in all other levels. So for a level one passive parkland cleanup, I believe it was {7 to 9} million, but for active, for anyone to actually walk across it, I believe the figure was somewhere in the \$30 million mark.

Now, if it's left as a shooting range as long as there's a best management practice, it can stay the way it is, you don't have to do anything. People complain about lots of things. We heard about don't move next to an airport if you don't like the noise of planes. Well, we know that. All right. The young shooters getting there -- It's a terrific facility. I'm trying not to waste your time.

You talked about tax assessments. I did a look at the tax rolls and property values in that area and I heard that they got a 6% reduction. Well, I just looked at the site and it said that the values are up 7%. So we didn't get a reduction. They did not get a reduction. They got an initial reduction for moving next to a shooting range, congratulations, same as you would for an airport or a highway or a railway line.

If you close the range then these people benefit unjustly and maybe there's a thousand, we heard the figure of a thousand. Okay. We have 1.5 million people in Suffolk County who will be paying for that thousand people to benefit unjustly.

This resolution, the whereases, the litigation is -- is ongoing so there's no further actions going on. It said that it's in the best interest; whose best interest? The best interest of the people who live next to the range. It's not in my best interest or all these people here. All right.

Environmental. I read the petit-court study. Every page. I read just about every page that's been on the Trap and Skeet range. John and I have been around this thing from the beginning. There's no lead migration. There's no pollution. And I'm going to stop right there.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you, Mr. Raab. John Allen. John Allen on deck Stephen Spainer.

MR. ALLEN:

Hello, I'm John Allen. I'm a retired Nassau County Police Lieutenant. As a retiree, I've had a lot of friends and colleagues leave Long Island for all the reasons that are obvious. I've chosen to stay

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despite the fact that I could live anywhere in the world because of the diversity that Long Island offers. I enjoy the Suffolk County range. There is no other facility. Obviously, there is no other location to start a facility. If you, as representative of the government, start to eliminate some of the services that are provided to the residents, what will we have left? The congestion, the traffic, the high taxes.

I suggest to you to examine that if that's all that's left who's going to stay on Long Island. It's your job to make sure that you maintain the diversity and the activities that we currently have so that people like me will begin -- will stay and keep our families on Long Island. I suggest that you seriously consider opposing this resolution.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Stephen Spainer and on deck Roy Bender.

MR. SPAINER:

Good afternoon. I've been asked to speak here today on behalf of Steve Blair, the owner and operator of Long Island Firearms dot.com website. He couldn't be here today because of a -- his child is ill. He just wanted me to bring up most of the points that have already been brought up. But we are a group of 9,000 members and we are constantly growing. We are made up predominantly of your constituents and we would all -- we are all in favor of keeping the range open.

As for myself, I can say I just shot at the range this past Sunday and when I do go out there I do make a day of it. This is not something that people just wing. I spend money in all the places everybody has mentioned and, again, we are all in favor of keeping the range open. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Roy Bender and on deck Elizabeth Schmanski.

MR. BENDER:

Hi, I'm Roy Bender, I live in Forest Hills in Queens County. I come out here and shoot. I bring my -- my two sons. I bring a grandchild. I've been doing it for several years. You know, economically, the range pays for itself. We come out here, we pay our fee, we shoot, we go to restaurants, we go to gas stations. We go to farmers markets when they're open, farm markets when they're open. I go up to the north -- the North Shore, I buy wine. We're spending a lot of money out here, we don't -- it doesn't cost the County a dime. We're paying our own way. There are a lot of people just like me that are doing the same thing. I shot at Griffin and Howe range in New Jersey. I shot at the (inaudible) range. And this range is pretty much on or par with them. It's a really nice facility. It's very well run. It's very safe. And then -- to beat the old drum, anybody that bought next to a shooting range knows there's going to be noise. They don't have a right to complain now. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Elizabeth Schmanski on deck Spiro Hamilothis.

MS. SCHMANSKI:

Good afternoon. This agenda was decided to reopen the range in July of '06 after five and-a-half years when it was closed. You spent, whoever it was, spent all kinds of our taxpayer money going over this issue. Now, here it comes back again.

I am not a trap or skeet person. However, I perceive this practice -- this procedure as an

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opportunity by our politicians to never let a good -- a crisis go to waste. That is the Connecticut tragedy. I see that this is a subtle and covert action to go against the second amendment rights of the citizens of Suffolk County. Thank you very much.

(*Applause*)

CHAIRWOMAN NOWICK:

Thank you. Spiro Hamilothis; on deck Elaine Kelly.

MR. HAMILOTHORIS:

Good afternoon. I also have prepared 20 copies of my statement. I'm very new to shooting, but I was so moved by -- when I heard that there was legislation going on that I felt I need to share my personal experience.

I am a lower limb amputee, with hereditary motor and sensory neuropathy, Charcot-Marie-Tooth Disease. I like to remain healthy and physically active. Sporting clays has improved my quality of life.

During the winter months I enjoy going to Suffolk Clays as it helps me feel confident. I venture out on my own through the woods and I find that it's very relaxing. Also it's approximately a mile long trail, as you know, through pine woods with 12 stations that present clays in various trajectories to simulate real world hunting scenes. I am not a hunter, I'm troubled by the idea of shooting any living animal and I suspect that I would have a hard time tracking down any wild game given my condition. However, the joy I feel when I put on my ammo belt and with gun in hand always in a safe manner I saunter through the woods is indescribable. I feel like I commune with nature, I immensely enjoy the whole experience.

I also find the experience of sporting clays is very akin to a Biathlon, which combines cross-country skiing and the rigors of shooting. Before I started shooting clays the combination of these events didn't make sense. I had no idea how intense and challenging it can be. The athlete is required to combine the total body and cardio rigors of cross-country skiing with the yoga and zen like states of target shooting. The challenge lies precisely in the contradiction going from the activity that requires all out, total body exertion to the demands of calmness, breath control, steadiness and focus.

This spring season at Suffolk Clays, I'm timing myself around the course as a way of a personal challenge. I can't ski but walking through the woods with the weight of the ammo and the rifle in hand can become a high intensity cardio activity. Oftentimes, I circle around twice. I'm a biathlete.

I have -- I have made some very good friends who have been doing sporting clays for many years. They are sportsmen who enjoy the sport and do this activity as one would bowl, shoot pool, play golf or throw darts. I've also turned my friends and colleagues onto the joys of sporting clays.

I feel it's a healthy, outdoor recreation for everyone. There's nothing like it anywhere on Long Island. In fact, it should be designated as a historical landmark.

As I mentioned earlier, I have Charcot-Marie-Tooth Disease, hereditary motor and neuropathy. This is a progressive disease that may someday confine me to a wheelchair. Occasionally, when I return to the front desk after a round of sporting clays, the clerk at the counter will ask *Did you use a golf cart?* To which I quickly reply with an emphatic *no*. My thinking is, Spiro, as long as you can walk and carry yourself on your two legs and one foot never use a golf cart. There may be plenty of time for that in later years, 'til then, I'm glad golf carts are available to people who need them. All I need is the freedom to walk around in the woods and the joy of aiming and, yes, occasionally hitting a clay.

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*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Elaine Kelly and Stanley Bart -- Bartkow. Elaine? Elaine Kelly? Okay. Okay, Stanley Bartkow; on deck John Del bano.

MR. BARTKOW:

Good afternoon. My name is Stanley Bartkow and I'd like to put things in a little perspective with regard to decibels. I'm a dentist and I deal with decibel ratings all the time. Your dentist drill has a decibel rating of 90 decibels or less. At a distance of 50 feet you hardly hear it, but you still get a reaction to the dental drill. At a distance of 100 yards, I believe the decibel rating is much less than 90 decibels due to shotguns. But depending on your viewpoint you may still get rankled by the sound of the shotgun.

In case you're wondering which side I'm on, I hate the number 13 and this resolution is a double dose of it. Act accordingly. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

John Del bano and on deck Chris Abelaina -- Abela.

MR. DEL BANO:

Good afternoon. I've been hearing a lot of arguments over here and they're all valid. I understand where -- where you're coming from. But everything I hear seems to be an entertainment issue. I'd like to hear more on a health issue. Now, myself, I moved across the street from the range. When I moved across the street it was closed. It was assured to me that it would stay closed. That didn't happen. Political issues; fine. But what I have is I have cancer. I have an incurable cancer. And, as you know, cancer cannot be -- have any stress on it at all. And every day of my life between arguing with everybody here and the shots, I hear this constantly and my stress level's going up quite a bit.

Now, all I'm ask -- no, and I'm not going to move.

CHAIRWOMAN NOWICK:

Mr. Del --

MR. DEL BANO:

Now, as -- as I was saying, okay, I don't care about anything else what they're saying about their entertainment. I'm worried about my issue. Is it selfish? Yes. Are they selfish? Yes. Okay. I want to live a little bit longer. So I'm asking you, please, close the range once and for all. Please. Thank you.

AUDIENCE MEMBER:

Can we open it up when you die?

CHAIRWOMAN NOWICK:

Thank you. Mr. Abela, Chris Abela on deck Carl Ocampo. Chris Abela. Okay. And on deck Carl Ocampo is on deck. Abela? Mr. Abela? Okay. Carl Ocampo.

MR. OCAMPO:

Good afternoon, Presiding Officer and Legislators. I'm Carl Ocampo. I live on Long Island, Suffolk County. And I implore you not to close the range. It's a -- quality of life issue. If you close all sorts of sporting arenas, our quality of life is diminished. The shooting range may be the first, maybe riding bicycles could be second. Perhaps baseball could be third and so forth. I don't think that we want this for our children. Your children, our children. We don't want it for our

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grandchildren that want to live on the Island. So again, I ask, please do not close the range. It's another sporting type of a -- a sport and it's like everything else, we need a quality of life on Long Island. Thank you.

(*Applause*)

CHAIRWOMAN NOWICK:

Thank you. Just once again, I'm going to ask the audience to refrain from any nasty unnecessary comments. This is a democratic process, we want to hear all of you.

Next speaker, Peter Schwing. Next speaker Chris Broszeit with on deck Fred Larsen or Losen. Mr. Losen, is he going to be here?

MR. BROSZEIT:

Okay. Good afternoon. I'm here to support the resolution 1313. I've heard some very touching stories, lots of opinions, now you get to hear my opinion. My opinion is based in fact, it is a matter of law and responsibility of the Suffolk County. I have letters I'd like to distribute to the board and they are from the Supervisor at the time, John J. LaValle, in a letter to Steve Levy saying that he fully intended to enforce the noise ordinance of this range. That the quality of life was most important to him. That was ignored by Mr. Levy. Fine. That has been supported again by the last three Brookhaven town supervisors. It clearly states that the County Executive admitted *that there's a need for noise mitigation and that rest assured steps are being taken to mitigate the noise and pollution problems at the range.* None of that has happened. Not one bit. The range was closed and abandoned for five years from 2001 to 2006. Everyone seems to forget about that. People made do without the range for five years, no one seemed to have a problem with that. The contract with Hunter Sports states that *the operator must adhere to all existing laws.* That's not happening. The decibel range of 65 decibels is being broken on a daily basis with readings over 90 decibels. This is extremely annoying to live in the area. You can hear this range for two miles in every direction affecting hundreds of homes and thousands of residents.

The County Sponsor Relocation Committee was unable to find a location that was suitable for this. That's no surprise. The North Fork Preserve, which was probably the best venue for a relocation, they wrote in an exclusion for trap and skeet activities. You see the pattern here? It's not conducive to residential areas. Industrial; have a ball. Move it somewhere industrial, have a good time. That's fine. I understand people's rights. We have rights too. Rights to peace and quiet. Living in a serene environment like everyone else in this room. Luckily, the Supervisor of Brookhaven current, Mr. Romaine, is supporting all of our efforts and that beneath the subterfuge the range really is a liability. Once you pay your insurance, once you pay your lawyers, once you do all this, it's not making money. If you want to provide the service for somebody, find a suitable place for it.

We would like to have peace and quiet restored to our area and our park. Southaven Park is a ghost town. No one wants to go there. You can ask anyone in that park.

(*Applause*)

CHAIRWOMAN NOWICK:

Thank you, Mr. Larsen. No, that's Mr. Broszeit.

MR. BROSZEIT:

Quick thing; this was never an NRA issue, never a gun issue.

CHAIRWOMAN NOWICK:

Thank you. Okay.

MR. BROSZEIT:

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And never a second amendment issue -- anyone here.

CHAIRWOMAN NOWICK:

Fred, Fred Losen.

MR. LOSEN:

My name is Fred Losen. Thank you for giving me the opportunity to speak. It appears that there's a double standard with noise pollution. You just approved the Thatched Cottage to cater to the Vanderbilt for 17 weddings either this summer or next summer. And this is in the summertime when everybody's outside trying to enjoy their property and the Vanderbilt is having a wedding going on with mega loudspeakers, just blowing noise all over the neighborhood. I lived here -- I lived in my neighborhood for 35 years way before Vanderbilt started this. The people at -- that live by Suffolk Trap and Skeet came in afterwards. They don't have a complaint. I got a complaint and the noise from the Vanderbilt far exceeds what you get from the trap and skeet. So I'm little offended at the -- the double standard. And I, I know that you don't want to hear about politics, but it looks a little political to me. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Mike Lazan, on deck Andrew Vilardi. Mr. Vilardi, you're on deck.

MS. VILARDI:

Miss Vilardi.

CHAIRWOMAN NOWICK:

Miss -- okay, I'm sorry. Lazan.

MR. LAZAN:

Hi, I'd just like to say that I've been shooting at that range for 35 years. I was 18 years old and about ten to 15 of my friends started getting into it. We used to run from Queens all the way out to Yaphank to do the shooting over there. Now, I'm retired and I shoot there two times a week. We have a group. I keep running into new people every time I'm there. I keep seeing new shooters coming every time I'm there. We go out to eat, as everybody said. We go for gas and so on. I'm also a union member and I'm a member of a -- called the Union Sportsman's Alliance which has 56,000 members and is on the sportsman's channel, which is a Cable TV show. So they were looking for a place to do a shoot in Long Island. First thing that came to my mind was Yaphank. Everybody loved the range. We started out with 70 people the first year, 130 the second year, this year we're looking at close to 150 people. Brings in some nice revenue as everybody has mentioned before. I think it'd be a big mistake to close it. It's one of the nicest facilities in Suffolk County.

I'd also like to make a suggestion that if it's possible, I know that Kate Browning is a -- is fighting, you know, against, you know, for this resolution. Maybe you could look into doing fighting for maybe a rifle and pistol range in the -- in the park. I think that would be great idea, bring in some more revenue. We could open up a nice area and bring in some more. Thank you very much.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. We only have about 35 more cards. So if we want to try to not repeat, that would be great, but you all certainly have the right to do that if you want. And, what's your name?

MS. VILARDI:

Miss Vilardi.

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CHAIRWOMAN NOWICK:

Andrea Vilardi; next on deck is Doug Smith.

MS. VILARDI:

Good morning. I want to thank you for the opportunity, I appreciate the democratic process. I would like to say for the record that I am for keeping the range open. I grew up with the range out there and have utilized it many times. It was open before the five years hiatus where, I think, some of the building went on.

I think my voice here today is a place of the middle way. I don't hear a middle ground on the true issue that I think is at hand here today. I don't think the real issue that I'm here for -- that is going on here -- is about the range. And I'd like to address the issue of violence and gun rights in our culture. Columbine appalled us with a real tragedy. Not just of Columbine itself, but with all the copycat violence and predation acted out with guns in our schools. My heart goes out to the victims of Sandy Hook, to the innocent children and the lives taken, to their parents, the community.

Many years ago Mothers Against Drunk Driving formed an organization to stop the violence that was happening behind the wheels of cars. They sought to stop the root of the problem, which was drunk driving. Not the manufacturer of cars, vehicles, Toyota, Fords. They did not try to confiscate all vehicles because the vehicles were involved in the violence. What the actions of these young people that have used AK-47's and automatic weapons in such a heinous way, I see only two polarized views that are being discussed on this issue and that is let's confiscate all the guns and let's just fight for our rights without having any reasoning or discussion about the cause of the problem and that is the thinking and the violence --

AUDIENCE MEMBER:

What does this have to do with the resolution?

CHAIRWOMAN NOWICK:

Excuse me.

MS. VILARDI:

-- and the violence.

CHAIRWOMAN NOWICK:

Sir, sit down, please.

AUDIENCE MEMBER:

No, ma'am.

CHAIRWOMAN NOWICK:

Okay, you can leave. Go ahead, continue.

MS. VILARDI:

The issue is the violence and the root of the violence is how we think. The thinking of these young men that took these actions, they didn't just hurt and kill those people, they've affected all of us and the rights for those of us who believe in the right in the second amendment, which I believe in, for the record, to bear arms as a means of self-protection, especially as a woman in our society, I'm five foot three and I recognize that physically I am inferior to a predator. And that the thinking in our culture has prohibited me, really, from having the same rights safely that if I was preyed upon, if I went for a walk at 7:30 in the morning it could be my time.

CHAIRWOMAN NOWICK:

Thank you very much. Time is up.

MS. VILARDI:

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Wearing certain clothes, I get blamed.

CHAIRWOMAN NOWICK:

Thank you.

MS. VILARDI:

I believe in the second amendment --

CHAIRWOMAN NOWICK:

Next speaker.

MS. VILARDI:

-- protect myself --

CHAIRWOMAN NOWICK:

I'm sorry, next speaker, Doug Smith on deck Michael Stewart.

MR. SMITH:

I would just like to say briefly that I'm here in opposition to the resolution to close the trap range. The rest what I wish to say today has been much more eloquently expressed than I could do it. I will defer the rest of my time.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you so much. Michael Stewart; on deck Ben Moran. Michael Stewart? Okay. Ben Moran on deck Philip Dimaio.

MR. MORAN:

Good afternoon. The Suffolk County Trap and -- excuse me, Suffolk County Trap and Skeet range is a huge asset to Suffolk County and its loss will be irreplaceable at this day and age. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Philip Dimaio on deck John Hayes.

MR. DIMAIO:

I'm Philip Dimaio. Okay.

CHAIRWOMAN NOWICK:

Yes.

MR. DIMAIO:

Good afternoon. I just would like to say that me and my family, my friends and my two sons have been using this range for 30 years. We love it. We have a lot of fun with it. And the thing is I live all the way south on William Floyd Parkway and the beach down there, Smith Point Beach, during the summer the traffic gets so bad that to get to Montauk Highway, it's mainly one road, sometimes it takes me a half an hour to 45 minutes. Now, the people that go swimming down at that park and use that park and enjoy that park, I feel have every right to have that park. I am not going to sign no petition or anything to close that park and I feel that even though it bothers me to drive for half an hour to get to Montauk Highway, I got two options; I could either stay there or I could move. And I prefer to stay there and live with the bit of aggravation. And I feel that, you know, I feel sorry for these people that have -- a lot of people have problems with everything, you know. And what are we going to do, close all our parks because of one reason or another? And I just want to say I'm in favor of the park remaining open and thank you for your time.

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*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. John Hayes on deck Warren -- Warren Wroobel.

MR. HAYES:

Good afternoon. My name is John Hayes and I'm a Suffolk County resident. I'm a partner in several businesses out on Long Island, born and raised out here. And I want to encourage the board to keep the range open.

I was taught to shoot by my uncle, who's a retired New York City police officer. I've taken my son and my nephew and my whole family wants to keep the range open, not only me, my wife, my two kids, my brother's wife, his three kids, my brother-in-law that's a New York City -- Nassau County police officer and their two kids would like the range open.

This is clearly a case where the few are being considered more than the many. You said this is a democratic process. Well, in a democracy I would think that the will of the people or will of the majority would prevail, but I don't know if it's a democratic process. But I'm glad that I -- you know, a lot of people are frustrated with government and instead of just being frustrated and talking about it, I had to come here today to express my opinion and participate in the process because America is important to me. This whole thing is important to me. You know, the topic I wrote on my card was tradition. When I was a young man I didn't believe in tradition, it meant nothing to me. But as you get older and get some wisdom our traditions are all that we have. It's who we are.

And with that I just want to be able to keep who we are. If someone made a bad deal and bought a house somewhere, that's not my fault and why should we be penalized for that. I want to encourage to keep the range open. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Before we go on, if there is anybody here for Economic Development that was supposed to start at one o'clock, as soon we get this -- these cards finished and we get our voting done, Economic Development will be held.

Is it Warren?

MR. WROOBEL:

Warren Wroobel.

CHAIRWOMAN NOWICK:

Oh, Warren, I'm sorry, I mispronounced your name. On deck Linda Wroobel.

MR. WROOBEL:

Wroobel.

CHAIRWOMAN NOWICK:

Oh, Wroobel. There's two Wroobels.

MR. WROOBEL:

Same family. She writes better than I do.

I want to thank you for the time. Obviously, I am against the resolution. There is something I do agree with with Legislator Browning, she said this is really all about location. The range has been

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there for 70 years. It's the location. The houses all came later. They infringed on the location of the range. They now have to either stay or go because the range was there. It was the location. And I am obviously for the range staying open. Thank you.

(*Applause*)

CHAIRWOMAN NOWICK:

Thank you. Linda Wroobel and on deck Mark Wroobel.

MS. WROOBEL:

Hi. Thank you very much. I'm here obviously to support the range. I think Mark has done a great job, I'm very proud of what he's done. I'm proud that -- that so many people can enjoy what they love to do. I'm proud of all the people that he employs, the way it's run. I strongly hope -- I strongly hope that you keep the range open and oppose the -- and oppose the resolution.

(*Applause*)

CHAIRWOMAN NOWICK:

Thank you.

MS. WROOBEL:

Thank you so much for your time.

(*Applause*)

CHAIRWOMAN NOWICK:

Mark Wroobel. Mark Wroobel and on deck Warren Trunz.

MR. WROOBEL:

Good afternoon. My name is Mark Wroobel. I am the concessionaire for Suffolk County Trap and Skeet.

(*Applause*)

Thank you. I would like to thank everyone for their continued support especially the overwhelming support of the people who took their time out of their busy schedules to be here today.

As the County Attorney pointed out earlier, the constitutional issue is still in litigation. Resolution 1313 is putting the cart before the horse. I have stood at the podium many times and when the County passed its exemption to exempt all noise ordinances the County Legislator *[sic]* declared loud and clear and this is from Legislative minutes, *the Legislator [sic] hereby finds and determines that the recreational use of firearms is a rapidly growing family order oriented activity that draws thousands of Suffolk County facilities -- residents to this facilities. The Legislator [sic] also finds and determines that this recreational use of firearms at the County facility brings an economic benefit to the County.*

The County exempted the range from its noise ordinance with the intent to be exempted from all noise ordinance including Brookhaven's. This is the very issue that is now before the Appellate Division. The patrons of the range, the taxpayers and your constituents deserve their day in court. The bill put forward today contains so many misconceptions and erroneous assumptions, the range is certainly in the best interest of the Suffolk County residents and is objected by a small handful of annoyed residents as shown today with a very small support on their side and the extremely large support on our side.

So I am in opposition of this resolution and I ask you to vote it down. Thank you.

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(*Applause*)

CHAIRWOMAN NOWICK:

Mr. Wroobel, we just have one question by Legislator Browning.

LEG. BROWNING:

Thank you for giving me the opportunity, I know you do have a lot of speakers. But Mr. Wroobel responded to the RFP back in, I don't remember what year it was, but obviously from 2001 to 2006 the range was not in existence and the homes were not there prior to 2001. However, they were built during the period that there was no trap and skeet range. And I'm just curious, did you make the statement, there was an RFP statement in 2005 where it said that you -- *why we, of course, hope the County of Suffolk can wield its influence and convince the Town of Brookhaven to exempt the property from current noise control codes, we are prepared to proceed in any case.* Is that correct?

MR. WROOBEL:

Well, that is correct in a quote out of my RFP, but to respond to that, that is a small portion of what we were saying at that point. Not only do we hope so we wouldn't be where we are today, again, another six-and-a-half years of wasting hundreds of thousands of dollars in legal fees to get to the same place we believe where we're going to be. The County will be and should be exempt from all noise ordinances like it was put in their legislative vote and we plan on winning this at the end. So, again, I am in opposition of your resolution and I hope that this board and this Committee will vote it down.

LEG. BROWNING:

And your familiar with the County Attorney back then in 2003 said whoever the vendor would be that would take over the operation of the facility would have to adhere to the Brookhaven restrictions whatever are. You're aware of that?

MR. WROOBEL:

I can't answer that as my attorney in representation is not here, but I can clearly say that that might have been only one man's position in terms of what the law was and a court where we are now, the Appellate Court, will make that final determination and we believe we will win.

LEG. BROWNING:

And you're aware of the letter from back then, Supervisor John LaValle, basically denying the County the opportunity to waive the Town of Brookhaven's ordinance as has every other supervisor since then.

MR. WROOBEL:

Well, actually I believe myself and the full Legislature that has voted overwhelmingly, unanimously to empower and authorize my contract and to actually open the range. So, I believe, all the Legislators had all that information and actually voted for the range to open. But thank you for letting everybody know about that.

LEG. BROWNING:

Well, thank you. I just want to make sure that you did make that statement and you're aware that you were willing to proceed no matter what.

MR. WROOBEL:

Thank you.

CHAIRWOMAN NOWICK:

Okay. Thank you, Mr. Wroobel.

(*Applause*)

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CHAIRWOMAN NOWICK:

Warren Trunz on deck John Blake. Warren? Is Warren here? Okay, John Blake.

MR. BLAKE:

Good afternoon. I'm here representing 100 or so homeowners around the skeet range that unable to be here today. We are in favor of 1313 and it's, to my knowledge, that this -- this was opened up illegally. The County allowed it to open up. There was no notices put out for the neighbors to come and have a say at the time to have this place opened up. I am not against shooting, but it's impacting the lives of the people that moved in during the time when it was closed. If something is closed for more than a year, it needs to be discussed before reopening it. And that's all I have. Thank you.

*(*Applause*)*

LEG. D'AMARO:

Okay. Thank you, sir, for your comments. Okay. Next up is Robert Bohne. Shone. I'm sorry.

MR. BOHNE:

Bohne.

LEG. D'AMARO:

I'm sorry, I apologize. All right, thank you and on deck is Joanne Steigerwald. Sir, welcome and go ahead please. You have three minutes.

MR. BOHNE:

Thank you. Thank you for letting me address you and I'll do everyone a favor and keep it under three minutes. A lot of people conflate a lot of these issues here. I hear about teaching firearm skills to their grandchildren, they have Marine Corps service. They use it as therapy. It's loud. I'm a North Shirley resident. I'm 1.2 miles as the crow flies from the range and I hear it in my backyard on Saturday and Sunday mornings. It's very loud. Brookhaven safety officer clocked it as 90 decibels across the street from me on River Road in Shirley. That road borders Southaven Park on the east end, on the east side.

People's hobbies do not take precedence over the quality of life of the residents who live there. And I would just like to end about the Olympic sport; so is Ping-pong.

LEG. D'AMARO:

Okay, thank you.

MR. BOHNE:

I would like to know before I leave, why is this fellow taking everyone's photograph who speaks in favor of the resolution?

LEG. D'AMARO:

Sir, sir, your public portion comment period is up.

MR. BOHNE:

Thank you.

LEG. D'AMARO:

Please take a seat. Thank you. Okay, Joanne Steigerwald. And up after Joanne will be John Pomeroy.

MS. STEIGERWALD:

Hi, my name is Joanne Steigerwald, I'm a resident of Yaphank. My -- my backyard faces the Trap and Skeet. I'm here to support resolution 1313. The facts are it's about the noise. It cannot

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operate under the Town of Brookhaven's noise ordinance, which is 65 decibels. My backyard it's consistent, 85 to 88, peaks at 96. So I don't -- I'm tired like everybody else is fighting this, I'm fighting for my quality of life, you're fighting for recreational use. The fact is it cannot operate. The prior administration and the vendor went into this knowing they could not meet the noise ordinance of the Town of Brookhaven and it needs to be corrected. Thank you.

*(*Applause*)*

LEG. D'AMARO:

Thank you, Miss Steigerwald. John Pomeroy and next up would be Harold Moskowitz. Mr. Pomeroy, welcome. Go ahead.

MR. POMEROY:

Thank you. Good afternoon. I am a Suffolk County resident, I'm a Suffolk County small business owner and father and I'm a Boy Scout leader. And I fully understand that there's a lot of different views on this and far be it from me to understand all the legalities, but I do believe it goes far, far beyond a recreational use.

I can certainly testify that as a father and a Scout leader, I've seen this facility used, who knows how many hours and thousands of rounds fired by our -- our youth and I can genuinely say without one safety infraction. I feel that in a world where gun violence is obviously center stage, it's so important to have a facility that teaches the youth of today, as well as the adults, firearm safety, respect and responsibility. That is carried on far beyond that range and into other aspects of their lives. I do believe this is one of the better ways that we can promote these -- these aspects of -- of responsibility within our youth. And I don't believe that it's a liability for this range to stay open, I do believe it's a liability if it's closed.

I tend to look at things not so much as selfishness and from one position or the other, but I try to look at things more in a broader scale of what is the -- the greater service and the greater good for all and I've seen firsthand that keeping this range open would be in the greater good for all. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Harold Moskowitz on deck Nicholas M. Sarro.

MR. MOSKOWITZ:

Good afternoon to everybody. I have a few words to say about whether or not the Trap and Skeet range should be kept open. I'm fully in favor it being kept open. And I'd like to start by saying that this is a tradition, 70 years, even though there was a hiatus of maybe five or six years, that's a tradition.

We're not speaking today about it being a safety hazard to the community. From what I can see we're talking about it in terms of a noise problem. Have any of you ever had a whole series of landscape companies come to your block and use leaf blowers hour after hour after hour? What is the decibel rating of a leaf blower within a 100 feet of your ears and how much of those noise decibels would be violating the noise ordinance of Brookhaven? Now, we're talking here about -- a gentlemen said about 100 people. Some of those people may have bought after the range stopped for five years, but we're here about a developer who knew there was range there, we're talking about homeowners who probably bought land and a -- and a house at a very good price, probably expecting in the future they would be able to complain and succeed in getting the range closed.

So why are we talking about this issue today? Why is there an IR 1313 being introduced now? Is it possible that although on the surface we're talking about noise nuisance that below that it could be part of the current crusade of some elected officials at all levels of government who are working

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against the law abiding citizens trying to prevent them from peacefully and lawfully being able to use their right to have firearms for recreation and if necessary for self-defense?

I would like to think that we are in a situation where we would want to keep people safe, but at the same time we know that this type of range could never be replaced. There's nowhere in the County where this could possibly be moved to. It's a tradition. And I would not like to think that the Legislature would use its elected status to use a notice abatement ordinance of Brookhaven as an excuse for taking away the gun owning rights of recreation from the people of Suffolk County. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Nicholas Sarro and on deck is Debbie O'Brien.

MR. SARRO:

Going to set my dive watch so I don't go over three minutes. My name's Nick Sarro, I'm a Suffolk County resident, Suffolk County voter, Suffolk County taxpayer. As a taxpayer I do not want to see my tax money wasted. It's come to my attention that if the range closes, Suffolk County must pay Mark Wroobel a termination fee. To me that sounds like a big waste of money.

Also, I'm in Scouting. I brought my troop out here for shooting. They loved it. They do it at summer camp and they couldn't wait to get back to it. I love that place. I brought my wife there, my sister-in-law, my brother-in-law for the very first time two weeks ago. They were very helpful, very knowledgeable, very thorough, very safe. They fixed my wife up with a beautiful Beretta, I rented it, 20 gage, semi-auto or auto loader. She was so concerned about bruising her shoulder, but the expression on her face when she broke that first clay and there was no bruising, the next day she expected marks; nothing there. I want to thank them for a job well done. She wants a new gun now and we want to continue shooting.

There's also a -- the issue of pollution was brought up. Homeowners are a bigger cause of pollution when it comes to fertilizer and nitrogen, it's just from what they do on their own property. Jobs. There's a lot of youth jobs, they hire youth. And this gives them a place to -- to get a job.

And, the other thing about health, I'm a senior citizen, I'm retired. I worry about my mental facilities [*sic*] and it's come to my attention also that doing word problems can help. Crossword puzzles, Sudoku and also things related to hand-eye coordination and under that category skeet shooting is excellent for maintaining that hand-eye coordination. That's why I want to get my wife into it too. So that's all I have to say. Thank you very much.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Debbie O'Brien on deck Andrew Talbot.

MS. O'BRIEN:

Hi, thank you very much for allowing me to speak today. My name is Debbie O'Brien. I'd just like to put a few things in perspective here. Myself and 100,125 neighbors of mine, we bought our homes 2001 when the range was closed. So for those of you who are under the impression that we got a great big discount for our homes; that is totally false.

The other issue is the park, Southaven Park was a beautiful park that was utilized for those five years by many, many families that were going for picnics and playing softball, fishing. Now, the park is basically empty and I'm assuming it's from the trap and skeet. I believe it is from the trap and skeet. The noise is just absolutely horrendous. People have come up and spoke to you about decibel level, a dentist and about the -- I'm sorry, leaf blowers. Leaf blowers, if they're there,

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they're there for maybe an hour or 45 minutes and they're gone. This is all day from 9:00 to 5:00. And it's a poc, poc, poc, poc, poc, poc, poc. It is constant. The noise is, you cannot have a barbecue in your backyard.

I implore any of you to come to my home and try to enjoy a day of reading, try to enjoy a day of playing with your -- your family. My children tried to study for their AP exams, it was virtually impossible. We were told when we bought our homes about the Trap and Skeet, the Trap and Skeet was closed. Never ever expecting it to be open. Please are thinking that this just happened overnight. We've been fighting for six years. We tried to be good neighbors. We were involved very highly in the committee to try to relocate the Trap and Skeet. That did not happen. Eighteen months we looked all over for it, nobody else wants a trap and skeet.

What boggles my mind is that if thousands of people are involved in this recreational sport, which I think is wonderful, I love to run, some people like to shoot. That's terrific. I don't understand why there aren't more all across the County or Nassau County? Some gentleman said that Idlewild, I was around when it was Idlewild Airport, Kennedy Airport, it's not there anymore, well, progress happens. There were no homes when the trap and skeet was there 70 years ago. Now there are homes. This is progress.

I would love to see it relocated cause I would love to see all the people enjoy the things that they enjoy, just like I enjoy the things. I would like a quality of life. I do not have a quality of life. It's -- for me to move, that's not something that's available to me. I -- my family is here. I grew up on Long Island. I love Long Island. I love the beaches. I'm not able to use them; 365 days the water's too cold. Well, maybe you have to go someplace else. For five years the trap and skeet was closed. I'm assuming the people didn't stop shooting, they must have gone somewhere.

CHAIRWOMAN NOWICK:

Thank you, Debbie.

MS. O'BRIEN:

You're welcome. Thank you, I appreciate it.

(*Applause*)

CHAIRWOMAN NOWICK:

Andrew Talbot on deck Nancy Gamby. Mr. Talbot? Okay. Nancy Gamby on deck is Amanda Merekling.

MS. GAMBY:

You are doing pretty good with the names. Thank you all for listening to me. I want to just read the second amendment from the constitution. *A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.* Now, what's a regulated militia? What that means when they came across the constitution and put it in for all our -- our great founding fathers, was a well practiced militia or the citizens of the United States to be proficient with their firearms for their safety and to protect the ones they love. That is the purpose of the second amendment.

In order to have these -- the ranges on Long Island are so that you can safely learn how to use your firearm for your protection of your family and also recreational sport. But it's for the well practice of your firearm. We don't want people who have firearms to not be proficient in their usage. A lot of problems that we've had with the recent shootings, which believe me, I've lost a son so I know what it feels like to have a parent who has lost a child, but that does not mean everybody should give up their second amendment right. And this is infringing on it. I know that there's a big push in Suffolk County, New York to put more and more density housing across this County. You're going to have less and less space for there to be a range for people to practice and be proficient at their firearms so then you're putting more and more restrictions on them.

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I am begging you to please vote this resolution down. It is not interest -- in the interest of we the people. There are people who have bought their homes, I understand that, but that range was not cleared out. That range was still there whether it was open or not when they purchased their home and unfortunately with all constitutional rights some people might not like them. And some people are -- are bothered by things. I would not necessarily buy next to a sewer, I would not -- a sewer treatment plant or something like that. But if I did, that is my responsibility and then -- then I have to live with the consequences. Either I will sell my house for maybe less than I bought it for, or not. But that's still my responsibility. Every -- it's about time everybody takes their own responsibility and not to give up our right. This is a right. The Constitutional right to keep and bear arms. The right of not living next to a rifle range is not a right. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Brett Kessler's on deck. Amanda. Is Amanda here? Come on up, Amanda.

MS. MEREKLING:

Hi, my name's Doctor Amanda Merekling and I live in Yaphank. I'm probably less than a half a mile from the shooting range and our lives are constantly affected by the repeated gun shots that are going off.

I hear everybody up here saying that this is a gun and second amendment issue, it is not an issue about that. My family, we are in favor of the people that enjoy shooting, enjoy hunting. I'm from Upstate New York, my entire family is avid hunters. They would never go to this shooting range because it's in a residential area and they don't consider that an appropriate place to practice what they want to do. They go to a facility or often to the middle of literally nowhere, Upstate New York where they're not going to be affecting other people's quality of lives.

Yet, the shooting range is in an area with over 170 homes, some of them are less than 200 feet away from the shooting range. This range is breaking the Brookhaven's noise ordinance law on a daily basis. If I was breaking some law on a daily basis, action would be taken against me and my family. But yet this range continues to open using up valuable resources and tax dollars from both the Town and County.

I know that there's other issues in hand here too, environmentally, for tax assessments and all of that, but for me it comes down to quality of life and I know that there are 13 other locations that have been proposed for moving this shooting range to that would not have the impact on such residential areas. So I'm here saying that I support that we close down the shooting range or relocate the shooting range where it's not going to impact on people's residential lives.

And I'm here right now after just having that little baby girl there. She's was two weeks old yesterday and I'm not able to go out and enjoy my yard with her because she shudders at the pops that the shooting range is doing. So that's my quality of life issue on this. Thank you for letting me speak.

*(*Applause*)*

LEG. BROWNING:

Congratulations, Amanda. I want to get to look at her.

CHAIRWOMAN NOWICK:

Brett Kessler and on deck Delores Riconda.

MR. KESSLER:

Hello, my name is Brett Kessler. I'm a resident of Amityville, but I used to live out East. I started

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going to that range way back in 1981 when I was with the Sachem Gun Club and we went there for four years during my four years at Sachem High School. We had a very good time there. It was a very educational time for all of us. We taught good gun responsibility, we taught good shooting skills. One of my classmates actually was able to get into college from being able -- from his skill at trap shooting. I am also planning on going back to the range with a friend of mine who lives in Manhattan, she wants to learn how to use a shotgun. And the range is actually a very good range from which to learn. It has nice facilities and it's close by and it's not that expensive.

Also I was just at the Boy Scout Camporee over the weekend and I was -- I enjoyed seeing the signs up for the range, because they were trying to encourage the kids go out and try it. I think that's a good thing for them if they want to and it's good to hear they were trying it over the weekend. And to be honest, the noise from the range, I heard couple pops, but all those kids made a lot more noise than the range. Okay. And I've been there before, I've been at the range before. When you're on the shooting line, yes, you're wearing earmuffs, but when you're behind the line and you're out there you can actually talk with your friends and all you're hearing are just little pops.

I've never had a problem with the range in terms of -- in terms of any kind of sound before and I've gone there lots of times. Thank you.

(*Applause*)

CHAIRWOMAN NOWICK:

Thank you. Delores Riconda and on deck Michael Weygand.

MS. RICONDA:

Hi, I'm in favor for the range to stay open. When I bought my house about 36 years ago there was a bar. My backyard faces 25A and there's a bar there. And after two o'clock in the morning, almost every night in week, there was noise, but I knew it before I moved there and I accepted it. The traffic noise, the sirens; when friends come over they would say, *how do you stand this?* I come from Queens and I knew it was my choice when I bought my home that I was responsible to do all the research when I bought my home.

So I'm saying today is that everybody has responsibilities of where they live and everybody has a choice whether to keep their home or not keep their home. They all have a choice to move or stay. I believe that this range is an opportunity for people who want to learn and perfect their skills in shooting so they could be more responsible with their skills as a hunter or just to defend themselves if that occurs. Education is so important to know the difference to be a shooter who is qualified and learns about safety and this and everything we do in life to be great at you need to practice and this is a great opportunity for this range to stay open for these people who own guns to be perfected in their skills as a hunter or just to protect themselves.

So I'm asking you today to keep the -- this range open. It's important. It's important to the second amendment, it's important to the my liberties as -- as a citizen of this country and it's -- the pursuit of the business owner to keep a business open. That's his right as well. So I'm asking you today to keep this range open. Thank you.

(*Applause*)

CHAIRWOMAN NOWICK:

Thank you, Delores. Michael Weygand, Weygand. Michael Weygand and on deck Richard Murphy.

MR. WEYGAND:

Good afternoon, my name is Michael Weygand. I am a local resident. I'm one of the persons that bought the house while the Trap and Skeet was closed. I was in -- I made and I did all my research and I called up the Suffolk County Parks Department and they assured me that this park, excuse me, this Trap and Skeet was going to be closed.

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I've been a member of the civic union and I'm also a Scout leader too. Okay. And there are other facilities that the Scouts can go to, one really close in Ridge. Okay? And a Scout is to be loyal and kind and courteous. They're not being kind and courteous. Okay. They are breaking our quality of lives. My windows shatter. One window shattered. My windows actual rattle on a daily basis, excuse me, on a Saturday and Sunday basis. Okay. This is about a quality, okay, of life issue. The -- and if you don't believe me you can come to my house. Okay. They rattle. Okay. I was ensured by Suffolk County that they are going to close. They were going to move it by the police headquarters then they said *well, no, we're not going to move the -- to police headquarters because it would interfere with the inmates*. So the inmates have more rights than we do. Okay. How do you like that?

So I'm here in favor of this resolution. Okay. It has nothing to do with people saying the second amendment rights. There's a lot of people in our neighborhood that's part of the civic society that are members of NRA. So it has nothing to do with that. If you want to shoot have fun. There's a great range in Ridge. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Richard Murphy on deck Andrew Balistreri.

MR. MURPHY:

Hello, my name is Richard Murphy. I live in Yaphank. I'd just like to say I'm a retired law enforcement officer and for 20 plus years. I don't care how many of you guys buy the firearms, I'm not against firearms. From what I could see this is not a second right -- a second amendment right issue. It's a matter of -- admitted by their own admission, a lot of people have come up here don't live in Suffolk County so if they spend so much money in Suffolk County why don't they spend a little more and put it somewhere else where it doesn't have to infringe on people that have to live in my neighborhood. It's about the sanctity of the home, the peace and quiet that you enjoy when you're not working. I have nothing against people shooting, but you can't shoot in a neighborhood.

As far as it's been there 70 years, there's been homes there that were there before the range. Now do we win the battle? I mean, I'm a drag race aficionado. I love drag racing. I used to go to National Speedway. Guess what? They built homes next to it. This is Long Island, there's only so many places you can go before you run out of space. The reason why there's no ranges in the City or in Nassau is because of too much population.

And like I said I'm not against the range, I don't particularly shoot, I don't know, maybe I would like to shoot, I don't know, I never really thought about it, but it just has to be in a place where there is middle ground here, we just have to come about the right decision. And the right decision in my opinion is to postpone it or close it, find a applicable place and just have it there. That's it. I might even join, but I'm not going to do it in somebody's backyard because, like I said, you work hard all day, you pay your taxes, you want to sit in your backyard when you're done mowing and blowing and weed whacking and all of that and you want to have some peace and quiet. I want to hear birds. I don't want to hear shotguns blasting off all the time.

Then these guys go home and they don't live by a shotgun range, you know, and I'm -- I stay at home that's what I hear day in and day out. Thank you very much for your consideration.

CHAIRWOMAN NOWICK:

Thank you. Andrew Balistreri and on deck Ronald Powell.

MR. BALISTRERI:

Good afternoon. Thank you for the opportunity to speak. I'm opposed to resolution 1313 and support keeping the range open. You know, we've gone through the history of the range for being

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relatively accident free. Wasn't I next or did I jump ahead? Oh, I'm sorry, yeah. Okay, yeah.

CHAIRWOMAN NOWICK:

Andrew Balistreri.

MR. BALISTRERI:

As far as Legislator Browning before saying the range was non -- was nonexistent or not in existence. The range was there. The fault of a prior contractor who abandoned this contract and left, you know, it happened, it happens in business. As far as wasting money, whatever, the gentleman running the range, if it wasn't a profit making thing it would not still be in business. We've attracted hundreds and hundreds of shooters. The first time I shot there was in the late 60's when my brother came home from being discharged from the Army, took me out there to shoot. Unfortunately, I don't get out there as often as I like to.

We've discussed the economic issues. You're attracting more people, with the gas, food. Bringing into an existence.

The County, I was here, when you passed the noise resolution, which exempted all County ranges. How the town law can supersede a County one, I guess the judge will decide in court, cause otherwise it'd be going around the County, which village and town wants to supersede the County and I kind of thought the higher level of government supersedes lower and less protected by the Constitution. Although, I guess, there's some people that have a problem with the Constitution lately.

We also haven't addressed the issue that if Legislator Browning is successful here, where are you going to get the seven to \$30 million to reclaim the land? I don't know if the taxpayers group in Yaphank can handle that or not. But still you're going to have to consider where that money's coming from.

I think the resolution is premature. The issue's in court. When the judge makes a decision, I guess both sides will know where they stand. So as far as voting on this, I just think it's inappropriate at this time and not in the best interest of the majority of people in Suffolk County or the metropolitan area. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Ronald Powell on deck is Gina Groblewski. It looks like an F but we can't be sure.

MR. POWELL:

Good afternoon, my name is Ronald Powell. I reside in Suffolk County for more than 45 years. I started trap shooting out at the Suffolk County facility around 1980. I spent many a weekend with my family, my wife and my children; they learned to shoot out there. It was never a problem. We enjoyed many a day going out there, packing a picnic lunch and making a day out of it. I taught my children how to shoot there and I certainly hope I'll be able to teach my grandchildren because they're just about ready at that age. Thank you for the time and I'm definitely against this resolution.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. Gina? To me it looks like F-R-O-B, Froblewski. Is there a Gina? Gina has left? Cary Zimbler.

MR. ZIMBLER:

Madam Chairman, Members and Counsel, thank you for the opportunity to be able to speak. My

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name is Cary Zimble and I'm a Forest Hills, Queens resident and I'm one of the those that we spoke about that drives literally 120 miles round trip at least twice a week to shoot at this range.

Now, I also spend with my friends that come with me, I can't tell how much money we spend in gas, food, you look at me, you know I spend money on food. And we come out there all the time.

Now, I'm also a member of the Long Island Board of Realtors. Now what I do, when I'm instructing people on -- or guiding them on how to purchase a property, like for a co-op or a condo I tell people, if noise is a factor, if you don't want to hear your upstairs neighbors walking, don't buy a unit in a prewar building. By the same token, you can't buy a property next to an airport and then complain about the noise. Now with that being said since there are a number of neighbors that are affected, I'm willing to offer my services free of charge as a realtor to sell your homes for you if you want out. I speak for myself and for my partner who couldn't be here for medical reasons. We are willing to offer our services with no commission to sell your homes if you want -- if you would like to move away from where the range is.

Now, as for, say, just from economical point of view, a golf course, a frisbee park, I've never seen anybody standing in ankle deep snow throwing around a frisbee and I've yet to see Tiger Woods tee off wearing snow boots, mittens and a snowcap. This range functions 12 months out of the year and makes money. I have been on that trap range in 35 degree freezing cold and in 98 degree blistering heat.

So, and if you want a golf course, well, technically sporting clays is referred to as golf with a shotgun so we have that. And what is a frisbee? A little disc that flies through the air, we have that too at the range.

So, you see, aside from everything else, I'm also a professional opera singer. You would never see me trying to pass any type of legislation to ban say, hip-hop or rap music. I don't like it. But millions of people do, so I just leave it alone. You know, I'm willing to bet that if this was a noise complaint about, say, a model airplane park where they fly those gas -- those gas operated model planes, I don't think we'd be having these hearings. It just comes down, people don't like guns, that's fine, but you know what, just like I don't like rap music, I leave it alone. If you don't like what we do, hey, that's fine for you, that's your right, but for heaven sakes, just leave it alone. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you, Mr. Zimble. Okay. I do not have any more cards from the public. Yes, certainly. Come on up, you have to fill out a card after this, but come on up. Oh, you did? What is your name?

MR. PAPPAS:

Pete Pappas.

CHAIRWOMAN NOWICK:

What is it? No card by that name.

MR. PAPPAS:

My card should have been right behind Mr. Collins. I was early on the list when I signed in this morning too.

CHAIRWOMAN NOWICK:

Go ahead.

MR. PAPPAS:

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My name's Pete Pappas, I'm from Amityville. I've been shooting at the range, God, I can't remember how long, forever. Several issues. People had mentioned shotgun shooting is an Olympic sport. It is the second largest sport behind gymnastics, I'm sorry, is also (inaudible) first medals awarded, so it's a very large sport worldwide.

As far as the noise complaints, after our last presentation by Ms. Browning, I was at the range the next day, I sat in front of the home directly across from the range for an hour talking to a client on a phone, the noise was not a bother at all. It would not register on my decibel meter. Today's meeting, I got a peak reading of 110 decibels in this room. I just came from Yaphank, again, the meter won't pick it up, sitting in front of -- in front of the range.

I live next to a nightclub. I get more noise in the parking lot from the Alcoholics Anonymous meeting in the church across the street than I do from the nightclub.

It's an all-relative thing, but as far as everyone complaining they can't live with this noise, it's not because of the noise, it's because there are personal issues with the noise. I don't know what else to add to that. Thank you.

*(*Applause*)*

CHAIRWOMAN NOWICK:

Thank you. I do not have any other cards. If I did -- if you filled out a card and somehow it did not get to me, you'll have to let me know. Otherwise, we are going to go onto the agenda. We have the Commissioner here. Do you have anything that you want to discuss with us?

COMMISSIONER DAWSON:

Besides this, Madam Chairwoman?

CHAIRWOMAN NOWICK:

Yes.

COMMISSIONER DAWSON:

Just a little bit of housekeeping stuff. I know Legislator D'Amaro asked at the last Committee meeting about the resolution, the naming rights. I'd like just to give you a quick update on that, Legislator, if that's okay.

LEG. D'AMARO:

Sure.

COMMISSIONER DAWSON:

Back in -- shortly after the resolution was passed there was an RFEI put out. Unfortunately, there were no responses to that RFEI. So I think the best course of action, is probably if I get a chance, sit down with you and your staff to maybe reissue it to see if there's more -- more input.

LEG. D'AMARO:

Well, the legislation didn't require an RFP or an RFPI -- what is it? A request for -- yeah.

COMMISSIONER DAWSON:

Expression of Interest.

LEG. D'AMARO:

Right. Correct, thank you. The resolution actually required just the opposite, in fact. It required the County Parks Department to do a marketing program and come up with the lists and present annually.

COMMISSIONER DAWSON:

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Okay. Well, that --

LEG. D'AMARO:

So the bill did not require anything going outside to an outside vendor at all. It contemplated all the work being done inhouse. And, in fact, if the target of the bill or the aim of the bill was to try and raise revenue in a struggling economy, I don't know why we would pay a vendor to do that in the first place.

COMMISSIONER DAWSON:

Okay.

LEG. D'AMARO:

I'm not sure when that RFP went out. Do you know exactly when that went out?

COMMISSIONER DAWSON:

Sure. It went out in March of 2009. And it was due back April 2nd of 2009. And it was done inhouse. It was done by the Department of Public Works.

LEG. D'AMARO:

The RFP was.

COMMISSIONER DAWSON:

Yes, RFEI.

LEG. D'AMARO:

But I don't believe the bill required that to be done, if I'm not mistaken.

COMMISSIONER DAWSON:

I thought the bill required us to come up with a list of sites and then advertise for them. That's the way I understood it.

LEG. D'AMARO:

Well, I think that -- that boils it down. *Create and maintain a listing of all facilities or areas within the County active or passive parkland suitable for corporate sponsorship or naming in exchange for monetary consideration.* So that was a listing. And then it gave some acceptable and appropriate ideas as to where that could happen. Then the Department was supposed to *update the listing from time to time but not less than annually and then annually present the listing to the members of the Parks and Recreation Committee and then design and implement the promotion program for sponsorship.*

So this was an entire promotion program that we were going out and trying to solicit corporate sponsorship and naming rights to help the County raise revenue. Nowhere in here does it talk about doing an RFP or getting an outside vendor to do this for the County.

COMMISSIONER DAWSON:

Okay.

MR. VAUGHN:

Legislator D'Amaro, and I was actually just taking a look at the RFEI that was issued, and I, you know, apologize for jumping in here, but sir, the RFEI that went out actually talked about people sponsoring private -- sponsoring parks. It was not to have a vendor come on board and set up the program. The program as you -- as you stated would be -- is supposed to be run inhouse. So it was not to bring somebody in, pay a consultant to set it up.

LEG. D'AMARO:

Right. So the RFEI was the actual solicitation?

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MR. VAUGHN:

Yes, sir, that's my understanding.

LEG. D'AMARO:

Okay. So -- okay. So when -- (Timer sounded) My time is up. (Laughter) So when we say that there was no response -- right?

COMMISSIONER DAWSON:

That's correct.

LEG. D'AMARO:

Okay. That's the first that I'm hearing that, I believe. I'm not sure that that was reported to the Committee here.

COMMISSIONER DAWSON:

Again, I apologize, I can't speak on behalf of --

LEG. D'AMARO:

Yeah, I don't remember either.

COMMISSIONER DAWSON:

Okay.

LEG. D'AMARO:

But it would seem to me, you know, I don't know how that RFEI was put out, who received it. It would seem to me that we should try again. I know I never signed off on saying, *okay, if we went out the first time and we weren't successful, that just puts an end to it.* I mean, if the economic crisis is continuing, why wouldn't we continue and make some effort, you know, to try and get some corporate sponsorship of suitable areas, I mean, I'm not talking about anywhere, but suitable areas. And certainly, it goes beyond just the solicitation. The requirements of this legislation said that the Parks Department is supposed to keep a listing of available areas or suitable areas for naming rights and corporate sponsorship. To me what that means is once you have a listing, the solicitation is an ongoing effort. Okay?

COMMISSIONER DAWSON:

Agreed.

LEG. D'AMARO:

And then, of course, you had the -- not less than annually reporting back to this Committee. So what I'd like to see happen is I'd like to see the bill implemented.

COMMISSIONER DAWSON:

I don't disagree with you at all.

LEG. D'AMARO:

Okay. All right. So what would you plan to do then to implement the bill?

COMMISSIONER DAWSON:

Again, now we have the list. We discussed possibly putting out another RFEI. I think targeting certain locations for certain events, we have campsites, maybe we can target Winnebago. We have beaches and we could target Speedo if we have -- again, campsites we can -- we can look at places like Models and Sports Authority.

LEG. D'AMARO:

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Right.

COMMISSIONER DAWSON:

And then send -- send these RFEIs directly -- I don't know how it was advertised in the past. I know there was a press release and I know that it was sent. I couldn't tell who it was sent to, but if we can target certain corporate organizations for the listing that we currently have, I think that that -- we might get better response.

LEG. D'AMARO:

Right, and that's great. And I know it would be subject also to review of the Parks Department. Of course, we're looking to do this tastefully and appropriately, but nonetheless, you know, we're all taxpayers here. And anything we can do to give any kind of relief to our budget, I think you would agree is helpful. So I'd appreciate if you'd redouble your efforts on this.

COMMISSIONER DAWSON:

I will. Thank you.

LEG. D'AMARO:

Okay, thank you. Thank you, Madam Chair.

D.P.O. HORSLEY:

Commissioner, you know what I'm going to ask you about.

COMMISSIONER DAWSON:

Yes, sir, I do.

D.P.O. HORSLEY:

Do you have anything to respond to?

COMMISSIONER DAWSON:

We do. We received one of the RFEIs back from, actually the Smith Point RFEI, back from the County Attorney's Office on Tuesday. We were able to knock that down from 20 -- from 40 some odd pages to 26 pages. The historic RFEI is almost a mirror image of that. We're making the same change to that so we should be ready in a couple of days.

D.P.O. HORSLEY:

A couple days. Okay. What we were talking about, the historic homes bill that has been languishing for the last year, and I've been insistent that we move and I've been told two weeks, and it's about that time, two weeks seems to have passed, and you're making progress.

COMMISSIONER DAWSON:

We have made progress, yes.

D.P.O. HORSLEY:

Okay. So you -- what is the new --

COMMISSIONER DAWSON:

We need to rewrite, incorporate -- incorporate the -- the changes in one of the RFEIs to the historic RFEI, send it back to the County Attorney's Office for their approval and then it should be ready to go out.

D.P.O. HORSLEY:

Thank you very much. You'll let me know when they go out?

COMMISSIONER DAWSON:

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I will do that.

D.P.O. HORSLEY:

You're a guy.

COMMISSIONER DAWSON:

We're looking forward to you having some input and who to actually send some --

D.P.O. HORSLEY:

Thank you very much. I appreciate that.

COMMISSIONER DAWSON:

You're welcome.

CHAIRWOMAN NOWICK:

Kara.

LEG. HAHN:

Hi. Commissioner, I was hoping just to ask you about the fence at McAllister County Park. I think that my office sent over a letter regarding that from the Mayor of Belle Terre.

COMMISSIONER DAWSON:

I received that letter yesterday. We're reviewing it.

LEG. HAHN:

Excellent, thank you.

COMMISSIONER DAWSON:

You're welcome.

CHAIRWOMAN NOWICK:

Anything else, Commissioner?

COMMISSIONER DAWSON:

No, just a quick update on Parks. We're ready for Memorial Day. The beaches should open on time. I'm happy to report that out at Smith's Point the issue with the -- the damaged sidewalk and the walkways going onto the beach, the platforms, are in the process of being repaired. They should be done relatively shortly. And the golf course is open without -- without incident. They're moving right along.

CHAIRWOMAN NOWICK:

Doesn't that all sound good, Memorial Day, golf courses? Okay. We're going to go to Tabled Resolutions.

TABLED RESOLUTIONS

(IR) 2228, Authorizing Montauk Chapter of the Boy Scouts to enter into a License Agreement. (Schneiderman)

LEG. D'AMARO:

Motion to table.

CHAIRWOMAN NOWICK:

Motion to table by Legislator D'Amaro; second by myself. All in favor? Opposed? **2228 is tabled. (VOTE: 5-0-0-0)**

INTRODUCTORY RESOLUTIONS

Introductory Resolution 1259, Authorizing use of Southaven County Park for the Kara's Hope 5K Run/Walk. (Browning) I'll make a motion.

LEG. D'AMARO:

Second.

CHAIRWOMAN NOWICK:

Second by Legislator D'Amaro. All in favor? Opposed? **1259 is approved. (VOTE: 5-0-0-0)**
I assume the fees are there; right, Counsel? Okay.

Introductory Resolution 1310, Authorizing a Concession Agreement at the Vanderbilt Museum. (Pres. Off.) Oh, that's already done.

Introductory Resolution 1311, Designating a "Safe Boating Week" in Suffolk County. (Stern)

LEG. STERN:

Motion to approve.

CHAIRWOMAN NOWICK:

Motion to approve by Legislator Stern, second by myself. All in favor? Opposed? **1311 is approved. (VOTE: 5-0-0-0)**

(IR) 1313, Terminating Trap and Skeet Shooting Range License. (Browning) Do I have a motion?

LEG. D'AMARO:

Motion to table.

CHAIRWOMAN NOWICK:

I'll second that. We have a motion to table by Legislator D'Amaro; second by myself. All in favor? Opposed? 1313 is tabled.

LEG. BROWNING:

On the motion, on the motion.

CHAIRWOMAN NOWICK:

On the motion, Legislator Browning.

LEG. BROWNING:

Yeah, I mean, I'd like you to consider a Discharge Without Recommendation because obviously it's going to be continually tabled here and it's going to be a constant debate at every Parks Committee meeting. And I'd like it to move forward one way or the other or -- vote it up or down today. Because, you know, I have to tell you, this is another promises made promises not kept. The County Executive met with the residents of Yaphank last year, understood their concerns, before he got elected went and met with them, talked about the -- the issue and their quality of life and how they shouldn't have to live like this.

And being that nothing has been done in almost a year-and-a-half I felt compelled that I have to continue to try to do what I have to do. When you hear about the shooting range never having been a problem, it dates back to the '60s. I actually have a letter from a Mrs. Caldwell who told me back in the '60s when the range was first opened, it was a few individuals from Nassau County came out and used the range. And because of the noise, they received abatements because of the noise

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issue.

And, again, now we're looking at the -- the shooting range was closed from 2001 to 2006. And when I say it's about location -- and I think it gets really annoying to listen to the whole issue with taking away people's second amendment right, because -- this is not taking anybody's rights away to own a gun. This is about a bad location. Maybe at one time it was a good location; however, things have changed. There was a five, six-year period where this range was closed. Homes were built. They were guaranteed by the County Executive back then that this range would never reopen. Maybe they were lied to. The noise ordinance is not a new law that just was passed a couple of years ago. This noise ordinance has been in existence for a quite a few years; for many years. So the noise violation, like I said, dates back even to the '90s.

I would like -- I know that there was some discussion from the County Executive -- and, Dennis, I don't know if you were around at that time. The former County Executive considered applying for a hardship through the Pine Barrens Commission to create a sound wall. And I'd like to know whatever happened with that. Do you have any information on that?

MR. BROWN:

I don't but we could look into that for you.

LEG. BROWNING:

Okay. Because it's my belief that the Pine Barrens Commission, what I understand and I'd like to get more information, my understanding that the Pine Barrens Commission did tell the County Executive a hardship application needed to be filed, but it's my understanding that hardship application was never filed. And the reason for that hardship application is because putting in a sound wall would be considered development, which again going back to any development that occurred in the Trap and Skeet Range when it was reopened, after one year, it's supposed to go through the Pine Barrens Commission.

So moving forward we're hearing very often, you know, this -- like I said, it's not about people's right to use a gun. Like I said before -- and they talk about Boy Scouts. I'm a committee person in Boy Scouts. My son does not go to Yaphank Trap and Skeet Range because there's a -- there is a Scout law and a Scout motto, and one of the words is courtesy. And I tell my son it is not courteous to go to the Trap and Skeet Range and do what you're doing because it's offensive to the rest of the neighbors. He shoots at Baiting Hollow when he goes to Baiting Hollow; so there are other ranges. He can go to Ridge. That's another shooting range. So to say that there is absolutely no ranges to go to, there's plenty of shooting ranges here in Suffolk County.

I'm asking you to take a look at this information that you've been provided. It dates back to 2003. The County Attorney, Paul Sabatino, made it very clear that no matter what happened, this range would have to comply with the local ordinance of the Town of Brookhaven. We are lawmakers. We are required to obey the law also. We don't just make laws. We're required to obey them. And if we are going to continue to make laws, we should maybe rethink that. Because to allow this range to open every day and allow it to operate the way it's operating every day, we, Suffolk County lawmakers, are in violation of the Brookhaven law. And I think that, we should think -- you should again reconsider ever trying to make another law and ask anybody to obey our laws when we can't do the same.

You've got the information on the noise ordinance. When it comes to -- we actually -- I gave you information also on the revenue. Take a look at the revenue that we get. The revenue we receive is nothing in comparison to what the vendor makes. We're basically just paying our debt service. That's all the revenue is that we get. So to say that we're making a lot of money on this shooting range, absolutely not.

Let's go onto about the revenue that we lose. Because of the shooting range over the -- 2001 -- and the residents were paying taxes. And when the shooting range reopened, the

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Town Assessor reassessed their homes. And based on the location of their home, they were given tax abatements because of the nuisance. So every day and every year we lose money; not only does Suffolk County lose revenue because their taxes have been reduced, the School District has lost taxes, the Town of Brookhaven has lost taxes and -- revenue, I should say. And I think that when you count that up in comparison to what we receive, and just paying our debt service, we're at the negative.

Now, the Town of Brookhaven has taken Mr. Wroobel to court on the noise violation and Suffolk County has joined in on this. There was one ticket and the judge ordered that we were in violation and Mr. Wroobel is in violation of the noise ordinance. He has chosen to appeal it. And for every single noise ordinance that has been issued and every violation, there is a fee. I believe it starts at \$50 and it can go up to 250. So I think there's quite a few hundred citations -- have already been issued. And when we lose in court, we are also going to have to pay that fee. So there's another cost to Suffolk County. We're talking about what we can't afford and we have no money, we're going to be continuing to pay more money out on this range and receiving no real revenue.

Again, we're talking about closing nursing homes, health centers. There's a number of things that we're doing to save money. And do we really need to spend money on a shooting range? And I respect the fact that there are Suffolk County residents who want to go shoot, but we have people here from Queens, from Nassau County and Suffolk County taxpayers are paying for this facility. There is no nonresidential fee. And that's another issue. All of our Suffolk County Parks have a nonresident fee -- for everything we do, our campsites, to go use our beaches, except the Trap and Skeet Range. So that's another issue.

So I'm asking you to go one way or the other with this. Let's not belabor it and drag it out. Go one way or the other.

CHAIRWOMAN NOWICK:

Thank you Legislator. Legislator D'Amaro.

LEG. D'AMARO:

Well, first of all based on the sponsor's comments I think then we should withdraw the motion to table, whoever had made that.

CHAIRWOMAN NOWICK:

Did I?

LEG. D'AMARO:

Did I do that?

CHAIRWOMAN NOWICK:

I don't know. It was so long ago. Okay.

LEG. D'AMARO:

Who made the motion to table?

MR. LAUBE:

You did.

LEG. D'AMARO:

I did. Okay. All right, then, Madam Chair I will withdraw my motion to table and substitute in its place a motion to approve.

CHAIRWOMAN NOWICK:

Okay. We have a motion to approve. Is there a second? Okay. I'll second that motion.

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LEG. D'AMARO:

And just on the motion, very briefly, it's my understanding that the very subject of whether or not the Town's noise ordinance is reasonable and whether or not the Town's ordinance -- noise ordinance even applies is exactly the subject of the litigation going on at this time. So the issue is being addressed in the courts. And I've heard all the testimony here today and I don't need to get into what I agree with and what I don't agree with, but I've heard it all. But just on the basis of the fact that this is in litigation at this time and I don't think we should be considering this issue until the court has had an opportunity to rule whether or not this operative provision even applies to this situation, I think that would give us a much clearer debate on the issue and easier to understand. So on that basis alone, I am not going to support this bill at this time.

CHAIRWOMAN NOWICK:

We have a motion and a second. All in favor? Opposed? Opposed.

LEG. D'AMARO:

Opposed.

LEG. HAHN:

Opposed.

LEG. STERN:

Opposed.

D.P.O. HORSLEY:

Opposed.

CHAIRWOMAN NOWICK:

Motion fails. **1313 has failed.**

*(*Applause*)*

IR 1315, Establishing a "Discover Suffolk County Parks Day" on June 27, 2013.
(Schneiderman) All in favor? Oh, no, that's the one -- Tom.

If you could just exit the auditorium just quietly because we have some other things on the calendar. Tom Vaughn, you wanted to address the Committee?

MR. VAUGHN:

Thank you very much, ma'am, I do appreciate the invitation. We would ask the Committee to please consider discharging this resolution without recommendation. We think that Legislator Schneiderman has a very interesting idea. And basically at the heart of his bill is this idea that we would offer a reduced fee for non-lifeguarded and lifeguarded parks for one day on June 27th. We have to work out a number of issues with the sponsor, but we also think that if this program were to be successful, we would want to be able to promote it for as long as possible. And since we don't have another meeting until June we would like to -- the Committee to please consider discharging it without recommendation and allowing us the opportunity to work with the sponsor to possibly provide him with the Certificate of Necessity on Tuesday.

CHAIRWOMAN NOWICK:

I'll make a motion to Discharge Without Recommendation. Do I have a second? Second by Legislator Hahn.

LEG. D'AMARO:

On the motion.

CHAIRWOMAN NOWICK:

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On the motion, Legislator D'Amaro.

LEG. D'AMARO:

Mr. Vaughn, I think it's pretty basic with these types of bills that we get before us from time to time and, Commissioner, I guess you would agree, too, that it's really just an analysis that is, you know, abating the fee for a limited period, bring in more revenue than we're giving up kind-of-thing. So that's the kind of answer that at least I'll be looking for on Tuesday. And I guess that's where you're going with this.

MR. VAUGHN:

Yes, sir, it is. And then the other issue as well is that Legislator Schneiderman believes that he may have found an offset to cover any possible --

LEG. D'AMARO:

Well, that's a little different. You know, that's a little different analysis. I mean, then if there's a cost to this bill, which obviously there is a cost to it, and the purpose is promotion, if we're not going to enhance the revenue, then what's the point of doing the promotion? So whether there's an offset or not -- I'm willing to do it without an offset to tell you the truth. If you tell me we're giving up \$10 to make 50, that's makes sense to me, so.

MR. VAUGHN:

Legislator Schneiderman, and I think that the Administration agrees, that there's certainly a possibility that that can happen. The only point of putting in a possible offset would be is if it didn't happen -- a safety net for lack of a better term.

LEG. D'AMARO:

Okay. Thank you.

CHAIRWOMAN NOWICK:

We have a motion to Discharge Without Recommendation. Was there a second? Second by Legislator Hahn. All in favor? Opposed? **1315 is Discharged Without Recommendation. (VOTE: 5-0-0-0)**

IR 1320, Authorizing use of Cedar Beach County Park by Event Power for its Mighty North Fork Triathlon Fundraiser. (Co. Exec.) I'll make a motion, second by Legislator D'Amaro. All in favor? Opposed? **1320 is approved. (VOTE: 5-0-0-0)**

(IR) 1321, Authorizing use of Blydenburgh County Park and showmobile by the Cystic Fibrosis Foundation for its Great Strides Walkathon. (Co. Exec.) I'm sure the fees are all there. Same motion, same second. All in favor? Opposed? **1321 is approved. (VOTE: 5-0-0-0)**

(IR) 1322, Authorizing use of Cathedral Pines County Park by the League for Animal Protection of Huntington for its "Ride Laps For L.A.P." Fundraiser. (Co. Exec) Same motion, same second. All in favor? Opposed? **1322 is approved. (VOTE: 5-0-0-0)**

(IR) 1323, Authorizing use of Blydenburgh County Park by the Care Center for its Annual Walkathon Fundraiser. (Co. Exec) Same motion, same second. All in favor? Opposed? **1323 is approved. (VOTE: 5-0-0-0)**

(IR) 1336, Authorizing use of Meschutt County Park by the Suffolk Bicycle Riders Association for its Bicycle Rally Fundraiser. (Co. Exec.) Same motion, same second. All in favor? Opposed? **1336 is approved. (VOTE: 5-0-0-0).**

And that is -- oh, yes. Okay, Legislator Cilmi.

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LEG. CILMI:

Yes, thanks, Madam Chair. Very, very quickly, I just recall at the last meeting hearing something with regard to the Parks Commission, the Parks Board of Trustees and some concern that Islip was among those that wasn't represented on that board. I just wanted to let the Commissioner know that I reached out to Islip and they assured me they would take care of it. And you have my word that I'll stay on top of it until it's done.

COMMISSIONER DAWSON:

Thank you, Legislator.

LEG. CILMI:

You're welcome.

CHAIRWOMAN NOWICK:

Thank you, Legislator. That would end this marathon meeting of the Parks and Recreation Committee.

**THE MEETING CONCLUDED AT 2:46 PM
{ } DENOTES SPELLED PHONETICALLY**