

**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, November 16, 2011.

**MEMBERS PRESENT:**

Legislator Wayne Horsley - Chairman  
Legislator Steve Stern - Vice-Chair  
Legislator Ricardo Montano  
Legislator Lynne Nowick

**MEMBERS NOT PRESENT:**

Legislator Thomas Cilmi - Excused Absence

**ALSO IN ATTENDANCE:**

George Nolan - Counsel to the Legislature  
Vivian Vilorio-Fisher - 5th Legislative District  
Renee Ortiz - Chief Deputy Clerk of the Legislature  
Eric Kopp - County Executive's Office  
Carolyn Fahey - Economic Development  
Bob Martinez - Aide to Legislator Montano  
JP DiMartino - Aide to Chairman Horsley  
Debbie Harris - Aide to Legislator Stern.  
Seth Squicciarino - Aide to Legislator Vilorio-Fisher  
Joe Schroeder - Energy Analyst - Budget Review Office  
Jack Caffey - Aide to Presiding Officer  
Paul Perillie - Aide to Majority Leader

All other interested parties

**MINUTES TAKEN BY:**

Donna Catalano - Court Stenographer

**MINUTES TRANSCRIBED BY:**

Denise Weaver - Legislative Aide

(\*THE MEETING WAS CALLED TO ORDER AT 2:05 P.M.\*)

**CHAIRMAN HORSLEY:**

Good afternoon everybody and welcome to the Economic Development, Higher Education and Energy Committee meeting. And may we all stand for the Pledge of Allegiance.

***SALUTATION***

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

***MOMENT of SILENCE***

All righty. Again, good afternoon, everybody. I know we have a couple members that'll be coming in a second. So what I thought we might want to do is since we don't have our agenda fully put together as yet; why don't we do the presentation. I don't think we have any cards. Is that correct? Right. And maybe you guys can set up and -- so we can get this thing rolling.

**LEG. VILORIA-FISHER:**

Thank you very much, Mr. Chair. We're very excited about presenting this report to the committee.

**CHAIRMAN HORSLEY:**

Well, I am also. And let me just first preface it by saying this is -- comes out of your legislation --

**LEG. VILORIA-FISHER:**

Right.

**CHAIRMAN HORSLEY:**

As a task force on Home Energy Task Force for residential energy efficiency programs available to homeowners. And we're very pleased that you're sitting where you are today. This is kind of novel and kind of interesting. I like it.

**LEG. VILORIA-FISHER:**

I'm going to get used to being on the other side of the horseshoe.

**CHAIRMAN HORSLEY:**

We will not. But -- well, why don't you present.

**LEG. VILORIA-FISHER:**

Well, thank you. And we had distributed a copy of the task force report at the last general meeting. But because I didn't stand true to my background as a teacher, I didn't expect everyone to bring their materials with them so we have more copies for you.

**CHAIRMAN HORSLEY:**

Well put.

**LEG. VILORIA-FISHER:**

Anyway, I want to thank the members of the task force, especially those who are here. You have a list of the full membership. As you know, Sarah Anker had been a member representing the Town of Brookhaven and she, of course, is not here because she's not a member anymore since she's not with the Town of Brookhaven anymore, she's with us in the Legislature.

Lisa Ann Broughton. Lisa Broughton is from the Department of Energy and Environment. And,

Lisa, can you just stand up so everybody could see you. Sammy Chu from the Town of Babylon. Sammy Chu couldn't be here so he sent his boss, Dorian Dale, who you know is just a genius in all of this.

**CHAIRMAN HORSLEY:**

Dorian is a genius in all this.

**LEG. VILORIA-FISHER:**

The master, yes.

**CHAIRMAN HORSLEY:**

Master.

**LEG. VILORIA-FISHER:**

He called himself, yes.

Marianne Garvin is not here and Marianne was the Chair of the task force, but we have the very able Corinne Hammons. See, I'm highly prepared. {Torres Kingsley} is here from the Town of Huntington. {Torres} is standing up behind me. Allison Murray is here from the Town of Smithtown. Well, of course, our own Joe Schroeder from our Budget Review Office. Okay. I think that's everyone who is here. Did I miss anyone? Harry Swanson is here and Harry is from the Department of Public Works.

Anyway, I'm just going to go through a little bit of the history here. And you all know Seth, and as I said to you, Wayne, I did the typing of the words but then he made it look good. So, you know, that's what's wonderful about our staff; they make us look good.

**CHAIRMAN HORSLEY:**

Absolutely and you didn't use an overhead projector so I'm impressed.

**LEG. VILORIA-FISHER:**

No. Thank you. Well, you know that for 30 years the Departments of Energy and Health and Human Services have provided dollars for weatherization assistance programs for low income Americans and CDC, you know, Corinne Hammons is with the CDC and Marianne Garvin is the Executive Director, has been working with these programs for years. And so they were really perfect people to kind of -- to be at the helm of this energy -- Home Energy Efficiency Task Force because they had the background. They knew how to -- they knew about the federal dollars that were available for this type of work. Go ahead, Seth.

Since 2004, the Clean Energy Task Force has been meeting at the Sustainability Institute at Molloy College. You know that, I think, Wayne, you and your staff have gone to some of these meetings with Neal Lewis and, you know, that a lot of good ideas have come out of that. Go ahead, Seth.

In 2008 our Babylon Town Supervisor, Steve Bellone, who will be coming here to the County created the Long Island Green Homes Program. And, in case you didn't know, Steve Bellone is certified in LEED guidelines and so he's LEED certified, which, I think, he's the only town supervisor who is.

**CHAIRMAN HORSLEY:**

I would say maybe ever.

**LEG. VILORIA-FISHER:**

Or ever. Yeah, well, LEED isn't that old. But it's really good that he took the time to prepare and to take the test to be LEED certified it showed such a real interest and leadership. And then in 2009, through my legislation we created the local Home Energy Efficiency Task Force. And, also in 2009, which was very fortunate, the American Recovery and Reinvestment Act, which is, you know,

the monies that came from the Federal Government provided funds for towns to fund retrofit programs.

In 2009 the Long Island Green Homes Consortium formed to satisfy the ARRA funding guidelines and the Chair of that consortium was again, Marianne Garvin. This was a consortium that was made up of 7 towns and who else joined that? The seven towns sustainability, right, Neal Lewis was a member of that.

**MS. HAMMONS:**

Lisa's been at every meeting.

**LEG. VILORIA-FISHER:**

Lisa Broughton has been a part of that. Joe Schroeder had continued work with that. Go ahead, Seth.

And in 2010 your own legislation, Mr. Chair, where the Legislature created standards for home energy audits and that was really important because people were having auditors come in, but they weren't sure is this person legitimate, what are the qualifications, what kind standards are there. So we wanted to make sure that there was a standard that was set and that was publically accepted.

Did you want to comment on any of the history before we go on? Go ahead, Seth.

Current state of affairs. It's interesting to look at this to see where people are using energy. We're not going to take long on this because we have a lot of other things to talk about and you have all of these charts in the report. Home heating source for owner occupied households in Suffolk County. How are people heating their homes? Go ahead. And then this is how the pie is cut up for -- do you have a copy of this, Rick? You have a copy in the packet that was handed out if you wanted to look at that. Go ahead, Seth.

I love this one because we, you know, you think globally and act locally. Right? And this is the global perspective here. Our carbon footprint. Residential 39%, transportation 31%, commercial industrial 26, waste, 2%, wastewater, point 8%, marine, point 7%, streetlights, point 3%, agriculture, point 1%. You know, when we talk about our carbon footprint it's very easy to look at big smokestacks and, you know, the power plants and say, *oh, look at what's going into our carbon footprint*. We have to look at the residential use of energy. How the individuals use energy in our homes and in our cars. And what this task force did was address energy use in homes and how to help them become more efficient. Okay. Go ahead, Seth.

**CHAIRMAN HORSLEY:**

And when, Vivian, may I just quickly, I had a question. When you say residential you're also including cars?

**LEG. VILORIA-FISHER:**

No, that was the second line.

**CHAIRMAN HORSLEY:**

Okay, that's the second line, okay, I'm sorry.

**LEG. VILORIA-FISHER:**

The second line was automobiles.

**CHAIRMAN HORSLEY:**

I got it.

**LEG. VILORIA-FISHER:**

That would be included in transportation. Go ahead, Seth. {Indicating} And this is it in pie form. Greenhouse gas emissions on Long Island by fuel type. So you see natural gas, electricity and fuel oil. By the way, just so that you know about energy efficiency, just a little tidbit in my own personal life. My husband and I put solar panels on our roof. Our entire electric bill at the end of the summer was \$42.00, including putting all our bills together. Was \$42.00 we spent on electricity this summer.

**LEG. NOWICK:**

Who did it cost to put panels up?

**LEG. VILORIA-FISHER:**

That's another story. We're going to talk about that. Okay. Go ahead, Seth. Our challenges. Consumers and -- can you go to that part? Now we're going to move to Corinne with the details.

**MS. HAMMONS:**

Good afternoon, everyone. The number one challenge that we identified in the task force was access to information for consumers. We knew a lot of folks out there wanted to get an energy audit but they didn't know how to go about doing it, what programs were out there, and how they could pay for it. Even those who did want to get an energy audit were concerned about whether they could trust the contractors that were coming into their homes. And LIPA and NYSEERDA, on the State level, have really been at the forefront of creating incentive programs to help pay for energy efficiency retrofits, but the incentive programs would change from month to month. And some of them are time limited. So those were the key consumer challenges that we identified.

**LEG. VILORIA-FISHER:**

What's important about that concern about contractors is again, Wayne, in the legislation that was passed here, that helped to assuage some of those concerns.

**CHAIRMAN HORSLEY:**

That was the -- that was the genesis of our concerns that there was as much a consumer as it was an environmental bill because obviously there are contractors out there that couldn't and would not be in compliance with LIPA and NYSEERDA requirements and they just put them out of the ballgame as far as being, you know, being certified. So, thank you.

**MS. HAMMONS:**

On the contractors side, the number one thing we heard was that there are too much -- too much paperwork. The contractors are happy to do the paperwork for the consumers, but there's a lot of it and a lot of it is very manual.

**LEG. VILORIA-FISHER:**

Corinne, I'm sorry, I have to interrupt again.

**MS. HAMMONS:**

Sure.

**LEG. VILORIA-FISHER:**

But the Legislators will agree with me that contractors in every area talk about there being too much paperwork, too much red tape. And we want to get -- these are small businesses, we're trying to build green jobs. And we have to, you know, help out with that. Sorry, Corinne.

**MS. HAMMONS:**

No, no. Please.

Every incentive provider, the utilities have different contractor lists, in fact, I was looking at them today. There's some overlap but not entirely. And the contractors themselves have identified a

need for continuing education and one area that's particularly important to them is sales training. How to convert an audit into a retrofit when they're there meeting with the consumer.

Helping consumers pay for these measures was the number one focus of this task force and figuring out how to coordinate on that. There's several working groups right now working together to try to layer the incentives from NYSERDA and LIPA and other sources. And we've heard and Rosemary Olsen who's here from CDC can provide more detail, that there are some consumers who've gotten up to 90% grant money on their retrofits. So the layering process really is working.

**LEG. VILORIA-FISHER:**

If anybody wants to come up and add. Joe, did you want to jump in?

**MR. SCHROEDER:**

Yes, good afternoon. I just want to point out one of the issues that we've discussed here with the Legislature over the past several years and was also discussed at length with the Home Energy Task Force was the role that the County can play in supporting the individual towns efforts to promote home energy efficiency especially in light of the property assessed clean energy funding for projects as -- the nearest example we have to that is the very fine program run in the Town of Babylon whereby utility programs are augmented by funding that the towns can provide to homeowners to implement energy efficiency measures. And then the homeowners have the option of paying for those outright or paying for a portion of those outright or funding them through their -- through the town. And that funding is secured by a tax levy on the house if -- or through the tax bill on the house if the homeowner fails to comply or if the homeowner sells the house; unlike a traditional loan where the homeowner would have to satisfy the balance of the loan as he sold the house, the balance of the outstanding funding would go to the new homeowner. It would stay with the house. So it gives an incentive to individual homeowners that may not plan to be in their houses long-term.

One of ways the County can support the individual towns efforts --

**LEG. VILORIA-FISHER:**

You're jumping way ahead of us.

**MR. SCHROEDER:**

I'm jumping way ahead. Okay. And I'm going to reel it right back in now.

**LEG. VILORIA-FISHER:**

Okay.

**MR. SCHROEDER:**

So one of the ways that the County can support that is through a special fund either through bonds or other vehicles to support the individual town efforts either through enhanced funding for their PACE programs or PACE like programs or funding of other measures such as training of employees and so forth to that would participate in home energy efficiency measures.

**LEG. VILORIA-FISHER:**

Yeah, and that's the point we had talked about, the energy conservation.

We'll take it back to Corinne. Thank you, Joe.

**MS. HAMMONS:**

I know I'm going off my numbered list right now, but it's a good time to point out that there are lots of innovative mechanisms for financing coming out and one that's happening on the State level this spring is on-bill financing so the consumers could actually pay for these measures on their utility bill through the savings in utilities so that's very innovative.

**LEG. VILORIA-FISHER:**

That was something that just passed.

**MS. HAMMONS:**

Yes, just passed.

**LEG. VILORIA-FISHER:**

On-bill financing just passed in the last New York State Legislative session. Okay. And there were a lot of people advocating for that so that we could have some way for people to not have to pay in one lump sum.

**MS. HAMMONS:**

Absolutely. Some other important points; Joel Halsey from East Hampton was on our task force and made the simple but important point that every town and County should have an energy efficiency program, a designated person who knows about these things. That it really should be a municipal investment to help consumers through. Public education is key. The consortium's working on a campaign now to ask elected officials to link from their website to the Long Island Green Homes website so that if constituents are coming to your site, they could come back to ours and learn about the programs.

Working hand in hand with contractors we know these programs are creating jobs. Job creation is a hot topic right now and we have empirical evidence that that's happening with this program and to get the word out about that.

Remodeling. This is another Babylon innovation. They must be very proud. But encouraging people as they remodel their house and make changes that have nothing to do with energy efficiency to also spend that time improving the efficiency of their home.

**LEG. VILORIA-FISHER:**

Contractors have -- when I working on this; contacted me about it, you know, and LIBI said that they were training people also when building houses to work on this kind of thing.

**MS. HAMMONS:**

Definitely. And just any way we can get the word out to improve market penetration. We were looking at some of the numbers; over a thousand people have gotten audits in the past year through the consortium, which is wonderful number. But if you compare that to number of homeowners on Long Island it's a tiny number. So one thing we are asking of our elected officials and other folks is to get an audit done on their own home and see if it's an effective measure and then become an ambassador for the program.

**LEG. VILORIA-FISHER:**

By the way, I was on the reLI solar home tour; two years, because I wanted my constituents to know that we made the investment. And, Lynne, what -- it is complicated when you're talking about how much it costs to do that and we had -- we spent a lot of time, had to do a lot of homework because when we had contractors come to our house to give us an estimate of what it would cost, they all knew though, they had done their homework and could tell us how much we would be getting back on a rebate from LIPA and what kind of tax credits we'd be getting on our Federal and State. And it still wound up costing us over \$20,000 but because I believe in so such it was, you know, just like any home improvement, you know, we spent more than that on our kitchen to have everything we wanted in the kitchen and it, you know, was important to us. But not everybody can put that kind of outlay so that's why these programs that Corinne is talking about are so important. People can pay based on how much they're saving. That's what the programs are saying. If you're going to be saving \$100 a month on your electric bill then your payment will be prorated so that you're paying a \$100 a month on the loan. I mean, that's just a round number.

**LEG. MONTANO:**

May I?

**CHAIRMAN HORSLEY:**

Sure.

**LEG. MONTANO:**

Vivian, just a quick question, based on the cost factor, in the example used the solar panel and what you save, what is -- how long before you reach that --

**LEG. VILORIA-FISHER:**

What's the payout you're saying?

**LEG. MONTANO:**

Yeah, how long before you reach that payout on average? Is it a ten year, 15 year or 20 years?

**LEG. VILORIA-FISHER:**

I think when we did it I think it was a ten year.

**LEG. MONTANO:**

Right now we're talking about -- no, because it's done by square footage.

**LEG. VILORIA-FISHER:**

Joe, does that sound right? Or Dorian? You guys are more expert.

**LEG. MONTANO:**

Just very quickly.

**MR. DALE:**

The answer to your question, Legislator Montano is, the average job currently in the Town of Babylon is on the order of, a little north of \$9,000. The payback period's about 8.8. The effective period of utility of the measures installed is approximately twice that length.

**LEG. MONTANO:**

But when you say the payout for the energy, that's not really the solar panels, that's more --

**MR. DALE:**

No, we're not talking solar panels here. This is for energy efficiency measures.

**LEG. MONTANO:**

That's what I'm saying. There's a difference between energy efficiency.

**MR. DALE:**

A significant difference.

**LEG. MONTANO:**

Energy efficiency, I believe, deals with the ratio that the air in the house basically moves so that you retain as much heat as possible where solar panels a different concept. Am I correct on that?

**MR. DALE:**

That is correct.

**LEG. MONTANO:**

Okay.

**MR. DALE:**

And, by the way, I was asked to state my name, which is Dorian Dale. Sorry.

**LEG. MONTANO:**

So -- I'm sorry, Dorian. So the simple question I was asking is on the solar panels what is -- I know it's based on the square footage, what is a general payback time where you break even? Is it a ten year or 15 year or 20 year period?

**MR. DALE:**

Well, again --

**LEG. MONTANO:**

If you know, if you don't know, you don't know.

**MR. DALE:**

Well, look, in the realm of solar panels, which are, you know, coming down excrementally, excuse me, incrementally, the -- which is then counterbalanced by, I think, the lowering of the rebates that are currently being issued by LIPA, you'd probably looking at a payback period, again, also with the Federal tax incentives that have to be factored in, in the realm of around 12 to 13 years at this point.

**LEG. MONTANO:**

Okay, thank you. Too old to get solar panels.

**LEG. NOWICK:**

Asked how old he was.

**CHAIRMAN HORSLEY:**

The cost of photovoltaics are coming down dramatically. Am I correct in that? Are they projecting them to continue to fall? Should people hold out, you know, if I only go six more months I'm going to get it a quarter of the price. You know, what are you projecting?

**LEG. VILORIA-FISHER:**

Do you know, Wayne, we decided to do it when we did it because the cost had come down but the rebates, as Dorian just said, were coming down.

**CHAIRMAN HORSLEY:**

Yeah, that's true.

**LEG. VILORIA-FISHER:**

And, by the way, I erred when I said the amount that we owed because I'm not counting what our tax credit was when we paid our income tax, you know, I haven't figured just how much we saved when we did that so that saved also because that's an off the top credit when you're doing your income tax.

**CHAIRMAN HORSLEY:**

It is, which is nice.

**LEG. VILORIA-FISHER:**

So that's why I'm saying about and, I guess, Dorian and I were pretty close, between ten and 12 years and I am older than most of the people behind the horseshoe and we were still going to do it.

**CHAIRMAN HORSLEY:**

We're looking around. I'm not sure.

**LEG. VILORIA-FISHER:**

Well, I was looking at Steve.

**CHAIRMAN HORSLEY:**

Yeah, Steve's young.

**LEG. VILORIA-FISHER:**

And Rick and Sarah.

**CHAIRMAN HORSLEY:**

Rick's not young.

**LEG. MONTANO:**

Just looks good for his age.

**LEG. VILORIA-FISHER:**

In any case, I think it's also you add to the value of your home, you know --

**CHAIRMAN HORSLEY:**

Oh, absolutely. I think that's --

**LEG. VILORIA-FISHER:**

-- you add to the value of your home.

**CHAIRMAN HORSLEY:**

And that's a major issue, you know, particularly if you're not going to be holding onto your home for long periods of time.

**LEG. VILORIA-FISHER:**

But to answer your question, you know, we reached that balance where we said, it's not going down, the price of the solar wasn't going down as fast as the rate of the rebates.

**CHAIRMAN HORSLEY:**

Yes, I -- yeah.

**LEG. VILORIA-FISHER:**

So we would cut our losses and do it sooner and we wanted to do it anyway. We just hated getting the LIPA bill.

**CHAIRMAN HORSLEY:**

On the same thing, on the same vein and I don't want to be asking all sorts of questions here, but the LIPA rebates, Joe, where are we at with -- I know that they dramatically cut them back and they've promised us, I got a letter here saying that they're back in the game and they're going to be giving it all -- where are they because we know how much we believe in what they say?

**MR. SCHROEDER:**

Yeah, they have come down considerably. I think they're about \$1.75 per watt now. But it's important to note and I think we could generally agree, that the focus of the Home Energy Task Force was first to see that the energy efficiency, the performance of the structure is improved before moving to next the level, which would be a more exotic technology, like a solar array. So the focus of this effort is a tiered approach where you first, you don't put a very exotic technology on something that doesn't have any windows. You want to make sure that the windows are there and that working well and then once the house is operating efficiently, then you move to the next level. You make that incremental investment in energy technology once the efficiency of the structure is optimized.

**LEG. VILORIA-FISHER:**

Right.

**MR. SCHROEDER:**

So that's an important philosophical approach that we locally have taken. That's not universally the case across the country but that, I believe, is the universal approach that we are supporting here in this document.

**CHAIRMAN HORSLEY:**

Got it.

**LEG. MONTANO:**

Can I ask a quick question?

**CHAIRMAN HORSLEY:**

Sure, Rick.

**LEG. MONTANO:**

Just very quickly, when you came up earlier, Joe, were you asking for funding from the Legislature to the towns for these type programs.

**MR. SCHROEDER:**

Over the past several years that topic has come up. We have not -- this is not a formal request for a bond fund or a fund to support this effort, but it is something that should be considered as a way --

**LEG. MONTANO:**

And what type of funding -- do you have a funding amount that you think would be sufficient to cover this? And, I guess, you're suggesting that we bond it out.

**MR. SCHROEDER:**

Well, there's actually some debate as to whether or not the County could bond out for use by others --

**LEG. MONTANO:**

Exactly.

**MR. SCHROEDER:**

-- and so that's not necessarily going to be possible.

What we have discussed and one of the alternatives that was discussed in the past was a possible settlement with LIPA whereby some of the settlement funds would be --

**LEG. MONTANO:**

The 16 million that we were talking about.

**MR. SCHROEDER:**

The 16 to 18. Yeah, yeah.

**LEG. MONTANO:**

Eighteen, right, which never -- I don't think it came in. Did it?

**MR. SCHROEDER:**

Did not materialize. Still a work in progress.

**LEG. MONTANO:**

Okay.

**LEG. VILORIA-FISHER:**

The check is in the mail, Rick.

**LEG. MONTANO:**

Check's in the mail, right.

**MR. SCHROEDER:**

Well, it's still a work in progress.

**LEG. MONTANO:**

I'm sure it'll arrive right after I get term limited.

Let me ask you this, but how much money are you talking about?

**LEG. VILORIA-FISHER:**

Before you ask your next question.

**LEG. MONTANO:**

Yeah, go ahead.

**LEG. VILORIA-FISHER:**

I just wanted to make sure that it was real clear when we talk about that kind of bonding, the residents, the people who are doing that saving, it would kind of be -- we'd be lending money, I hate to say, I don't want to say it incorrectly, Dorian, jump up if I screw it up.

**MR. SCHROEDER:**

Well, if I may --

**LEG. MONTANO:**

Well, I'm still waiting for the figure on how much we're talking about bonding.

**LEG. VILORIA-FISHER:**

But, you know, it would be paid back to us by the people who are using the money to do the weatherization. By the homeowners.

**MR. SCHROEDER:**

To answer your question quickly --

**LEG. MONTANO:**

Yes.

**MR. SCHROEDER:**

-- there is no exact dollar amount that we've earmarked at this point or targeted at this point. What would be helpful is a dollar amount that would provide incentives to the local townships to create and maintain a relative uniformity amongst the various programs so that we have a regional approach rather than a ten town fragmented approach to this issue because it is a regional issue. Each town has adopted programs that are subtly different but fundamentally similar and that's the kind of performance you want to encourage. Now to the degree that the towns may have programs of their own, the level of funding may differ -- the level of funding that's required may differ from town to town depending on the programs that they offer and the County could decide what level of funding is required to provide the proper incentive to bring more uniformity to the process.

**LEG. MONTANO:**

Well, that's what I was going to say. This should be, in my opinion, an issue that really should be regulated at the County level so that we do have uniformity. And the problem that we have is that I would think that all your contractors have to go through every town, every village and the last I heard we have 64 licensing jurisdictions here on Long Island, which require fees, etcetera, and, you know, that's an issue that raises -- so we haven't even begun to address that, I'm not going to address it now.

**MR. SCHROEDER:**

Well, actually the reason why the towns are the focal point for PACE type programs is because the State enabling legislation did not facilitate the County's involvement in that.

**LEG. VILORIA-FISHER:**

Corinne.

**MS. HAMMONS:**

You know, Dorian could speak to this probably better than anyone in the room. But PACE has had a lot of hiccups and we really do believe that on-bill financing and some of the low cost financing from the State, which is under 4% might be the better way to go for consumers right now until -- PACE as a philosophy is excellent, but the mechanics are not working very well right now.

**CHAIRMAN HORSLEY:**

That's a big issue, I mean, I know you had litigation and the world is in litigation and the like -- are we making progress or, you know, is anyone backing off? I see that the executives and the leaders of our Fannie Mae and SUNY are making big bucks in their bonuses, but yet they can come down and bash PACE.

**MR. DALE:**

Well, I mean, that's absolutely correct, Legislator, mostly because as we've seen there really hasn't been any due diligence on the part of FHFA. But that's obviated clearly by the degree of power that they do exercise in Washington, they seem to be the third rail at this point in the Federal Legislature, neither Democrats or Republicans seem particularly predisposed to taking on any aspect of their operations.

But the good news is the only reason I'm making this distinction is because of Corinne's representation is the ruling out of California's northern district for the suit filed by the State of California and various counties in California has been exceedingly favorable and very well thought out unlike the ruling we had here in eastern district, which was fundamentally a cut and paste of the FHFA arguments. So that's looking promising.

Legislative remedy, however, does not look particularly promising even though they've gotten a very interesting bipartisan cosponsorship for enabling legislation for PACE. But just to clarify from a structural standpoint, actually property assessment is the most seamless approach. In fact, when we first set out and created the property assess principle in Babylon we'd initially gone to LIPA about doing on-bill financing and they as well as other utilities had not demonstrated any predisposition to actually doing this. And now with enabling legislation coming down the pike, that's going to be facilitated, but you still don't have the elemental characteristics that you bring with property assessment because the property assessment, that's a senior lien, it makes it very attractive for secondary financing and for really bringing these kinds of programs to scale, which, frankly utility bills would not do.

And I could go on this subject all day and I'll leave it there.

**CHAIRMAN HORSLEY:**

Yeah, I don't think that's necessary.

**LEG. VILORIA-FISHER:**

Actually it's a pretty complex subject and thank you, Dorian, because he's been working on this for such a long time.

**CHAIRMAN HORSLEY:**

I've been watching people twirl their hair out from a distance over this issue and it's sad and hurtful.

**LEG. VILORIA-FISHER:**

Well, it seems that the banks didn't want to be lienholders behind us.

**CHAIRMAN HORSLEY:**

I understand that.

**LEG. VILORIA-FISHER:**

And yet they are.

**CHAIRMAN HORSLEY:**

But particularly when it starts with the Federal government, that is alarming.

Yes, please.

**LEG. VILORIA-FISHER:**

Yeah, we can keep talking about this forever.

**CHAIRMAN HORSLEY:**

Right, thank you.

**LEG. VILORIA-FISHER:**

Let's, see where we are, Corinne. So incentives, financing, tax credits, we've touched on that a bit. The local governments, Joe talked about that. Every town should have an energy efficiency program. Public education about energy efficiency opportunities, Corinne mentioned that. Contractors growing jobs, remodeling as an -- so we've gone through all of this. Except for seven; robust support by Suffolk County Legislature of energy efficiency efforts on Long Island. Although this task force has finished the job that was set out to them, which is to have these recommendations to look at energy efficiency, to look at trying to have standardization, I think the efforts should continue where the County is working with the towns to try to have one message. I mean, what Rick was just talking about and Joe, having some kind of across-the-board standardization so we don't have contractors who, you know, have a set of rules in Babylon, a different set of rules in Brookhaven. We need to look a lot of areas of standardization, you know, LIPA has been looking at that. The LIA is working on a committee to help standardize. And I'd like to see the Legislature keep up the efforts to work on this. It's really, really important to keep the towns on board and the networking going through -- throughout.

Go ahead, Seth.

Are we up to the conclusion already? We didn't write anything in the conclusion because I'm just going --

**CHAIRMAN HORSLEY:**

It's a brief one.

**LEG. VILORIA-FISHER:**

Because, you know what, I think our conclusion is kind of a little bit more philosophical. I mean,

they are written out -- I'm just going to read it to you so it's quicker. *The Home Energy Efficiency Task Force strongly encourages corporation across all relevant jurisdictional boundaries throughout our region to create the best possible environment in support of private sector energy efficiency partners that will flourish to our mutual benefit.* And, you know, I have to tell you how much this really goes to the core of it. As we've worked through this, it's been the Federal government, the State government, County government, Town government. So it has to work across all levels of government in order to really work. And, I think, Babylon has really shown that that's the way to make it happen. *The residents of Suffolk County would benefit from sustained and comprehensive residential energy efficiency programs. These improvements reduce their home energy costs and make their homes safer and more comfortable. Cumulatively these improvements reduce not only our collective carbon footprint, but also our dependency on fossil fuel and electricity generation. In order to sustain the home performance industry it is important that NYSERDA, LIPA and National Grid continue to provide incentives and financing programs. Federal and State energy tax credits are helpful as well. The adoption of new financing products such as on-bill financing will keep -- will help keep down the costs of financing improvements for the homeowner. The task force recommends that Suffolk County continue to support the efforts underway to increase residential home energy improvements. The benefits gained from these efforts will be felt both locally and globally. Individual homeowners will save on their utility costs, homes will be able to meet the standards that are fast becoming the best practices of the home building industry and will provide a healthier and more comfortable environment for their occupants. Meaningful career ladder jobs will be created for our community and our carbon footprint will be reduced.*

If we can move forward and keep all parties involved, this is such a tremendous effort. And, again, I thank the efforts of Babylon because they showed that it could work. And now we see it becoming a reality in our community college, in our four year colleges here in Suffolk County where the career ladder goes from somebody who's learning about weatherization, you know, how to do the -- putting in installation and carpentry and mechanical work to Stony Brook University people working at CEWIT on research on how to create a better battery.

So you go from one end all the way through the other end of the career ladder and this is what we need for economic development, protecting our environment, helping people save money. And, by the way, this was the effort that I used when I went -- when I was a speaker two years in a row at {inaudible}. It's sometimes very hard to engage the minority communities in environmental issues. But when you talk to people about the money that they're spending, they're pockets and, you know, how much it costs them to sustain their quality of life, then they start to listen. So this is a really great program and I hope that we keep it going here in Suffolk County.

**CHAIRMAN HORSLEY:**

Vivian, and to the entire Task Force, I would like to thank you for your service and putting this together. It's a very, very important topic which you bring to us and frankly we had Dr. Aronson of the Brookhaven Labs here awhile back and we asked him the question *of all the businesses that you feel could be a cluster on Long Island that could be successful here on Long Island and should be promoted and should be brought forth; he said green businesses clearly the place where we should be and that's where Suffolk's future is.* And so, you're on the mark. And again, thank you in your call to have the Suffolk Legislature, Vivian, after you're --

**LEG. VILORIA-FISHER:**

Gone.

**CHAIRMAN HORSLEY:**

-- gone. Yeah, it's sad, that you know, we should keep it up and we should move it forward. We'll have to talk about that in the future. How's that?

**LEG. VILORIA-FISHER:**

Okay, great. Thanks.

**CHAIRMAN HORSLEY:**

Great. And again, thank you everybody. We appreciate all you've done. And enjoy the day.

Okay. Let's move to the agenda. We have three resolutions. Originally one, but we're now at three, growing by the moment.

**TABLED PRIME RESOLUTIONS**

**IR 1703 - Adopting Local Law No. -2011, A Local Law to establish the Gabreski Airport Conservation and Assessment Committee. (Schneiderman)**

Motion to table. Carolyn. Whoop. Carolyn is -- I see Carolyn making faces.

**MS. FAHEY:**

I just want to give the committee an update. I did voice some concerns at the last meeting. I did speak with the sponsor. We went back and forth on changing the language a little bit, but in the end he's decided to leave the bill as it is with the understanding that if we have issues he'd be more than happy to make amendments next year. So, however this committee feels it wants to move forward, we're fine.

**CHAIRMAN HORSLEY:**

Well, let's let him make em next year, yeah.

**LEG. MONTANO:**

Why would we pass something that we have to amend next year? I don't understand the logic behind there.

**MS. FAHEY:**

That's a question for the sponsor.

**LEG. MONTANO:**

Well, he's not here.

**MS. FAHEY:**

I mean, I expressed my concern and --

**CHAIRMAN HORSLEY:**

There's a motion to table.

**LEG. MONTANO:**

I have a motion to table.

**CHAIRMAN HORSLEY:**

Is there a second on the motion?

**LEG. STERN:**

Second.

**CHAIRMAN HORSLEY:**

Second by Legislator Stern. Are there any further motions? Any further comments? All those in favor? Opposed? So moved. It has been tabled. **TABLED (VOTE: 4-0-0-1 Not Present: Legislator Cilmi)**

**INTRODUCTORY RESOLUTIONS**

**IR 1898 - Authorizing a lease agreement with Village Marine of Westhampton LTD. d/b/a South Shore Boats for use of property at Francis S. Gabreski Airport. (Co. Exec.)**

Carolyn, you want to tell us a little bit about this? I don't know anything about this one.

**MS. FAHEY:**

Sure. Village Marine operates at boat storage facility at Gabreski Airport. As you might recall we're allowed to utilize the aviation property on short-term leases with FAA approval.

**CHAIRMAN HORSLEY:**

Yep.

**MS. FAHEY:**

They've been at Gabreski since 1984. They lease approximately two acres and the revenue's about 14,000 a year.

**CHAIRMAN HORSLEY:**

And it's been approved by the committee that -- out there, they know about it and there's no argument?

**MS. FAHEY:**

Yes, it should be attached to your resolution. Their recommendations are attached.

**LEG. MONTANO:**

I got a question.

**CHAIRMAN HORSLEY:**

Okay, Legislator Montano.

**LEG. MONTANO:**

This is not a renewal of the a lease. Is it?

**MS. FAHEY:**

Yes it is. Well, I'm sorry. The lease is expired so it's a new lease because the FAA only allows for three years.

**LEG. MONTANO:**

I'm sorry, say that again.

**MS. FAHEY:**

It's a brand new lease for an existing tenant. If you want to call it a renewal, we don't see it as a renewal because it requires --

**LEG. MONTANO:**

Yeah, that's the question, I mean, I don't have the backup here so what you're telling me is that there was a lease and it was a short-term lease or a long-term lease?

**MS. FAHEY:**

Three years.

**LEG. MONTANO:**

All right. So that lease expired. When did that lease expire?

**MS. FAHEY:**

I don't have that date with me.

**LEG. MONTANO:**

Well, was it recently or is it --

**MS. FAHEY:**

Within the last, I want to say, six, eight months, yeah. I want to say definitely this year.

**LEG. MONTANO:**

All right. And but if it expired six or eight months ago then they're holdover tenants and they're paying their rent. Am I correct?

**MS. FAHEY:**

Correct.

**LEG. MONTANO:**

So if we don't approve this they'll simply stay in that status until we change administration. Am I correct? I mean, it's not like they're vacating the premises. Are they?

**MS. FAHEY:**

If the lease is not approved by the Legislature they would have to vacate the premises.

**LEG. MONTANO:**

No, they would simply stay as hold-over tenants. They wouldn't have to vacate unless we gave them a notice to quit.

**MS. FAHEY:**

The Department would have to act upon the Legislature's decision not to renew the lease and eventually we would have to ask them to leave.

**LEG. MONTANO:**

I won't argue the legalities with you, but they could stay as long as we let them stay. What I'm saying is that this is a lease for how long a period of time now?

**MS. FAHEY:**

Three years.

**LEG. MONTANO:**

Three years.

**CHAIRMAN HORSLEY:**

Fine. What is your argument against it?

**LEG. MONTANO:**

See, what I'm thinking is that I don't know enough about this to know whether or not we want to lock in for three years. At this point in time I would rather give the new County Executive and his administration an opportunity to look at this and decide what kind of lease they want to recommend. Whether it's a three year, whether it's the same terms and conditions, etcetera. That is my point, I don't think that, you know, that's necessarily the consensus of the committee but that's why I'm asking the questions.

**MS. FAHEY:**

That would be this committee's prerogative. The lease terms are consistent. The appraisal rate -- the rate is based upon an appraisal. If this committee decides to table and not the -- and let the resolution die at the end of the year, they will then become a hold-over tenant until we have the

opportunity to come back before you again.

**LEG. MONTANO:**

Right, but my point is that they don't suffer by being a hold-over tenant because I have no idea what projected future use might be contemplated by the new County Executive in terms of this particular airport situation. That's my only concern. It had nothing do with you. What I'm saying is there's no harm no foul in tabling this because of the change in, you know, the impending change in administration and, you know, deciding whether or not they're going to continue this because if not we're locking ourselves in for three years and I don't know what the plans of the new administration are on that and that is my concern.

So I would prefer to leave things as they are as long as the, you know, as long they're not vacating. We're not forcing them to vacate and we're not raising the rent on them. And if they have any concerns about, you know, their longevity in terms of staying there, they should take that up with the administration or with the transition team. That's my only point.

**CHAIRMAN HORSLEY:**

My feeling on it is it's a \$14,000 lease. They've been there for a number of years. It's probably going to take a while for the new Exec to get his feet on the ground. I mean, probably towards -- they won't be reaching to Gabreski for a while if all the issues that we have before us and this has been something -- it's been negotiated by the Department and there was an RFP, is that -- how did this -- no, there was no RFP on this. It would be just a renewal. I don't have any objection to this. Steve what do you -- what's your feeling on this?

**LEG. STERN:**

How long had they been there?

**MS. FAHEY:**

Twenty seven years.

**LEG. STERN:**

I'm sorry.

**MS. FAHEY:**

Twenty seven years. Mr. Chair, if I could to Legislator Montano's concerns.

**CHAIRMAN HORSLEY:**

Sure.

**MS. FAHEY:**

I appreciate that concern and I'm not going to --

**LEG. MONTANO:**

No, what I'm saying is --

**MS. FAHEY:**

I appreciate that.

**LEG. MONTANO:**

-- that if there are other plans for the airport, which I've heard some loose talk about; I don't know how this would affect that and if I were representing the client with some plans I would say, well, why don't you hold off because we are committing for three years and, you know, it may take six months to develop a plan but at the same time three years is a long time if you're going in a different direction and there's no -- that's the only point I was making. Go ahead, I'm sorry.

**MS. FAHEY:**

No, I was just going to explain the location of the tenant on the airport is over on the east side, it's right next to our maintenance building and it is next to a Brownfield site. It's not in a position on the airport that if there were to be a policy decision with the new administration to expand the airport or to do whatever they wanted to do, I do not believe that this area would be part of that overall review for quite a few years because of the location of this tenant.

**LEG. MONTANO:**

Right, okay. I understand your opinion on that.

**CHAIRMAN HORSLEY:**

Okay. We have a motion to table. Do I have a second on that?

**LEG. MONTANO:**

I'll make a motion to table.

**CHAIRMAN HORSLEY:**

You want a motion to table?

**LEG. MONTANO:**

Well, as I said, my feeling on this is that because of the change in administration and we're talking about a three year commitment, I'm reluctant to do that when there's no change in circumstances and there doesn't seem to me to be an imminent need to do this at this point in time unless you can tell me otherwise. Is this something that we have to do? And I don't think it is. And, besides, if we have to we can do it at the next meeting.

**MS. FAHEY:**

There's not a time sensitive issue.

**LEG. MONTANO:**

Okay. I'll make the motion. You guys do what you want.

**CHAIRMAN HORSLEY:**

To table. Is there a second on the motion?

**LEG. NOWICK:**

I'll second.

**CHAIRMAN HORSLEY:**

Okay. There's a second on the motion by Lynne Nowick. Comments, Mr. Stern.

**LEG. STERN:**

I'll support the tabling motion. I think Legislator Montano raises an important question but perhaps we might be able to get some kind of an answer in the short-term so that, yeah, we can proceed. There might not be a time element but at the same time someone who's conducted a business at that location for 27 years wants to have some kind of finality to at least the next few years. Going forward, I think that, you know, any business owner deserves that. So perhaps someone can reach out, maybe someone can reach out to anybody who's holding themselves as a representative of the incoming administration to see what if any concerns they might have going forward to address Legislator Montano's concern. But, I think, we should hopefully be prepared to come back in the next round and --

**LEG. MONTANO:**

Make a decision.

**LEG. STERN:**

-- move on this.

**CHAIRMAN HORSLEY:**

Okay, so what you're saying is that you're agreeing with the tabling motion for one period until we get --

**LEG. STERN:**

For the next cycle until --

**CHAIRMAN HORSLEY:**

Next cycle. Two weeks.

**LEG. STERN:**

It's a short cycle. So I think --

**LEG. MONTANO:**

I honestly don't have the backup on this. All I have is the resolution.

**CHAIRMAN HORSLEY:**

Okay. I just want to make sure that we are not sending a message to the business that they're not welcome and they were not friends with them. You know, they've been there 27 years, they've been paying their rent on time.

**MS. FAHEY:**

Yes.

**CHAIRMAN HORSLEY:**

Yeah, they -- you want to be nice to these people.

**MS. FAHEY:**

In good standing. They are. I don't think two weeks will hurt anything.

**CHAIRMAN HORSLEY:**

Okay.

**MS. FAHEY:**

And as the Legislator said --

**CHAIRMAN HORSLEY:**

All right.

**MS. FAHEY:**

-- there's no harm for it. But, you know, I would hate to hold them out longer, you know.

**CHAIRMAN HORSLEY:**

Yeah, Carolyn, I'd really would of strong object if we sent out that message that our businesses are not welcome. But so what I would do is we'll entertain the tabling motion.

**LEG. STERN:**

I will support it because of the short cycle, but, I think we have to be prepared to move on it at our next meeting.

**CHAIRMAN HORSLEY:**

Next meeting. Okay. All those in -- we have a tabling motion on the floor. All those in favor?

Opposed? So moved. It has been tabled for a short two week period. **TABLED (VOTE: 4-0-0-1 Not Present: Legislator Cilmi)**

All right. The last resolution is **IR 1900 - Reappoint Nancy J. Duncan as a member of the Suffolk County Citizens Advisory Board for the Arts. (Eddington)**

She's not here. Nancy, you're not here, right? Okay, I didn't think so. Again, it's a reappointment so -- do I have a motion to approve Ms. Duncan?

**LEG. MONTANO:**

I'll make it.

**CHAIRMAN HORSLEY:**

Motion by Legislator Montano. We have her resume as well. Yeah. So it's the motion by Legislator Montano, seconded -- I'll second the motion. Any comments on the motion? You guys all right over there? We're good. Okay. All those in favor? Opposed? So moved. It has been approved. **APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Cilmi)**

Oh, yes, for the record, thank you. Legislator Cilmi has an excused absence. He is out of town and was unable to make it to the meeting today. And he gave us forewarning and I would like to approve that he has an excused absence. Okay.

All those in favor of adjourning? So moved.

**(\*THE MEETING WAS ADJOURNED AT 2:59 P.M.\*)**

**{ } DENOTES SPELLED PHONETICALLY**