

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE**

Minutes

A regular meeting of the Economic Development & Energy Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Thursday, **October 18, 2001**.

MEMBERS PRESENT:

Legislator Jon Cooper - Chairman
Legislator Andrew Crecca - Vice-Chairman
Legislator Ginny Fields

MEMBERS NOT PRESENT:

Legislator Martin Haley

ALSO IN ATTENDANCE:

Paul Sabatino II - Counsel to the Legislature
Gerard McCreight - Aide to Legislator Cooper
Linda Bay - Aide to Presiding Officer Tonna
Todd Johnson - County Executive's Office
Frank Tassone - Aide to Legislator Crecca
Nanette Essel - Aide to Legislator Fisher
Michael Hollander
Mike Towers
Linda Bianculli
Jeffrey Tempers
Alice Amrhein
All other interested parties

MINUTES TAKEN BY:

Donna Barrett - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 2:55 P.M.*)

CHAIRMAN COOPER:

I'd like to welcome everyone to the October 18th meeting of the Economic Development and Energy Committee. Legislator Fields, if you'll lead us in the Pledge, please.

SALUTATION

CHAIRMAN COOPER:

Thank you. Before we get to the Tabled Resolutions, I see we have one speaker. Mike Towers from the Suffolk County Electrical Contractors Association. Mr. Towers, if you can come up please. Welcome.

MR. TOWERS:

How are you, Mr. Cooper? We spoke on the phone.

CHAIRMAN COOPER:

Yes. Very good, thanks.

MR. TOWERS:

As a representative of the Electrical Contracting community and the President of the Suffolk County Electrical Contractors Association, I

appreciate the opportunity to present my views on this proposed legislation on exterior lighting, which is Number 1790. We must consider that exterior lighting serves a greater purpose than merely illuminating a dark space. Lighting is used for safety, security beautification and marketing. To ignore any of these features does an injustice to our citizens. We talk about efficiency. Today, already, the major of exterior lighting installed for safety and security for commercial and governmental properties are high pressure sodium and metal {halled}-type lighting fixtures. These lamps are recognized as some of the most energy efficient available today.

And in terms of legislation, if we are concerned with efficiency, do we have the right to limit businesses regarding hours of operation or how they influence their customers? This should be a business owners decision based on their perceived need. And we are not positively affecting the overall electrical power availability concerns by limiting nighttime lighting usage. As you well know in this committee, the peak usage periods are daytime hours between noon and 6:00 p.m. In residences, many people are using energy saving incandescent and fluorescent light bulbs for their outdoor lighting. And many use energy saving halogen flood lamps for their exterior flood lights. The fact is that many people and businesses are concerned about saving energy and they have already taken steps to do so.

In addition to that in my experience in lighting installations, most people are concerned about light intrusion on adjacent properties to their neighbors. Economic impact is certainly a concern we must all address. Will this legislation be financially burdensome to residences, businesses and government? Will we advertently cause more lighting equipment to be installed because of mounting height and fixture angle requirements? I believe the answer to this question is yes. Please understand that it seems this that proposal will deem unlawful the use of, for instance, fixtures like a 400 watt hung metal {halled} or high pressure sodium flood lights. These fixtures are probably the most common lights used in Suffolk County. They are desirable to use because a flood light can throw light over a long distance, thus eliminating the need to use more light fixtures. If more fixtures are installed, this will increase energy usage.

Some other concerns about this bill are limitations on landscape lighting, lighting statues, church steeples, flags and signs. On enforcement, can this legislation be realistically be enforced on a County level? Will Consumer Affairs need to hire workers at night to enforce this law? What will it cost our taxpayers to enforce this law? Doesn't a \$1000 per day fine for residences and a \$10,000 per day fine for businesses seem excessive for noncompliance to the bill's requirements? We have many different types of communities in Suffolk County. A County-wide lighting policy maybe undesirable. Consideration of this type of legislation may be best handled on a town or village level. That's it. Thank you.

CHAIRMAN COOPER:

Mike, thank you very much, I appreciate your input. And, Mike, I know that you've been in touch with my office, I believe we had faxed you a copy of the resolution. If you have a couple of your business cards with you, can you leave with my aide, Gerard?

MR. TOWERS:

Absolutely.

CHAIRMAN COOPER:

There being no additional speakers, we can move on to the Tabled Resolutions.

TABLED RESOLUTIONS

IR 1531-01 To establish Eco-Tourism Task Force to evaluate the potential of an Ecologically-Based Tourism Industry on Long Island. (TONNA)

CHAIRMAN COOPER:

First, we have IR 1531.

LEG. CRECCA:

I'll make a motion to approve.

CHAIRMAN COOPER:

Linda, did the P.O. want to move this?

MS. BAY:

Yes.

LEG. CRECCA:

I make a motion to approve.

CHAIRMAN COOPER:

I second that motion. All in favor? Opposed?

LEG. CRECCA:

On the motion. On the motion.

CHAIRMAN COOPER:

Yes, sorry.

LEG. CRECCA:

I just wanted to find out where the funding was coming from for it, if you know or is it not -- does it not involve funding? I had the bill last time we were here. It's not in my packet. Oh, here it is.

MR. SABATINO:

If provides \$2000 from the Long Island Convention and Visitors Bureau in the 7th Resolve Clause.

LEG. CRECCA:

Do we -- can we do that, Paul, as far as have it come from their budget?

MR. SABATINO:

Well, it's County money, but what this says is that it's not automatic use of money. I mean, the request would have to be made for the funding and then if there was a request for the funding up to an amount of \$2,000 could be utilized, but subject to Legislative approval.

LEG. CRECCA:

If I can ask Mr. Hollander. You look like you had something to say. I just -- you know, I just -- I mean -- this is -- we discussed this bill on its merits. I very much want to support it and move it out today. I just wanted to --

MR. HOLLANDER:

The 2000 is not a question. We have the 2000 to put towards that. I don't see that as a problem whatsoever. Just wanted to remind you what I said last time was, is that in the 8th Resolve, we can do part of that stuff, but depending how deep it is, you know, our pockets are only so deep. I just --

LEG. CRECCA:

You'll come back to us if it's a problem though, correct?

MR. HOLLANDER:

Yeah, that's not a problem. I mean, you know, if it's a matter of bringing one of people along -- first of all, it says if Economic Development can't do it. So I'm only worried about what happens if, you know, Alice doesn't have the ability in the department to do it. But not a problem to bring a secretary along and take minutes. But, you know, they talk about public meetings, you know, I don't have that ability to do transcript service, you know, and I don't know how much -- you know, if you have to send out notices, you know, I don't have that kind of money, especially with what's going on. But the basic stuff to make this happen --

LEG. CRECCA:

Okay.

MR. HOLLANDER:

-- if it's not going to get --

LEG. CRECCA:

I think if you have a problem, I think that you'll be able to reach out to either the Chairman of this committee or the Presiding Officer and have the -- we'll address it directly.

MR. HOLLANDER:

We think it's a great bill, and we're totally supportive of it.

LEG. CRECCA:

That was the only question I had. Thank you, Counsel. Thank you, Mr. Hollander.

CHAIRMAN COOPER:

We have a motion and a second. All those in favor? Opposed? IR 1531 is APPROVED (VOTE: 3-0-0-1) (Leg. Haley, not present)

IR 1602-01 Directing County Department of Public Works to prepare co-generation RFP for County facilities in Yaphank. (CARACCIOLO)

CHAIRMAN COOPER:

I make a motion to table.

LEG. CRECCA:

Second.

CHAIRMAN COOPER:

All those in favor? Opposed? 1602 is TABLED (VOTE: 3-0-0-1) (Leg. Haley, not present)

IR 1790-01 Local Law to establish Lamp Light Conservation Policy to conserve energy. (COOPER)

CHAIRMAN COOPER:

I make a motion to table that.

LEG. FIELDS:

Second.

LEG. CRECCA:

Second.

CHAIRMAN COOPER:

All those in favor? Opposed? IR 1790 is TABLED (VOTE:3-0-0-1) (Leg. Haley, not present)

IR 1883-01 A Local Law adopting an Amended Targeted Business Investment Real Property Tax Exemption Plan. (COUNTY EXEC.)

CHAIRMAN COOPER:

I make a motion to approve.

LEG. CRECCA:

I'm sorry. My agenda doesn't -- what bill is this?

CHAIRMAN COOPER:

1883.

LEG. FIELDS:

Can I ask Counsel to give us a brief explanation of the bill.

MR. SABATINO:

This is an amendment to a Local Law that was adopted in 1995 to implement State legislation, which allows for tax abatements through this Industrial and Commercial Incentive Board. The purpose of this amendment is to take a recommendation that was made by that Board that the Legislature created through legislation and expand the incentives to pick up just three -- three geographic regions; one is a portion of Brookhaven, which runs from Montauk Highway to the Village of Patchogue and then east to County Road 101 and then the Village of Patchogue has a business -- a business district that was recently created. This would pick up that portion. And the third one is in the Town of Southampton along Flanders Riverside. So basically, these three geographic regions would be added to that legislation to be eligible for these tax abatements.

LEG. CRECCA:

I'll second the motion to approve by the Chairman.

CHAIRMAN COOPER:

All those in favor? Opposed? Resolution is APPROVED. (VOTE:3-0-0-1) (Leg. Haley, not present)

IR 1887-01 Directing the Suffolk County Energy Advisory Committee to develop an Energy Master Plan. (FISHER)

LEG. CRECCA:

I'd ask for an explanation from Counsel or this. I haven't had an opportunity to look at this bill.

MR. SABATINO:

This bill -- we had lengthy debate at the last committee meeting and arising out of that committee were some amendments. The amendments

were filed September 20th. I guess the most important one of the amendments was to delete reference to the Nassau County energy report and to allow consideration of information from organizations of individuals beyond the three that were enumerated in the original legislation. But the essence of the bill was to take advantage of an organization that was created by Local Law about a year ago, which is the Suffolk County Energy Advisory Committee and have them develop the master energy plan that this committee's been talking about -- actually, it's more of an energy policy statement. That was the other change that we made, to call it a policy statement as opposed to a plan. And, you know, it defines or directs what should be evaluated and considered in the context of preparing that plan.

LEG. CRECCA:

I'm going to ask the Chairman just to pass over this and come back to it, if that's --

CHAIRMAN COOPER:

Sure. No problem. We'll move on.

INTRODUCTORY RESOLUTIONS

IR 1918-01 Amending the 2001 Operating Budget and transferring funds to the Downtown Revitalization Program. (COOPER)

CHAIRMAN COOPER:

I make a motion to approve

LEG. CRECCA:

Second.

CHAIRMAN COOPER:

All those in favor? Opposed? IR 1918 is APPROVED (VOTE: 3-0-0-1)
(Leg. Haley, not present)

IR 1928-01 Authorizing contract with the Long Island Convention and Visitors Bureau to provide administration of the North Shore Heritage Trail ISTEPA Grant on behalf of Suffolk County. (COUNTY EXEC.)

CHAIRMAN COOPER:

I make a motion to approve.

LEG. FIELDS:

Second.

CHAIRMAN COOPER:

All those in favor? Opposed? IR 1928 is APPROVED (VOTE: 3-0-0-1)
(Leg. Haley, not present)

CHAIRMAN COOPER:

And now we are back to IR 1887.

LEG. CRECCA:

You don't have to talk that slow. I'll just make you wait. That's all.

CHAIRMAN COOPER:

So how about those Yankees.

LEG. FIELDS:

I'm going to make a motion to approve.

CHAIRMAN COOPER:

I second the motion.

LEG. CRECCA:

I guess my question is -- that's fine. On the motion. My question is last time we were here, the concern was -- and I know, Paul, you were just explaining it too so I apologize if I didn't pick up on some of the things you were saying -- but our concern was that did not have the resources or the expertise to be able to do what the original bill called for.

MR. SABATINO:

Well, actually, no. What happened was that Legislator Haley had asked that question of, I think, it was Economic Development, which, I think, has representation on the Board and indicated that they felt there was a capability. I think that was the question from Legislator Haley. I think that -- it wasn't so much the resources, it that -- there was concerns about nuances like -- instead of calling it a master energy plan, we're calling it a master energy policy statement of Suffolk County. There was another concern about Nassau County, which Legislator Haley had raised. So we deleted that. Then there was an another concern that Legislator Haley raised, which was that it seemed like they were limiting the input to only three organizations. So language was inserted at the end, which, you know, made it clear that it wouldn't be just limited to the specific organizations. There is a deadline of December 31st of 2002. And Legislator Haley is a co-sponsor now.

LEG. CRECCA:

I'll support it out of committee. I'll take a closer look at it between now and the meeting. Just so the record clear, I'm not necessarily giving my commitment to vote for it on the floor, but I think we should get it out of committee before the full Legislature. It does look like -- you know what it is too? On the agenda it appears -- it's still appearing as an energy master plan, but I see that the title and the substance of the bill has been changed, you know, tremendously. So.

CHAIRMAN COOPER:

Sixteen lashes for Gerard later.

MS. ESSEL:

Chairman Cooper, just so that you know, we also added backup to this bill, so hopefully you have it, which is the Chairperson of the Committee is here. Legislator Fisher went to the committee, and it was very good because we went through what would happen and the decision was made that it already fit the agenda of that committee.

LEG. CRECCA:

Right.

MS. ESSEL:

So I think that's significant. And I think the committee felt very comfortable with it and with the changes. So that was important, and we appreciated all the input that the committee had, because we also made changes, you know, to go along with that. So hopefully it will fit the bill.

LEG. CRECCA:

That's what I was really concerned about, that it will fit the bill, but that's reassuring. So I'm happy to vote in favor of this bill.

MS. ESSEL:

Excellent. Thank you.

CHAIRMAN COOPER:

Thank you. We have a motion and a second. All those in favor?

Opposed? IR 1887 is APPROVED (VOTE: 3-0-0-1) (Leg. Haley, not present)
And that will do it.

LEG. CRECCA:

Motion to adjourn.

CHAIRMAN COOPER:

Second the motion. Everyone have a very nice afternoon. Thanks for coming.

(*THE MEETING WAS ADJOURNED AT 3:05 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY