

ECONOMIC DEVELOPMENT COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE
MINUTES

A meeting of the Economic Development Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on January 28, 2015.

MEMBERS PRESENT:

Leg. William J. Lindsay III, Chairman
Leg. Steven H. Stern, Vice Chair
Leg. Kara Hahn
Leg. Kevin J. McCaffrey (excused absence)
D.P.O. Jay H. Schneiderman

ALSO IN ATTENDANCE:

George M. Nolan, Counsel to the Legislature
Jason Richberg, Chief Deputy Clerk/Legislature
Laura Halloran, Budget Review Office
Brian Sapp, Aide to Legislator Lindsay
Jason Hahn, Aide to Legislator Schneiderman
William Shilling, Aide to Legislator Calarco
Robert Braun, County Attorney's Office
Rick Brand, Newsday
Katie Horst, Director/Intergovernmental Relations
Carolyn Fahey, Economic Development
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 1:58 PM

CHAIRPERSON LINDSAY:

Good afternoon. We're going to begin the Committee hearing for the Economic Development Committee. If you could all please rise for the Pledge of Allegiance led by Legislator Stern.

SALUTATION

We don't have any yellow comment cards, but if there's anybody that would like to speak before the Legislature, please come forward.

Not seeing anyone, we'll move onto our agenda. But before we begin, just let you know Legislator McCaffrey has an excused absence. And Legislator Kennedy is now the new Comptroller so he's no longer on this Committee. We wish him well in his new position.

INTRODUCTORY RESOLUTIONS

So starting with **Amending Resolution 1021, authorizing the County Executive to execute documents relating to the Air National Guard's use of property and equipment at Gabreski Airport. (Co. Exec.)** Any comments? If we can get somebody from the Administration maybe who can speak about this a little bit?

MS. HORST:

Carolyn Fahey's on her way over so she'll be happy to answer all your questions when she gets here. She's on her way. We just called.

CHAIRPERSON LINDSAY:

Okay.

LEG. HAHN:

Explanation.

MR. NOLAN:

Yeah, we've already approved the resolution giving the County Executive the authority to execute the agreement with the Federal government, but it's -- the original resolution authorizes through 2023. And I believe this resolution would make that 2019. I don't know why the term has been shortened, but that's all the resolution does.

D.P.O. SCHNEIDERMAN:

I thought we were giving them -- that they asked for a dollar year or something like that. Are we charging more now?

MR. NOLAN:

The -- it's not changing anything. We passed the resolution last year. So the terms of the agreement are not -- it's really just the length of the agreement. This resolution does talk about a one-time payment to the County. It's not -- and it's not for one year. I think the original agreement called for \$210,000 for three years through '13 and an annual payment of \$42,000 for the following nine years. That was the 2014 resolution we passed. The resolution we're doing now is amending that early resolution only in terms of the length of the agreement.

D.P.O. SCHNEIDERMAN:

I just thought several years ago we had agreed to lower that lease payment.

CHAIRPERSON LINDSAY:

George, do we know if it was at their request or was it our request that's pushing this forward?

MR. NOLAN:

It says the -- WHEREAS the United States of America advises the County that it has amended the agreement to reflect a shorter date. So I -- based on that WHEREAS clause, I assume it's at the request of the Federal government, but that's -- I can only grab what's in the resolution. I don't have any of the back story.

D.P.O. SCHNEIDERMAN:

Can we pass over for a moment? That's all we have, so -- is there any other business?

CHAIRPERSON LINDSAY:

Nothing else.

D.P.O. SCHNEIDERMAN:

Then why don't we discharge it. And if there's an issue that comes up before the full Legislature --

CHAIRPERSON LINDSAY:

Want to make a motion to discharge without recommendation?

D.P.O. SCHNEIDERMAN:

No, I'll make a recommendation.

MS. HORST:

She's on her way.

CHAIRPERSON LINDSAY:

Okay.

MS. HORST:

She's coming from across the street, so.

CHAIRPERSON LINDSAY:

All right. We can take a five-minute recess and just wait for Carolyn to arrive. Okay, so we'll recess, wait for Carolyn to come up.

(RECESS FROM 2:02 PM TO 2:07 PM)

CHAIRPERSON LINDSAY:

Okay, we're back in session here on the Economic Development Committee. Carolyn, if you wouldn't mind stepping up to the mike, we just had a couple questions in regards to the Gabreski Airport lease.

MS. FAHEY:

Yes, basically what this resolution does, it amends the resolution adopted by the Legislature last summer. The agreement between the Air National Guard and Gabreski was negotiated. We came to a dollar amount. One of the signators, the Federal government, directed the State government to prepare an agreement for 15 years without any real authority. So when the agreement went back to the Federal government for signature, they don't want to sign for 15 years. So really all it is is amending the timeframe from 15 to 10 years.

CHAIRPERSON LINDSAY:

That's for the same -- the rent and everything --

MS. FAHEY:

Everything else stays the same, yes.

CHAIRPERSON LINDSAY:

Do we get a sense that they are at some point looking to pull out once the lease is up?

MS. FAHEY:

No, it's not a lease. This AJUA is a joint use agreement. What it does is it helps cover some of the operating and maintenance costs of maintaining the Airport. It has nothing to do with the term of the Air National Guard at the Airport. There's a calculation that's used based upon the services the Air National Guard renders to the County. They do fire protection; they're First Responders; they do some maintenance on the air field. And they compare that to what it costs the County to operate and maintain. So there's this very convoluted, strict formula that's used to come up to this AJUA payment. It is not the lease. The lease is a dollar a year. We don't charge --

CHAIRPERSON LINDSAY:

Okay.

MS. FAHEY:

-- anything on that.

D.P.O. SCHNEIDERMAN:

That was my question, too, because I remember dropping it down to a dollar a year. So this confused me when I saw it. So that was the lease and this is the AJUA.

MS. FAHEY:

No. You're correct in that back in 2004 when we were facing the BRAC process, we -- as a gesture of good will, we reduced the AJUA payment, which was about 38,000 back then to a dollar. It really didn't have much effect, but it was really a gesture of good will.

When we came back up for negotiations, they weren't interested in the dollar, the local branch, the ANG local branch felt that it was fair that the -- you know, Federal government pay the County for maintaining the Airport. So you are correct in your recollection that we did reduce the AJUA from what was 38,000 down to a dollar; and then the new negotiations brought it back up to the 42,000.

D.P.O. SCHNEIDERMAN:

And then the lease payment?

MS. FAHEY:

The lease is a dollar. It's always been a dollar.

D.P.O. SCHNEIDERMAN:

That's still a dollar.

MS. FAHEY:

Yes.

D.P.O. SCHNEIDERMAN:

Okay. So the AJUA did go down to a dollar.

MS. FAHEY:

Yeah.

D.P.O. SCHNEIDERMAN:

Okay. And they actually don't want it to be a dollar?

MS. FAHEY:

In conversations with the local Commander, he doesn't -- he doesn't think it's fair. And he would not argue for a dollar. He felt that -- he felt it should have always been a payment on the ANG's portion to help maintain the Airport.

D.P.O. SCHNEIDERMAN:

We were trying to roll out the carpet basically and say --

MS. FAHEY:

Yeah.

D.P.O. SCHNEIDERMAN:

-- you're welcome here and we want to do everything we can to support you. And the 40,000 --

MS. FAHEY:

Having gone through the BRAC process, that 38,000 was not an issue during BRAC. That wasn't -- it wouldn't have been a major issue.

D.P.O. SCHNEIDERMAN:

The optics of us --

MS. FAHEY:

I know.

D.P.O. SCHNEIDERMAN:

-- increasing the rent on the Air National Guard doesn't feel good.

MS. FAHEY:

Well, it's not necessarily the rent. So it's their assistance in helping the County maintain the Airport, whether it be the air fields, the cracked ceiling, all of that stuff. So it's physical maintenance to the facility that they're helping to underwrite.

CHAIRPERSON LINDSAY:

Legislator Stern.

LEG. STERN:

Thanks, Bill. The five-year term that it's now dropped down to, that should be acceptable, is that standard? Why were we looking for something much more than the five years that it's been?

MS. FAHEY:

We weren't looking. They proposed it.

LEG. STERN:

Yeah.

MS. FAHEY:

And we said fine, we were happy with it. Now the ten years that this is, because it's a couple years

back, and the five years moving forward is standard.

LEG. STERN:

Yeah. That's standard. Okay. Thanks.

CHAIRPERSON LINDSAY:

Any other questions? Okay, I'll make a motion to approve.

LEG. STERN:

Second.

CHAIRPERSON LINDSAY:

Second by Legislator Stern. All those in favor? Opposed? Abstentions? Motion carries. **(VOTE: 4-0-0-1. LEG. McCAFFREY ABSENT)**

Seeing no other business here, this will conclude -- I'll make a motion to close the hearing.

LEG. STERN:

Second.

CHAIRPERSON LINDSAY:

And we are adjourned.

**THE MEETING CONCLUDED AT 2:11 PM
{ } DENOTES SPELLED PHONETICALLY**