

EDUCATION & INFORMATION TECHNOLOGY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE
MINUTES

A meeting of the Education & Information Technology 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 May 1, 2012.

MEMBERS PRESENT:

Leg. Sarah S. Anker, Chairwoman
Leg. Wayne R. Horsley, Vice Chair
Leg. Thomas Cilmi
Leg. Jay H. Schneiderman
Leg. Thomas Muratore

ALSO IN ATTENDANCE:

George Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel
Barbara LoMoriello, Deputy Clerk of the Legislature
William Shilling, Aide to Leg. Anker
Chris DeLuca, Aide to Leg. Cilmi
Jill Moss, Budget Review Office
Benny Pernice, Budget Review Office
Ben Zwirn, County Attorney's Office
Dennis Cohen, Suffolk County Attorney
Terrence G. Pearsall, Chief of Staff
Rick Brand, Newsday
Krista C. Miller, Suffolk Community College
Carissa Forde, Suffolk Community College
Shelby Harvey, Suffolk Community College
Brian Beedenbender, Town of Brookhaven
Gil Anderson, Commissioner/Department of Public Works
Ann Shybunko-Moore, Appointee, Suffolk County Community College Board of Trustees
Dr. Shaun McKay, President of Suffolk Community College
Jon DeMaio, Suffolk Community College
Richard Meyer, AME

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 1:02 PM

CHAIRWOMAN ANKER:

Will the Legislators on the Education and Information Technology Committee please come to the horseshoe. Okay. We're going to start our Committee. Will you please rise for the Pledge of Allegiance led by Legislator Horsley.

SALUTATION

Would you please remain standing for a moment of silent meditation to consider, again, the men and women across the -- in the entire world to try to create a better place for us. And as we consider also how important education is, and even information technology, to create a better awareness and to create a better world.

MOMENT OF SILENCE OBSERVED

You can be seated. That's a lot to consider, but, you know, it's all hopeful.

Okay, we're going to go right to Public Portion. We have some cards here and I will read them in order. Krista C. Miller, would you please come to the podium? Okay, and I need you to press the button down as you speak and hold it.

PUBLIC PORTION

MS. MILLER:

Okay, does that work? Okay. My name is Krista Miller. And I'm a paralegal student at Suffolk Community College. And I started the year --

CHAIRWOMAN ANKER:

It has to be recorded.

MS. MILLER:

Now you can hear me? Oh, yeah, now I can hear me, too. All right.

My name is Krista Miller. And I'm a paralegal student at Suffolk Community College. And I started the year of the Christmas blizzard. I was already very nervous. And to have that first class canceled, I was like, *oh, my goodness, it's an omen. I'm not supposed to do this. What am I thinking? I must be crazy. I can't believe I'm going back to school.* But I had already paid my tuition, so I decided I'm going to do this one class and I'm going to try.

And I really enjoyed the class. I did well. My Professor was very funny and he was very knowledgeable. And with that, I was very encouraged and I enrolled full-time that Spring Semester. I enrolled in the Paralegal Program there and my faculty members were just so passionate and just so on fire for their subjects, they really encouraged me. And with a little bit of extra credit, I started attending the Legal Society Meetings. And it's just one of the clubs we have there on campus. And I really like that. And I eventually became the Co-Treasurer of the Club.

Later that semester I received a letter asking if I would be an Orientation Leader, or at least to apply. I did. I was accepted. And as part of that program, we had some training that took place in Shelter Island. And it was during that experience in that time that I really -- it solidified my resolve. I was no longer that student that was, *I'll just try. I'll see what happens.* I wanted to finish what I started. I wanted to finish and I wanted to finish well.

So the next semester, that fall, I served as a peer mentor. I got to share my experiences with incoming freshmen. I got to talk to them during one of their freshman seminar classes about the clubs that we had on Campus, about the different activities that are available and about my experience and what leadership opportunities were available at the school.

I also ran for the position of Finance Chair for our Club Board. I won and I was very humbled from the support of my friends and my fellow students. Today I am the Vice President of Student Government on the Ammerman Campus.

I'm really proud of what I have accomplished, but I wouldn't have been able to do any of this. If Suffolk had not been affordable, I would not have tried. If the faculty had not been so passionate and knowledgeable, I would not have grown. If the Activities Office had not been so enthusiastic and encouraging, I would not have reached.

I share my experience with you so you can know how one of your constituents is benefiting from the support that the County gives to the College. Over 50 years ago County, business and community leaders had a vision to educate their population and provide skilled employees and encourage involvement with the community. I am just one of the many examples of the success of that vision. I found something inside of me at Suffolk Community College I did not know existed. And I want to take this opportunity right now and personally thank you for your support. And on behalf of the students I represent, they also thank you and appreciate all that you do for us.

CHAIRWOMAN ANKER:

Thank you so much for coming up here. That was Krista, a student at Suffolk Community College. The next on our list is Carissa Forde. Also, she's going to talk about appreciation for Suffolk Community College. Come on up.

MS. FORDE:

Hello. Can you hear me? Good afternoon. My name is Carissa Ford. I'm the President of the Student Government Association at Suffolk Community College, the Michael J. Grant Campus. I'm coming from St. James Secondary, which is located in Barbados. Most people wouldn't know. I recently migrated from Barbados about a year-and-a-half ago and now I'm here standing with you. I'm the President of Student Government. And I just want to say thank you for everything.

First of all, I'd like to thank the Suffolk County Legislature for its continued support for Suffolk County Community College. We want to thank you for keeping tuition low and affordable for all our students. And we also want to thank you for all the Capital Projects that you guys have been funding for us. We are very excited to break ground with our new Learning Resource Center that is coming soon -- for our new Learning Resource Center that you guys are funding for us.

As I said, a year and-a-half ago I migrated from Barbados and I was able to attend Suffolk County Community College because it was affordable. Tuition was very low and my parents could afford it. On behalf of all the students at the Michael J. Grant Campus, I would like to say thank you for continuing doing what you do for us.

CHAIRWOMAN ANKER:

Thank you so much. We appreciate you coming up here. Next one is -- Shelby Harvey would like to come on up. And, again, she's speaking about her experience at Suffolk Community College.

MS. HARVEY:

Hello. Thank you.

CHAIRWOMAN ANKER:

Press the button down and hold it as you speak.

MS. HARVEY:

Okay. Is this good? Okay. Thank you very much. Good afternoon, everybody. Thank you for your time. I'm on the Eastern Campus of Suffolk County Community College and my experience thus far has been an ideal one. I've been able to gain the confidence I've needed for my future institution I'll be transferring to, as well as in my career.

The Honors Program at Suffolk has been something I've been able to experience and has been a wonderful experience for me. Also, the Phi Theta Kappa Honors Society. And I've had a great experience at Suffolk with the support of the Legislators.

At Suffolk I've been able to save money, which is -- because of your support, and I've been able to find my place in the Honors Club and become a Peer Mentor where I've gained a lot of leadership experience I'll need for my future as well.

With the leadership experience that I've gained, I've been able to apply and be awarded the Chancellors Award of New York, as well as Phi Theta Kappa All New York State, and that has been possible through my experience at Suffolk. And after Suffolk I will be transferring to the University of Texas at Austin due to being able to save money and having a great experience thus far at Suffolk.

And I would like to just express here today that my experience has been a great one and that it's been really possible through Suffolk Community College, through Suffolk County, the Legislators, and I appreciate everything that you've done for us so far. Thank you.

CHAIRWOMAN ANKER:

Thank you so much. We appreciate your comments. Thank you.

Okay, our next speaker, we have Brian Beedenbender. Brian, would you like to come on up. He's from the Town of Brookhaven, Deputy Supervisor and he's going to talk about Resolutions 1461 and 1463.

MR. BEEDENBENDER:

Good afternoon. I spoke with County Executive's Office earlier this morning and they asked for somebody from the Town of Brookhaven to come and just talk about the carports. And I know everybody in the County Executive's Office, at the Legislature, as well as the contractors who have been working very hard in trying to address this issue. So just very quickly, I just want to talk about the Ronkonkoma project in general. We are moving forward very well. Legislator Horsley, you've been involved. Legislator Muratore's been involved as well. And as we come forward to the Capital Budget, we've actually had a lot of good positive steps at the Town. We've had good meetings with our contractor, with -- with Tritec, the Developer, I should say. And we're moving forward.

Just as a reminder, this project encompasses 50 acres on the Brookhaven side of the railroad tracks. The Land Use Plan presupposes 800 units of housing as well as hundreds of thousands of feet of retail and commercial, to revitalize a blighted area on the busiest train station on Long Island, about 17,000 riders a day. And as we've moved forward, everything has been positive for this. The State gave the County \$4 million of EFDC funding to fund the design. And we're moving forward. In fact, the Department of Public Works will receive RFP's back for the design on May 18th, I believe. May 18th. So that's moving forward.

The state in the last -- in the most recent budget has accelerated the funding for the second track, which will be an enormous benefit to both the Ronkonkoma and the Long Island region. We are moving forward in getting ready. The Town still anticipates breaking ground on this project next year. We're getting ready to move forward and speak to the property owners once we can nail the

Sewage Treatment Plant down. And actually tomorrow the Town is meeting with the Town of Islip and the County Department of Public Works to go over some of the factors that are involved.

So, this is a transformative project. I don't think I need to -- I think it's been sold to you enough, but it's smart -- the smartest of Smart Development, right near a train station; taking a blighted area that's run down and turning it into a destination, the type of growth that this County needs both for economic development and for its future planning, for places where young people can live, places where older people can retire to and where people don't have to get in their cars every day when they need to go somewhere.

So, how does this affect the carports? Well, the carports are on the south side. Not exactly -- they're not in the Town of Brookhaven. They're not where the Town of Brookhaven is anticipating developing. But it does affect the future of this project. While the Town of Brookhaven is exclusively on the north side of the tracks, the south end of the tracks is Islip. But they, too, may be looking at this. And that's part of what our discussion is going to be with Public Works tomorrow. It's been well-publicized. The current Supervisor's desire to expand the Airport; the previous Supervisor had the same goals in mind and they've also discussed people movers between the current terminal, new terminals and all these other things.

So, what I would encourage you to think about, essentially the enXco ground lease that was to be at Ronkonkoma -- it's a ground lease. So they're paying you for the value of that property for the right to put up a carport. What I would suggest to you, is that when this Brookhaven project moves forward, and -- thank you, I heard the beep, I appreciate it. When this Brookhaven project moves forward, the value of that County land will be many times what the value of leasing it for a carport is. And I know that the County Executive is interested in seeing how they may be able to duplicate that on the County-owned property and Supervisor Croci is interested in how those efforts can be duplicated at the Airport as well as the industrial areas that surround the Airport.

So, I know that we're moving forward. I would hope that you would move forward with the resolution to allow the carports at the Community College as opposed to Ronkonkoma; if not only for the benefit of the Brookhaven project, but I would submit to you the financial benefit of the County while -- while not today, the value of that land, for a developer to develop some of it, going forward once Brookhaven's side is developed, will be far in excess of that which you'll be receiving for the carports in the area, especially if you have an area where you can divert most, if not all, of that power generating to the Community College. So, if you have any questions, I'll be happy to answer any of them.

CHAIRWOMAN ANKER:

Legislator Horsley.

D.P.O. HORSLEY:

Brian, hi. That sounds like it's all good news and I would expect nothing else from you. Let me ask you --

MR. BEEDENBENDER:

Thank you.

D.P.O. HORSLEY:

Let me ask you a quick question. How are we doing on the sewer project? I mean, is that part of the meeting that's going to be held tomorrow? Are the monies going to be coming from the State? What is the timeline?

MR. BEEDENBENDER:

Well, there's a couple things. Specifically the meeting tomorrow, Supervisor Croci had requested -- very early on in his conversations with Supervisor Lesko, he had requested that the Town of Islip -- the plant is in Islip. So, he needed it to serve something in Islip, which is a perfectly reasonable and understandable position.

So, the previous understanding we came to with that, it would be a 500,000 gallon plant. Brookhaven needs about 400,000 for its development and 100,000 would be for Islip at the Airport for its current needs and future needs. And the plant would be upgradable for the additional future needs in Islip, whether it be the industrial area around the airport, Holbrook --

D.P.O. HORSLEY:

Just for Islip, the expandable --

MR. BEEDENBENDER:

Well, Supervisor Croci, as well as Presiding Officer Lindsay, and I think Legislator Cilmi, had requested and submitted that they wanted some -- that Islip's industrial area is --

D.P.O. HORSLEY:

The industrial area down the street.

MR. BEEDENBENDER:

Exactly.

D.P.O. HORSLEY:

Yeah, okay, I had heard that, okay.

MR. BEEDENBENDER:

And Presiding Officer Lindsay had suggested that at some point some capacity there for downtown Holbrook may be possible as well.

D.P.O. HORSLEY:

I was there, by the way. Yeah, good.

MR. BEEDENBENDER:

Yeah. Oh, that's right. So, the meeting tomorrow morning is really just to make sure that the Town of Islip has a thorough understanding of what the implications of reserving that capacity are. Because from the Town of Brookhaven perspective, while this is a joint effort with Islip, what we can't have is Town of Brookhaven taxpayers paying the debt service on a 500,000 gallon plant when 100,000 is going to Islip. And specifically our developer had said, "well, we're not going to pay taxes on capacity that isn't for us that we can't use. And it's for another municipality."

And the difficulty there is since the Town of Islip is a municipality, they would have to pay these sewer taxes. But obviously, if they're not ready to put the pipes in the ground, that's a complication. So, the meeting tomorrow is just to make sure -- to go through all those details and try to --

D.P.O. HORSLEY:

To walk through the timeline --

MR. BEEDENBENDER:

Yes.

D.P.O. HORSLEY:

-- and how this would work. So, it's still understood that it's going to be a County facility?

MR. BEEDENBENDER:

Absolutely.

D.P.O. HORSLEY:

Yeah.

MR. BEEDENBENDER:

And in terms of sewer, you asked about State monies, Wayne? Right now there's two tracks that we're pursuing. Right now with the Legislature, we would like to backstop the sewer money in the Capital Budget. So, to put the full amount in the budget with the understanding that we're going to pursue more grant monies. And that cannot be applied until we have a Sewer District.

So, what we would ask is that the County put it in the budget with the follow caveat: Number one, we have to create the Sewer District. Number two, we have to go and get as many grant funds to knock that cost down as possible. And, number three, you know, you reserve the right to not appropriate that entire amount, if we're not successful in getting grant funds.

D.P.O. HORSLEY:

So, if it was going into the Capital Budget, it would be 2013 or 2014? What would be the --

MR. BEEDENBENDER:

'13.

D.P.O. HORSLEY:

'13.

MR. BEEDENBENDER:

Yeah. It's the hope that the design that the Department of Public Works is getting right now, they'll get the bid back -- bids back on May 18th. They'll be able to award it and have a design some time in the first quarter or towards the end of the first quarter of '13.

So, we would like, if that's in place, to be able to move forward with construction in either the third quarter or fourth quarter of 2013 to begin building the Sewage Treatment Plant, with the understanding that at that point the Legislature would have to approve the bond to build it. And it is the Town's responsibility, working with the County, to try to knock down the full costs of that Sewage Treatment Plant as much as possible. And there's some other alternative financing modes that we're looking at. We actually have a Financing meeting on Thursday to try to maybe eliminate the need for the County to do that going forward. So, there's a lot of balls in the air. I'll be happy to follow up with you off line --

D.P.O. HORSLEY:

Yeah, would you?

MR. BEEDENBENDER:

-- and talk to you a little more of the specifics.

D.P.O. HORSLEY:

Keep us all in the loop.

MR. BEEDENBENDER:

I'd just rather just not share --

D.P.O. HORSLEY:

And I know Legislator Schneiderman as well.

MR. BEEDENBENDER:

Yeah. I'd rather not share some of the specifics about funding --

D.P.O. HORSLEY:

Okay.

MR. BEEDENBENDER:

-- publicly until we know what they are, but I'll be happy to share them with you offline.

D.P.O. HORSLEY:

Godspeed.

CHAIRWOMAN ANKER:

Okay, Legislator Cilmi.

LEG. CILMI:

Yes, thanks, Madam Chair. Brian, are you aware -- I mean certainly this -- the Hub project has been sort of in the making for some time. And I believe it was in the making prior to the point at which we began discussions with enXco with regard to these solar carports.

So, my question for you is, are you aware of conversations that were held between the previous Administration of Suffolk County, the Town of Brookhaven and possibly the Town of Islip and the other parties to this agreement that dealt specifically with the Hub project's progress and how the installation of these carports at the Ronkonkoma Station may or may not impede that project?

MR. BEEDENBENDER:

Yeah. In fact, in December of 2009, I think at the last committee meeting I was at, there was a vote on this. And I asked the previous energy -- I forget the title -- Director of Environment and Energy for County Executive Levy, would this be a conflict? And the answer was no.

And then more recently towards the end of County Executive Levy's Administration, I was in the room while Supervisor Lesko was having a conversation with him about the installation. And County Executive Levy at the time had indicated that he was going to take care of it, they weren't going to go there, that it was all taken care of and we needn't worry about it.

When we -- when Supervisor -- excuse me -- when County Executive Bellone took office, Supervisor Lesko met with him and we met with enXco. And the representatives from enXco indicated to us that they had never received such communication from County Executive Levy. In fact, they had been told to go ahead, get it done as quickly as possible.

So, I know what we were told by former County Executive Levy and I know what the representative from enXco said. And I was present for both of those conversations, so I would say that -- it's fair to say the Town of Brookhaven was frustrated by the message given by the previous Administration, but thrilled by the message given by the current Administration.

LEG. CILMI:

So, let me just make sure I understand you correctly. We had a contract -- Suffolk County had a contract with enXco, which included the installation of these carports at Ronkonkoma Train Station. But you're suggesting that there was a conversation between then County Executive Levy and Supervisor Lesko during which the County Executive at the time said, "don't worry about it, you can move -- or we can move the carports"?

MR. BEEDENBENDER:

Well, specifically he said "don't worry about it, they're not going to happen." He didn't say "move." We reached out -- I've been with the Town since 2010. And probably early 2011 was the first time we reached out about this specific project. And we reached out to then County Executive Levy to say we thought these would be a concern. Because the Town of Islip has their plan, the County may very well decide to have some plans for that 30 acres worth of parking lot. I actually have a map if anybody needs it.

But that would be -- the assertion made by the former County Executive was that we needn't worry about it, that enXco wasn't going to get to that section of the contract and the contract would expire and they weren't going to end up going there. So, that was the assumption we were operating under for quite some time.

In addition to large promises that infrastructure money and sewer stabilization money would pay the entire Sewer District Fund. And those didn't materialize. And then the clock ran out. So, we've been under, I would say -- well, this isn't the question that you asked, Supervisor Lesko is enjoying the relationship he has with County Executive Bellone on this issue more so than his predecessor.

LEG. CILMI:

Well, I'm not quite sure where to go with that. I mean, that's certainly an interesting assertion on your part, that the County Executive would, you know, virtually dismiss, you know, requirements in a contract as if to say that they're not going to happen for whatever reason. I'm not sure what reason he may have had for that assertion, but --

MR. BEEDENBENDER:

Well, I don't think he did dismiss it. I think he told us he would dismiss it and then told the vendor to do it. So, I'm not suggesting that he dismissed the contract. He fulfilled the contractor, but he told the Supervisor of the Town of Brookhaven, "don't worry about it, it's not going to happen, I'll take care of it." And then he told the vendor to do exactly what was in the contract. So, I think he fulfilled his legal obligations with the contract, but he may not have been truthful to the Supervisor of the Town of Brookhaven.

D.P.O. HORSLEY:

Wow.

LEG. CILMI:

All right. As I said, I'm not quite sure where to go with that but something tells me others may know where to go with that. So, I'll -- that's the extent of questions I have for you, Brian. Thank you.

MR. BEEDENBENDER:

Well, I anticipate after that answer, I'll probably be receiving a phone call later today, so.

CHAIRWOMAN ANKER:

Okay. Do any other Legislators have questions? Brian, would you mind -- would be able to stay a little bit because we're going to be talking more about this issue in depth, but it's up to you.

MR. BEEDENBENDER:

Okay. That's fine. At your pleasure.

PRESENTATIONS

CHAIRWOMAN ANKER:

Great. Wonderful. Thank you. Thank you. Okay, we're going to continue with the presentations.

Anne Shybunko-Moore, would you mind coming up to the podium? Anne is a -- we're hoping to appoint her as a Trustee for Suffolk Community College. Anne, could you tell us a little about yourself?

MS. SHYBUNKO-MOORE:

Sure. Anne Shybunko-Moore, President of GSE Dynamics. We're a defense manufacturer in Hauppauge, second generation. Very loyal to Long Island, as you've heard and very concerned obviously about future workforce training. I am a federal contractor primarily and always interesting to tie this all in, obviously, because I rely on local talent. So, it's very important to me and what Suffolk has done to ensure that industry leaders can continue to hire folks here.

CHAIRWOMAN ANKER:

Very good. How long has your company been in business?

MS. SHYBUNKO-MOORE:

Forty years. Since 1971.

CHAIRWOMAN ANKER:

I had the pleasure of touring -- I was over visiting you, just to get to understand where you are in manufacturing. And I really became aware of how important manufacturing is here on Long Island due to the issues of, you know, decades ago when we had Grumman and North Fork and many manufacturing facilities. And they're no longer here. They're no longer providing the jobs that we counted on. And you are now taking -- you're taking in military contracts?

MS. SHYBUNKO-MOORE:

Yeah. Right now we have approximately \$42 million worth of contracts between Air Force, Army and Navy.

CHAIRWOMAN ANKER:

And I have to tell you, I see John Lombardo in the audience with Workforce Development Center, right? Is that right? And I really feel very strong that is an integral part of what's going to make Long Island become more sustainable, more self-sufficient with manufacturing jobs. And I really would like to see, you know, more to -- we have to accelerate Long Island with the -- whether it's colleges, the other -- Brookhaven National Lab. They have all the research and development. That's up in the air. I can see it, you know, they're doing everything they can. But you have to understand the nuts and bolts is all in manufacturing. Their ideas are wonderful. I'm sure there's so many amazing future development. But if you don't have the people putting those parts together, making that whatever it is a reality, we're going to go nowhere. And, again, one of the most important things is providing jobs. And, again, hopefully training at our Suffolk Community College's Work Development Center and hoping, you know, maybe places like yours and other places throughout Long Island have manufacturing companies who will be hiring these people, I'm hoping.

So, do the other Legislators have questions for Anne this afternoon? Legislator Cilmi.

LEG. CILMI:

I just wanted to say, Anne, your reputation precedes you. I've seen you speak at a couple of different events. And I just wanted to applaud your commitment to -- to growing here in Suffolk County and on Long Island specifically. I really give you a lot of credit for making that commitment.

MS. SHYBUNKO-MOORE:

Thank you. I appreciate the comment.

CHAIRWOMAN ANKER:

Okay. Any other Legislators would like to talk to Anne? No? I'd like to pull this resolution, **Introductory Resolution 1367, appointing member of the Suffolk County Community College Board of Trustees Anne Shybunko-Moore (Anker)**. Motion to take it out of order.

LEG. SCHNEIDERMAN:

I'll second if you're --

CHAIRWOMAN ANKER:

Okay. Second by Legislator Schneiderman. Okay. All in favor? Opposed? Looks like we have a new member for the --

LEG. SCHNEIDERMAN:

It's to take it out of order.

CHAIRWOMAN ANKER:

Oh, I'm sorry. Anne, I'm really excited to get you on.

LEG. SCHNEIDERMAN:

She's almost there.

CHAIRWOMAN ANKER:

Okay. **1367** is before us. I'd like to make a motion to accept this -- **appointing member to the Suffolk County College Board of Trustees Anne Shybunko-Moore (Anker)**.

LEG. CILMI:

I'll second.

CHAIRWOMAN ANKER:

Thank you. All in favor? Opposed? Abstain? Okay, looks like we have a member, a new member/trustee of the Suffolk County Community College Board. Thank you so much, Anne. I really appreciate it.

LEG. SCHNEIDERMAN:

It still has to go before the Legislature.

CHAIRWOMAN ANKER:

Well, I feel very comfortable. Thank you. And, again, I welcome you to stay and continue with our meeting, if you'd like. We have a lot of discussion to do today. Thank you.

D.P.O. HORSLEY:

Congratulations, Anne.

LEG. SCHNEIDERMAN:

Yeah, I don't think she needs to be there.

CHAIRWOMAN ANKER:

Anne, you do not have to go before the full Legislature. You know, if you'd like to, you're more than welcome, but that's not going to be necessary, but thank you.

Okay, we're going to continue. We're going to jump back to our presentations. Okay, we have someone from the Suffolk County Executive who is going to talk to us about an overview of the College parking lot dealing with the Solar Agreement. Would you like to come forward, please? Is there anyone from the College who would also like to be part of this discussion?

DR. McKAY:

Good afternoon. Shaun McKay, President of Suffolk County Community College. I just wanted to put on the record that at a recent board meeting last Thursday evening, the Board of Trustees did indicate that upon a call from the County Executive's Office, which I advanced to the Board of Trustees, that we consider the possibility of having the carparks at the Brentwood Campus. The Board of Trustees deliberated. And by resolution the Board of Trustees did pass a motion that indicated that we will continue deliberations and discussions with the County and with enXco, because there's a lot that we have not had as a college to advance a position. And the Board has then by resolution required myself and my staff to work with the County and to talk with enXco and to date those talks are ongoing.

We don't have right now final positions in regard to where we go, but certainly those discussions are ongoing. I believe that General Counsel from the County Exec's Office and our General Counsel are in discussions right now. And they have traded back and forth documentation to date. So until such time that we have a position we could advance to the Board of Trustees, those deliberations are ongoing.

CHAIRWOMAN ANKER:

Okay. Can I have somebody, a representative from the County Executive's Office discuss this further?

MR. ZWIRN:

Good afternoon, Madam Chair, members of the Committee. I would like to make part of the record, I don't know if you've received a copy of a letter from Supervisor Croci from Islip who is in support of moving the carparks, but I will make that available to the Clerk.

LEG. CILMI:

It was e-mailed to us, Ben.

MR. ZWIRN:

Oh, okay. I just wanted to make sure everybody had it. It was just handed to me so I just wanted to make sure you all have it.

In light of what Dr. McKay has said, I would ask that the Committee consider discharging this to the floor, so we get it to the floor. And until we have an agreement actually knocked out, at least it would be live, if it happens sooner than later. It is an important economic development issue for Suffolk County. It is critical as you've heard from representative Brian Beedenbender from the Town of Brookhaven and also with the letter that you have from Supervisor Croci from Islip, that this property that is adjacent to the Ronkonkoma Train Station be left available for transit orient development.

And the potential for economic development and housing for young people in the future of Suffolk County is critical. I was not aware that the College had not resolved this issue among themselves. But at any rate, I'll let the County Attorney Dennis Cohen speak to the negotiations that are going on. But I would hope that at least we could advance it today out of Committee and get it to the floor where it --

CHAIRWOMAN ANKER:

What is the timeframe? In other words, is there an issue with time with this particular project?

MR. COHEN:

Yes, there is. I know the College is concerned about getting as much of the work done as possible before the students return for their fall semester. So that's why, you know, we're trying to fast track negotiations.

Since the College Trustees have met, my office has prepared a draft lease, have sent it over to the College's General Counsel. And as President McKay indicated, we are communicating, trying to work out the details. I also sent over that draft lease to enXco, the company who's doing the construction. And we're just getting feedback.

CHAIRWOMAN ANKER:

You just said you're getting feedback. I think there's an issue of communication between the College -- and between the County Executive's Office. And I'd like that addressed, because, again, it's crucial. We've got two entities working together. You have a very supportive Legislature. And I would like to see more communication, you know. Can you answer -- give me some feedback as far as, you know, why the College was unaware of the details pertaining to this solar carport?

MR. COHEN:

You know, I gave the County Executive's Office the impression, I guess, that I was addressing the issues raised by the College in the draft lease that I sent over. So that may be, you know, my error as far as communicating that to the County Executive's Office. But we'll certainly continue to have a dialogue with the College to make sure that their concerns are addressed.

CHAIRWOMAN ANKER:

If this resolution is tabled this afternoon, you know, we have another meeting coming up. But would that affect the process of this project and getting it going? Because we're -- again, we're all very supportive of the Ronkonkoma Hub. It's a wonderful and very important economic project. But this is also very important that we understand what is involved with the College, what are the responsibilities, what are the costs? How can you address that?

MR. COHEN:

One of the College's issues is making sure that the construction is done to the extent -- to the fullest extent in the summertime. Their students, I guess, leave in a couple of weeks for the Spring Semester so there is a time restraint here that we want to try have enXco constructing this -- these carports as soon after the students leave the College as possible to get as much of that construction done during the summer months.

CHAIRWOMAN ANKER:

Again, I don't want to get into too much of a detailed situation. I guess we'll have Dr. Shaun McKay, the President of the Suffolk Community College discuss this a little further. But my concern is that you have wonderful ideas. There's wonderful ideas, again, Ronkonkoma Hub. And there was an issue, *wait a minute, what are we going to do with the carports, solar carports that we already signed a contract on, whether we're going to throw it over to Suffolk Community College, they'll take it.* That would be great. Well, it's not exactly great right now because the College was not fully aware of the details pertaining to this carport. And my concern is that it may affect the vision and the Capital Projects that they're working on right now. So, I'm going to ask Dr. McKay to speak on that.

DR. MCKAY:

Thank you, Madam Chair. And certainly, I think, with every economic development project that the County may endorse, certainly we see ourselves as economic drivers here locally in this economy. I think certainly there's a lot of unknowns.

CHAIRWOMAN ANKER:

Dr. McKay, are you pushing the button?

DR. McKAY:

Yeah, I am.

CHAIRWOMAN ANKER:

Okay.

DR. McKAY:

I'm a little too tall for the microphone. I think that's the problem. (Laughter) But, I think, certainly with every economic situation here in the County, we see ourselves as major economic drivers here in the County. Certainly our Board of Trustees deliberated extensively on this initiative. It was a matter of two to three days when we knew about this request from the County. We need time here to really explore this more extensively. And our Board of Trustees by motion did vote for us to take that action.

I think certainly what we have here is something that we've learned more about in the press than we've learned directly. So we're working the County Executive's Office now. Our General Counsels are involved. I think certainly -- our next Board of Trustee meeting is later on this month. We have to get more details to take it back to a Board of Trustees before the Board of Trustees can act on the resolution that they have made last Thursday evening.

Certainly, we're able to answer any questions from you or from the County. We just need to know more. You know, the County -- the Trustees ask the question, what does this mean for the College in regards to economic benefit for the College versus the County? And what are the details in the lease arrangement? What are the details in traffic safety for our students?

And there was a lot of discussion about that with aesthetics and everything else in regards to the Campus. Certainly I have to be able to answer that to the Trustees, to which I'm employed. And certainly, I think, the College will have to find a way to respond to that before the Trustees can make a motion to vote on whether or not we can advance that.

So, that's just a preliminary snapshot of where we are in regards to the College, but there's a lot of legal things that are happening between the County's Attorney and the General Counsel at the College.

CHAIRWOMAN ANKER:

Let me ask the County Exec rep, did you know that there were these issues pertaining to the Board that the College needed to get approval in order to proceed forward with the project?

MR. COHEN:

I knew some of the issues, which I tried to address in the draft lease, you know, with respect to, you know, if the carports were not built during the summertime and they impacted some of the parking, how would the students get back and forth to their classes? There was a liability issue that I was aware of. The other issues weren't raised to me. I'm sure the County Executive's Office is aware of them, though, and are working to get those answers.

CHAIRWOMAN ANKER:

I was going to say now they are; now that it's been presented. But, again, that's what I think is going to be important, that we make sure there's communications between, you know, the two entities, actually, you know, more even the Town. We have Brian Beedenbender here from the Town of Brookhaven. Legislator Horsley has a question.

D.P.O. HORSLEY:

Thank you very much, Legislator Anker. Let's start, first of all, I'm assuming that parking lots -- new parking lots, new pavement and stuff like that are all going to be part of the discussion,

which I -- if I know Dr. McKay, I can't imagine that not being part of the overall approach to this issue as well as Capital Projects and things like that, you know, that's okay.

But let me just -- let me move forward. I assume, also, that Dr. McKay, you're looking at staggering the work so that there are -- there is parking. Apparently it's not going to be done all over the summer months. I can't imagine that being the case. If we're going to be doing repaving and stuff like that, there's probably bidding processes and the like. It sounds to us at this point -- because we love the Ronkonkoma Hub. I mean, we think that is -- it is a transformational project for all of us including the College. So, we are -- we want to be the wind under this deal's wings. But we certainly don't want to do this half-baked. So, we'll probably be making a motion to table until at least we have a structure in place that we can understand.

DR. MCKAY:

And I think, certainly, I think that's what the Board of Trustees asked of us last Thursday evening. The County Exec's Office, and like I said, again, they're in discussions with us. I cannot advance a position that we are still discussing currently to the Board of Trustees. And I think you're correct. The Ronkonkoma Hub has a lot of economic development possibilities, but certainly for a college, we've got campuses from, you know, Brentwood, Sayville, we got Selden, we got Riverhead. And what we do with traffic footprint certainly has an impact as well.

So, we're looking on the traffic footprint side, we're looking on the safety side of this, the economic development side of it. And over a week there's -- we cannot advance a position in one week to a Board of Trustees in regards to this economic development prospect for the College. So, we have to look at safety, mitigation issues. We have to look at traffic patterns and a couple of things here. And if we advance a position to the College, certainly it has to be one that is well thought out in regards to the institution.

D.P.O. HORSLEY:

Right. Have you looked also about the whole issue that -- you know, because you have moved so far as a college to the green sciences, that, you know, having a solar project like this on campus would just enure your -- us to be more prideful of the Suffolk Community College and its green energy programs.

DR. MCKAY:

Certainly. In fact, we do have a proposal for a \$10 million building next to the Manufacturing Technology Center that will focus on STEM and workforce development. And we've met with Stony Brook university where we will partner with them to advance work that's going to be done in our R & D facility because Stony Brook in our discussions they indicated that they could not do the testing in the areas of our R & D that we can do. So, certainly, yes, we're looking at that as well, you know, renewable energy area. We've just gotten a grant for over a million dollars. We're partnered with a College from Virginia. We're doing some work in that area as well.

So, yes, we're very careful with the footprint of what we do in regards to renewable training and energy. And I know with John Lombardo, others who were here, and with Anne Shybunko-Moore, who is here today, we've done a lot in manufacturing in regards to renewable energy training. So, certainly that's something we can look at going forward. That's why we're taking our time now looking at this project, which has been fast tracked to make sure that as we advance a position to the Board of Trustees, it's within the context of that Campus being the most green campus of all three moving in that direction.

D.P.O. HORSLEY:

Right. And I appreciate and I would have expected no other answer from you. But, please be mindful that the Ronkonkoma Hub Project has got to progress. And we have a timeline and let's work together to make sure that this thing works to the betterment of all parties, as I know, Mr.

Cohen will agree.

DR. McKAY:
Absolutely.

CHAIRWOMAN ANKER:

Dr. McKay, just also, I want to congratulate you. I believe you were recently appointed as the President of the Nation's Community College Association. What is the official name of that particular organization?

DR. McKAY:

I've been appointed to several things. So, it's really hard, you know; being the largest college in the State of New York, we get picked on a lot for great things. We had eight students recently who were selected in the STEM area, Science, Technology, Engineering and Math, of which seven went to BNL and one went to California. I mean there's a lot of credits here, but certainly -- I was appointed to the Implementation Team for the Commission of Community Colleges, the American Association of Community Colleges where certainly since the 1947 Truman Commission, this is the first time that the country would be looking at community colleges in a different way. So, I've been appointed to that team. I've certainly been -- I've been also appointed to the President's Round Table Committee that focusses on legislation across the country. So, it's a great attribute for us here at Suffolk County and certainly for the faculty and staff of the College.

CHAIRWOMAN ANKER:

Congratulations. We're very proud of what you've done as an individual and also what you're -- what you've done for our Community College and what you will be doing. So, again, we do appreciate all the efforts you've put into helping our County. Legislator Cilmi.

LEG. CILMI:

Yes, thanks. So, I have some questions. I guess, first of all, if I could ask Counsel, the resolution that we're going to be voting on today, what exactly does it do, what exactly does it authorize?

MR. NOLAN:

It authorizes the County Executive to enter into an agreement with enXco and the Community College to relocate where the solar panels are going from, Ronkonkoma to the Community College Campus.

LEG. CILMI:

So, effectively it authorizes the County Executive to amend the contract that we entered into with enXco, whenever that was, a year or two ago.

MR. NOLAN:

Correct.

LEG. CILMI:

And when we first entered into that contract, it required legislative approval; correct?

MR. NOLAN:

It did.

LEG. CILMI:

And so does this authorize the County Executive to unilaterally amend that contract?

MR. NOLAN:

No. He's going to have to do that with the other parties, which is enXco. And he's going to have to

get the Community College on board.

LEG. CILMI:

Sorry, it was the wrong question. Does this authorize the County Executive to amend that contract without our subsequent authorization?

MR. NOLAN:

I believe it does, yes.

LEG. CILMI:

So -- and if I'm correct, my understanding is that presently we don't have the details of those negotiations nor, I suppose, should we because they are negotiations, between the County and the Community College and enXco; is that correct?

MR. COHEN:

Legislator Cilmi, if I could just respond to the earlier question --

LEG. CILMI:

Yes.

MR. COHEN:

The resolution that's before you merely authorizes the County Executive to enter into a lease with enXco and the College. It does not amend any of the other seven leases that are in effect. So, if anything was to occur with the Ronkonkoma lease, which would in effect, either amend it or cancel it, that would come back before the Legislature. And the reason that's not before you now is because we are still negotiating that lease.

LEG. CILMI:

So this would be authorizing the County Executive to enter into an agreement, which is in addition to what currently exists?

MR. COHEN:

Yes.

LEG. CILMI:

Why would that agreement not have to come before the Legislature for approval, then, first as it did the last time?

MR. COHEN:

The agreement with the College?

LEG. CILMI:

The last time we approved this, there was the requirement that the Legislature authorized the agreement. And if this is not an amendment to the existing agreement, but rather a new agreement, why would that agreement not have to come before the Legislature for approval after that agreement is, you know, is constructed?

MR. COHEN:

I'm not sure I understand the question. The resolution before you is to authorize the lease. Are you asking --

LEG. CILMI:

Are the details of that lease in this resolution?

MR. COHEN:

No, the details of the lease are not in the resolution.

LEG. CILMI:

Okay. So my point is that when we authorized these carports initially, the details, at least most of the details of the agreement were in the resolution. And we agreed on a certain set of specific, you know enumerated circumstances. In this case you're asking us to authorize an agreement which doesn't exist. Am I wrong?

MR. COHEN:

We have a draft that's been submitted to us by the parties. It's not in final form and has not been approved by either of the other two parties.

LEG. CILMI:

Okay.

MR. COHEN:

The reason it was sent to the Legislature at this time is because of the time constraints that we're under to try to get this moved to the College.

LEG. CILMI:

I appreciate that and I appreciate the, you know, Brookhaven's interest and I appreciate the Town of Islip's interest, you know. Quite frankly, this should have been predictable back when we authorized this agreement two years ago, that this would get in the way of the Hub Project. But that's neither here nor there. But the fact of the matter is that I'm not prepared to authorize an agreement that doesn't exist.

My next question: The agreement that we originally entered into with enXco, although it authorized the lease of seven parking lots for the purpose of enXco installing these solar carports, the effect of that agreement was that enXco wasn't able -- in fact, they did it before we authorized the lease, which was another issue, but enXco entered into a Power Purchase Agreement with LIPA to buy the power that was generated by the solar carports. And LIPA estimated the cost of that agreement to be \$120 million.

So, and maybe this is a question for -- I see -- I don't want to put him on the spot, but I see Commissioner Anderson in the audience. We certainly have you and Mr. Zwirn, we have from the County Executive's Office, but it seems to me, you know, they're looking for ways to generate recurring revenue in the County. Having seen the solar carports, it doesn't look to me like there's any -- anything unique about their installation that would require, you know, some sort of very specialized, highly technical knowledge.

My question is, why would we -- why would we just give away, to use a saying, give away the store to enXco? Why can't we purchase the materials to erect these solar carports? Erect them ourselves. Let Suffolk County or the Community College or both for that matter enter into a Power Purchase Agreement with LIPA and generate some significant ongoing revenue for the County instead of letting enXco receive those benefits? Can someone answer that question?

MR. ZWIRN:

I can only tell you, Legislator Cilmi, that, you know, it might have been questions to ask when the deal was originally passed on by the Legislature.

LEG. CILMI:

Well, we're talking about a new deal. I'm asking the question now.

MR. ZWIRN:

This is an amendment --

LEG. CILMI:

No. Mr. Cohen said this was not an amendment to the deal. This was a new agreement.

MR. ZWIRN:

It's part of -- it's part of the other leases in the sense that all those properties where enXco is going to build these carports, this was one of the locations. So, it's not as if -- they were going to build them separately.

LEG. CILMI:

What was one of the locations?

MR. ZWIRN:

By the Ronkonkoma Train Station.

LEG. CILMI:

But Mr. Cohan said that this resolution really has little to do with the Ronkonkoma location. This is authorizing a new agreement.

MR. ZWIRN:

Well, the reason they were doing this is because they're not going to use the site at Ronkonkoma, so we have to have a new site. So, the deal pretty much stays in place except for the new location. And we thought -- Dr. McKay's gracious as always, but apparently there has not been an agreement on the part of the College to accept this as a location. In that case, we're going to have just a few options. Either contractors broker with enXco or we let them go ahead and build in Ronkonkoma. I mean, that's, you know, that's about where we are.

LEG. CILMI:

It doesn't really answer my question, though. My question is simply can we install these solar carports ourselves? If so, why wouldn't we? And if we can't, why can't we?

COMMISSIONER ANDERSON:

If I may, not having a terrible amount of detail, I do know that the investment that LIPA and enXco had to put forward to create this project was, I believe, in excess of \$60 million. So, that's the bigger issue; is that it didn't cost the County anything to do all of this work other than to give up our air rights, if you will. And that was the reason, you know, that we went with this.

LEG. CILMI:

So, 60 million to get back 120 million, to me, sounds like a pretty good investment. And we're on -- you know, we're exploring our Capital Program now. Off the top of my head, I don't know what the amount of that Capital Program is. Maybe Budget Review can share what the total amount of our Capital Program or Budget is. But my point is that 60 million doesn't seem like an unwise investment if you're getting back 120.

MR. SCHROEDER:

While my associate is looking for an answer to that question, if I could just offer some possible clarification, enXco responded to a Request for Proposals from LIPA to build part of a 50 megawatt commercial or utility scale solar project. The County offered the use of its properties for part of that project. That's what enXco responded to.

To answer your question about the County's ability to build projects to sell power back to LIPA, LIPA just created or approved a feed-in-tariff arrangement whereby they will purchase up to 50

megawatts cumulatively on their system from anyone who wants to sell power back onto the grid. So, the County can do that but as probably -- you're probably aware --

LEG. CILMI:

Could the Community College do it?

MR. SCHROEDER:

Well, anyone on LIPA system can do it.

LEG. CILMI:

Dr. McKay, I'm trying to help you out here. Go ahead, I'm sorry, Joe.

MR. SCHROEDER:

However, the specifics of this particular arrangement relate to the project -- portion of the project that was going to be built at the Ronkonkoma Railroad Station that is part of the 50 megawatt contract -- the portion of the 50 megawatt contract that was awarded to enXco has nothing to do with our ability to sell power into the grid separate to that agreement, though.

LEG. CILMI:

Are there any locations in the County that these carports could be installed that are similar in size and scope to the area at the Community College?

COMMISSIONER ANDERSON:

They're very limited. But the attraction and the reason that enXco and LIPA spoke to us is because we had the ability to have larger areas that were already developed, so it minimized the SEQRA impact. You know, again, it was -- there are other areas. They've all been reviewed. When this issue came up, we looked at a number of locations. We're going to be putting in the panels at the Deer Park Train Station as well as hopefully at the College to facilitate, you know, the contract that we entered into, what, two years ago? So -- but they're very limited. And at the time this was a large scale project and that's why the attraction to the County because we did have control over larger areas that were developed and would be a minimal impact to the environment.

LEG. CILMI:

I don't have any further questions. Thanks.

MS. MOSS:

Legislator Cilmi, in response to the question that you had before, the Capital Program that's being proposed for 2013 through subsequent years, it's a little bit more than 835 million.

LEG. CILMI:

Thank you.

CHAIRWOMAN ANKER:

Legislator Schneiderman.

LEG. SCHNEIDERMAN:

You know, I guess maybe Dennis I'll ask the first question, so Ronkonkoma is County-owned but the train station parking lot there and the College is -- Suffolk Community College -- so where -- if we switch from one, we must have some revenue associated with that lease at Ronkonkoma that's projected into our budget. And we all know how bad our budget situation is. So, if it moves to the College, is there certain revenue sharing with the College that goes on and how do we make the County budget whole or is it something that's part of the negotiations?

MR. COHEN:

The County -- the College would be getting the money for their ground lease because it's -- although it's County-owned, we hold it in trust for the College. With respect to the money that would be lost, the lease money that would be lost out of the Ronkonkoma, that's part of the negotiation.

LEG. SCHNEIDERMAN:

So how -- we'd get that back, right? Now -- so, the economic development for that Ronkonkoma Hub, I'm not really that familiar with the project, so obviously the solar panels were in the way of it. Are they building over the parking lot? Are we going to get some lease money that way through the Ronkonkoma Hub Project?

MR. COHEN:

No. I think Mr. Beedenbender who was saying, and, you know, I concur with this although this is not my field of expertise, is that once -- I don't know if there's any concrete planned right now for that property. But once the Ronkonkoma Hub starts being built, our property will become that much more valuable. So, in the future that property is much more valuable -- if we do enter into some kind of agreement for that property at that point, it'd be worth much more to the County.

LEG. SCHNEIDERMAN:

That's a big "if." So right now we're -- we're still going to need to use that as parking; right?

MR. COHEN:

Yes, it's still going to remain in its current use.

LEG. SCHNEIDERMAN:

And we lease the parking area to the Long Island Railroad, right?

MR. COHEN:

We have an agreement with the Railroad, I don't think it's a lease, though. I think it's -- I guess it's a use agreement.

LEG. SCHNEIDERMAN:

If we used it for something else -- and the carport still allowed for that parking. If we used it -- if we re-purposed it, we'd have a major parking problem for, I guess, the busiest train station on Long Island or at least in Suffolk County.

MR. COHEN:

Right. I don't think there's any plans to not use it as a parking lot.

LEG. SCHNEIDERMAN:

All right. So that argument that it's going to become more valuable may not really hold water very well because we're kind of stuck using it as a parking lot. I'm just trying to figure out, you know -- typically when we come up an idea, we want to do -- if it costs money or we lose money somewhere, we're told we've got to have an offset. I think it's our own loss that requires an offset. So I don't even know how much we're losing on this deal. The carport -- what was enXco paying to the County for leasing that Ronkonkoma Train parking?

MR. COHEN:

Yearly it would be approximately, I believe, 177,000 per year.

LEG. SCHNEIDERMAN:

Right, 177,000. So you guys are working on a way of making that up somehow, that's in a negotiation?

MR. COHEN:

Yes, we're trying to work something out with enXco to, you know --

LEG. SCHNEIDERMAN:

All right. It would be helpful for us to know that. Because the last thing you want to do is create a bigger hole in the budget. We already know we closed last year with a 60 million hole. We got a projected 500 million dollar plus deficit growing in the next two years. Nobody wants to make that worse. And we also realize, too, that economic development is probably our best way out -- is to, you know, get the economy going and generate sales tax revenues.

Let me ask you a question. You probably looked into this, though. I know in the past when we've talked about like, say, put in like a cell tower up on certain County lands, *oh, we can't do it there, there are issues with the, you know, with the type of use, the inconsistent* -- now I know with a College Campus, is there any concerns about having a private company, basically a private utility coming onto a college campus? Is that -- is that okay? There might be some prohibitions on something like that?

MR. COHEN:

I think the key here is in all the parking lots, including the County parking lots, is it's still being used for its intended purpose, which is parking. So, the fact that there are carports being constructed on the parking lots is not an issue.

LEG. SCHNEIDERMAN:

There's no -- there's that commercial element now. You have a private company operating within a college campus. We're not allowing them to post any kind of advertising or names on these carports or anything like that?

MR. COHEN:

I don't believe so. I don't want to -- I didn't look for that issue in the lease agreement -- on the current lease agreements. But, no, as far as it just being constructed there for parking purposes, that is okay. That's permissible.

LEG. SCHNEIDERMAN:

And the term, do you know, Dennis, these campuses are growing. You know, the use is going up, or the County's population's going up. And I don't know what their plan 20 years out is for -- you know, they might have three-story parking garages and more buildings. And I need to -- probably not a lot of room to expand because Brentwood's a pretty populated area so they probably can't go beyond the campus. So, there's probably not a lot of places to locate new buildings, but maybe they can have parking garages and consolidate. Are they stuck with these solar carports forever or is there a term on it?

MR. COHEN:

Yeah, the term is 20 years. There's nothing in the lease, I believe, that allows the County, or in this case, the College, to terminate the agreement, if there's a plan to do parking garages. So, it's a straight 20-year term.

LEG. SCHNEIDERMAN:

All right. So, the College itself would probably be looking at their long-term planning and trying to see if this makes sense. Okay. Thank you. Thank you.

CHAIRWOMAN ANKER:

Legislator Schneiderman, I'm sorry, I know you have a two o'clock Committee meeting. And it's a few minutes after -- ten after two right now. But I'd like to go ahead and move this over to -- take this out of order. I'll make a motion to take out of order **1463 (Authorizing the amendment of**

a lease agreement with Eastern Long Island Solar Project, LLC for use of County property in connection with the development of solar energy facilities) (Co. Exec.) Can I get a second on that? Second by Legislator Muratore. Okay, I'd like to call this -- 1463, I'd like to take it out of order. Motion and second. All in favor?

LEG. MURATORE:

You got it.

CHAIRWOMAN ANKER:

All in favor? Actually, I'm going to read **1463, Authorizing the amendment of a lease agreement with Eastern Long Island Solar Project, LLC for use of County property in connection with the development of solar energy facilities. (Co. Exec.)** Motion. All in favor? Taking out of order, again. All in favor? Opposed? Now it's before us. Make a motion to table. Second? Table it, yeah.

LEG. CILMI:

I'll make a motion. Second.

CHAIRWOMAN ANKER:

Okay, thank you. Legislator Cilmi, yes. Okay. We're going to table this motion. I'll call the vote. All in favor? Opposed? Table. We're tabling this vote. It's tabled. **(Vote: 4-1-0-0)**

LEG. MURATORE:

Opposed to tabling.

CHAIRWOMAN ANKER:

With this in mind, we do need to move along with this. So I will put off, let's see, it looks like it's Resolution 1461. Okay, we're going to go to the agenda. We're going to skip the presentations on the Community College and go right to the agenda.

INTRODUCTORY RESOLUTIONS

Let's go to **1449**. Okay, we have **Accepting and appropriating a grant award from the National Science Foundation for an Advanced Technological Education Project Entitled "LIGHTES-Leading Innovation through Green High Tech Engineering & Sustainability" 100% reimbursed by Federal Funds at Suffolk County Community College. (Co. Exec.)**

LEG. SCHNEIDERMAN:

Motion to approve and place on the Consent Calendar.

CHAIRWOMAN ANKER:

Okay. And I'll second that. All in favor? Opposed? Abstain? Okay, it looks like -- approved. **(VOTE: 5-0-0-0)**

1461, Appropriating funds in connection with infrastructure College Wide (CP 2149). (Co. Exec.) Is there a motion for discussion?

D.P.O. HORSLEY:

Motion to approve.

CHAIRWOMAN ANKER:

Okay, I'll second it. Is there anybody here to speak on this? Community College, Suffolk Community College, please come forward. Good afternoon. State your name.

MR. DeMAIO:

Jon DeMaio with Suffolk Community College. This is an appropriating resolution for funds that are currently scheduled in the 2012 Capital Budget to move forward Phase II of our infrastructure project. This addresses everything under the sun you can think of that is currently past its useful life at the Community College. Anything from roofs, HVAC systems that are failing, pedestrian pathways, life safety issues, fire alarms. It is money from Phase I we are currently spending and is really resulting in a lot of fabulous improvements at the College long overdue and this will allow us to continue that initiative.

CHAIRWOMAN ANKER:

Discussion on this? Okay, I'm going to call the vote.

LEG. CILMI:

On the motion, please.

CHAIRWOMAN ANKER:

Legislator Cilmi.

LEG. CILMI:

Well, I recognize that the time is past -- short, and that the next Committee was supposed to start at two o'clock. And I know that the Committee had planned at my request to speak to the Community College with regard to the disparity in students from Suffolk County attending community colleges outside of Suffolk County compared with the students coming to Suffolk County from other Counties. The Chair may want to postpone that conversation until our next meeting. But I think it enters into the discussion of this bill because, you know, it may be that this bill goes towards improving that scenario. It may not. I mean, we've certainly invested a lot of money in the College. I think the good doctor would attest to that.

So, I'm not quite sure what to do here. I recognize this work needs to be done. I know it was in the Capital Budget. And I've been very supportive of the College. But at the same time I'd be interested in hearing that presentation. So, I'm not sure where to go.

CHAIRWOMAN ANKER:

Okay, Dr. McKay, would you like to speak?

DR. McKAY:

Legislator Cilmi, if I can just indulge you for a minute, I will come back later with a more definitive presentation. Through members of the Committee, upon direction from the Board of Trustees, we contacted -- the General Counsel from my office contacted Comptroller Sawicki. We received subsequently 3500 names of individuals from Suffolk County that are attending institutions outside of Suffolk County and getting a subsidy provided by the County.

We have since then submitted a survey, and we've asked the question as to what is it that you're doing outside of Suffolk County that we are not providing? Or what is it that we can do better or different? And it's a whole list of questions, about 30 questions we've asked the students.

Their due date was yesterday. And unfortunately right now we've gotten over 250 or so responses. What we're going to try to do is go back again to get more students to respond to us. Once we have that analyzed, we're going to present that to you and to the Board of Trustees because the Board of Trustees certainly wants to know what's happening with these residents that are going out of County, and certainly we do as well. So, I believe that over the next few weeks we're going to go back to a second round of responses. And once we have that, we'll then present it to you.

LEG. CILMI:

Was that survey done by mail or by e-mail or by phone or --

DR. McKAY:

It was done by mail because we didn't have the e-mails of those residents. So, you know, we did have about 80 or so that came back deliverable, but certainly we're going to provide, if possible, if we do have the e-mails, which we don't have, what we have is the names and addresses of the students and the Towns by which they reside. So, we do have that.

LEG. CILMI:

Okay. So -- I'm sorry, Chairwoman, but this begs another question. So, Suffolk County taxpayers are providing subsidies to students who are supposedly from Suffolk County, who are attending other community colleges? And you're saying that 80 of the surveys that you've sent out to the addresses that we have on file for those students came back as undeliverable?

DR. McKAY:

Well, again, you know, we have a transient community here in Suffolk and it could have been that maybe they've moved, we don't know. But we're certainly going to re-visit that issue. We have 3500 names. And I think of the 3500, you're looking at maybe 2 or 3 percent of those that came back, so.

LEG. CILMI:

Well, I'm not sure it's within your, you know, responsibilities to go back and look at those residents. But the fact of the matter is if they were once Suffolk residents who have established some sort of residency here for the purpose of taking advantage of our taxpayers and are now living somewhere else and still receiving our subsidy, that is a huge problem for our County.

DR. McKAY:

Sure.

LEG. CILMI:

And so, you know, I will get on the phone with our Comptroller immediately after this meeting and see if there's a way that we can verify the addresses of every one of those students that's getting subsidy from Suffolk County taxpayers.

DR. McKAY:

Absolutely. And we'll do our best to try to make sure that we communicate with all 3500 students that have received our survey via e-mail. We'll do a follow up again. Probably tomorrow we're going to send another e-mail -- not e-mail, but a mail survey out tomorrow. Any help with the Comptroller's Office certainly would assist us in our analysis. And we'll come back to the next meeting we have to present an analysis of what we found from the survey by these residents.

LEG. CILMI:

If you would in advance of that, recognizing that our next meeting is not until, I think, sometime in June, if you would communicate with me, please, directly, when you have a -- you know, when you feel you have a significant or, you know, when you've reached that point of diminishing returns of responses, and just let me know what you're thinking based on those responses, I'd appreciate it.

DR. McKAY:

Will do.

LEG. CILMI:

Thanks, Doctor.

CHAIRWOMAN ANKER:

Legislator Horsley has a question.

D.P.O. HORSLEY:

Yeah. Doctor, the same bell went off in my head, Tom, as it did with yours when you heard that number. Is it possible that you can go back and reach out to the students at their present college?

DR. McKAY:

You have a focal issue here, where again --

D.P.O. HORSLEY:

I understand that.

DR. McKAY:

-- we have to respond to the information we have on file as per the County Comptroller, which gave us the authority, and the Board of Trustees who requested that. We have since then submitted that survey to every single student that we have on that file. So, you're right, I think --

D.P.O. HORSLEY:

It's a level of accountability that we're looking for, not to look for -- all we're looking for is evidence that they were Suffolk County residents or are Suffolk County residents.

LEG. CILMI:

If I may, through the Chair, though, this is a Suffolk County subsidy, not a community college subsidy. Our County pays these -- you know, the other colleges for their subsidies so it's not -- I don't think it's in --

D.P.O. HORSLEY:

Well, if he's doing the survey --

LEG. CILMI:

-- the Community College's purview, you know, to look at that. I think it's the Comptroller's purview to look at that.

CHAIRWOMAN ANKER:

Okay. You know, we may need to continue this conversation at another time because we do have another committee that should be held right now. But I appreciate, you know, again your input and it's definitely a discussion that will be continued.

We will now move onto -- we're going to call the vote 1461. All in favor? Opposed? Okay, we have it approved, 1461. **(VOTE: 5-0-0-0)**

Okay, we already did 1463.

We're going to go to **IR 1478, Appointing James Morgo to the Suffolk County Community College Board of Trustees. (Pres. Off.)** I do want to mention that James Morgo is out of the country right now. He will be, I believe, at the full Legislative meeting. But is there discussion on this resolution? Okay. I'd like to make a motion to discharge without recommendation.

D.P.O. HORSLEY:

I'll second the motion.

CHAIRWOMAN ANKER:

All in favor? Okay, we will discharge -- opposed? Abstention? Okay.

LEG. SCHNEIDERMAN:

Excuse me. While the representatives of the College are here on the Board of Trustees, I know there are two people in front of us today, Jim Morgo and the woman we just recently put on. How many members are on the board, ten? And maybe, Dr. McKay, you can answer this. In terms of the ten members that are on, and I don't think there are specific requirements for any of those positions, like sometimes we have geographic requirements or professional types of requirements, but do we have a decent distribution across the County geographically as well as from a cultural standpoint diversity on that board?

DR. McKAY:

I'll say that's a question for the Chairwoman of the Board of Trustees and the Committee in discussion in regards to geographical representation and demographic representation.

LEG. SCHNEIDERMAN:

Demographics represents really the composition of the County.

DR. McKAY:

Currently we have two females on the Board. Certainly the Governor has four appointees and the Legislature has five. And then we have one student trustee. So, in regards to demographic representation, you have two females on the Board right now.

LEG. SCHNEIDERMAN:

Do you know specifically is there anyone on the board who's from the five East End Towns?

DR. McKAY:

Not currently, no.

LEG. SCHNEIDERMAN:

I know there used to be. John King served for a number of years. So we have nobody from the East End?

DR. McKAY:

Not currently, no.

CHAIRWOMAN ANKER:

Okay. Is there any other questions we have here today? I'm going to adjourn. And, again, thank you for your -- thank you for coming here, Dr. McKay, and County Exec's Office, thank you for showing your representation. Meeting is adjourned.

**THE MEETING CONCLUDED AT 2:18 PM
{ } DENOTES SPELLED PHONETICALLY**