

**ECONOMIC DEVELOPMENT, HIGHER EDUCATION  
and  
ENERGY COMMITTEE  
of the  
SUFFOLK COUNTY LEGISLATURE**

-  
**Minutes**

A regular meeting of the Economic Development, Higher Education & 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 Wednesday, **June 2, 2004**.

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**MEMBERS PRESENT:**

Legislator Lynne Nowick • Chairperson  
Legislator Angie Carpenter • Vice•Chair  
Legislator Peter O'Leary  
Legislator Brian Foley  
Legislator Jon Cooper  
Legislator Jay Schneiderman  
Legislator Viloría•Fisher

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**ALSO IN ATTENDANCE:**

Mea Knapp • Counsel to the Legislature  
Joe Schroeder • Budget Review Office  
Joe Muncey • Budget Review Office  
Ilona Julius • Deputy Clerk of the Legislature  
Roger Podd • County Executive's Office  
Ben Zwirn • County Executive's Office  
Carolyn Fahey • Economic Development  
Anthony Ceglio • Gabreski Airport Manager  
Scott Shuller • Festo Corporation  
Fred Breithut • President SBPLI  
All other interested parties

MINUTES TAKEN BY:

Donna Catalano • Court Stenographer

**(\*The meeting was called to order at 9:45 A.M.\*)**

**CHAIRPERSON NOWICK:**

Good morning. Welcome to the committee meeting of Economic Development, Higher Education and Energy. I apologize for the delay, we were in the middle of a meeting. I would like to start with the Pledge of Allegiance led by Legislator Carpenter.

### **Salutation**

**CHAIRPERSON NOWICK:**

Yeah, okay. We're going to start •• can the Legislators come to the horseshoe, because we're going to do the agenda first. Okay. We have •• we have the first resolution on the agenda IR 1520.

### **PUBLIC HEARING**

**IR 1520. Adopting Local Law No •• 2004, a Local Law to amend the voting policy of the Airport Lease Screening Committee. (CARACCIOLO)**

**CHAIRPERSON NOWICK:**

Is there a hearing on that one?

**LEG. SCHNEIDERMAN:**

Yes. You want me to explain it at all?

**LEG. FOLEY:**

No. We have to table it.

**CHAIRPERSON NOWICK:**

We have to table it for a public hearing. Motion to table by Legislator Foley, second by

Legislator Carpenter. All in favor?

**LEG. SCHNEIDERMAN:**

We have a public hearing.

**CHAIRPERSON NOWICK:**

Oh, this is the public hearing.

**LEG. SCHNEIDERMAN:**

Yeah. Can I ••

**LEG. CARPENTER:**

Do we have any cards?

**CHAIRPERSON NOWICK:**

The Clerk, this was published?

**MS. JULIUS:**

Yes, Madam Chair, the affidavits were duly filed and they're in proper order.

**CHAIRPERSON NOWICK:**

Do I have any cards to speak on the public hearing? Okay, I do not ••

**MR. HOGAN:**

Yes.

**LEG. FOLEY:**

Madam Chair.

**MS. FAHEY:**

Good morning. This Local Law changes the level of approval from a unanimous vote of the full committee of the Airport Lease Screening Committee to three•quarters vote. I just want to advise the committee that in •• at the last Airport Lease Screening Committee, it was discussed that the unanimous vote that's required in the Charter is a little bit cumbersome on the

committee, because if one member is not there, nothing can be voted on on a unanimous basis. If a lease is approved on a unanimous basis, it doesn't require additional legislative review and approval. If it's not voted on a unanimous basis, if there's one no vote, one abstention or one no show, the committee has had a tendency to table those leases so that at the next meeting we can vote on them on a unanimous basis and move them along. At the last meeting, the Lease Screening Committee discussed the need to maybe modify the Charter through its Chair, Legislator Schneiderman, to allow for a little more flexibility on the committee's part. My concern is the difference between what the committee had discussed and what the Legislature's bill does. The committee had discussed a change that would allow for a super majority to be present, but a unanimous vote by all of those present. It's not what the Legislature has recommended. A super majority of the members being six, that a unanimous vote of any •• of all those present would be required to approve a lease.

The intent of having the unanimous vote is so that the Legislators' representatives have the opportunity to send a lease in front of the full Legislature if they want to. If a Legislator's representative feels that the lease needs to be reviewed by the Legislature as a whole, a no vote or an abstention would then forward it that way. That's still fine, you know, with the committee and with the department, we would just like to still see the unanimous vote stay in place, not three•quarters.

**LEG. SCHNEIDERMAN:**

May I address this?

**CHAIRPERSON NOWICK:**

Yes. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

Thank you, Carolyn. The Legislature created the Lease Screening Committee to kind of expedite the process over at Gabreski Airport in assigning leases. We delegated the authority. It still required two sign•offs. Once the committee approved it, it would then go to the Presiding Officer and the County Executive, and with their signatures, then at least could move forward. What was found in the past because of the unanimous requirement of the entire body, one person would be out and it would hold it up for another four months if somebody else was out. So basically instead of expediting it, it actually slowed down the process. We did discuss it

at the last meeting. We all agreed to bring it to the Legislature, a change so that we wouldn't need all eight people, and that we felt rather than a simple majority, a super majority would be better. Though the committee •• some of the members of the committee did want to preserve the right of each individual to stop a lease, to •• so that it would have to be unanimous. I did a lot of thinking about this and discussions with Counsel, etcetera, and felt that it would serve the Legislature, and I thought the County better, to not make it a unanimous vote, to not empower each individual with the ability to holdup a lease should they want to. Kind of from a •• you might sat an anti corruption perspective, to say, okay, it out to be a super majority is fine, but no individual ought to have the single power to stop a lease so that they •• you know, people might come and lobby that person in a particular way to try to •• you know, they can't freeze the work of the committee. So it still requires a super majority. And I thought that was a better way to handle it. Even with the unanimous super majority, it would be better than it currently is. I thing this system is the best where you have a regular super majority. So if seven people were there and six vote yes and one votes no, it still moves forward.

**LEG. FOLEY:**

Madam Chair?

**CHAIRPERSON NOWICK:**

Yes. Legislator Foley.

**LEG. FOLEY:**

Thank you. Ms. Fahey, if you could just amplify on the answer as to why you believe it's important that there be unanimity in decision making regarding the lease. You've heard the reasons outlined by the sponsor of the bill that it still would require a super majority and that he believes that would still be enough of a safeguard to allow for oversight, at the same time, prevent any member from in essence holding the veto over the resolution. What would •• under the scenario that you have advocated, the continuation of a unanimous vote, if there is not a unanimous vote, what alternatives are their for the applicant to make his or her case?

**MS. FAHEY:**

A non•unanimous vote would be handled underneath •• the super majority unanimous vote as it is handled now, it goes to the full Legislature for consideration. When the Charter was changed about five or six years ago, it changed the composition of the Lease Screening Committee from mostly departmental representatives to four representatives from the

Legislature and three departmental representatives and then a member at large appointed by the Presiding Officer and gave the Legislature five spots on the committee. The intent was to put large representation from the Legislature on the committee to represent the Legislature as a whole. I just don't want that diminished, and I don't want to be •• I don't want one person holding up the vote either, but what would happen is it would just come to the full Legislature for consideration. As the Chair of the Health Committee or the Chair of the Environment Committee, if you have an issue with one of the leases, right now your prerogative is to abstain or turn it down and bring it to the full Legislature. That's the current scenario.

**LEG. FOLEY:**

So that would continue under what you are advocating?

**MS. FAHEY:**

Correct.

**LEG. FOLEY:**

If there was •• if you had a majority present, but not everyone was present, but the majority was present ••

**MS. FAHEY:**

Super majority is six.

**LEG. FOLEY:**

Super majority is present, but one still objected or abstained, then that would then automatically route the application to us?

**MS. FAHEY:**

Correct. As it is now.

**LEG. FOLEY:**

As it is now.

**MS. FAHEY:**

Right. What we have tried to do in the past though was to table it and maybe answer the

questions that that individual had so that we didn't have to come here. We would try everything not to come here to move things along, but if there's one representative that has an issue, that was the intent.

**LEG. FOLEY:**

Have there been •• have there been delays of months upon months with application? And if there have been, is the other alternative to, let's say if it's tabled once or twice at the airport committee, then it would come to us as a full Ledge or come to our committee? Which committee ••

**MS. FAHEY:**

Not if it's been tabled. What we instituted last year was that some of the committee members insisted from the Chair that we start meeting on a regular basis. The committee never met on a regular basis. Last year, three or four insisted committee members that we set a schedule, that we meet at least four times a year, at least for times a year. That was again followed through this year when we actually voted on and approved, you know, committee rules and regulations to insist that we meet four times a year, kind of put some parameters in place with regards to proxy and designation vote. Usually an application is tabled for one or two reasons. Either one, it's incomplete and it needs further review or detail from the applicant or the department or that there is questions from a committee member. And we would table it for one cycle and try and answer those questions. Now that we're on regular routine meeting schedule, it would be my feelings that if •• something would not we tabled twice. That way it would have to put to a vote, and if the full committee doesn't vote on it unanimously or it's a super majority, then it would come to the full Legislature for review.

**LEG. FOLEY:**

Thank you.

**LEG. SCHNEIDERMAN:**

There is quite a bit of time though between meetings. So if something gets tabled, it's another three months away. Though it seems the committee is working well. Instead of tabling things, we seem to be passing them conditionally and letting Economic Development work it out.

**MS. FAHEY:**

We had a very productive April meeting. The April meeting was delayed so long, because it's difficult •• you have to understand, each year the representation on the committee is the Chair

of the Environment Committee, the Chair of the Health Committee, which changes every year. So we have to wait for those appointments to be made so that they can become aware of the committee so that we can then schedule the meeting. There is a representative of the Presiding Officer who is appointed every year and a representative of the public at large appointed by the Presiding Officer. If the Presiding Officer isn't elected until mid•end January, committees aren't appointed, we're talking I think this year by March we got our letters out for our first meeting. So that ties us up more than anything. By delaying us, we didn't have our first meeting this year until April, because of the •• just the way the rules of the Legislature work.

**LEG. SCHNEIDERMAN:**

Again, just for Legislator Foley's sake, there also is one other catch mechanism, which I mentioned before, but the Presiding Officer and the County Executive do have to sign off as well.

**MS. FAHEY:**

Well, the Charter does say they shall sign•off. I mean, the unanimous vote of the Legislature • of the committee is it will be a lease and they shall sign•off.

**LEG. FOLEY:**

Shall.

**CHAIRPERSON NOWICK:**

Legislator Viloría•Fisher.

**LEG. VILORIA • FISHER:**

Good morning, Carolyn.

**MS. FAHEY:**

Good morning.

**LEG. VILORIA • FISHER:**

I'm perplexed about something in the legislation itself. Now, if I'm hearing you correctly, Ms. Fahey, what you are saying is that not all members of the committee need to be present, you need to have a super majority present?

**MS. FAHEY:**

Currently a lease requires unanimous approval of the full committee. So all eight members have to be there, otherwise we either table it in hopes that everyone could be at the next meeting or it gets voted on with one abstention and then it has to come to the full Legislature. That's the current Charter.

**LEG. VILORIA • FISHER:**

If all members are not present, that can also trigger it coming back to the Legislature?

**MS. FAHEY:**

If it's voted on by the rest of the committee, yes. We tend not to do that because it requires a resolution from the department, then a submittal, then three •• a draft lease being made up.

**LEG. VILORIA • FISHER:**

Okay. So that is cumbersome considering that you only meet four times a year.

**MS. FAHEY:**

We do now have the authority to meet at the request of the Chair or, I think, it's three members of the committee in writing to the Chair. So we have the ability that if we have applications pending, immediately after a meeting, we have the ability to call a meeting.

**LEG. VILORIA • FISHER:**

Okay.

**MS. FAHEY:**

It's the first year we've actually had some rules and guidelines, so it's nice.

**LEG. VILORIA • FISHER:**

Okay. So if, for example, you did not have all members at the April meeting, which took so long to convene, if one person had not been in attendance, you would not have been able to move any ••

**MS. FAHEY:**

Correct.

**LEG. VILORIA • FISHER:**

•• any decisions out of that meeting.

**MS. FAHEY:**

We could have voted on them, but they would have then have to come to the full Legislature and go through the whole committee cycle and everything else.

**LEG. VILORIA • FISHER:**

Okay. Thank you.

**CHAIRPERSON NOWICK:**

Legislator Carpenter.

**LEG. CARPENTER:**

I was just talking to the sponsor of the resolution. I do remember that there was a time when all the leases from the airport came to the Legislature for approval. And I would just ask the sponsor of this resolution to look at revisiting that issue, that the Lease Screening Committee could be in place, make their recommendation as that first level of oversight, then I think the lease should come to the Legislature as they did in the past. It gives us more of an awareness of what is going on at that airport. The County owns the airport, we have responsibility for it as a Legislative body, and I think that sense of what's going on there is greatly diminished by not having those leases come here.

**LEG. SCHNEIDERMAN:**

I would have to respectfully disagree. Having experienced this Legislature for only a few months, I think that •• you know, the problem at Gabreski Airport is things haven't moved, and the County, I think, would benefit from some economic development at that •• at that facility and the revenues that it would bring to the County particularly at this time of fiscal crisis. And you have a situation there where you have this body that had the delegated authority from this board, it has representatives from the Presiding Officer and from the head of the Health Committee and the head of Parks Committee or from the Legislator from the district, there's a lot of legislative representation, in fact, most of it is legislative representation. And I think if we get into micromanaging the airport, nothing is going to happen. This simple change that I'm

recommending here, I think, will get things moving, and I think there's adequate oversight and protection in terms of making sure that inappropriate leases aren't assigned. I would ask you to support this.

**CHAIRPERSON NOWICK:**

Any other questions? Okay. We have a motion to close the public hearing or recess?

**LEG. SCHNEIDERMAN:**

We can •• I guess we can close the public hearing.

**CHAIRPERSON NOWICK:**

Motion to by Legislator Schneiderman to close, seconded by Legislator Cooper. All in favor? Opposed? Motion carried.

**CLOSED (VOTE:7•0•0•0).**

**LEG. SCHNEIDERMAN:**

This resolution can't be voted on until the next cycle or can it be...

**MS. JULIUS:**

It's on the agenda.

**MR. HOGAN:**

It can be voted on today.

**LEG. VILORIA • FISHER:**

It's closed.

**MS. KNAPP:**

If the public hearing is closed, the committee can take action on it.

**TABLED RESOLUTIONS**

**IR 1356•04. To amend Resolution No. 74•2002, Authorizing use of old toll building at Smith Point Bridge. (O'LEARY)**

**CHAIRPERSON NOWICK:**

We have tabled resolutions, 1356.

**LEG. O'LEARY:**

Madam Chair?

**CHAIRPERSON NOWICK:**

Yes. Legislator O'Leary.

**LEG. O'LEARY:**

The amended copy is being passed out. I apologize for it not being a part •• attached to the original resolution. However, as you are probably aware, this •• the County Attorney's Office raised some what they categorize as legal impediments regarding the use of the toll building under the language of the resolution initially introduced. I believe the amended version responds to their concerns and is, in effect, modified to the point where both the County Attorney's Office and I believe Legislative Counsel is in agreement. So I would move to make a motion to approve 1356.

**LEG. CARPENTER:**

Second.

**CHAIRPERSON NOWICK:**

Motion by Legislator O'Leary, seconded by Legislator Carpenter.

**LEG. FOLEY:**

Question to the sponsor. Is it the intention of the sponsor to move his district office to the old toll building as well.

**LEG. O'LEARY:**

Absolutely not. And I point out the spelling of that toll is T•O•L•L.

**CHAIRPERSON NOWICK:**

All in favor? Opposed? Motion carried.

**IR 1187•04. Directing the County Comptroller to conduct an audit of the Suffolk County Industrial Development Agency. (NOWICK)**

**CHAIRPERSON NOWICK:**

I am going to make a motion to table.

**LEG. CARPENTER:**

Second.

**CHAIRPERSON NOWICK:**

Seconded by Legislator Carpenter. I just want to put on the record that the Suffolk County IDA has passed a resolution at there last meeting on May 20th. And in their clause of their resolution, they have directed the Suffolk County •• it says the Suffolk County Industrial Development Agency requests that Suffolk County Comptroller audits its books and records for the 2003 fiscal year subject to the consent of the Suffolk County Legislature and further subject to the following conditions. I will not read them into the record, but I can certainly put the ••

**LEG. FOLEY:**

Do you have a copy of that, Madam Chair?

**CHAIRPERSON NOWICK:**

•• resolution into the record. Is that all right with everybody?

**LEG. FOLEY:**

Was that sent to our office?

**CHAIRPERSON NOWICK:**

All in favor? Opposed? Motion carried.

**LEG. FOLEY:**

Madam Chair, is there a reason why •• I thought your resolution went beyond '03 into earlier years; is that not correct? Why would we be ••

**CHAIRPERSON NOWICK:**

We amended it? Now we have a motion to approve.

**LEG. FOLEY:**

Thank you. Just on the motion to approve.

**CHAIRPERSON NOWICK:**

I am going to withdraw my motion to table and make a motion to approve.

**LEG. FOLEY:**

Okay.

**LEG. VILORIA • FISHER:**

I will second that.

**CHAIRPERSON NOWICK:**

Second by Legislator Vilorina•Fisher.

**LEG. FOLEY:**

On the motion. Madam Chair, I have been supportive of this resolution from the time that you sponsored it. Is there a reason why pursuant to the IDA resolution it's restricted to only '03? Wasn't the intention of you as the sponsor to look further back then '03?

**CHAIRPERSON NOWICK:**

Not necessarily restricted to '03. If •• we're going to start with '03. We're assuming there will be no problems. We are very confident that the IDA has run a very tight ship. If there are other problems, which we don't expect, certainly we have the ability to go backwards in years.

**LEG. FOLEY:**

Thank you.

**CHAIRPERSON NOWICK:**

All in favor? Opposed?

**LEG. O'LEARY:**

Is this to approve?

**CHAIRPERSON NOWICK:**

Yes. Motion carried. **APPROVED (VOTE:7•0•0•0).**

**INTRODUCTORY RESOLUTIONS**

**IR 1520. Adopting Local Law No •• 2004, a Local Law to amend the voting policy of the Airport Lease Screening Committee.**

**LEG. SCHNEIDERMAN:**

I would like to move that resolution.

**LEG. FOLEY:**

Explanation.

**CHAIRPERSON NOWICK:**

That's the one we just had the purchase public hearing. I have a motion by Legislator Schneiderman. Second by?

**LEG. O'LEARY:**

I will second.

**CHAIRPERSON NOWICK:**

Legislator O'Leary. All in favor? Opposed?

**LEG. FOLEY:**

Opposed.

**CHAIRPERSON NOWICK:**

Opposed, Legislator Foley opposed.

**LEG. CARPENTER:**

Abstain.

**LEG. VILORIA • FISHER:**

I'm opposed also.

**CHAIRPERSON NOWICK:**

Legislator Carpenter abstains. Legislator Cooper, are you are opposed?

**LEG. COOPER:**

I tell you what, I will abstain so we can table for one cycle.

**CHAIRPERSON NOWICK:**

Do I have a motion to table.

**LEG. SCHNEIDERMAN:**

Do we have three votes to pass?

**CHAIRPERSON NOWICK:**

You need four. Do I have a motion to table? I'll make a motion to table.

**LEG. O'LEARY:**

I second the motion to table.

**CHAIRPERSON NOWICK:**

All in favor? Opposed? **TABLED (VOTE:7•0•0•0).**

**IR 1526. Accepting and appropriating a grant proposal to Hofstra University for a New York State Professional Development Collaborative Program 100% reimbursed by Federal funds at Suffolk County Community College. (COUNTY EXEC)**

**LEG. CARPENTER:**

Motion to approve and put on consent calendar.

**LEG. FOLEY:**

Second.

**CHAIRPERSON NOWICK:**

Motion to approve by Legislator Carpenter, seconded by Legislator Foley. All in favor?  
Opposed? Motion carried and put on **consent calendar. APPROVED (VOTE:7•0•0•0).**

**IR 1528. Accepting and appropriating a grant award from the New York State Department of Health and Labor for a training opportunity project, dietetics initiative to educate technicians 87% reimbursed by state funds at Suffolk County Community College. (COUNTY EXEC)**

**LEG. FOLEY:**

Motion.

**LEG. CARPENTER:**

Motion.

**CHAIRPERSON NOWICK:**

Motion to approve by Legislator Foley, seconded by Legislator Carpenter. All in favor?  
Opposed? Motion carried. **APPROVED (VOTE:7•0•0•0).**

**IR 1529. Accepting and appropriating a grant award from the New York State Department of Labor, Welfare To Work Division, for an Educational for Gainful Employment (EDGE) Program, 68% reimbursed by federal funds at Suffolk County Community College. (COUNTY EXEC)**

**LEG. COOPER:**

Motion to approve.

**LEG. VILORIA•FISHER:**

Second.

**CHAIRPERSON NOWICK:**

Motion to approve by Legislator Cooper, seconded by Legislator Viloría•Fisher. All in favor?  
Opposed? Motion carried.

**APPROVED (VOTE:7•0•0•0).**

**IR 1534. Appropriating funds in connection with the replacement of the maintenance facility at Francis S. Gabreski Airport. (COUNTY EXEC).**

**CHAIRPERSON NOWICK:**

Motion to table by Legislator Carpenter, second by Legislator Schneiderman. All in favor?

**LEG. FOLEY:**

On the motion. On the motion, Madam Chair. Can we hear from Ms. Fahey about •• or from the Airport Manager about the •• I'm assuming the need for this •• for this funding.

**MS. FAHEY:**

This is Capital Project 5733. The current maintenance facility is one of the old 1940 Air Force buildings that are in the middle of the industrial park. In order for us to demolish the rest of those buildings and put the new road work in, we need to create a new facility for our maintenance crew. We can't knock down, demolish their building until we have someplace for them to go, and that's what this money does. This gives us the planning money.

**LEG. FOLEY:**

Through the Chair, if I could just ask Budget Review Office, is this part of the '04 •• Carolyn, I'm sure you have the answer, is this part of the '04 Capital Program since we're appropriating and not amending?

**MR. MUNCEY:**

Yes, that would be correct.

**LEG. FOLEY:**

Madam Chair, it's part of the '04 budget, there's a lot of interest with Gabreski and rightfully so by local Legislators as well as a number of us, I think it's the right approach to take. I mean, we're about to embark upon a Capital Program next week. We're going to appropriating sizeable amounts of monies for projects that we have put into the '04 budget last year. You know, to have some level of consistency, this is another '04 program and budget item that I would hope that we can approve. So I'm going to make a motion to approve.

**LEG. CARPENTER:**

Well, having made the motion to table, we're meeting in two weeks on both of these resolutions, I would just ask for one cycle to table.

**LEG. SCHNEIDERMAN:**

Table subject to call?

**LEG. CARPENTER:**

No, no.

**LEG. FOLEY:**

One is an operating issue, the other is capital. I would not want to see the two entangled or intertwined on issues before the committee. In the past if a committee •• through the Chair, if a committee member has asked for something to be tabled, and if it's only two weeks later, then certainly I would reluctantly agree to one round of tabling. But I would like to see this know move forward ••

**CHAIRPERSON NOWICK:**

I think the sponsor made the motion to table.

**LEG. FOLEY:**

No. This is the County Executive who is the sponsor. We meet in two week's time; is that correct?

**LEG. CARPENTER:**

Yes.

**LEG. FOLEY:**

Okay.

**LEG. CARPENTER:**

Okay. Motion to table.

**CHAIRPERSON NOWICK:**

We had a second already, didn't we?

**MS. JULIUS:**

Yes.

**CHAIRPERSON NOWICK:**

Okay. Motion carried.

**LEG. VILORIA • FISHER:**

Madam Chair, I asked to be recognized.

**CHAIRPERSON NOWICK:**

I'm sorry. Legislator Vilorina•Fisher.

**LEG. VILORIA • FISHER:**

Yes. I also wanted to ask Budget Review if 1535 was part of the Capital Program of 2004?

**MR. MUNCEY:**

Yes, it is.

**LEG. VILORIA • FISHER:**

So both 1534 and 1535 are the Capital Program that we had established last year?

**MR. MUNCEY:**

Previously adopted, yes.

**LEG. VILORIA • FISHER:**

Okay. We had adopted that. And this is simply appropriating the funds?

**MR. MUNCEY:**

That would be correct.

**LEG. VILORIA • FISHER:**

Okay. I'm opposed to tabling it even for two weeks. It's just an appropriating resolution.

**CHAIRPERSON NOWICK:**

You have that? Legislator Fisher is opposed. **TABLED (VOTE:6•1•0•0)**  
**(Opposed; Legislator Viloría • Fisher).**

**IR 1535. Appropriating funds for aviation utility infrastructure at Francis S. Gabreski Airport. (COUNTY EXEC).**

**LEG. CARPENTER:**

Motion.

**CHAIRPERSON NOWICK:**

Motion to table by Legislator Carpenter, seconded by Legislator O'Leary. All in favor?  
Opposed? Motion to table is carried.

**TABLED (VOTE:7•0•0•0).**

**IR 1537. Accepting and appropriating an amendment to the College Budget for a grant award from the Suffolk Community College Foundation for a Raytheon/General Motors Service Technical College training Program 100% reimbursed by private funds at Suffolk County Community College. (COUNTY EXEC)**

**LEG. COOPER:**

Motion to approve.

**CHAIRPERSON NOWICK:**

Motion to approve by Legislator Cooper, seconded by Legislator Viloría•Fisher. Motion to place on the consent calendar, motion approved. **APPROVED** and placed on the **Consent Calender.(VOTE: 7•0•0•0).**

**IR 1557. Establishing the Gabreski Airport Advisory Committee. (SCHNEIDERMAN).**

**CHAIRPERSON NOWICK:**

Motion by Legislator Schneiderman, seconded by Legislator Carpenter. All in favor?

**LEG. FOLEY:**

Madam Chair, can we hear from the County Executive •• Ms. Fahey, on this and also an explanation from the sponsor?

**LEG. SCHNEIDERMAN:**

What do you want first?

**LEG. FOLEY:**

Let's start •• through the Chair, if we can start with an explanation from the sponsor.

**LEG. SCHNEIDERMAN:**

Okay. The County has a lot of plans, as you are hearing today, for Gabreski Airport in terms of the 58 acres in terms of economic development. We want to make sure that we're all on the same page with the community, the mayors of the various villages and the supervisor and town boards in the vicinity. I think it's important to work with the community before we move forward here and bring everybody to the table and get everybody on the same page.

Also, the Lease Screening Committee, which we talked about earlier has become often a venting session for management type of issues or general airport type of issues when it really was constituted to deal specifically with the approval or disapproval of new leases. By establishing a committee that has the various stakeholders, user groups, pilots, tenants, community members, management, I think it serve the County's purposes well in terms of being able to move forward in a unified fashion. In the past, the County has attempted to move forward only to become derailed because people didn't understand a project or weren't included in the loop. I think this is an important step.

**LEG. FOLEY:**

Thank you.

**CHAIRPERSON NOWICK:**

Okay, I have a motion.

**LEG. SCHNEIDERMAN:**

I'm sorry.

**LEG. FOLEY:**

Madam Chair, Ms. Fahey wants to speak on this resolution.

**MS. FAHEY:**

Thank you. This is a committee that the Legislator and the department had talked about in an informal concept way. I mean, we agree with the concept that you need to have an advisory committee to help, you know, bounce things off of landing fees, suggestions to the airport aviation rules and regulations and such. I'm just concerned about this resolution. It's very formal. You know, when the Legislator and I spoke, I thought of it more in the concept of the Health Committee Review •• you know, each health center has a Health Committee that recommends to the Commissioner through the Director of Public Health, you know, some recommendation for the health center.

This just seems too formal. The membership is sort of contradictory to what we are trying to do with the Lease Screening Committee. We want to reduce the Legislature's involvement with the leases by reducing the vote, and yet in this committee, it's all an legislative committee, six of the 14 members are appointed by this committee, the Presiding Officer has no vote, the County Executive has just the Department of Economic Development. It talks about funding for reports, it talks about oaths. It just seems to be way too formal for what we need. We would like to create an advisory committee of community members, but I would like to make sure that the airport manager has an opportunity to recommend people. And I'll take a moment to introduce Tony Ceglio who is our new Airport Manager who has just come on board, you know. The idea of an advisory committee, we talked about it. I really would like to see him have an input who these members are, make sure that the tenants are able to have representation from their own. This committee just seems very formal to me, and I don't think it's what we had •• what the intent is.

**LEG. FOLEY:**

If I may through the Chair, so in other words, Ms. Fahey, you agree the concept of creating an advisory committee, is that not correct?

**MS. FAHEY:**

An informal advisory committee. We would like to be able to bounce our rules and regulations off the minimum standards, the airport master plan.

**LEG. FOLEY:**

You made your point very well. Given the fact that there are a number of other advisory

committees for other County institutions, this is not an unusual request that the sponsor is making. What I would like to see happen, Madam Chair, is have an opportunity for the sponsor to work with the County Executive's Office to see whether, in fact, there's a way to have a meeting of the minds on this. And so I'm going to make a motion to table.

**LEG. VILORIA • FISHER:**

I will second that motion.

**CHAIRPERSON NOWICK:**

We have a motion to table by Legislator Foley with a second by Legislator Vilorina•Fisher. All in favor? Opposed?

**LEG. CARPENTER:**

Opposed.

**CHAIRPERSON NOWICK:**

Opposed.

**LEG. SCHNEIDERMAN:**

Opposed.

**LEG. O'LEARY:**

Opposed.

**CHAIRPERSON NOWICK:**

Motion fails. We now have a motion to approve by Legislator Schneiderman, seconded by Legislator Carpenter.

**LEG. COOPER:**

Through the Chair.

**LEG. VILORIA • FISHER:**

On the motion.

**LEG. COOPER:**

Through the Chair, a question for the sponsor. Could you clarify exactly what is the make up of this advisory committee?

**LEG. SCHNEIDERMAN:**

The Suffolk County Legislator representing the Second Legislative District, which currently is myself, a representative to be appointed by Southampton Town Supervisor, a jet pilot •• there's different categories of aircraft users there •• airport pilot who utilizes the airport to be appointed by the Economic Development, Higher Education, Energy Committee of the Legislature, two small airplane pilots who use the airport to be appointed by, again, this committee, a leaseholder at Gabreski Airport to be appointed by this committee, a representative of the local community who's active in at least one civic group, to be appointed, again, by this committee, a representative of the business community, who's active in a Chamber of Commerce or similar business group to be appointed by this committee, a representative from each of the two fixed based operators at the airport, a •• the Mayor of the Village of Westhampton Beach or his or her designee, Mayor of the Village of Quoque, which also borders the airport or their designee, the Gabreski Airport manager, who I believe will speak to us in a minute, and the Commissioner of the Department of Economic Development or there designee. You know, I'm certainly willing, if you feel like there's a party that's been left out we had ••

**LEG. CARPENTER:**

It could be amended.

**LEG. SCHNEIDERMAN:**

I'd be happy to amend it. We did include the Presiding Officer, I believe. Did I say that?

**LEG. VILORIA • FISHER:**

Well, actually, five of the positions are appointed by this committee. Isn't it unusual, Counsel, to have the members appointed by the committee rather than the Chair of the Committee? Isn't it usually the Chair of the Committee who does the appointing? And we have five of the 12 members appointed by this committee, and I believe that that's what Ms. Fahey is referring to, that it's •• there's such a great representation that's appointed just by the Chair of one Legislative •• or by the committee it says here. It's usually by the Chair of the Committee.

So I would like to ask sponsor of the legislation if we could just wait two weeks and take a better look at this and see if we can balance it a little better. There just seems to be, you know, five of the 12 who are directly appointed by this committee, and I'm not sure how a committee would do an appointment. Do we •• it would have to be procedural motion that we would have to vote on. And that goes again to the argument of having this very super formalized way of doing this where it's •• we would have to have a motion that is presented to the to the committee, we would have to vote in the committee and then would it go to the full Legislature or just the vote in the committee?

**MS. KNAPP:**

(Shaking head yes).

**LEG. VILORIA • FISHER:**

So it seems like a very weighty way of doing this. And I would just like the sponsor to consider having a little shift in the balance of this. I think it's a good idea to have the Legislator who represents the area, the mayors of the surrounding areas, the pilots so that you have knowledgeable people on the advisory committee. I just agree with Ms. Fahey's assessment of five members of this advisory group being chosen by this particular legislative committee, I believe is too heavy of an imbalance on this committee.

**LEG. SCHNEIDERMAN:**

You are asking for those appointments to be made by the Chair of this committee rather than by the committee itself?

**LEG. VILORIA • FISHER:**

No. I'm asking that we have •• first of all, not five designees made by one committee, okay? That's one change that I would like. I think that there should be more made by the County Executive's Office. Usually we have more of a balance of a split. I don't see any made by the Presiding Officer either. I think you mentioned that, but I don't see it in my copy. Perhaps there's an amended copy that I haven't seen.

**LEG. SCHNEIDERMAN:**

I believe there's an amended copy that includes the Presiding Officer's designee, but certainly that was an amendment I intended. You have the Commissioner of Economic Development,

which is a County Executive appointee.

**LEG. VILORIA • FISHER:**

Yeah, that's one.

**LEG. SCHNEIDERMAN:**

You have the airport manager.

**LEG. VILORIA • FISHER:**

I know that in the past when I have drawn up this type of advisory committee, there has been more balance between the •• you know, among the branches of government. And I would just like to see better balance on this rather than have five designated by one Committee Chair or one committee in the Legislature. I believe it's off balance.

**LEG. SCHNEIDERMAN:**

Just remember, it is an advisory committee. It has no authority. And it is advising the airport management, which is under the direction of the County Executive. You don't want to have necessarily the County Executive picking the people who will •• you know, on the committee advising •• you know, I think I tried to make this as bipartisan and consensus driven as possible so that it wouldn't be stacked in any particular direction.

**CHAIRPERSON NOWICK:**

Legislator Carpenter.

**LEG. CARPENTER:**

I can appreciate what Legislator Vilorina•Fisher is saying, but I feel that the sponsor in his remarks right now about trying to come up with a very balanced advisory committee, that discussion about the appointment certainly can be had at this committee. And I think that was, quite frankly, a very democratic way to go rather than having the appointments vested with just one body like the County Executive. When those appointments come before this committee and then get forwarded to the full Legislature, those very discussions, you know, about balance will be had. So I feel that Legislator Schneiderman's done a good job with this and am pleased to support this.

**LEG. VILORIA • FISHER:**

Actually this won't go to the Full Legislature, Legislator Carpenter. This would just be voted on in this committee. Counsel explained. It wouldn't go to the full Legislature.

**LEG. SCHNEIDERMAN:**

The bill itself does.

**LEG. VILORIA • FISHER:**

No. We're talking about the appointees to the committee won't go to the full Legislature.

**LEG. CARPENTER:**

Okay. But again, it will be done, you know, in public. It will be done before the committee. The discussion will be had on the appointments, so, you know, I'm still very comfortable with that.

**CHAIRPERSON NOWICK:**

Okay. I have a motion.

**LEG. FOLEY:**

On the motion, I have one final point.

**CHAIRPERSON NOWICK:**

Legislator Foley.

**LEG. FOLEY:**

Thank you. Those who are watching today, this is really •• these are issues of process which are important, because it's how we go through a process, how we arrive at some decisions. While it may seem dry and not something that you are used to seeing, these are important considerations in developing a way in which to come to make decisions.

With that said, Madam Chair, on the lines •• along the lines that Legislator Fisher had mentioned, now there are advisory boards and then there are community advisory boards. There is, for instance, as mentioned earlier, the health center advisory boards, which is the advisory boards of each health center and then they •• the Chair of each then meets with the folks from the Health Department. But, for instance, with this advisory board, since it doesn't

say community, but simply says advisory committee, I would •• I would make the suggestion •  
 • Madam Chair, I would •• since it states that this is not a community advisory committee, but rather an advisory committee that would be of both governmental officials as well as community officials, that a missing component here, a key component is missing that has always been part and parcel of the development of Gabreski is the attendance by and contributions made by the County Planning Department.

And when I read the makeup of the committee •• when I read the makeup of this committee, while the Economic Development Department is obviously a member of the committee, what's missing is the Planning Department. And the Planning Department can play a very crucial role in the development, not only of policies and projects at the committee •• rather at the airport, but I think they would put •• they would have a positive role to play within the advisory committee.

**MS. FAHEY:**

Madam Chair, if I could on that note. That was going to be my point. Thank you, Legislator. Not only the Planning Department, but we have some brownfield sites, we have environmental issues at the airport, and if we're going to create an advisory committee that we're hoping to bounce everything on, I'd like to bring the Health Department on as part of this too. We have the brownfield site, we have •• the Planning Department I would like to see as part of it. And one other thing, this committee reports to the Legislature. This committee doesn't advise the airport manager or the department. This committee advises the Legislature, not the airport manager or the Commissioner of Economic Development. As written, it advises the Legislature, not the department, the County Executive or the airport manager.

**LEG. CARPENTER:**

If I can respond to that. As the policy makers for the County, and the airport is part of the County, I think that is more than appropriate. And to the suggestion about •• as Legislator Foley said •• about having someone from the Planning Department, the beauty of this committee having five appointments is that we can look at a suggestion like that and certainly act on that. And I think that's one of the first appointments that we should make as a committee to this advisory board.

**LEG. FOLEY:**

Madam Chair, if I may. I can understand the point raised by Legislator Carpenter, but that

would be at the discretion of this committee. I think it should be part and parcel of the body of the resolution that that particular department would be represented. And while we as this year's incarnation of the committee would at our discretion appoint someone from Planning and hopefully someone from the Health Department, the fact of the matter is if it's not embodied in the language of the resolution, succeeding committees could unappoint those, if you will.

And I think the Health Department •• I'll finish with this point. The Health Department official is a very good suggestion, because if we go back in time about 15 years ago when the then Committee Chair of the Health Committee, Legislator John Foley, had the Health Department, in fact, undertake a very important •• along with Economic Development Office •• undertake one of the more comprehensive plans that was developed at that time. So both Economic as well as Health, I think, should be at the table.

**LEG. VILORIA • FISHER:**

Madam Chair.

**CHAIRPERSON NOWICK:**

I think that Legislator Schneiderman wanted to speak.

**LEG. SCHNEIDERMAN:**

Look, the County has all kinds of committees, and we have a lot of people who, you know, are very stretched out going to a lot of different committee meetings, once in a while it's possible that the Airport Advisory Committee will deal with something regarding a brownfield and will bring in somebody from the Health Department or somebody from the Planning Department. This, guys, is a citizens committee. It's meant to be a citizens committee, not a County•Staffed committee. You guys are changing it from its basic composition, and it's not going to work the way it's supposed to. So you want to build community support for the airport, you've got to do it in a way similar to what I've said. If you want to change it and make it a County committee, then it's a different thing, and it's not going to serve the goal that I had intended for this resolution.

**CHAIRPERSON NOWICK:**

Legislator Vilorina•Fisher.

**LEG. VILORIA • FISHER:**

Thank you, Legislator Schneiderman, for clarifying that, because it was just said on the record that we have the discretion to appoint somebody from the Planning Committee, and indeed, we do not. This committee would be appointing a jet pilot, two small airplane pilots, that's two very short people, the other one would be lease holder, a representative of the local community, and a representative of the business community, which doesn't give us the discretion to appoint someone from the Planning Department, but it is •• it does hold to your description, which is a community advisory committee. So thank you for clarifying that.

**CHAIRPERSON NOWICK:**

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

**LEG. FOLEY:**

Opposed.

**LEG. COOPER:**

Opposed.

**LEG. VILORIA • FISHER:**

Opposed.

**CHAIRPERSON NOWICK:**

Opposed, Legislator Cooper, Legislator Foley. You have that motion to approve? **APPROVED (VOTE:4•3•0•0) (Opposed; Legis. Viloría • Fisher, Foley, Cooper)**

**MS. JULIUS:**

Yes.

**IR 1560. To set fees at Francis S. Gabreski Airport. (SCHNEIDERMAN)**

**CHAIRPERSON NOWICK:**

I have a motion by Legislator Schneiderman, seconded by Legislator O'Leary. All those in favor? Explanation, please. Would Counsel like to explain it or would the sponsor of the bill like to explain it?

**LEG. SCHNEIDERMAN:**

You know, we have a great asset at Gabreski Airport, clearly for the County. It's a phenomenal facility, 1400 acres. I'm happy that we have new airport management who I'm sure will be speaking to us briefly. One of the problems we have had at Gabreski Airport is based on the fee structure and the collection of fees where we are not seeing the kind of revenues that we should be for an airport of our size •• of the size of Gabreski.

Just in comparison, Gabreski last year in landing fees took in, I believe, less than \$5000, where a smaller airport in East Hampton with less air traffic took in approximately \$100,000. Partly it's the fees and partly there were a lot of exemptions from fees, etcetera and policies, which I've been working with Economic Development in trying to clear that up. What happened last year in the Omnibus Budget Bill is the fee setting authority was given from the Legislature to Economic Development. Recently it was give back to the Legislature. And these fees are based on not the current fees in place that Economic Development has put in, which are better than what was in the past, based these fees were based on conversations at a meeting that I had with Carolyn and some of the users of the airport as well as other discussions. They are particularly similar to East Hampton Airport.

And what the fundamental problem I saw in the current fees structure is the overcharging of the small plane user and the undercharging of a large plane user. So under the current fees you can have a cooperate jet paying a lower fee then a single engine small plane, and that's wrong. It also effect the restaurant there at the airport, who's one of the subleasers. So, you know, because it discourages that small airplane traffic, which no one in the community seems to be complaining about the little planes. But the jets are noisy, and there's no reason why we ought to be giving them a free ride. The jet owners are used to be paying higher fees. These fees will bring the fee from, in some cases, 11 or 12 dollars up to \$50, some of the larger jets will be paying \$100 and the really large jets will be paying 150 or \$200.

I believe these fees if they are collected properly will lead to an additional 100 to \$200 in revenue for Gabreski Airport. And just in time, if we can move this, for the US Open, because we will have a lot of corporate jets coming in, if it's possible to get it done in time.

**MS. FAHEY:**

Madam Chair, if I could just address two issues. With regards to the specific fees and the

calculation of the fees, I would defer to the new airport manager. Just two comments. East Hampton does bring in a lot of money to the landing fees, but they also have two, three and sometimes four staff members out on the runways waiving down planes and giving them tickets. Gabreski doesn't have three, four staff out on the runway. We have no staff out on the runway. So the ability for us to collect those fees is a lot different than the ability of East Hampton to collect those fees.

The only thing that we had •• yesterday, I had e•mailed off to the Legislator some suggested changes based upon conversations with the airport manager and an additional category that would allow Gabreski to now start charging for film, motion picture and TV at Gabreski Airport. We get a lot of requests to use the runways, to use the terminal, to use the old buildings for filming, for still shoots, motion pictures, commercials and such. The chances that we recommended would allow us to start charging for those services. But there are two or three issues with regards to the fee schedule set out by Legislator Schneiderman, and I'll introduce Tony Ceglio, who's our new airport manager to go over them briefly with you.

**MR. CEGLIO:**

Hi. Anthony Ceglio, airport manager, Gabreski Airport. Legislator Schneiderman, I did look at your proposed fees. I do agree that they have to be revised. However, comparing some of the fees of the airports in the surrounding area, for instance, East Hampton, as you mentioned, I spoke to Pat Ryan the manager there extensively over the last couple of days. And just so everybody knows, I've only been the manager at Gabreski for two weeks. I'm trying to get up to speed with everything that's going on out there.

The only thing that I can see that may need changes are the touch and goes you mentioned. You were talking about \$10 per series of five for single engines, \$20 for a series of five for multi engine. And my problem with that •• the issue would be we're trying to promote the use of the airport and not necessarily discourage the use, especially, like you said, by the small airplanes that don't cause a lot of problem with the noise and that kind of thing. And I'd like to maybe discuss that with you a little bit more and, you know, talk about that.

Also in your proposed fees, you broke down corporate and revenue producing aircraft. To me it would be very difficult to try to discern, you know, which is which when the aircraft are landing there. If you have a Gulf Stream G5 come in, is it a corporate operation, is it a revenue producing operation, how do you know and how do you apply those fees? Talking to again,

East Hampton, Republic, their fees are a lot more simple. For instance, East Hampton will charge a twin engine aircraft \$10 a landing. An aircraft over 25,000 pounds, it's \$25 a landing, then they go up to, as you mentioned, corporate over 25,000 is \$100.

Republic Airport has a simple structure. It's 40 cents per hundred •• excuse me, 40 cents per thousand pounds with a minimum of two fifty •• \$2.50 a landing. And again, it makes it simpler, easier to collect. And if we're talking about collecting the fees, I think we really need to make it as simple as possible. As Carolyn said, we don't have the staff out there to write the things down and have a collection process. And then as Carolyn mentioned also, we would like to talk to you about the imposition of a parking fee for aircraft that park there overnight that not necessarily park at one of the FDOs, but maybe park in some of the remote areas, which I've experienced over the last two weeks since I've been there. And then possibly a tie•down fee. We don't have an area right now that the County can charge a tie•down fee, although I think there's a possibility of doing that. If we have aircraft that want to tie down on a monthly basis, we can charge them something similar to what some of the other airport are charging, which would be 55 to \$80 a month.

**LEG. SCHNEIDERMAN:**

Can I respond to a couple of things? I'll take them in order of your letter. And I appreciate your comments. The separation of the two types of aircrafts •• and the fees are almost identical in price anyway, it's because other airports were doing that. I wanted to combine them too, but I believe that the fees in place at Gabreski right now had a separation or maybe East Hampton did, and that's where that came from.

I agree with simplifying things as much as possible. The current fees at Gabreski actually are quite complicated because they're based on a thousand pounds. So every plane that lands above a certain weight, you've got to figure out exactly what they weigh. This eliminated that and set up, you know, these thresholds. So I tried to simplify it as well. So I would agree with you in terms of combining those two categories. The touch and goes, actually the fees in this resolution are lower than the current touch and go fees that the airport is charging. So I tried to encourage the use in a way as well •• or at least not punish it. Sometimes the small planes can have an impact, not so much maybe to the runway, but to the surrounding areas. If Gabreski gets used too much, because the touch and go operations •• for those who are not familiar with it, is basically you keep going around and around and around; you land, you take

off, you land, you take off, you land, you don't even get out of the plane. So there can be some noise impacts, and I thought rather than making them free, we would charge something, but we wouldn't charge as much as we were. I'm not attached to that. If you want to eliminate the fee, if that's your recommendation for touch and go, I'm not going to •• I'm not going to object to that.

The third thing, the tie•down fee, I don't have an objection to. We can amend it. I'd be happy to amend it in that regard. And the fourth thing, I don't really understand, this motion picture, TV, film industry, you're going to have to explain to me why that industry is being singled out in this way. And I think •• oh, then you asked for one sentence to be added that the fees be implemented pursuant to the rules and regulations as determined by the Department of Economic Development. I don't have a problem with that either. If you could explain the movie fees, then maybe we can take all these amendments and add them to the current resolution.

**MR. CEGLIO:**

Just the motion picture fees, we do get requests, from what I understand, to use the runways or the taxiways or certain parcels of land on the airport for filming. And along with Republic Airport, if you have a schedule of fees right there, you're not going to be arbitrary and say, well, all right, one week you're going to charge some fee for one company and next week it's going to be a different charge for another company. If you have a standard set of fees when all companies come in, you can say this is what our fees are, this what we're going to charge. And again, it's not arbitrary.

**LEG. SCHNEIDERMAN:**

The problem I'm hearing with amending it right now is we're going to loss the ability to get the fees in place for the US Open. It's going to take another cycle to do that. So what I might ask is that we pass it as is, then we add these things next month to it. I don't •• you know, one month without the movie theater fees isn't going to hurt us. Okay. You know, we'll do a second one next month that takes into account these changes.

**CHAIRPERSON NOWICK:**

We already have a motion to approve and a second. All in favor?

**LEG. VILORIA • FISHER:**

What's the effective date of the resolution?

**LEG. SCHNEIDERMAN:**

Obviously, the County Executive would have to sustain it.

**LEG. VILORIA • FISHER:**

Usually they have an effective date on them.

**MS. KNAPP:**

Actually, local laws would have an effective date, resolutions are effective on the date they are signed.

**LEG. SCHNEIDERMAN:**

It is possible if the County Executive decides not to sign it, then we miss the US Open.

**LEG. VILORIA • FISHER:**

I just wanted to ask one more question.

**MS. FAHEY:**

I just need one clarification. In the last couple of times the Legislature has addressed the landing fees, landing fees have been addressed and assessed on a per operation basis, which means a landing and a take off are two operations. So you would be doubling these fees. I just need to clarify if that's your intent or is it for a set fee?

**LEG. SCHNEIDERMAN:**

It's one fee for landing, not for taking off.

**MS. FAHEY:**

Well, just because all past Charter have per operations, so I just want to be clear that this is not a per operation.

**LEG. SCHNEIDERMAN:**

No. Absolutely not. It's only for landing.

**CHAIRPERSON NOWICK:**

Motion has been approved. **APPROVED (VOTE:7•0•0•0)**

**LEG. VILORIA • FISHER:**

I'm sorry, Madam Chair, I had questions about this.

**CHAIRPERSON NOWICK:**

Then you know what we're going to do? We're going to hold this off to after •• we're going to bring up these young people, because I think they have to go back to school. Is that right?

**LEG. VILORIA • FISHER:**

I had thought that they would have come up before we started the agenda.

**CHAIRPERSON NOWICK:**

We didn't think it would take so long. 1560 was passed already, right, correct?

**LEG. VILORIA • FISHER:**

Well, I don't remember the vote being called. I didn't vote on it, because I still had a question.

**CHAIRPERSON NOWICK:**

So let's hold this off, and I'm going to bring up.

**LEG. FOLEY:**

We did call the vote.

**LEG. VILORIA • FISHER:**

The vote was not called on this.

**CHAIRPERSON NOWICK:**

We did. We did call the vote.

**LEG. VILORIA • FISHER:**

I didn't vote on it. I still had a question.

**CHAIRPERSON NOWICK:**

Okay. So then we'll wait on this. These young people, you have to go back to school; is that correct? Let me ask the instructors, can these young people wait a while to go back to school?

Come on up, because we want to see what you have.

**MR. BREITHUT:**

We have a presentation, then we will make them available to you. I already told them about getting back to school. I said, gee, I really have to apologize, we didn't know it was going to be this long. They all smiled and said, you know, actually, Mr. Breithut, it's fine, no problem. So, you know, a little bit out of school, not good for them, but they're taking it in stride. So I appreciate you putting us on a little bit before some of the other people who will appear here today.

Members of the committee, and especially your lovely Chair and also Angie Carpenter, I think of all of the people on your committee is most familiar with our organizations and with the project. She has been with us for a couple of years, two or three years, I think. And she is always at our events and also partakes of our sumptuous VIP Lunch. And we're very happy to have her. She is a friend of our's, and I hope all of you will become friends of this great program.

The reason we're here today is to, number one, I think, thank you and especially the County for your participation and support of this program over the last years we have been here. This program started in 1999 here on the Island when my organization brought it to us for the first time. One of the great things about it is that we are presenting to you not something that's just starting, not something that's asking for seed money, we're talking to you about a very, very, very successful program. It's in place, it's growing. Just witnessed •• in 1999, we had four high school teams first year we were here on the Island. That has now grown to about 40 in just those few years. So we have about 40 high school teams that build robots and compete with those robots on the floor of the arena at Suffolk County Community College each March.

They are thrilled with it, we are thrilled with it. And the purpose of it is not so much the wonderful reception that they get and that we get from putting on this great show that attracts ten thousand spectators each year, but what it does for them in trying to focus them as students in high school to careers in engineering and technology is amazing. We have surveys that show that students who started this the first and second year have gone on into careers in engineering and technology. It's amazing what this program does. It is by far the most successful and best funded in terms of college scholarships of any other program on the Island

and/or wherever it exists across country. And that means also in Brazil and Canada and Great Britain. So it's a national program. Our organizations brought it to New York State and to Long Island first. And we believe in it, because, you know, FIRST is an acronym, For Inspiration and Recognition of Science and Technology. It sounds sort of, you know, not too important, but, boy, I'll tell you, the program has skyrocketed into the White House, into the Capitol, into our own New York State Legislature, where Senator Johnson funds our organization putting it on for 100,000 each year. Our budget is 200,000, so he leaves us some work to do. But it's an amazing, amazing program.

We really can't duplicate what it's all about here. You really need to come see it. How many of you have been to the event? Can I see, just hands? Right. I mentioned it to you before. You really have to come and see it next March to know what it's all about. But how do we know it's a success? Number one, just by sure growth of the number of teams. I said we started with four, we've got about 40 now. If it was a Stock Market kind of offering, I think we would be way ahead. In terms of college scholarships, we have over half a million dollars awarded to the students of Long Island through this program from top engineering colleges throughout this country.

So we're not talking about small success, we're talking about gigantic proportions of success. Another indicator of success would be that in most of the schools, not all yet, I'd like to say all, but we're working in that direction, they have started courses in pre engineering as a result of this program or they have enhanced existing courses in engineering they already have in place. I'll tell you, the course enrollments are going way up. As a matter of fact, we have students now who were with the program, went to college, they're starting their own robot regionals where they are going to college up in Rochester and/or they're graduating and coming back to us on the Island helping us with our annual event here and also getting internships in the summer and continuing to work for the companies that they're interning with; Festo Corporation, instance •• Scott will speak to you in just a minute •• has one or two of these people coming back. Many of these kids are kids who are like many of us, I presume, I'm not speaking for you, but certainly for myself. When we went through high school, we were not always completely focused on what we wanted to do in the future. We were sort of feeling our way. You know, we took a year or two after high school. I went into the Service for World War II. But that helps the focus you for sure.

So this program focuses students on careers in engineering and technology, and it works.

That's the beauty of it. It really does the job. So let me leave you with just the thought that we are very appreciative of your support of this. We hope it's a continuing support. And I'm not going to ask for a specific amount, but I think somewhere in the neighborhood of what you have already committed to in the past, I think through the college. Someone I was talking to today said, well, we already support you. I said, yes, think that's through the college, which is fine. We have no problem with that. But I just appreciate it and hope that you are as thrilled about the program as all of us who are helping it to grow on the Island. And by the way, it's not just Island schools. You know, we've got teams that come from as far away as Puerto Rico and Texas and Canada and Upstate, New York and all over this wonderful country, visiting teams, to our events. And some of our teams also go to other parts of the country to compete.

I'm going to ask Scott Schuller who is representing Festo today to come up. The Festo Corporation sponsors the Hauppauge team, and that's the team that we have with us today here. And he'll pick it up from here and talk to you a little bit more specifically about what the teams do and how Festo, which is •• you can't imagine what if Festo does for us. Well, you don't have to imagine, I'll tell you. Twenty five thousand a year and double that with all of the in kind services they provide for us. He is a little bit modest. I don't know that he'll talk too much about that, but I wanted you to know that. Thank you very much.

**CHAIRPERSON NOWICK:**

Thank you, Mr. Breithut.

**MR. SHULLER:**

Good morning. Thank you for allowing us to speak this morning. My name is Scott Shuller. I work for Festo Corporation, as well, I'm on the Development Council of SBPLI for the FIRST Robotics Competition. Also, I'm a mentor for the local Hauppauge Robotics Team, so I directly work with the team during a very rigorous six week program where we actually design, test and build a competitive robot, which we'll show you here in a couple of moments.

But really what I wanted to ask you was to just take a moment and imagine a program that costs thousands and thousands of dollars for a school to participate in, in some cases over \$10,000. It requires the participation of students working many, many hours and many monitors working many, many hours. And ask yourself if I had a program that costs all these

thousands of dollars and took all of this time and effort, what do you think the participation level would be in such a program? And really before you can answer that, you'd have to ask yourself what are you getting from the program. And the •• as Fred said, the results somewhat speak for themselves.

This program started in 1992 with 12 teams in the nation and now has over approximately 1000 teams involved. Here on Long Island it started about five years ago, and now has 29 Long Island teams involved of which 19 of them are in Suffolk County. This program is directly affecting over 500 teams •• excuse me, 500 children in Suffolk County and is growing every year. So you have a program that costs money to participate in that is very difficult to participate in, but continues to have those growth rates. In a lot of ways, that speaks for itself and the value of the program. As somebody who works with these children on a daily basis through the designing and building, you see an incredible amount of growth.

And as a corporation, what it is we're looking for is to have future employees who have a certain skill set that that program drives. It drives the values that are brought in a typical sporting event of teamwork, hard work, commitment, dedication. But the bi product of the program isn't being able to dribble or being able to hit a ball, nothing wrong with those things, but the bi product of this is employable skills of science and technology. That has combined both into something that is like no other program that I've ever seen. And I would ask you, and if you do find another program that's more exciting than this in this area, I would ask you to bring it forward and let us know, because this program is like nothing else. And we really ask for your future support in making this program the best it can be in allowing the program to grow as it continues to grow, and that can only happen with your support.

So we as a company will continue to support this program, and we ask the Legislature to as best it can continue to support this program as it grows. At this point, what I'd like to do is just take a moment to introduce some of the students. You are going to see a very high technology robot. If you would poke your heads over and look at the components that are inside. It's all high tech stuff. This is not anything to be taken lightly. It's a very intimidating program actually to many, and that's where we as a corporation help the students get over that and get them to help •• excuse me, get them to actually be able to accomplish what's required to build a competitive robot. So at this point I'd ask for some members of the Hauppauge team to come up and maybe show you a little bit of how the robot can perform.

The way this robot operates, it competed in a 2004 FIRST Robotics Competition both on a regional level as well on a national level down in Atlanta, Georgia. It was in the Atlanta Dome, which is the large sports facility where the Atlanta Falcons play and competed very well and actually was seated within the top ten percent of teams in the entire nation. Basically, this year's game consisted of being able to control and dominate the big yellow balls as part of the game. Basically the balls would need to be picked up, controlled and placed in goals. And basically the robots will be out there competing and fighting for the balls, would need to manipulate them and control them and place them into scoring containers. Also, the robot itself would be able to pick itself up on a bar that was about ten feet above the ground. And this is •• this is what these kids are able and capable to do; build, operate and manipulate a robot that has these types of capabilities. And this robot itself is •• again, did very, very well in the competition this year. It's about 130 pounds in weight. It can travel of speeds up to ten feet per second in full speed. We're not going to do that in here because we might truly leave a mark on you, and I don't mean that in any other way then a physical one of we move that fast.

But basically, this is something that these students actually build along with our mentorship and can compete with and go out and do very well. And it's really impressive to see what these kids who just a few years ago had no skill sets, let's say, in these specific areas are able to accomplish through this program. So again, if we had another robot here, we'd get them out there and let them go at it. But hopefully you can see the capabilities and what these kids are able to do and just the precision motions that these robots are able to perform. It's really quite a feat.

### ***APPLAUSE***

#### **MR. BREITHUT:**

Just let me add, people, that as thrilling as this is •• and if you are one of the 10,000 spectators at next year's event •• as thrilling as it is, it is just a show. The important ingredients in this program are behind the scenes where the students work together to meet deadlines, they work together as a team to construct, they learn from engineers from companies like Festo and others that are with us how best to do the job that confronts them. It's that working together, it's that understanding that it takes time. You know, as much as the kids are thrilled with this program, people who are even more thrilled and hate to go back to their jobs are the engineers. The engineers think this is the greatest thing in the world. I mean, they live it. And the kids

work for six weeks. They've got to construct and build this robot, that's the deadline, six weeks alone. So they're there late at night along with their instructors like Scott and others until 11 or 12 o'clock many nights.

**CHAIRPERSON NOWICK:**

You know, I can't think of anything better than having young people do things like this. This is where you spend your time at night, this is what you created, this is great. For all of us parents, we like to see this.

**MR. BREITHUT:**

What district are you in, Ms. Nowick?

**CHAIRPERSON NOWICK:**

I'm in the Smithtown School District.

**MR. BREITHUT:**

They're a part of us. They have a robot there.

**CHAIRPERSON NOWICK:**

And what about Kings Park?

**MR. BREITHUT:**

Kings Parks is coming in. Is anybody here from Kings Park?

**MR. HOGAN:**

I am.

**MR. BREITHUT:**

You are?

**MR. HOGAN:**

Yeah. I'll talk to you about it afterwards.

**MR. BREITHUT:**

Okay. We want Kings Park next year.

**CHAIRPERSON NOWICK:**

Mr. Hogan happens to be the President of the School Board.

**MR. BREITHUT:**

President of the School Board, okay.

**CHAIRPERSON NOWICK:**

Could I get the Legislators back at the horseshoe. Okay. For the record, I'm going to go back to **IR 1356, (to amend Resolution No. 74•2002, authorizing use of old toll building at Smith Point Bridge)**. We had a little misunderstanding about that. Legislator O'Leary, this is your's, this is your motion. We had a little misunderstanding about 1356. Rather than leave it as a motion to approve, we're going to go back and make a motion to table. Motion by Legislator O'Leary and seconded by Legislator Carpenter. All in favor?

**LEG. CARPENTER:**

So there's a motion to reconsider and change to a tabling motion.

**CHAIRPERSON NOWICK:**

Motion to reconsider for the purposes of discussion. Motion by Legislator O'Leary, seconded by Legislator Carpenter. All in favor?

**MS. KNAPP:**

By way of explanation, the reason that we are reconsidering this resolution, IR 1356, is that there has been some confusion about whether or not an amended copy was filed in a timely manner. It was prepared by the County Attorney's Office, and I was never copied on it. So the filing was not accomplished. But after discussion with Mr. Podd, I understand that the County Executive will be providing a CN for the amended resolution on Tuesday.

**LEG. FOLEY:**

Cooperation, that's what we like to see.

**CHAIRPERSON NOWICK:**

Motion to table by Legislator Carpenter, seconded by Legislator Cooper. All those in favor? Opposed? Motion carried. **TABLED (VOTE:7•0•0•0)**

Okay. So now we have •• we were discussing IR 1560. I believe Legislator Viloría•Fisher had a question.

**LEG. VILORIA • FISHER:**

Yes. I had an opportunity to speak a little bit more with the sponsor, and you had spoken about continuing conversations, I'm trying to know what the status is now with this.

**LEG. SCHNEIDERMAN:**

On the fees?

**LEG. VILORIA • FISHER:**

Yes, on the fees.

**LEG. SCHNEIDERMAN:**

Well, I would very much like to see fees put in place before the US Open. I think there's been some constructive suggestions made by the airport manager. I will point out that in general there's consensus about these fees. These are minor changes. One possibility •• you know, I had suggested that we pass these fees and move these fees and then later we can take on adding these additional categories or making changes. Carolyn suggested possibly that this can all be done by one resolution through a CN at the next meeting. That's a possibility as well. I think it's important that we pass this, and if a CN comes that is more inclusive and takes care of those other things, then we can pass the CN.

**LEG. CARPENTER:**

Motion to approve.

**LEG. VILORIA • FISHER:**

Thank you, Legislator Schneiderman. I also would like to put on the record that I'd like to see us address the issue of the collecting of the fees, because there have been fees in place for a number of years, but we have had •• not had the mechanism to collect them. And I hope that we make some progress in getting that set in place.

**LEG. SCHNEIDERMAN:**

Yeah, I think that's very important. Right now the fixed base operators collect. And I think there's some agreement or discussion about moving that over to the airport management collecting the fees. I think that will make a tremendous difference. Also, just on the fees and the suggestions made the Economic Development Department, I think the motion picture thing we probably reserve until further discussion. We do have a Film Commission. That's something that can be looked at by that Film Commission. But the other suggestions made, I think seem fine.

**LEG. VILORIA • FISHER:**

Thank you.

**CHAIRPERSON NOWICK:**

Motion has been approved. You know, I might make a suggestion that while the nice weather is here, we might think about having one of our Economic Development meeting out at the airport, and Legislator Schneiderman has graciously offered to buy everybody lunch at Belle's and I think that would be a nice thing.

**LEG. CARPENTER:**

The only problem is that a number of us are on the Parks Committee, which starts at 11:30.

**LEG. VILORIA • FISHER:**

Well, sometimes it's good to have the Parks Committee off premises too. We've done that. When I was Parks Chair, we did have a meeting or two away from the site. And they make this room too cold anyway in the summer.

**LEG. SCHNEIDERMAN:**

I'm not buying anyone lunch anyway.

**TABLED SENSE**

**S•22. Memorializing Resolution requesting the Long Island Power Authority approve the Kings Park Energy Project. (LINDSAY).**

**LEG. O'LEARY:**

Motion to table.

**LEG. COOPER:**

Second.

**CHAIRPERSON NOWICK:**

Motion by Legislator O'Leary, seconded by Legislator Cooper. All in favor? Opposed, motion carried. **APPROVED (VOTE:7•0•0•0)**

Okay. We have one speaker. Lori Rhein.

**MS. RHEIN:**

Hello. Thank you for listening to me today. My name is Lori Rhein, and I'm a stay at home mom. I live in Mastic. And I'm coming to talk to you about an issue that has come to my attention through a very nice group that I belong to. I am a home schooling mom. I have a fourth and second grader that are with me today. We've been taking a government class this spring learning about local and all of our government starting with the Fire Commissioner and we've just finished with beginning to learn about County government. One of our assignments was to come to visit you all. So we are here.

And the issue that I want to bring to your attention doesn't affect me yet, but will affect how I plan for my children's future education. Students in our local state as well as Suffolk Community College are being denied their degrees based on their home schooling experience or their status as home school educated high school graduates. This is due to an enforcement of 3.47 A of the Chapter 1 of Title 8 Board of Regents ruling. And we feel that this constitutes an act of discrimination directed at home schooled families. These students are being denied their actual degrees. Not that they •• they'll be able to finish school, they're allowed to pay for their education and go get, you know, ten classes, but they're denied their degrees at the end.

We have students in our home school group •• I'm a member of a home school group of 48 families, and we have members in our group that are being denied their degrees this year, next year. They've been told that they will not get a degree because they do not have a state certified high school diploma. They would be required to have •• to take a GED if necessary. And there are some other occupiers, like, 20 extra credits, I believe it is, 20 extra college credits that could also accommodate them.

However, these are additional •• additional steps put on out students that should not be put on them. The federal government and 49 other states have recognized the legitimacy of home schooling and our self certifications of our high school completion by using our own transcripts, test scores, including SAT and others, academic portfolios and other means to demonstrate the completion of our preliminary education of at least four years of a high school course or its equivalent. The home school students of New York have been excelling in academy pursuits, leadership abilities in social skills. Add this to our provision of year by year and a substantially equivalent program •• and this is an according to the New York State Home School Regulations. In the New York State Home School Regulations by the Commissioner of Education, 100.10, it says that a home school education is considered to be substantially equivalent to a public school education.

At any rate, it's a logical conclusion that home school students be granted equal status to those who have acquired that degree from a public or private school. And I'd ask you to consider that for more than 20 years, the home school students in our state have been graduating, you know, have been matriculating into college courses and have been acquiring degrees without any problem. And this is due to the reassertion of this •• of this part of the Regents Law that • that has been literally ignored for more than •• at least more than 20 years.

Now, I know that you all aren't in charge of the New York State Schools, but I know that this affects our Suffolk Community College here, because as I said, there are members in our group that are affected directly by it. My understanding is limited. It does have to do with where we get our funds. Some of the TAP money and so on is part of •• is partly responsible for the stand that's being taken. And I would ask that you would in your power, whatever it may be, take this into consideration that we are looking to •• to at least receive the equal status that is granted by the laws that we already follow in our home schooling experience and the regulations that we already follow.

**LEG. VILORIA • FISHER:**

Madam Chair.

**CHAIRPERSON NOWICK:**

Okay. Thank you, Ms. Rhein. Legislator Vilorina•Fisher, you have a question?

**LEG. VILORIA • FISHER:**

Good morning, Ms. Rhein. I'm sorry that you have had to wait for two hours.

**MS. RHEIN:**

That's okay. It was a good experience.

**LEG. VILORIA • FISHER:**

Yes. Well, if it's part of a government curriculum, then they've experienced something here. But as you know, the purview of education is a state purview rather than county. But I did have a couple of questions. If students have taken their Regents Diplomas, home school children •• I mean, not Regents Diplomas, Regents Exams, who holds the record of those Regents grades?

**MS. RHEIN:**

I'm really not sure about that. I would say that we are not necessarily required. We have our set of state education regulations. We may take the Regents, but we are required to take Regents Exams. That's why I referred to the regulations under the ••

**LEG. VILORIA • FISHER:**

That specific code number.

**MS. RHEIN:**

The Commissioner of Education 100.10 outlines everything that we have to do to meet and provide and equivalent, substantial equivalent education for our children all the way through high school. It does not limit us that way. We are welcomes •• you know, I've been invited to use my local public school system, you know, testing facilities and so on. I know those options are available to us, but we do not have to participate in them. There are rules stating, you know, that we have to test our children and as long, and as long as we follow those and provide that information. In general, I'm at an elementary school level, and my records right now are being kept by my district. The records that I have to provide to the state are being kept by the elementary school that my children would go to. And I •• there are, you know, I guess, we could all, you know, find pros and con about it. I don't know how those records will follow my students if I move Upstate or change districts on the Island, but that is where my records are currently kept is by my local district.

**LEG. VILORIA • FISHER:**

I ask because I've administered Regents Exams to students that are home schooled, and I was just curious as to whether that would be able to provide a body of evidence that your child has gone through the curriculum.

**MS. RHEIN:**

As I stated, it would be part of what we use as a portfolio to show what our students •• you know, if they did participate, it would be part of it, but as far as I can tell, it's not being accepted as proof. They are saying it has to be a GED or a state certified, you know, diploma from a New York State School. And it really doesn't jive with other admission policies, you know, foreign students and out•of•state students. I have heard some •• and these are strictly anecdotal, you know, other parents, you know, parents who have gone the road of the GED, and these students have been initially stigmatized in admission; well, why didn't you finish school. You know, and they have no idea how to handle a home schooled students in a sense of that they did complete all their required studies. It was looked upon as though they •• you know, there was something wrong why they didn't go to school, and that's not necessarily the case. I can speak for myself, In my case, I've chosen to take the responsibility of educating my children. I did some studying myself, and constitutionally, it is the parents' responsibility to provide the education of their children. The public system was set up as a way for parents who cannot for whatever reason provide an education for their children. They can rely on that public system to provide a good education. And that's my stand, for me personally. And there are other reasons behind it, but that's the basic reason.

**LEG. VILORIA • FISHER:**

Thank you very much. I just wanted to clarify that about the Regents.

**MS. RHEIN:**

Thank you. Any other questions? Okay. Thank you.

**CHAIRPERSON NOWICK:**

I see we have another card here. John Roper. Mr. Roper, good morning.

**MR. ROPER:**

Good morning, how are you? My name is John Roper, I'm a tenant and a user of the Gabreski Airport. And first off I'd like to commend Mr. Schneiderman on his help that he has given the airport in these last few months. I've had a chance to work with the Mayor of Quoque and several of the associations around Quoque, and they are definitely in support of this airport commission and what it does, because it does bring to the community a chance to give some input to what the airport really needs to be about.

I think it's a fair statement to say that the Lease Screening Committee and those involved right now in airport planning don't have a background in airport planning. And a lot of it has been done in secrecy. We have not been involved. We don't know what is happening when, where, what the plans are. I myself have had numerous problems trying to get a lease, trying to get anything done at the airport. I have several friends in the same boat, and that is changing, but this commission is an important step. And it needs to be kept with the community.

As far as the issues of the Health and Planning Boards and so on, anything that this committee is going to do, then has to go to the Lease Screening Committee. And on the Lease Screening Committee there is the Health, there is the Planning, there is Economic Development, everybody is there. And they report •• they make the final decision. The Lease Screening Committee has that duty to be the final say on everything. I think it's great that, you know, myself as a pilot and an airport tenant and hope to be a fixed base operator with a maintenance shop and a flight school that I'd like to get going. I'd like to see this really happen because then what the airport is planning, I could be involved with. You know, we have heard talk of utilities being put in, we hear talk of mater plans, airport layout plans, and yet we're not given access to any of these.

I had a list of requirements that I was supposed to comply with an airport layout plan, yet the airport management prior to Mr. Ceglio here would not give me a copy of that airport plan. So how can I comply with something I'm not getting? This advisory committee can get a hold of this. Also in response to Ms. Fahey, Mr. Ceglio is going to be a part of this commission, so the airport management is not going to be left out, he is going to be a part of this planning process and can report directly back to the Legislature and the Lease Screening Committee.

It's also •• I see it as an important step towards developing a master plan for the airport. The current one was done in 1996. There is a business plan that was done in 2003, neither of which include an airport layout plan. There's a lot of things that need to be done that aren't

addressed in those plans. There's some things in the business plans that were addressed that are not being executed. And this committees can help see that gets done and that everything stays on track. There's issues like the industrial park, the •• preserving the businesses that are there, the development of Empire Zones and of course the airport layout plan. One last comment, on the film fees, I think that these landing fees are great, they're in line with everybody, the film fees aren't necessarily a landing fee, so let's not confuse the issue. Let's get these landing fees in place and collect some fees for the County during the US Open.

**CHAIRPERSON NOWICK:**

Thank you. Thank you for coming up. Do I have a motion to close this meeting? Motion by Legislator Foley, seconded by Legislator Carpenter. Meeting is adjourned.

**(\* THE MEETING WAS ADJOURNED AT 11:26 A.M. \*)**

\\_ \\_ **DENOTES BEING SPELLED PHONETICALLY**