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 Friday, November 20, 2008.

MEMBERS PRESENT:
Legislator Wayne Horsley - Chairman
Legislator Steve Stern - Vice-Chair
Legislator Cameron Alden
Legislator Lou D'Amaro
Legislator John Kennedy

ALSO IN ATTENDANCE:
George Nolan - Counsel to the Legislature
Joe Schroeder - Budget Review Office
Joe Muncey - Budget Review Office
Renee Ortiz - Chief Deputy Clerk of the Legislature
Ben Zwirn - Deputy County Executive
Carolyn Fahey - Economic Development
Charles Stein - Suffolk Community College
George Gatta - Suffolk Community College
Michael White - Long Island Regional Planning Council
Debra Alloncius - AME
All other interested parties

MINUTES TAKEN BY:
Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 3:12 P.M.*)

CHAIRMAN HORSLEY:
Okay. Welcome to the Economic Development, Higher Education and Energy Committee. And I see we're all standing and may we -- may we say the Pledge of Allegiance.

SALUTATION

And may we stand for a moment of silence for all those who protect our freedoms both here and abroad.

MOMENT OF SILENCE

Thank you very much. Please be seated. Again, good afternoon. And my apologies for our tardiness for those who have been sitting for the last hour. I've had a debate here whether, Michael, they want you to go first or do the schedule first.

MR. WHITE:
I'm very flexible, Mr. Chairman. I'm perfectly willing to have the business go first.

CHAIRMAN HORSLEY:
Defer to -- because apparently we do have a member of the corporate world here is -- who is bringing his business to Suffolk County. And we all -- this is, after all, Economic Development. Okay. So if I may go to the agenda prior to listening to the august Michael White the Executive Director of the Long Island Regional Planning Council.

Introductory Resolution 2042. Is Linda here? Let me do this. Since apparently Linda is not here at this second. I missed the Tabled Prime.

1770. Reappoint member to the Suffolk County Community college Board of Trustees (Frank Trotta) (BROWNING).

May I have a motion?

LEG. STERN:
Motion to table.

CHAIRMAN HORSLEY:
Motion to table, seconded by Legislator D'Amaro. All in favor? Opposed? So moved. **TABLED (VOTE: 4-0-0-1 - Not Present; Legis. Kennedy).**

1934. Establishing an energy Conservation Policy for Suffolk County Electrical Agency (HORSLEY).

I'll make a motion to table.

LEG. STERN:
Second.

CHAIRMAN HORSLEY:
Seconded by Legislator Stern. All in favor? Opposed? So moved. **TABLED (VOTE: 4-0-0-1 - Not Present; Legis. Kennedy).**

Going back to **2042. To appoint Lynda A. Moran as a member of the Suffolk County citizens Advisory Board for the Arts (ALDEN).**

Do we know, was she -- is this a reappointment or is this an appointment. Oh, Cameron, please.

LEG. ALDEN:
This is a new appointment. And I think I dropped the ball as far as touching base with her yesterday to make sure she was going to be here today.

CHAIRMAN HORSLEY:
You did? I'm just kidding with you.

LEG. ALDEN:
So I would ask if we could just table this one cycle, and I'll make sure that she gets down here.

CHAIRMAN HORSLEY:
Absolutely. I'll second the motion to table. All in favor? Opposed? So moved. **TABLED (VOTE: 5-0-0-0)**.

2050. Renaming the Industrial Park at Gabreski Airport in Westhampton Beach as the "John T. Donohue Industrial Park at Gabreski Airport." (SCHNEIDERMAN)

I understand that Ms. Fahey would like to speak on this issue.

MS. FAHEY:
Just one comment, Mr. Chair. With all due respect to former Legislator Donohue, the park was named the Hampton Business and Technology Park for a few reasons; one of them, to create a regional identity that the Hamptons is a place not only for recreation and for summer homes, but a place -- a viable location for business to locate. And we specifically left out the connection at Gabreski Airport to allow it to create its own identity.

In addition to that, the County has selected Rechlar Equities to develop the park. And if there is going to be a change in the name, we would like to confer with them and address it that way. They're the ones who are going to be responsible for marketing it, and we would like to have their input if their name is going to be changed.

LEG. ALDEN:
Mr. Chairman. It can't go to the Naming Committee because they didn't meet. They only meet like once or twice a year. So you have to table it. Have you met on this yet?

LEG. D'AMARO:
No. Well, the bill was just filled. We need to table it for that purpose.

LEG. ALDEN:
Absolutely.

LEG. D'AMARO:
Yeah.

CHAIRMAN HORSLEY:
Okay. So we have a motion to table.

LEG. STERN:
Second.

LEG. STERN:
Do I have that motion. Lou, motion to table?

LEG. D'AMARO:
I'll second and also ask if the --

CHAIRMAN HORSLEY:
Legislator Stern makes the motion, Legislator D'Amaro seconds the motion to table.

LEG. D'AMARO:
And also too, we should notify Legislator Nowick, who Chairs the committee, that there is some pending business, and then I'm sure she'll be happy to convene the committee as well.

CHAIRMAN HORSLEY:
That would be fine. Let me ask you, Carolyn, Gabreski, wasn't he a World War II Ace Grumman --

MS. FAHEY:
Yes, he was. Francis S. Gabreski was a World War II pilot.

CHAIRMAN HORSLEY:
Are we, like, pulling the rug out from under him, or?

MS. FAHEY:
Well, I think the intent was to create a separate identity also and to honor the former Legislator. But the airport is not being renamed, it's just the industrial park that Legislator Schneiderman is requesting.

CHAIRMAN HORSLEY:
Just the industrial park over to the left. Okay.

MS. FAHEY:
Right. The 58 acres is what Legislator Schneiderman is requesting. You know, this has nothing to reflect on former Legislator Donohue. I actually was here when he was here, so. I just think the industrial park needs to have a regional identity, and the Hampton is important.

LEG. D'AMARO:
Why don't we just defeat this?

CHAIRMAN HORSLEY:
Okay. Well, why don't we discuss it. But at the moment, we have a motion on the --

LEG. D'AMARO:
It's not Legislator Nowick any more, I think it's Legislator Viloria-Fisher as chair of the Parks Committee --

CHAIRMAN HORSLEY:
Oh, is that right?

LEG. D'AMARO:
-- would been to be notified. I'm sure she'll be happy to do that.

MS. FAHEY:
So if I'm clear, this needs to go in front of the Naming Rights Committee, is that the process?

LEG. D'AMARO:
He's not been dead long enough.

CHAIRMAN HORSLEY:

I'll make no judgement on how long he has to be dead. Oh, my God. Is that right, there's a six month --

LEG. D'AMARO:
Six Month Rule measured from the date of demise.

LEG. KENNEDY:
How about if we table it a couple of times?

CHAIRMAN HORSLEY:
I'm sure John would appreciate this conversation. I have a motion to table and seconded. All in favor? Opposed? So moved.
TABLED (VOTE: 5-0-0-0).

He was once a Legislator, he understands. **2065. Authorizing the lease agreement with the Outer Marker, LLC for use of property at Francis S. Gabreski Airport (COUNTY EXEC).**

At this time would like to introduce --

MS. FAHEY:
Let me just give you a brief overview of the lease. The lease is for three acres of aviation property on the north side of Gabreski Airport. Those of you who toured with us, it was the north side that butted up against the old firing range -- the old firing range up on the north side. That's where we're cluster developing the aviation development that's coming to Gabreski Airport. It's for three acres for the purpose of constructing box hangars. It's a 30 year lease bringing in a revenue of about 21,000 a year to the county, that's the first year, with a two and a half percent increase each year. Richard Mayland in Outer Marker, LLC. Mr. Mayland is here, so if you have any specific questions for him. And Tony Ceglio, the airport manager, is here also.

CHAIRMAN HORSLEY:
Legislator Alden.

LEG. ALDEN:
Twenty-one six is the first year lease?

MS. FAHEY:
Twenty one thousand six hundred. It's based on an appraisal that Real Estate did for us.

LEG. ALDEN:
Okay. When they did that appraisal, did they look at other airports?

MS. FAHEY:
I'm sure they did. They did. They do a comparison. It's the only comparison to do is to other airports.

LEG. ALDEN:
Okay. And this is market value or this is a discount?

MS. FAHEY:
Market.

MR. CEGLIO:
Yeah, just real quick. Tony Ceglio, the airport manager. It was based on market value. They compared real estate values at other airports and also in the area of Westhampton.

LEG. ALDEN:
How about real leases that are in place right now, did we look at those?

MR. CEGLIO:
Yes. These are -- these reflect current rates as opposed to -- the last leases we did at the airport prior to this were about ten years ago. So these represent a significant increase.

LEG. ALDEN:
Okay. But for instance, if you went over to Republic, this is about what you would pay for --

MR. CEGLIO:
Well, no. Actually not, because Republic is a different kind of an airport, it's a general aviation airport also, but with, I guess, a significant difference in activity. The rates at Farmingdale or even Mac Arthur Airport are going to be higher. Closer -- closer to us would be Brookhaven Airport or East Hampton Airport. Similar rates are given there.

LEG. ALDEN:
They're in line with that. And what type of business is this going to be?

MR. CEGLIO:
It's storage of air crafts, small single-engine, multiengine airplanes. Basically, it's just storage -- storage hangars.

LEG. ALDEN:
Just storage, not mechanical?

MR. CEGLIO:
No. The lease is going to be for storage, no business, no charter, no mechanical work at all on the airplanes. Only if you own your own airplane, you're permitted to work on it, that's it.

LEG. ALDEN:
How many can they build in there?

MR. CEGLIO:
They propose to build 20; two buildings containing ten hangars each.

LEG. ALDEN:
Thank you.

CHAIRMAN HORSLEY:
Are there any further questions? Well, I certainly -- I don't think we have a motion. I'll make a motion to approve, do we have a second on the motion?

LEG. D'AMARO:
Second.

CHAIRMAN HORSLEY:
Seconded by Legislator D'Amaro. Any further discussion? Certainly we welcome Outer Marker with congratulations, and we think that you're going -- certainly an added addition to our airport. And we look forward to you doing and prospering well.

MR. MAYLAND:
Thank you.

CHAIRMAN HORSLEY:
All in favor? Opposed? So moved. **APPROVED (VOTE: 5-0-0-0).**

All right. **2095. Appoint member to the Suffolk County Community College Board of Trustees (Saul R. Fenchel). (PRESIDING OFFICER).**

And I understand Mr. Fenchel is here. Why don't you come on up and tell us a little about yourself, Mr. Fenchel.

MR. FENCHEL:
First of all, I'd like to give you my resume. I don't know if you have that. I think Mr. Kennedy --

LEG. ALDEN:
Just for the record, can you state what your qualifications are?

MR. FENCHEL:
I have been a lawyer since 1971. I graduated from Boston University Law School in 1971 and was formally admitted to the Bar Association in 1972. I've practiced a whole myriad type of law from commercial to criminal type of law. But more importantly, I've actually run organizations and been involved in conducting businesses, notably managing law firms, my own law firm and another law firm over the last 25 years.

I've had an extensive amount of experience in real estate. I've had an extensive amount of experience in real estate, an extensive amount of experience in municipal tax and finance through the type of work and the type of law that I've been involved, in particular tax certiori, condemnation, which is one of my specialties, but at the same time, I've done a fair amount of transactional matters.

I think that a college in some ways is a business. It has to be managed properly. You have to be able to oversee all the expenses involved, the operations, the personnel. And this is the type of thing which I feel that I'm well qualified to do. I intend to devote myself completely to fulfilling these responsibilities as trustee. I appreciate in today's world, running a college is perhaps or being involved in the management of a college is extraordinarily difficult because the sources of funding from all sources are drying up; Federal, State, County, even private donors. So that everything has to be looked at very, very closely. So different than a business, but it's now a business that requires extra special attention and extra special consideration, and I think I'm capable of doing that.

CHAIRMAN HORSLEY:
Thank you very much Mr. Fenchel. Would anybody else like to have any further questions of Mr. Fenchel?

LEG. ALDEN:
I have a couple.

CHAIRMAN HORSLEY:
Sure. Legislator Alden.

LEG. ALDEN:
Hi. How do you feel about giving preference to contractors that actually have their business located in Suffolk County?

MR. FENCHEL:
I think that the preference has to be given to contractors in Suffolk County. I understand that occasionally, and I'll find out how occasionally, contracts for services and materials have been given outside the County. I frankly don't understand how that could be because the County of Suffolk has every possible service and material that could be provided that I know of for the operation of a college; construction, architectural, engineering, certainly instructional.

It seems to me against the best interest of the County of Suffolk to send that business outside the County of Suffolk and that the County must be give preference and that the only time that contracts or business in respect to the college be exported, if you will, only where it can be shown conclusively that it's not available inside the County.

Some people would say, well, what happens if it's much more expensive inside the County. And I think sometimes you have to take a look at things more closely. Sometimes the most expensive thing is that which you get cheaper, that if you go out and you get a contractor from Pennsylvania or Connecticut, yes, the number may be less, but do they know the ground here? Do they know the supply here? Do they know the people to go to here? So ultimately the cost of that same service or material ends up being more.

Also, to me, the idea of tying in the college to the contractors with whom the college is doing business, I know the college has a very active HVAC Instructional Program, and if such a thing -- any contracts involving that, I would like to put in that contract -- and again, maybe this is something I may be overstepping my bounds in saying this, but this is the way I feel, is that those contractors should be obligated to provide some apprentice work to students in this -- in this college.

LEG. ALDEN:
Even if somebody is doing a contract, like a building a building for Suffolk Community College, you'd like to see people from the college be hired as an apprentice?

MR. FENCHEL:
Yes. You have engineering courses here in the college. And one of the things I happen to have personal knowledge of, because I've -- as a sort of second career or second interesting career, I've pursued sciences, as you can see from my resume. In order to qualify as an engineer -- now, it's true, you cannot get a BS or a BA in engineering from the college. And ultimately, the concept in a community college is to move -- one of the concepts is to move from the community college to the four-year college. That's one of the primary concepts. And those engineering students or science students who do that and then want to go into engineering, one of the strict licensing requirements in this state is experience. And that experience that they obtain while they are at Suffolk Community College will count one way or another toward that experience.

Also, there's just the general idea that they will be better prepared to go out into the workforce. One of the Legislators pointed out that we have problems keeping people here on Long Island and, of course, Suffolk County. And if you don't train them and if don't give them an inducement to stay here, one of which would be that, I think you're bypassing an opportunity.

I'm sure we're not talking about tens of thousands of people. We're maybe talking about hundreds over a certain period of time, but that's important. And in addition, I take a look at Suffolk Community College and I say it's a magnet. I don't know of any community college, and I could be wrong on this, in the northeast anyway, perhaps throughout the whole country, that has tuition as low as this and provides the extent of services. You have 2000 faculty, you have class sizes of 23, no less typically than 17. I wonder if Ivy League Schools could get anywhere near that.

LEG. ALDEN:
Almost finally, how much oversight do you think we should have over the college?

MR. FENCHEL:
I know that's a difficult question too because of the recent court cases, court cases, of course, from Westchester County and the recent decision by the Supreme Court Suffolk County Judge Tannenbaum on the Plan C question. This is -- this is -- I feel personally that since the County is giving 39 million or 40 million -- I mean, we could -- depending on how you want to take a look at it -- to the college that there has to be some concern there between the college and the County as to how that money is spent.

That being said, and this is a difficult line to draw, I would never want any government, including the County no matter how much money they give to control curriculum or control the intellectual content of what goes on in a college. I'm talking more in terms of the operational aspects; the cost of doing business. They should at least have that oversight and they should at least have that input. Dr. Pippins, after the recent case which the County lost, and based on the Westchester County case -- I don't want to render an opinion as to what will happen when it goes up -- the first thing I think she said is that it is essential that the County and the County College get together and start working together. You can't have this confrontational type of relationship. It just doesn't work. It's the wrong -- it's the wrong attitude, Plan C or any other plan.

LEG. ALDEN:
And then finally, do you have an opinion on, I guess it's Mr. Paterson's budget would increase or the impact on Suffolk Community College of Mr. Paterson's proposed cuts would be approximately a $300 per credit increase. Do you have an opinion on that?

MR. FENCHEL:
I think that's devastating, especially -- well, you know, in today's economic climate there's always a justification. The State has got some serious financing problems. But to take a $300 increase against a tuition of $1600 or $1700 at a time when the unemployment rate is going up, that amount of dollars is serious. A hundred dollars is serious. And you wonder how you're going to avoid these increases. There's no question that you're not going to get more from the State. The best you can hope for from the State is that they'll hold. The best you can hope for from the Feds is that they're going to hold. The outside donors, it seems that the college is doing a bit better with the outside donors and is also doing a bit better with what's called the offsets, the concessions and things like this.

LEG. ALDEN:
The donors, though, it looks like there's one large donor that kicked it into --

MR. FENCHEL:
Five million dollars.

LEG. ALDEN:
Right.

MR. FENCHEL:
And that was excellent. Obviously, that makes quite a dent. But depending constantly on donors, this is a not a college that's got these tremendous billion dollar endowments. It's going to depend on other things in order to keep that tuition within a reasonable range. There's nothing set in stone about $1688 per semester, but you can't set it at numbers that make it impossible for students. And these are people who plan on going out to the workforce. These are the type of people that need every dollar that they're getting or saving without making every possible effort to keep that number down.

LEG. ALDEN:
Thank you. Thanks, Mr. Chairman.

CHAIRMAN HORSLEY:
You are very welcome, Legislator Alden. Legislator D'Amaro.

LEG. D'AMARO:
Thank you, Mr. Chairman. Just a quick comment. Mr. Fenchel, welcome. Thank you for putting yourself forward and being willing to serve. Here's the problem with that whole Plan C situation. This is kind of a unique board. You get to spend all the money, but don't have to account for it. Suffolk County provides some of the funding, there are other sources coming from public funds to support the college. It's a wonderful college. It's managed very, very well. I was just there last

night and was speaking to one of the government classes there myself. I'm always impressed when I go there. Dr. Pippins does a great job.

However, we up until now were providing the budget, crafting the budget for the college. And we as the Legislature along with the County Executive were accountable to the public on how we spent those public funds. The lawsuit seems to me, by throwing out that whole scenario, is now giving the college board the authority to craft that budget. And, yes, we get an up and down vote yes or no on the budget, but we don't really get to set any priorities. I don't think there's ever been a history oft he Legislature getting involved in setting curriculum or in the educational aspects of what the college does.

But at the same time, if that is going to be what the law demands going forward, it makes your position a little more sensitive in the sense that you are not going to have the same level of review and oversight as Legislator Alden referred to with respect to your budgets. You're going to get to craft that budget working along with the college administrators, and then we only get to say yes or no. So my own personal opinion is that's not really a healthy way to run the college. But how do you feel being put in the position of being able to spend but not have to account?

MR. FENCHEL:
I think I've gone on record, at least in the screening committee, that I did not like that. I thought that was not -- not appropriate. I thought that if a taxing authority and a government is -- and a representative government, an elected government, is paying that much money into a college that is supposed to be fulfilling a mission for that elected body, that at minimum there has to be some input. So I don't agree. And whom am I to say one way or another, but I don't agree with the conclusions of the court, both the Westchester County Court and the local court on this issue that the Legislature only can do an up and down type of situation. I think there is no reason why there shouldn't be some oversight and that the trustees have to not necessarily account but answer to certain questions that the Legislator has.

LEG. D'AMARO:
Well, I'm encouraged by that. And if the law demands that that's the way the system needs to go forward, I can live with that, of course. But what I'm asking you should the Legislature decide to go ahead and approve your appointment is that you just keep yourself sensitive to the fact that when you're crafting budgets or having input on a budget for the college that you be sensitive to that fact that you are dealing with public funds here and that, you know, if you're not accounting perhaps back to the Legislature for that, you at least account to yourself for that. I think that would be a healthy state of mind going into -- as a member of the Board of Trustees of the College.

MR. FENCHEL:
There is no question that that's the way I would approach it. This is not a bottomless pit of money. There is a limit to it and there's a realization that it has an impact on the taxpayers. And you just can't -- you can't be obviously to that situation, you have to be sensitive to it.

LEG. D'AMARO:
Right. And not to say that the present board or administration there is oblivious, they are not. They do a great job in running the school and providing education on Long Island to a -- many students who probably would not have access to education but for the college. And it's high quality, and it's come a long way since I used to visit that campus back in 1982, '79, '80, like around there. So, you know, I'm not- - my comments should not be taken to reflect dissatisfaction with what's happening at the school. But yet, there's another dimension, and that's accountability when you're spending public funds, and I just ask you to keep that in mind.

MR. FENCHEL:
Certainly, I will keep that in mind. There's no question about it.

CHAIRMAN HORSLEY:

Thank you very much, Legislator. Legislator Kennedy.

LEG. KENNEDY:
Thank you, Mr. Chair. Welcome, Mr. Fenchel. And I admire you for putting yourself forward for an important position. And my questions go similar to some of what was just spoken about before. I agree with my colleagues, the college has come a tremendous amount of way. And Dr. Pippins has done an extraordinary job to bring it forward, particularly you mentioned the HVAC Program. You know, there's also an Automotive Training Program in partnership with Honda and General Motors. The Nursing Program is renowned as a matter of fact. Suffolk nurses are known throughout the area for their skill and their abilities.

Also, there is a very important construction program, building program, which is a collaborative effort between the State Education Department and our Community College. And I think your cognizant of the fact that there are three buildings that we have continued to go ahead and keep included in our Capital Budget, which will have profound impacts on the campuses. And I'm curious if you have thoughts about supporting that supporting or the viability of that or what your thinking is about the capital construction program.

MR. FENCHEL:
Well, the capital construction program, I think, is well advised, but as I pointed out that capital construction program has to be tied into the education -- what I would call the needs of the students themselves to be educated. I think that's essential that contractors who are being brought in to do these capital budget or fulfill these capital budgets come from Suffolk County and be obligated to utilize to the extent possible students from Suffolk County Community College.

LEG. KENNEDY:
Which is important now. If I can go to one building in particular, as a matter of fact, you might find it interesting, I got correspondence recently from a professor advocating for the importance of the library project at the Grant Campus. And she is actually an attorney who instructs in Business Law. And she was lamenting the fact that the existing library resources really don't allow for her to go ahead and have her students develop the internet access or back in my day, the book resources, shepherding, if you will, back when it used to be done by hand. So I hear what you are saying as far as wanting to draw on students for participation, but I also think that the mission that some of the buildings has as an end role I think is equally important. And I'd just like your thoughts on that.

MR. FENCHEL:
There's no question that the mission that these buildings have is very, very important, because without a Capital Budget and without improving the structure of the college, you can't fulfill your mission. So when you're talking about a library facility, and I think you were talking -- I think it dates the both of us to use the term shepherdization. With some of the young associates, when I use that term, they look at me with a completely blank state of- - what are you talking about what? What is shepherdization? Is this something, like, with sheep? I have no idea.

So, you know, I look at that and I say, okay, in respect to the library, maybe what we want there is to make certain that all the computer facilities that are put there come from Suffolk County. This is probably an area of the greatest technological expertise there is. State University out in Stony Brook is putting up buildings for wireless technology. You have a tremendous amount of resource here. And if it has to be in conjunction one with the other for the sake of maintaining expenses down, which is very important, then that's the way it should be done.

You have to be a bit innovative in this. And especially today, we have all this interconnection. We're not as accustomed to that, but as -- maybe as we should be. But you have this incredible amount of interconnection, and there's no reason why all these resources available with the State University system in Long Island and in particular Suffolk County shouldn't be made available to the college and everybody else for the sake of maintaining expenses for the sake of also fulfilling the mission.

LEG. KENNEDY:
Just one other question. Certainly an attorney with your stature and your decades of practice is knowledgeable and proficient. You're aware that there is counsel to the Board of Trustees. Have you had an opportunity to meet her or have any conversations with her?

MR. FENCHEL:
No, I have not.

LEG. KENNEDY:
Okay. But would you see for matters that were a question as far as the board goes accepting guidance from her or taking direction in that matter?

MR. FENCHEL:
I think it would go in the other direction. I may seek guidance from her in more so than her seeking -- it would go in two directions. There's no question about it. I don't think two professionals can be actually set in their ways, and this is what I think and have another professional there and say I'm not taking advantage of their input.

LEG. KENNEDY:
I agree. I agree. All right. Thank you very much, sir. Thank you Mr. Chair.

CHAIRMAN HORSLEY:
You are very welcome, Legislator Kennedy. Legislator Stern and for a wrap up.

LEG. STERN:
Yes. Thank you, Mr. Chair. Mr. Fenchel, thank you for being here. Legislator Kennedy brings up an important point. You know, resources and our commitment to continuously improving capital infrastructure and providing the opportunities to our students. But, Mr. Fenchel, you know, maybe you can chime in and give me your thoughts in this. You know, we're about to hear from the Director of the Long Island Regional Planning Council. And I'm sure what he's going to talk about is how we need to do a much better job of promoting smart growth within our region and how we can better rely upon and pool resources.

And, you know, when we talk about, you know, certain students having accessibility to whether it's shepherdizing, you know, the old books or computer programs or law libraries or other resources in general, you know, I would also hope that we would do a better job of taking advantage of those resources that might be available to community college students that are literally right across the street without having to build, you know, a multimillion dollar new law library.

You know, I hope that that's going to be in part the kind of thinking that you are going to be able to bring to the Board of Trustees. And if we're talking about housing opportunities, well, I think it would be a better idea to not necessarily focus on the next tremendous capital project that we can promote at the college, but what other synergies are there within the community that we can assist students in taking advantage of.

If we're talking about law library resources, we have brand new Touro College located, you know, literally right next door to the Brentwood Campus. We have, you know, beautiful courthouses that have their own law libraries. We have George Nolan's Office and his resources. But I think in continuing to promote the mission of the college that we should also promote a larger regional approach to ensuring that not every resource has to be provided on the campuses of our community college, but to do a better job of steering the programs that are offered to our students, you know, with in the community at large. But I'm familiar with Mr. Fenchel as a -- you know, an outstanding representative of the profession as is his firm, so I will make the motion to approve.

CHAIRMAN HORSLEY:

Thank you very much, Legislator Stern. Do I have a second on that? If not, I'll make a second. All in favor? Opposed? So moved. **APPROVED (VOTE: 5-0-0-0).** Congratulations.

All righty. Michael. I'm sorry for our tardiness in bringing you forward. And that is not to in any way diminish the importance of your conversation with us today. I understand you're going over the projects of regional significance that the Long Island Planning Council has put together. And we're anxious for you to address us. Michael.

MR. WHITE:
I thank you very much. Actually, I really thank you for the opportunity and the invitation to come forward. We are certainly excited about the fact that we now are in the council mode; we have the appointments made, and I thank the Legislature for moving those appointments forward. And I also want to thank you for the opportunity to really come to this committee in particular, because certainly everything that we're looking at these days in sustainability planning and our regional comprehensive plan going forward really has an economic development fiber running through it.

I have provided, Mr. Chairman, some pieces of information. And I know the time is late. And I want to focus on a couple of particular things, as example, the projects of regional significance. But we did provide certainly a list of all the council members so you can see who the voting members are at this point, as well as our ex-officio members. We have now 12 voting board members and 14 additional ex-officio members.

In addition to which I've provided our mission statement as adopted by the council and the sheet describing our projects of regional significance criteria. And I'd like to talk about a couple of those items that we're working on specifically, also a sheet describing a project that is presently underway, which is our Long Island 2035 Regional Visioning Initiative, which is a project that's funded by the New York Metropolitan Transit Council. We are working with both counties, the MTA, the Long Island Railroad, the State DOT, the Federal Highway Administration as well as a study group on really putting together a visioning that takes a look at where the next generation of Long Islanders could live and work and the transportation systems that are necessary to accommodate those settlements.

The other two documents that I've provided is some current work -- rather work that we expect to be undertaking in 2009. The first one is a copy of the solicitation for competitive proposals for our Long Island 2035 Regional Comprehensive Sustainability Plan. We have received indeed seven outstanding proposals in response to this solicitation. We expect to shortlist those numbers, have interviews within the next month or so, and hopefully, subject to, again, further review and funding, be able to announce a successful contractor by the beginning of 2009 and proceed with that work.

And by the way, that will be really a continuing useful task to the foundation that that NYMTEC visioning project is laying. So we are proceeding in terms of the visioning project and using all of that good work that's funded through NYMTEC, which is about a $500,000 grant to proceed with the sustainability plan. And before, again, we go back to the projects of regional significance, I just wanted to bring your attention to one other solicitation that we had put out about, actually at this point, over two months ago, and that was a solicitation that would work in conjunction with our sustainability plan. And it was really specifically looking at the social and racial equity component of our sustainability and regional planning.

We have received two proposals in response to that -- in response to that solicitation. And the importance of that is recognizing that certainly that is clearly on Long Island as we've seen in the tragic events over the last week or so. And unfortunately, looking back historically, about how Long Island has developed in such a segregate manner. So what we're looking to do here is not only work regional comprehensive sustainability planning on all the typical factors; you know, the transportation, the environment, the waste water, the air quality, the energy, all of those factors. But also be sure that we are running through in every aspect of our sustainability planning the concern to recognize the need for social, racial and economic equity. So we would expect to have a selection for that contractor at or before the time we announce the contractor for the sustainability

plan.

Now, we'll go back to a very specific initiative that we have been undertaking really over the past year, so -- even when we were the Regional Planning Board. And as a council -- by the way, it's important to note we've already had some -- this one meeting of the council with the supervisors and the mayors participating. And I would -- I would say that it has made a very, very important addition to the discussion that goes on. So I think we are exactly right about putting the land use authorities right at the table with respect to our regional planning.

One of the initiatives that we have put together was this designation of projects or regional significance. And if you -- you see in the information that I've provided, basically what this contemplates is the Regional Planning Council identifying, designating, monitoring and advocating for projects of regional significance as determined by these criteria. And I won't go through the details of each one of them, but the criteria or guidelines have to do with economic development, housing, transportation, energy, the environment, education, public health, emergency preparedness, economic equity and social equity. So a project to be designated doesn't, of course, have to fill each and every one of those criteria, but something within those criteria.

We would look to designate the project as a project of regional significance where in the case of what we've done so far in the case of two what we might call public infrastructure projects; one being the third track of the Long Island Railroad, and the other being the Islander East Natural Gas Pipeline that's proposed between Connecticut and Long Island. We've not only designated them as projects of regional significance, we've become advocates for those projects. I'm presently in a letter writing campaign with the State of Connecticut on the Islander East Pipeline.

Clearly and certainly being the Energy Committee, there's recognition that we are at a point where we need more natural gas. Natural gas will make a clear difference to our economic sustainability on Long Island, it will make a clear difference to our environment with more and more conversions from home heating oil or from using foreign oil to heat to natural gas. We have an improvement in air quality. And of course the additional supply will not only maintain that economic growth, but also has a potential to stabilize pricing as well. So that is one of our projects.

And the other one in Suffolk, by the way, is the Heartland Town Square proposed development. Now in that case, we've identified Heartland which is the proposed Wolcoff development of Pilgrim State Property not being an advocate, because certainly there's a long way to go between now and the time we actually see what is possible there under the review and environment impact analysis that needs to happen in order to see if that project can -- can really work on that site. But we've designated it as a project regional significance to the point where let's get it moving. Either it's going to happen or it's going to get a review or it's not. We can't just keep talking about things, which is our problem sometimes on Long Island; we talk about things and we never see if they either are going forward or not going forward.

So in that case, it's different than what I talked about in terms of the public infrastructure projects where we're saying, okay, let's monitor it and see if it's going to get to a fair hearing and get information developed so the community, the towns and everyone else involved can make some determination. But clearly, looking at it at where we see it right now, the idea of the economic development and enterprise of having a development which is smart Growth; it's transportation oriented development, and of course, acknowledging the need for workforce housing and rental housing that it proposes to provide is something we need to take a close look at.

Similarly, we've done that to the Lighthouse project and the hub overall in Nassau County. Again, not an advocate that's what's proposed has to happen, but being a monitor and a catalyst to make a determination of, okay, is this what -- is this going to work, are the -- is the information being developed so all the decision makers and the community can get a close look at this and see whether or not it should go forward.

Under consideration in Nassau County for further designation for projects of regional significance under our criteria are the Riverhead Resorts Project, the proposed Intermodal at Pilgrim State and the proposed Suffolk County development at Yaphank. Again, those have not even reached the point for being designated for monitoring and close look and so forth. But the council has heard some information about those, are considering them further, and may, you know, make that destination some time in the future.

CHAIRMAN HORSLEY:
Can I interrupt just one second? Can I make a suggestion to you? Seeing that you are still formulating that list of future regional projects that we also include the sewering of the 70% of Suffolk County that is not sewered. Though it is not one project, it is probably many projects, but it is in totality a concept that has to move forward.

MR. WHITE:
I certainly do agree, as you know. I know you do.

MR. WHITE:
Sewering is one of my favorite topics.

CHAIRMAN HORSLEY:
Can we put it on the list?

MR. WHITE:
We'll put that on the list.

CHAIRMAN HORSLEY:
And I will be glad to assist in any way possible to push you in that direction.

MR. WHITE:
That's fine. And by the way, let me just say before we go any further, this is also a very important element to what we want to be doing at the council. It's really not about the council, it's not about -- we really don't have decision making power. You have some decision making power. But what we're trying to do is bring that input into the process. So this, while it gives me an opportunity to tell you something about what we're doing, it also gives us and me the opportunity to bring back to the council information from the Legislature. And I would hope that this is certainly not going to be the first time -- it hasn't been the first time, it's not going to be the last time, whether it's this committee or other committees that we're able to put that communication together.

Another project that I want to mention or rather initiative that we're working on, it's clearly important, I think, to this committee, not only from economic development, but from higher education is that we've -- we've put together a working group with respect to an initiative on workforce housing for Long Island colleges and universities. And the idea was -- and we first had a discussion group at a council meeting, we then had followup meetings with a working group of some of our college presidents and their representatives. The idea being that we have certainly on everyone's mind the need to retain young people on Long Island. Okay? So whether the young people are graduating high school -- we've done such a good job graduating people out of great high schools -- or they're young people who are graduating from our -- from our terrific institutions of higher education on Long Island, we want to see them stay on Long Island, keep these brains on Long Island.

So one of the things we started looking at was could the college and universities actually directly get involved in some workforce housing development. And we knew that the college presidents had been discussing this, and we sort of pulled them together. So we are making some progress, and we've been a catalyst for those discussions. And very specifically Suffolk Community College has stepped up with a very exciting idea still in the thinking, visioning framework, and that's the possibility of something at the Brentwood Campus. And the idea being that it would retain say

recent graduates who are -- who the college did such a great job on job placement, they get a great job, but can they really afford to live. Maybe a little sort of help or a subsidy will help that.

As well as we've heard from every one of the colleges and universities on Long Island that there's a difficulty attracting and retaining faculty. So maybe the idea of a little, you know, get started on Long Island housing with some housing in that case. So those are some of the projects of regional significance and some of what we're doing.

This, all that I'm speaking about to you, will be presented to the Legislature probably the next cycle as the legislation does require us to submit a business plan to you. And we will be voting -- we've actually voted on the final plan. It's being printed effectively, and it will be submitted to both the Suffolk County Legislature and the Nassau County Legislature for approval. That's indeed one of your oversights in terms of our receiving funding and spending money. So this is an opportunity for my -- for me to give you some heads up on some of the things we are doing. And you'll see more of this detailed in that business plan. So I'd welcome any questions, Mr. Chairman or members of the committee.

CHAIRMAN HORSLEY:
That's great. Well, we'll start with Legislator Stern.

LEG. STERN:
Thank you. Thank you, Mr. Chairman. Michael, always good to see you. You know, we're talking about projects of regional significance. And what I have seen, you know, through the years is that, you know, it's -- we can comment on individual projects of regional significance and -- whether we support those projects or oppose those projects. But I've felt that when we take a look at particular projects that we are neglecting a region all too often. And I've always thought and hoped, as I'm sure you do, that the council can play that role that I think probably missing when we take a look at town planning boards and we even take a look at the Planning Department at the County level or at the State level and you have all of these all levels of government that are quite frankly looking out for, you know, what they believe is a top priority for them. Maybe that's right, maybe it isn't, but that's how it is.

So I've always hoped that the council would kind of assume that role in commenting not just on particular projects but kind of steering the discussion in a much more regional approach and taking a look beyond individual projects. I'd like to get your thoughts on what you believe the role of the council can or should be in that regard. And when you have representatives of various levels of the government, what are some of the things that we should be doing in coming to you to maybe take a step in that direction or be able to consider some of the not significant project, but projects that might being going on in a wider region and how you might be able to play a role in bringing together the various levels of government in formulating a more meaningful and coordinated effort in dealing with not just the implementation of the projects but infrastructure that is not yet there that would be absolutely essential to the success of those projects of significance, but also maintaining area residents quality of life?

As an example, you had mentioned intermodal, some of the other things going on on the grounds of Pilgrim State. You know, one of the essential elements that we who represent the area have been looking at as, you know, a glaring omission is the infrastructure doesn't even come close to serving an area that is already under significant development pressure, much less being able to serve these significant projects that are right now in the planning pipeline. So how can the council help all levels of government advocate, you know, for the infrastructure needs that would be absolutely essential towards the success of these big projects?

MR. WHITE:
First of all, let me say, Legislator Stern, I think you are exactly on target. That's what we need to be doing, and that's the effort even as -- maybe I didn't describe it well enough in terms of these projects of regional significance. They are projects that clearly need to be addressed on a regional

level and not just a town planning board or a County Planning Commission. And so I see A-Number 1, the council's role in -- and one of the reasons why it's important to have the supervisor representation and the village representation on the council is that we know that there are decisions that the local governments are making, towns and villages, that are affecting the region, and they're not considering that regional impact. And there are things that the region needs or the region has to be concerned about that are, quite frankly, opposed or objected to by supervisors or mayors.

I'll give a couple of examples of that. Third track, as an example. I've taking my beatings in the Village of Mineola and the mayor there because it's a very parochial, well, you know, there's a problem because they are going to have to do construction, they're going to have to take properties, okay? But from a regional perspective, there's no doubt that Long Island needs a third track among other things in terms of improvements on the Long Island Railroad.

So that's exactly the role we need to be playing on a project like that, is to say, okay, village, we understand you, we'll help you to resolve those issues in the community with the MTA, with the Long Island Railroad, but you have to realize there's a greater need and a greater good. And the other one back in terms of the Pilgrim State, as example, intermodal. You know, I don't think any of us sitting here, nor does the State DOT, know whether we need an intermodal facility at that site the way it was planned. But we do know that as a regional basis, intermodal, the idea of getting trucks off the Expressway and more rail freight are key, whether it's something there or not, whether it's something there or four or five more along the Expressway. That's what we need to be dealing with.

But sticking with Pilgrim State because it's really the perfect example of what you're talking about of -- the whole complex, whether it's Wolcoff, it's the intermodal, it's the fact that we now have Tanger, we cannot, we cannot as a region accept what the State DOT says, and that's, you can forget about doing anything on the Sagtikos Parkway because we're just not doing that, we don't have any money and so on and so forth. That's exactly where the Regional Council has to play a role and say, no, you are wrong about that.

What Suffolk County needs in that instance is not only the greater connection to say rail improvements and making better use of the Deer Park Station and considering the use as the intermodal, but there's no doubt something else has to go on there not only if there's a better or a real connection for trucks to the intermodal, but because, frankly, the Sagtikos Parkway is outdated. Not that we want to build more roads for more sprawl, but it's already at a place where it's beyond it's capacity. And we have this really extraordinary opportunity for economic development on Long Island if we get it right.

So I think you are on point. And when you take a look at our business plan and what I'm trying to describe to you here, I totally agree with you, we need to be that catalyst between the town, the communications with the County Planning, the advocate for the State DOT. I mean, actually, this afternoon, before I got here, I was drafting a letter to the Governor that said, isn't it just the wrong place and time to say we're going to stop these highway improvement projects when in the time of economic circumstances where we're at, shouldn't we sort of be using the new deal approach and creating public infrastructure? These are not projects that we thought of yesterday. These are projects that have been waiting and in planning for a very, very long time.

So from a quality life standpoint and from a resolution traffic congestion, okay, that's there the council I think needs to come in working with both of our counties, which I do every day and say, look, that's the wrong place to go. And, again, DOT transportation is, I think, one of the perfect examples where there needs to be that multilevel or inter-level or multi-jurisdictional advocacy.

LEG. STERN:
Thank you.

CHAIRMAN HORSLEY:
Mr. Kennedy, question?

LEG. KENNEDY:
You know me.

CHAIRMAN HORSLEY:
I do know you. I tried though.

LEG. KENNEDY:
It's good to see you again, Michael. And it looks like you're busy as always. I never thought that much grass would grow under your feet. Tell me about your thoughts from the region perspective when it comes to energy. You spoke about Islander East and the priority. I saw recently in Newsday about the article with Caithness already starting to flow the trial balloon about a second plant now. I've had the pipeline just come through my Legislative district connecting Iroquois down to the lateral. You know, it's here, we keep hearing about these alternatives. What are the people at your level saying and thinking and where are we going to go with it?

MR. WHITE:
First off let me say that energy is clearly one of the elements of our sustainability planning, but at the same time, what we want to take on and address that issue, and there are positions and discussions at the council, clearly we don't want to be redundant or do something different in terms of what LIPA's initiatives are in revamping their master energy plan, which we are a part of. But you know I've also been involved in this topic for a while.

And so let's start back with Islander East. There couldn't be anything clearer than the need for additional natural gas as a bridge for -- without Islander east, I think effectively Long Island gets denial to the access to the bridge fuel that we need before we see more renewables. You know, with respect to Caithness, I have had a tour of that facility, I have been on that property. Does it appear to have room for another power plant? Yeah. But let's wait until LIPA can tell us how well of a job we're doing in terms of energy efficiency and energy conservation, because the thought has also been for every megawatt we can serve or create better efficiency, that's the power plant we don't have to build. Let's wait and see what the results in terms of their announcement for the solar energy RFP that they put out.

So I think that discussion has to be had. And it's interesting that that offer has been made. But I think we're certainly not close to that. What we're absolutely in the need of and we're behind the clock on is not only the update to the LIPA plan, which they're working on, and I'm sure we're going to see that revealed shortly, but really a State energy plan that works for New York State in connection with Long Island. And certainly the new government in Washington turning around and saying, yes, we need a national energy policy that recognizes or acknowledges regional benefits -- the need for regional projects and sort of gets out the parochial interest.

So the answer is that there's plenty needs to be done, but I think every time we look at the potential next energy project, let's not get off on the wrong foot. And I think we're going to be hearing a lot more about that from LIPA here on the Island. I think we're going to be hearing more from NYPA with its new executive director as well, and we stand ready to participate in that planning as well. And I think the County has a clear role in it as well.

CHAIRMAN HORSLEY:
Mr. Kennedy, just quickly on that, I asked -- when that announcement came out from Caithness, I asked them to come here and talk to us about it.

LEG. KENNEDY:
Is that right?

CHAIRMAN HORSLEY:
For this committee. Yeah. And they said that that got out there way too early and that they were

just in the discussion stages. They are really -- it's not real yet, it just happened to slip out under it tongue.

LEG. KENNEDY:
But, Mr. Chair, you got my hopes up. I thought you were going to tell me you were inviting the new NYSERDA Director to come here and talk to us.

CHAIRMAN HORSLEY:
That's not bad.

MR. WHITE:
Mr. Chairman, can I say one more thing? Actually it's connected to the Caithness question and even Islander East. There's a lot of talk, as an example, on Long Island about repowering and what does that really mean. There's virtual repowering, there's actual repowering.

CHAIRMAN HORSLEY:
Which I don't understand that, but that's okay.

MR. WHITE:
But let's look at one definition of potential repowering for Long Island. Okay. And this could perhaps really make a difference in terms of environment, efficiency and less reliance on foreign oil. Right now there's about 300 megawatts of electrical power generating capacity at the Shoreham Nuclear Power Plant site. They're oil fired, very, you know, inefficient oil burning facilities. If the Islander East pipeline were there, there would be instant repowering of powering that additional 300 megawatts on natural gas with an improvement to the environment.

CHAIRMAN HORSLEY:
Is 300 substantial?

MR. WHITE:
It is substantial. So I just say that as, you know, on the repowering. You know, there's power being generated. Certainly if converged to natural gas, it creates repowering where we're not using foreign oil and we're certainly improving air quality.

LEG. KENNEDY:
Thank you.

CHAIRMAN HORSLEY:
Michael, I look forward to working with you on a lot of these projects. They're all exciting, and I can see why you're doing this. I sit better than law practice?

MR. WHITE:
I am excited everyday that there's always opportunities. There's always more to do in one day than I have time to do, but next year -- I just want to say one thing, you will see in the business plan, I'm actually going to get two direct employees next year. So that's a very important step forward. While we rely tremendously on county resources of both counties, the idea of having some staff people who are really going to further the efforts toward our planning and do what we have spoken about here today will make a tremendous difference to us.

CHAIRMAN HORSLEY:
That's great. Are there any further questions? Michael, I justice had one quick -- I know we're wrapping up. When you give a regional significant categorization or whatever you are calling it, what does that do for that particular project? What do you see -- does it push it? Does it, you know, give it some sort of special star? What does that do?

MR. WHITE:

Well, again, draw the line between when I talk like third track and -- like on third track, what it means is I'm communicating with the Long Island Railroad very frequently to find and the MTA, what are you doing, how are you going to do this, what else do we need to do to be an advocate?

CHAIRMAN HORSLEY:
So what you're saying is it brings in Michael White. Is that what it boils down to?

MR. WHITE:
And every member of the council, exactly.

CHAIRMAN HORSLEY:
It brings in Michael. And that's what regional significance means.

MR. WHITE:
Well, the same thing with Islander East. We were at that meeting together when we had Attorney General Blumenthal. And I, of course,was placed sitting right next to him. He definitely remembers me. On the other projects, though, what it means -- one of the important things that that relates back to the economic development mission is we hear about a lot of things, there's a lot of things proposed. Without making a decision whether they're wrong or right or have to get done or the best thing to get done, it helps move the decision.

Are we going to get a decision about whether we're doing it or we're not. You know, does it have life or doesn't it have life rather than just stringing these things along. And so that's part of the catalyst to make some determinations and assist in that communications, particularly when it gets to the multi levels of government.

CHAIRMAN HORSLEY:
Fair enough. That's great. Thank you very much for being here today. And we look forward to your report when this is finalized. And anything you need, Michael, just, you know, call. You know, we'll -- we'll be there, because we're in the same game.

MR. WHITE:
Thank you very, very much for your time.

CHAIRMAN HORSLEY:
Motion to dismiss.

LEG. D'AMARO:
Amen.

CHAIRMAN HORSLEY:
Seconded and approved.

(*THE MEETING WAS ADJOURNED AT 4:15 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY