

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 December 9, 2014.

MEMBERS PRESENT:

Leg. Sarah S. Anker, Chairperson
Leg. Monica Martinez, Vice Chair
Leg. Thomas Cilmi
Leg. Lou D'Amaro
Leg. Robert Trotta

ALSO IN ATTENDANCE:

Leg. Kevin McCaffrey, 14th Legislative District
George M. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel to the Legislature
Jason Richberg, Chief Deputy Clerk of the Legislature
Ben Zwirn, Suffolk Community College
Jim Morgo, Suffolk Community College
Kevin Peterman, Suffolk Community College
Bennie Pernice, Budget Review Office
Tom Vaughn, County Executive's Office
Lou Bekofsky, Suffolk County Department of Economic Development
Michael Pitcher, Aide to Presiding Officer
Karen Johnson, Aide to Leg. Calarco
Patricia Lenehan, 21 and Counting
Amy Ellis, Aide to Leg. Anker
Greg Moran, Aide to Leg. Trotta
Justin Littell, Aide to Leg. D'Amaro
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

MINUTES TRANSCRIBED BY:

Denise Weaver, Legislative Aide

(THE MEETING WAS CALLED TO ORDER AT 11:07 AM)

CHAIRPERSON ANKER:

Hi, welcome to the Education/Information Technology Committee meeting. We're going to begin. Will you please rise for the Pledge of Allegiance led by Legislator D'Amaro.

SALUTATION

Please remain standing for a moment of prayer and meditation as we think of those in our military protecting our freedom.

MOMENT OF SILENCE OBSERVED

Thank you. Looking on the agenda, we do not have correspondence. We do have a card for Public Portion. Patricia Lenehan. Welcome.

PUBLIC PORTION

MS. LENEHAN:

Thank you. Is this on? There we go, I'm getting good. Good morning everybody. Glad to see you all made it safe. My name is Patricia Lenehan. My D/B/A is 21 and Counting. I live in Brentwood.

While researching different programs that are available to teach driver safety, I have found the majority of them are too limited in the time that they should be required on the section concerning DWI. Every day lately we see on the news an accident that has caused -- was caused by a person under the influence. We hear about how many times they have been arrested for the same behavior and only to be released again to do it over. I am sure all our lives have been touched by this tragedy one way or another.

Why do we wait to enforce restrictions and fines after the event? To make smart decisions by under -- wait -- to make -- when we can make a difference by teaching drivers to make smart decisions by understanding their tolerance to the amount they can drink, the way to slow down their drinking, the facts about alcohol consumption, the law and having to take full responsibility for their actions.

I want to -- I want us to introduce a bill that would require future drivers, 21 year-olds and older drivers, to have to spend three hours in a certified certificate class that is totally dedicated to teaching the facts and laws about alcohol consumption and penalties while under the influence. This program must be mandated before issuing a driver's license, and at the age of 21, and for driver's renewal licenses. It is not to be available online and requires a final exam for certification. And then it's entered on their driving records of each person by completing this course. They are committed to taking full responsibility for their behavior and are aware of the driving hazards and understand the consequences of their behavior and the loss of their driving privileges.

How do I introduce this idea and who can help me?

CHAIRPERSON ANKER:

Thank you, Patricia. Those are wonderful ideas. We will highly consider them. Legislator Monica Martinez --

MS. LENEHAN:

No, I want a different Legislator.

CHAIRPERSON ANKER:

Oh, okay. Well, this issue is State level.

MS. LENEHAN:

Right.

CHAIRPERSON ANKER:

And if you'd like to contact my office, I'm more than happy to listen to some of your -- the details you have with your -- your comments. But, again, thank you for coming out this morning.

MS. LENEHAN:

Okay.

CHAIRPERSON ANKER:

Appreciate it.

MS. LENEHAN:

All right, thank you. May I give this to you?

CHAIRPERSON ANKER:

All right. We do not have a presentation. We do not have Tabled Resolutions. We're going to discuss the Introductory Resolutions.

INTRODUCTORY RESOLUTIONS

We have **IR 2139 - Accepting and appropriating a grant award from the SUNY High Needs Program, for a project entitled "New Opportunities in Information Technology: Developing an A.A.S. Degree in Cybersecurity at Suffolk County Community College," 100% reimbursed by State Funds at the College. (Co. Exec.)** I'll make a motion to approve.

LEG. CILMI:

Second.

CHAIRPERSON ANKER:

Okay, we'll put it on the Consent Calendar. All in favor? We have a second. All in favor? Opposed? Abstentions? Motion carries. **APPROVED and PLACED on the CONSENT CALENDAR (VOTE: 5-0-0-0)**

We have **IR 2154 - Authorizing the County Executive to execute an agreement with Suffolk County Community College for the purpose of including a County owned parcel, located adjacent to the Ammerman Campus in Selden, in the College's START-UP NY campus plan for the designation as a tax-free New York area. (Co. Exec.)** I'll make a motion to approve.

LEG. TROTTA:

On the motion.

CHAIRPERSON ANKER:

On the motion. Can we get a second on that?

LEG. D'AMARO:

I would second for discussion purposes.

CHAIRPERSON ANKER:

We have a second, okay. On the motion.

LEG. TROTTA:

How much property is it?

CHAIRPERSON ANKER:

Okay, I believe it's ten acres. Do we have Ben Zwirn or do -- we have someone from the Community College to discuss this.

MR. ZWIRN:

Hi, Madam Chair, Committee. Ben Zwirn, for the Suffolk Community College. And with me is Trustee, Jim Morgo, who's on the board of the Community College and -- it's ten acres. And Lou Bekofsky is here from the County Exec's Office from Economic Development. And we'll answer any questions that you have.

CHAIRPERSON ANKER:

Thank you. Legislator Trotta did you have --

LEG. TROTTA:

Yeah, it's ten acres of like -- is it wooded now or --

MR. ZWIRN:

Yes, it's ten acres that's right adjacent to the College as -- when you came to the College that day, this would have been east of the parking lots on the College -- off College Road.

LEG. TROTTA:

It's still on the -- it's still on the west side of College Road then.

MR. ZWIRN:

Yes.

LEG. TROTTA:

And it's just to the north of the College obviously.

MR. ZWIRN:

Well, it's -- if you look at the NFL building, it'd be to the right. It's a six -- there's a 62-acre parcel there that the County owns that's not -- it's not designated parkland. Six point six acres in the past had been contracted with the Empire State College to build an administrative building there. And Senator LaValle was able to put \$10 million in the Capital Program of SUNY for New York State and that money is still there. So they are going to construct a building and parking lot on that 6.6 acres. This property is a ten-acre site and then the remaining property is still there.

LEG. TROTTA:

None of it's parkland.

MR. ZWIRN:

Correct.

LEG. TROTTA:

And the 6.6 acre site is next to the ten-acre site?

MR. ZWIRN:

Yes.

LEG. TROTTA:

Will that 6.6 acre site be part of this tax-free zone?

MR. ZWIRN:

Well, under the START-UP New York Program, Empire State College would qualify to be in the START-UP New York Program. So any space that they have a -- on that campus that they could make available to START-UP New York, the answer would be yes. But it's -- one has, you know, we work independently of each other even though we don't work against each other. You know, our job is trying to get high-tech businesses here on Long Island for manufacturing or for research and development. And the State's proposal was to use SUNY property because it's not generating a tax revenue now. So you're not taking anything off the tax rolls so it'd be revenue-neutral and also be trying to create jobs that are low impact in the community as opposed to developing this site for whatever other purposes.

LEG. TROTTA:

Are they doing something like that down the road in Stony Brook?

MR. ZWIRN:

Stony Brook has -- is also in the START-UP New York Program. We are working with them. They have had a number of applications. Their START-UP New York application has been approved because they had space on the campus that they could make available. But we're working with Stony Brook. And if they have applicants that don't seem to fit with what they want to do, they'll turn it back over to the Community College and we'll take a look at them as well once our plan is approved.

One of the reasons that our plan has not yet been approved is that we didn't have any space to make available. And this ten acres will -- with a Memorandum Of Understanding with the County, this ten acres will now become available for START-UP New York purposes.

LEG. TROTTA:

So this is years away.

MR. ZWIRN:

It's certainly a year; at least a year away.

LEG. TROTTA:

And the State will pay for it once we turn it over to them or give them access to it?

MR. ZWIRN:

The State, no. The State will just approve our plan and this will be -- it'll come in under their plan but the State won't -- once they approve it, they approve the applicant and the College approves the applicant, it'll be our -- it'll be on our, you know, County-owned land. The State won't have anything to do with it.

LEG. TROTTA:

Who will be paying for the buildings that are built there?

MR. ZWIRN:

The applicant will be paying for them. That's one of the reasons why we're working so closely with the County and the County IDA because they may need some assistance to put up a building.

LEG. TROTTA:

All right. So they're going to get tax breaks for putting up a small company.

MR. ZWIRN:

Possibly.

LEG. TROTTA:

Okay.

CHAIRPERSON ANKER:

Okay. And I also want to mention this is such a great transition between the, you know, graduating college kids, having a possible -- possibly a place to work. And it's a great, you know, leadership focus on really getting where the kids need to be and also creating a better economy. Legislator Cilmi has a question.

LEG. CILMI:

Yes, thank you. Legislator Trotta just asked one of the two questions I had. The second question I had was, so presently the land is -- is in tax default or who owns the land right now?

MR. ZWIRN:

No, Suffolk County owns the property.

LEG. CILMI:

And we took it -- how did we get the property?

MR. BEKOFSKY:

Lou Bekofsky, Economic Development. The property was conveyed back to the County via a quitclaim deed in 2008 from the Selden Fire District. That's the ten-acre parcel that's included in our plan.

LEG. CILMI:

Right.

MR. BEKOFSKY:

The larger parcel was declared surplus in 2011 by the Legislature.

LEG. CILMI:

Okay. And why did the Fire Department have the property?

MR. BEKOFSKY:

The Fire Department wanted --

LEG. CILMI:

For how long did they have the property?

MR. BEKOFSKY:

I'm not sure how long, but they wanted to build a training facility, which they ended up doing on the northern section on the property. And, therefore, they conveyed the -- the parcel they weren't going to use anymore, the ten acres, back to the County. At that time when that happened, I think there was discussion about putting a golf course on the property, which is no longer --

MR. ZWIRN:

This property, Legislator Cilmi, has been the subject of some discussion. Legislator D'Amaro, who's been on the Legislature a longtime, will remember that, I think going back -- I think even before Legislator Caracappa, this was his district, and there was some thought about sale of this property during the Levy administration for development. And there was a strong outcry from the community that didn't want this property developed for housing or for major construction, not to have an impact in the Selden community. Then Legislator Beedenbender came into office. And the property again was subject of threat of development. And he was opposed to it.

We have spoken to Legislator Muratore who's -- within whose district this property sits. And this

use and the ten acres with the Fire -- he is on board with this. But we reached out to him to make sure that the Fire Department wasn't coming back and wanted the property at a future time. And he said, no, they don't have the funds to develop it and have no plans to use this property so -- and it's adjacent to the College Campus so it seems like a pretty good low-impact use for the property and could create jobs and, you know, economic development for the County.

LEG. CILMI:

Okay. So the community had been against development previously, but we think that the community will be okay with development so long as it tied in some way to the College.

MR. ZWIRN:

Legislator Muratore indicated that to me, yes.

LEG. CILMI:

And just to reiterate what Legislator Trotta asked and what you answered, there's no County money associated with the development of this property whatsoever.

MR. ZWIRN:

Correct.

LEG. CILMI:

Okay. All right, thank you.

CHAIRPERSON ANKER:

I also want to comment as far as the property, we're talking about 60 acres and we're using ten acres for this specific project, the START-UP New York. I would like to suggest that you would consider housing, attainable, affordable housing. That's a strong component between linking -- you know, how to keep our kids here with the brain drain so we have -- we have a potential job opportunity there at the Campus. We also need housing. And, of course, there's a strong environmental component with possible preservation for some of those, that 60 acres. Because that's a big -- big piece of land. Any other questions? Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Good morning. I just want to get in my mind exactly where the property is located. It fronts on College Road?

MR. ZWIRN:

This piece -- the 60 acres, 62 acres, yes, it fronts on College Road. This portion is not on College Road. It is up the hill. It is adjacent to the College, one of the College parking lots that's not on College Road. If you go up --

LEG. D'AMARO:

It is adjacent to the -- Washington Avenue on the College, do you know?

MR. ZWIRN:

I don't believe so, no. It's an interior piece. It's up near the -- well, there's a map there, an aerial.

LEG. D'AMARO:

Aah, a picture's worth a thousand words. All right. So I see where it is. So it adjoins the rear parking lots. So this -- I tell you, this would be an ideal location to solve the College parking problem. I'll tell you that, that we just talked about.

MR. ZWIRN:

We did --

LEG. D'AMARO:

I mean, look where it -- I mean, just -- you could double the size of your parking with this lot. Okay. So let's say the County now owns this property, took it in 2008 by a quitclaim deed from the Fire Department and -- so what -- the County's going to dedicate this property to the College? Is title being transferred to the property?

MR. ZWIRN:

The College will hold it in trust for the County for the START-UP New York purposes. It's not a transfer to the property to the College.

LEG. D'AMARO:

The County's going to retain ownership of the property, but make it available to the College for purposes of the START-UP New York Program.

MR. ZWIRN:

Absolutely correct.

LEG. D'AMARO:

And then after that agreement is signed, what -- what's the expectation of what's going to be developed on this property?

MR. ZWIRN:

Well, we're hoping to attract some high-tech startup companies to a site that they may want to build on. They'll have ten years of tax-free operation. And that tax-free is everything but -- pretty much -- but federal taxes. There'll be no school taxes. There'll be no payroll taxes for the employees. There'll be no franchise taxes. So it is a real -- it's property, again, that's not generating any revenue to the local municipalities so they won't be losing anything.

LEG. D'AMARO:

No, but -- so, in other words, there's going to construction on this property.

MR. ZWIRN:

Yes, we anticipate there would be some construction.

LEG. D'AMARO:

Who's going to construct the buildings?

MR. ZWIRN:

The applicant.

LEG. D'AMARO:

Okay. And that's where you get your tax benefit and all of that.

MR. ZWIRN:

Correct.

LEG. D'AMARO:

So this is really a development proposal for this parcel for business.

MR. ZWIRN:

Yes. We -- the College has not been approved for its START-UP New York application because we currently don't have any space on our campuses to build anything. So we need -- in order to get approval, the State says, well, look, the START-UP New York Program says, *well, do you have any access to property where you're going to control the site?* And this will allow us to do that. Now after that, it's approved, if other property becomes available, we can amend our application

and -- but until that time we can't even get it approved.

LEG. D'AMARO:

Now, when that -- when that construction takes place because the County owns the parcel, will it be subject to any local zoning or planning when it's developed?

MR. ZWIRN:

I don't know what the property is zoned now, but the answer is no. And it'll be subject to, you know, Public Works will give the Certificates of Occupancy as opposed to the Town of Brookhaven.

LEG. D'AMARO:

Because it looks like it's right across the street from a residential neighborhood.

MR. ZWIRN:

There is a residential neighborhood on the other side of College Road.

LEG. D'AMARO:

All right. So could I ask Jim a few questions?

MR. MORGO:

How are you, Legislator.

LEG. D'AMARO:

Good morning.

MR. MORGO:

Good to see you.

LEG. D'AMARO:

Good to see you. We recently had a lot of discussion here about the parking problem on the campus, that it was very difficult to solve and the County's making a substantial investment in a traffic circle and some other improvements. But it seems to me that if you were going to expand that parking, that this would be the lot to do it on. What's the thought process on that? Why -- why not -- let me -- could the property be developed in a way that parking could be made available to the College as well?

MR. MORGO:

I think it probably could. The real thrust here, Lou, is this START-UP New York Program. I'm -- as you may know, I'm also on the Stony Brook Council. And Stony Brook is the only college that has had any START-UP New York applications approved. And they have something like 600 applications from different businesses who want to locate there. And the synergy is obviously with the college and jobs and economic development. The START-UP New York Program was the main -- Empire State Development Economic Initiative, you probably saw it, it was advertised fairly well on television. One of our Trustees, Anne Shybunko-Moore, was part of advertisements. But the main problem with not getting applications on Long Island, in Suffolk County and Nassau, is the lack of available places that could be developed. Stony Brook has a lot of space with the CEWIT and there are other areas and they also have that kind of cachet where people think of Stony Brook as a place of research.

I think with Suffolk County Community College and its mission, particularly with kids who really need an affordable education and access to jobs, the whole thing here is to get Suffolk Community College's application so -- and they need identifiable parcels. And this is -- this is the one that was identified. Broadhollow has been approved but there are no businesses going in there at SUNY Farmingdale. There are no businesses yet going in there. Their application is in.

So the main purpose here is economic development. Could there be parking incorporated on this ten-acre parcel? Absolutely, yes. And perhaps some additional acreage on those 62 acres. That could work as well. But I think the most important thing here is that our students would be very proximate to a developing business with the hopes that we do get those applications.

LEG. D'AMARO:

Are there businesses that have been identified that are willing to come to this site? Or that's too early in the process to --

MR. MORGO:

I think, and correct me if I'm wrong, that because Stony Brook has had an excess of applications, I believe they're going to be referring some of their applicants to the Community College. Is that right?

MR. ZWIRN:

Yes, that's correct.

LEG. D'AMARO:

And as a Trustee of the College, you're comfortable with using this lot not for parking but to develop it in this manner? I understand the benefit. I understand the benefit and I understand the job creation and the synergy with the College and creating economic opportunities for students, but we heard an awful lot of testimony how unsafe the campus is because of the parking. And this is the ideal lot to expand that parking.

MR. MORGO:

But you brought up the point, is it -- it doesn't necessarily have to be an either/or. One company we heard from that Ben has had contact with, a manufacturer --

LEG. D'AMARO:

Right.

MR. MORGO:

-- a {clean} manufacturer. He's only looking for 2500 square feet, which is not a whole lot of space. So you certainly could incorporate it. And the business has to create new jobs. As Ben already said, the real appeal about this is that any of the land being used is not collecting any property taxes now. So you're not losing anything.

LEG. D'AMARO:

Right, I understand that. The START-UP New York Program, does it have, you know, milestones that need to be achieved in order to continue to qualify for the tax advantages that are offered?

MR. MORGO:

Yes, there's a a set number of jobs. There's also a required investment. Someone asked about who's going to be responsible for the construction. That would be part of the applicant's investment. Under all of the Empire State Development grants, you know, the Regional Economic Development Council, you know about that, there's a five to one leverage required for all of the grants. Now, this is not a grant but it is in effect, you're not paying property taxes.

LEG. D'AMARO:

Right, right. So there are --

MR. MORGO:

There are absolutely milestones.

LEG. D'AMARO:

There are.

MR. MORGO:

Number of jobs -- I have it here, as a matter of fact. New jobs; you must advance this -- the mission of the College.

LEG. D'AMARO:

Well, that -- that was my next question. Is there -- let's say this goes forward and some buildings are constructed, businesses come in, they're now getting tax advantage. This is part of the Community College's program. Even though it's offsite, it's tied in through agreement with the County. So is there a requirement that applicants who are operating on this site hire students or work -- how does that work?

MR. MORGO:

Interns, yeah.

LEG. D'AMARO:

But is there a requirement that they do so?

MR. MORGO:

I don't know.

LEG. D'AMARO:

Like what's the purpose of tying it to the College?

MR. ZWIRN:

To provide work for interns and potentially job training and for jobs down the road. That's -- Stony Brook, for example, is concentrating on research and development.

LEG. D'AMARO:

Just wait a minute. So, I mean, any company can come in and build a building and hire people and create jobs. The incentive here is the tax benefit. Okay. So -- and it's being tied to an agreement with the College because the College will qualify for this program, the START-UP New York Program. But is there -- other than the fact that the State legislation puts it into colleges and universities, is there any kind of arrangement whereby the companies need to work with the college or take students from the college -- you mentioned interns. Is that a requirement of this program?

MR. ZWIRN:

An applicant would not be approved unless that was part of the arrangement. The College has the final say as to -- at the very end, the College has to be satisfied that it meets their criteria, which will create jobs and internships for the students.

LEG. D'AMARO:

That's my question. So the College -- the College, Jim, are in control of ultimately -- if, you know, business A, B and C are each coming -- want to come to a certain site, the College is going to evaluate those applications, see what's in the best interest of the College and then make a decision. The College is the decisionmaking authority on who --

MR. ZWIRN:

The College ultimately has the final decision, but there will be a committee set up of stakeholders, including members of the College, members of the community, who will review the applications as well.

LEG. D'AMARO:

That's fine.

MR. ZWIRN:

The final approval, though, will come from the College administration.

LEG. D'AMARO:

Okay. Has the College done any kind of outreach with the -- with the surrounding community with respect to developing the property?

MR. ZWIRN:

Well, our conversations have been with the Legislator whose district this lies. And the College's intention is not to pick a fight with the Legislature or any Legislators so there's nothing that we're going to do that would upset the Legislator or the community who he -- who he'll respond to. That's why we've had conversations before we even move forward today. We had those conversations with Legislator Muratore.

And --

LEG. D'AMARO:

If it were going through a normal planning process, there would be notice to residents and people would have an opportunity to speak as to the development.

MR. ZWIRN:

We don't --

LEG. D'AMARO:

That's not happening here.

MR. ZWIRN:

Well, I think we will do that. I mean, our intention is not to antagonize or upset the community but to, you know, find a --

LEG. D'AMARO:

Well, I understand that.

MR. ZWIRN:

You know, but we're not --

LEG. D'AMARO:

But if they find out after the fact, it's kind of difficult, then, to give them a fair opportunity to be heard on development that may be basically across the street from their home.

MR. ZWIRN:

That's true.

LEG. D'AMARO:

Right. So that's why I asked has there been any -- other than talking to the Legislator who represents the area, the College feels that's sufficient to rely on just that and not to reach out to the community?

MR. ZWIRN:

Well, we sent out our plan, went to town supervisors, it went out to community leaders that we were getting involved with the START-UP New York Program, we're going to process our application. Before that can be even looked at, there has to be a 30-day window, which we -- which we did. I'm sure if there's -- I mean, it's one thing to send it out with nothing on the table and then to have

something come back, the community's going to be much more interested the second time. And we respect that. And we'll make sure -- we give you our guarantee that the community will know. There's nothing but transparency involved with this. This is something that's going to be positive. And if it doesn't work for the area, then it doesn't work.

LEG. D'AMARO:

Okay. Is the County agreement revocable? And if it is, under what circumstances?

MR. ZWIRN:

Yes. Well, that's some the of things we're going to have to work out with the County. And that's why, I think, the County Executive has asked for the authority under the -- from the Legislature to negotiate with the -- a Memorandum Of Understanding with the College to determine what the terms of the revocability will be. And I think that's -- it's an important part of it. Because once we get started, anybody could just stop it at any time. And we really don't have much to offer. But that's a key point that we'll have to work out with the County.

LEG. D'AMARO:

Jim, are the tax benefits granted in perpetuity or are they --

MR. MORGO:

Ten years.

LEG. D'AMARO:

Ten-year term.

MR. MORGO:

Ten years. And then they -- and then they disappear. You know, I -- Lou, as you know, I reacted to your -- you don't know that I reacted, but you probably know why I reacted to your question about involving the community. When the applicant comes, and it would be a specific application for a specific type of business, it would be an absolute recipe for failure if there wasn't a transparent outreach to the surrounding community. The State under the -- and I'm not here as a spokesman for the State, but I did look at it. Under the START-UP New York Program -- it was really, by the way, intended for Upstate New York. And the emphasis -- it was only State Legislators in both houses that insisted that it be used in the Downstate area. Because when the Governor started, he was looking at the Buffalo area.

LEG. D'AMARO:

Right.

MR. MORGO:

All through the legislation is safeguards that local businesses and local residences won't be affected. For example, it has to be a new business. It has to not be a business that's attracted from the region. And that's why -- and Ben alluded to this -- Stony Brook is doing very well because of their research and development. And they have the CWIT, they have the advanced energy area and so -- but it's almost the jobs there are of a higher tech level. A lot of our kids, many, many go on to a four-year college but many of them look for jobs right afterwards. So I'm thinking that this would be -- kind of jobs that our kids could go into right after the two years.

Someone mentioned how much in the future is this. Before any of the specifics could be looked at, we're going to have to have an applicant. And we don't have any applicants now. As soon as that -- an application is received, it will be transparently revealed who that applicant is, what kind of business, what he or she wants to build, what kind of jobs there'll be. But we can't even get approved, a community college, for other programs because we don't have any place to put it. And that's the reason for this -- request for this MOU.

LEG. D'AMARO:

Does the College feel that the site that you include to get approved has to be contiguous to the College campus? Does it need to be, you know, adjoining the campus?

MR. ZWIRN:

No, it doesn't have to be adjoining.

LEG. D'AMARO:

But why not -- just thinking out loud, looking at the tax map, why not just move this site away from the parking and, you know, do it on the other corner? And then you can reserve for the future if you're going to expand parking.

MR. ZWIRN:

The College would still like to have about ten acres for parking. But there's enough property contiguous to the college here that -- there's ten acres even further down toward College Road that's still adjacent to parking lots that the College has that we could possibly get.

LEG. D'AMARO:

No, there's no -- the parking -- the map I'm looking at has -- it's behind the parking for the most part off of College Road so the only parking you'd have left would be to the north of this lot. And that -- then you start to get into really, you know, the residential area is up there, too.

MR. VAUGHN:

So just to jump in here for a moment, this MOU that we are asking for approval on is basically to allow the College to go forward with their application to START-UP New York. In the original plans, I believe, that there was discussion about the original application, and Mr. Morgo and Mr. Zwirn can correct me if I'm wrong, had looked at the entire 60 acres, Legislator D'Amaro. This ten acres was deemed to be better for an application process. However, in speaking with Economic Development if both the College and the County decide that maybe the ten acres next to this ten acres is better, maybe then that is something we can switch after the application has gone forward with START-UP New York. This is to get the ball rolling essentially.

MR. MORGO:

That's exactly right.

LEG. D'AMARO:

Right. So this -- so this resolution for today is just authorizing the Memorandum Of Understanding.

MR. VAUGHN:

Which will allow the College to apply to the START-UP New York Program.

LEG. D'AMARO:

Correct.

MR. VAUGHN:

But if -- but should there be a desire to switch the lot internally, should both the College and County decide that other parcels within the 60 acres are better, we can change that at --

LEG. D'AMARO:

Well, it says -- it says in the resolution that we're approving the Memorandum Of Understanding. So this is more than authorizing the negotiations. That has already taken place. It says *enter into an agreement with the College and the form attached hereto* or is that still subject to negotiation? Do you guys know?

MR. ZWIRN:

It still has to be tweaked.

LEG. D'AMARO:

All right. And in that plan -- in that Understanding Agreement the -- the option will still be there to switch out the property if that's what the conclusion is?

MR. ZWIRN:

That be would fine. You raise a very good point. We would like additional land for parking. And we're hoping that we can work that out with the County Exec's Office and the Legislature at some point. But, again, we'd like to get this application filed. Economic Development has been very helpful working with the County on this. And, as I say, we can't -- we can't get it, I mean, I'm getting contact from Stony Brook saying, *look, we have applicants that we think would be better suited for the Community College. Once you get your application approved, we're going to send these folks --*

LEG. D'AMARO:

I totally agree.

MR. ZWIRN:

And I know. And I would be making --

LEG. D'AMARO:

I was just concerned about where you're putting it given the fact that you have another 55 acres that you could locate the site. And I'm a little concerned also about the development, which will be outside the normal town planning process, you know, it's -- it's like, you know, you wake up one day and you find out there's a three-story building going up across the street. And it's, you know -- no one has a right to talk about traffic impact and all the normal things. You guys have been in towns, you know what I'm talking about, you know it happens all the time. So that's why my questions.

MR. ZWIRN:

And I think your questions are right on. I mean, I agree with you. And, look, we'll make a commitment to come back here along the way before the Legislature to discuss any applications that come in.

LEG. D'AMARO:

No, I would rely on you to do that. I just, you know, once we approve this, though, we kind of get the horse out of the barn, we're off and running, so.

MR. MORGO:

It's been said, Lou, and I -- the State has considered applications from the Community College.

LEG. D'AMARO:

Uh-huh.

MR. MORGO:

But because there was no location identified, they haven't accepted it.

LEG. D'AMARO:

Right.

MR. MORGO:

If X,Y,Z Manufacturer comes and applies, as Ben just said, you'll know about it; the community will know about it. But we can't even be eligible without having the State SUNY, accept our application. And there's no -- we don't have a place.

LEG. D'AMARO:

Okay. All right. I think that exhausts my questions. Thanks, guys.

CHAIRPERSON ANKER:

Legislator Trotta has a question.

LEG. TROTТА:

For Counsel. Does this bill specifically relate to that piece of property?

MR. NOLAN:

It identifies it by tax map number what the property is, what we're talking about.

LEG. TROTТА:

I'm looking at this, and I agree with Legislator D'Amaro, it's the wrong spot. It's -- you know, you're taking something that's right next to the College where you could put a building or a parking lot there in the future and you could have moved it ten acres over. It's the wrong spot. And I'm not prepared to vote for something that I believe is the wrong spot.

MR. ZWIRN:

We have the ability under the Memorandum Of Understanding to revise schedule A. That is in there. And I think we would take your comments into account.

LEG. TROTТА:

Where does it say that?

MR. NOLAN:

The Memorandum's not attached to my resolution. I'm having my office get it for me. I just would point out, by the way, that, you know, I think it was mentioned that the County declared this surplus back in 2011. And the resolution stated at that time, just so the Legislature's aware of this, that the idea was to sell or lease this property for maximum County return, probably because of our ongoing fiscal problems at that time. We can certainly amend that policy through this resolution, but I just think the Legislature should be aware of what we did back in 2011 with this parcel.

CHAIRPERSON ANKER:

Does that answer -- Okay. And I also just want to comment. The work that you've done with the Workforce Development Center for the Brentwood campus, the projects that have been approved through the County Legislature, there's so much that the College has done to help with not only the issue of educating our residents but also with economic vitality. I mean, it's just -- it's amazing what the College is doing and the potential that is available for the upcoming, you know, future residents. So, you know -- you know, I'm looking at picture now and, you know, why is it so close to the College? So it has a direct effect on the College; so those kids are right there and, you know, ready to take those internships. So, again, I'm looking forward to seeing this project succeed, so any -- Legislator D'Amaro.

LEG. D'AMARO:

Yeah, I am looking at -- I do have a copy of the agreement or the proposed agreement. And it does say, as Counsel has confirmed, that the parties can revise or may revise exhibit A from time to time by written agreement. So I'm going to support this but I would just ask that, you know, you take a good second look at that. And, you know, make sure that you're comfortable with the future growth or expansion of the College and the parking problems and the Capital Projects and the money that we're spending on the site improvements for parking, if there's another way to configure this that's more advantageous, well, maybe you can address both issues at the same time. You may want to revisit that.

MR. ZWIRN:

I think that's an excellent suggestion and hopefully we can come back before the Legislature in the not too distant future and have a parcel identified for parking and maybe even this particular piece.

LEG. D'AMARO:

Thank you.

CHAIRPERSON ANKER:

It looks like Tom Vaughn has a -- has some information from the --

MR. VAUGHN:

Right. I just had a brief sidebar with Mr. Morgo. We will build -- statement of public hearings into the MOU.

CHAIRPERSON ANKER:

That sounds good.

MR. MORGO:

Legislator D'Amaro, that's perfect. Having worked with a lot of developers, developers would want that. They would want to be able to -- because you don't want to invest and think that civic opposition is going to blow you up after you're halfway into it.

LEG. D'AMARO:

Right, right.

MR. MORGO:

So that's perfect.

LEG. D'AMARO:

Right. I found through my years of working in planning, and I'm sure you have, that if your inclusive from the start, it's a much easier road going forward.

MR. MORGO:

I just don't understand why people --.

LEG. D'AMARO:

Right, okay. Well, I feel comfortable with that. Thanks.

CHAIRPERSON ANKER:

Okay. And I think we're good to go, yes. Okay. So I made the motion, we had a second. All in favor? Opposed? Abstention? Motion carries.

LEG. CILMI:

Before you call the vote, I'm going to abstain until I have an opportunity to speak with Legislator Muratore. Thank you.

CHAIRPERSON ANKER:

Okay. We have one abstention. APPROVED (**VOTE: 4-0-1-0 Abstention: Leg. Cilmi**)

Okay. We're good? We do not have further business. This Committee is adjourned.

**THE MEETING CONCLUDED AT 11:47 PM
{ } DENOTES SPELLED PHONETICALLY**