

SUFFOLK/NASSAU REGIONAL PLANNING MEETING  
of the  
SUFFOLK COUNTY/NASSAU COUNTY LEGISLATURES

Minutes

A special meeting of the Environment, Planning and Agriculture Committee of the Suffolk County Legislature and Planning, Development and Environment Committee of Nassau County was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Thursday, **November 18, 2004**.

MEMBERS PRESENT:

Leg. Daniel P. Losquadro, Chairman  
Leg. Jay H. Schneiderman, Vice-Chairman  
Leg. Joseph Caracappa, Presiding Officer  
Leg. Michael Caracciolo  
Leg. John M. Kennedy, Jr.  
Leg. David Bishop  
Leg. Peter O'Leary  
Leg. David Denenberg, Chairman of Nassau County Planning, Development and the Environment Committee  
Judith Jacobs, Vice-Chair of the Nassau County Planning, Development and the Environment Committee  
Nassau County Leg. Denise Ford

ALSO IN ATTENDANCE:

Leg. Vivian Vilorio-Fisher, Fifth District  
Mea Knapp, Counsel to the Legislature  
Alexandra Sullivan, Chief Deputy Clerk  
William P. Geier, Clerk of the Nassau County Legislature  
Kevin McDonald, Nature Conservancy  
Eric Alexander, Vision Long Island  
Ron Stein, Vision Long Island  
A. Michael LoGrande, Chairman, Suffolk County Water Authority  
Dan Gulizio, Commissioner of Planning, Town of Brookhaven  
Clifford Hymowitz, TOB  
Tom Isles, Director, Suffolk County Planning Commission  
Dr. Lee Koppelman, Executive Director, LI Regional Planning Board  
Holly Beck  
Nina Alafoyiannus  
Chris O'Connor  
Diana Weir, LIHP

ALSO IN ATTENDANCE: (Continued from first page)  
Michael Deegan, Minority Counsel, NC Leg.

Carol Meschkow, Concerned Citizens of the Plainview-Old Bethpage Community  
Jaime Strohmenger, Nassau County Legislature  
Lisa Broughton, Town of Huntington  
John Caracciolo, SC Planning Commission  
Robert Martin, SC Planning Commission  
Mitchell Pally, LI Assoc.  
Marilyn Gottlieb, NC Director of Legal Affairs  
Ira Costell  
Andy Freleng, SC Planning

**MINUTES TAKEN BY:**

Diana Kraus, Court Stenographer

(THE MEETING CONVENED AT 10:15 AM)

P.O. CARACAPPA:

Will all Legislators please report to the horseshoe? I'd like to start today's public hearing with a salute to the flag led by Presiding Officer from Nassau County Legislature Judy Jacobs.

(SALUTATION)

P.O. CARACAPPA:

Hello, everyone. Thank you for coming. This is part two of bi-county public hearings we're having as it relates to the Suffolk-Nassau Regional Planning Board. Last week we had some wonderful comments made and testimony given at the Nassau County Legislature. I along with my Nassau County colleagues would like to thank the Presiding Officer and her colleagues for having us and for being such gracious hosts.

Today I do welcome, as I said earlier, the Honorable Judy Jacobs, Presiding Officer of the Nassau County Legislature along with Chairman of the Environment Committee -- I believe it's the Environment Committee -- we'll leave it at that -- David Denenberg. Also joining us from the Suffolk County Legislature is brand new Legislator John Kennedy. Jay Schneiderman is also joining us. Mike Caracciolo and Chairman of our EPA Committee, Dan Losquadro.

I would like to turn it over to Presiding Officer Jacobs to say a few words to all of you before we start the testimony.

P.O. JACOBS:

This room is prettier but or buttons are -- you know. It's a pleasure -- it's really a pleasure to be here. I think this is unique. I know it's unique and it's been a pleasure to be working with Presiding Officer Joe Caracappa. I think that this is just the start of many, many issues that I think are so regional in nature that we'd be foolish to separate Nassau from Suffolk because the end result will be for the benefit of all residents of the region as a whole.

I would be remiss if I did not introduce Legislator Denise Ford who is also part of the Planning Development and Environment Committee of Nassau County. And we're happy to have Denise here. And it's really a pleasure -- it was our honor to host the last meeting. And it's a pleasure to be here. And we thank you. We thank you for caring and we thank you for sharing with us in our efforts to do as best for the residents.

P.O. CARACAPPA:

Thank you, Presiding Officer Jacobs. I'm sorry, Legislator Ford. My deepest apologies. At this point in time I'm going to turn the meeting over the respective Chairs, both Legislators -- David had the privilege of basically chairing the meeting in Nassau. So,

without further ado I introduce Chairman Daniel Losquadro.

CHAIRMAN LOSQUADRO:

Thank you, Mr. Presiding Officer. And again I'd like to begin by thanking both Presiding Officers of the Legislatures for helping to put this meeting together and bring all associated parties to the respective horseshoe-shaped table. As was stated earlier, we heard a number of very productive comments. We heard about the 208 water study, the electrification of the Ronkonkoma line, the Pine Barrens legislation. And a number of very productive things that have come out of regional planning here on Long Island. And the goal of this is after all to build upon those past successes, to move this forward in a positive direction, that we can affect even greater change on a regional level and bring everyone together towards the common goal.

I would just like to say thank you to Legislator Denenberg for his fine work at our past meeting in Nassau County. We do have a number of speakers today. I know some of whom are on a tight schedule today. So, I will not keep anyone with any long comments this morning. We'll get right to it. But I would just like to turn it over to Legislator Denenberg. I'm sure he has a few comments before we get started.

LEG. DENENBERG:

I'll be extremely brief. I just want to say to Legislator Caracappa and Losquadro I appreciate that we've been able to talk and work with this together. I think what you see both in Nassau and Suffolk from the Legislature as well as from the County Executives is a realization that we need to do something to reinvigorate regional planning between Nassau and Suffolk. We're in it together. And it's a challenge, but it's an opportunity to do something in terms of the environment, economic development and changing the past history of suburban sprawl to something that could be a lot better. And we're not just willing to do it together, we're actually working together with the challenge of reinvigorating and legislation that's changing the Regional Planning Board and our goal for the Legislators in Nassau and Suffolk particularly on the Planning, Development, Environment or Environment, Planning and Agriculture Committee is to have legislation that incorporates what we learn in these meetings and it will be the same in Nassau and Suffolk with the only differences being what needs to be different because of the respective differences in the charter. So, thank you, Legislator Losquadro, for chairing this meeting and I'm looking forward to it. Thanks very much.

CHAIRMAN LOSQUADRO:

Thank you. Our first speaker today will be Kevin McDonald from the Nature Conservancy. You could have a seat at the table. Just state your name for the record, please.

MR. McDONALD:

Well, thank you very much. My name is Kevin McDonald and I serve as Director of Conservation for public lands protection for the Nature Conservancy. And at the expense of asking a modestly embarrassing question, I'm assuming this is the first time that this has ever happened where you've met jointly?

CHAIRMAN LOSQUADRO:

Not second time.

MR. McDONALD:

Second time? Okay. Well, then I tip my own ignorance to you by asking.

P.O. JACOBS:

It's a continuation.

MR. McDONALD:

This is a good thing. And I would encourage you to do it more often. I'm sure you found that out on your own. In particular, on the issue of reconfiguring and modernizing the Long Island Regional Planning Board, Nature Conservancy supports that initiative. We support your efforts to do so. And when we look at the opportunities for fresh ideas, fresh innovation to emerge to deal with some of the issues that Long Island has to deal with as a region, the Regional Planning Board could serve a very vital role in doing that. And just from a personal perspective, you know, when you look at water quality degradation in the region and we look at -- for those of us that are a little bit older, we remember what clamming in the Great South Bay used to look like. And we remember those experiences in the Peconic or in the north shore embayments on the Long Island Sound. It is not what it used to be. And if we work together as a region, I think we can deal with some of the issues a lot better than we have been trying separately or certainly town by town. And to your collective credit, there were two major bond issues on the ballot that addressed some of those issues in the last election a few weeks back. And that was a pretty exciting moment for folks in the environmental field that so many communities, towns and counties had major bond issues on this year. And I think we'll all be better off for it and we'll all be working together to that end.

So, my general comments are I think generally the categories in paragraph 19 in the Suffolk County version are the same as the Nassau County's. I think those are pretty good. And we think that the configuration of the council is adequate to the extent that Legislature may have a modest difference of opinion as to who should be making the appointment. We have no comment on that. We'll leave that to your discretion. But we would ask you to consider, you know. The configuration of the appointees where you have County employees are ex officio. We think that makes sense for the simple reason that what you're really looking for from a Long Island Regional Planning Board are unconstrained opportunities to give you fresh ideas, maybe present difficult choices for you to make which is your job. But to cause the conversation to take place that may not have taken place on some other issues.

So, you know, in short the Nature Conservancy supports the reconfiguration of the Long Island Regional Planning Board. We think the proposals generally presented are adequate to do that. We consider this a first step in doing more innovation on a regional basis and encourage you to do so. And thank you both for -- both bodies for working jointly doing so. If there's any questions, I'm happy to take them. Otherwise I understand that there's a fairly long rooster and I would be happy to yield to others.

CHAIRMAN LOSQUADRO:

Thank you. Are there any questions?

LEG. DENENBERG:

I have one.

CHAIRMAN LOSQUADRO:  
Please.

LEG. DENENBERG:  
Thank you. In terms of the proposed -- in terms of the proposed legislation that -- just for the record, is there anything that you would recommend that we change or add to it?

MR. McDONALD:  
Not specifically. I think you're, you know, there is no major problems that I would either suggest you strike or add. I think generally it's good in its current configuration. And I wouldn't have any disagreement if other people argued otherwise. But, you know, I think you're good stead to go.

LEG. DENENBERG:  
Thank you.

MR. McDONALD:  
Thank you.

CHAIRMAN LOSQUADRO:  
Thank you. Next speaker Eric Alexander from Vision Long Island. Please come up and take a seat, sir.

MR. ALEXANDER:  
Also Ron Stein, board president of Vision Long Island.

CHAIRMAN LOSQUADRO:  
Thank you.

MR. STEIN:  
Good morning. My name is Ron Stein. I'm President of Vision Long Island. I thank you for giving us an opportunity to speak to this issue. I commend the Legislature and I commend both County Executives for initiating this discussion about reinvigorating the Regional Planning Council.

I would ask the legislature to give some thought as to what we wish to accomplish here. First, how relevant and important do we wish this Council to be; will the issues resonate at the level of the community residents and the citizens in some legitimate fashion; how much more effective will the new council be in implementing some of the policies and recommendations; in the environment of local home rule in particular, will we be able to get things done. And ultimately do we want to construct an entity that operates on a level of effectiveness similar to other regional councils in other parts of the country.

Now, I want to say that we can empathize with the delicacy of the situation particularly the fact that we have not only an existing Regional Planning Board, but we have two planning -- county planning departments, we have local municipal issues. And we have to be very careful about not stepping on the toes of existing entities and the importance that they played in the planning so far on Long Island. But I also want to

talk to the issue of the need to engage these various municipalities in the process. If we're not going to spin our wheels, if we're not going to put wonderful vision statements and comprehensive plans that are going to sit on the shelf and collect dust, we have to find a way to empower in this process the local jurisdictions that have zoning control. And that is going to take a real proactive effort. Not just giving lip service to it but really being proactive about it. Just having a liaison, for example, between the Legislature and the County Executive and the various local municipalities is just not going to go far enough. It has to be real and substantive.

Regional planning is pretty much standard fare in most other parts of the country. And fortunately for us there are numerous examples that we can look to. We are a don't-reinvent-the-wheel organization. A little bit of a broken record about our organization on that score. But that's good news because it gives us a head start into what we might be able to envision this entity as being. A couple of the models -- I'm not going to dwell at length about it, I'll be happy to talk about it at another time, but one of the models that I like to look to is the Treasure Coast Regional Planning Council, which is located in Florida. It deals with an area that is largely built out like Long Island. It is a multi-jurisdictional not-for-profit council, which is represented by higher level officials from four counties and 49 other municipalities. So, it's a rather substantial body. And the meeting has to include representatives from each of these entities. And like the regional council, it wants to -- it deals with issues of economic development, transportation, energy planning, things of that nature. But it's interesting. This council is incredibly community oriented. They engage the community. They do any number of community presentations. It's quintessential, smart growth types of presentations. People have an opportunity to participate. And the mission statement there is to encourage and enable local units of government and citizenry to assemble and cooperate with one another and with the representatives of major economic interest to promote health, safety and general welfare of the citizenry and to plan for future development of the region.

And incidentally, all the models that I've looked at that have been successful have operated alongside the local jurisdictions, which each have their own planning departments and different levels of regulatory control. So, this issue of the home rule situation on Long Island as being unique is not really true. A lot of these other jurisdictions have different levels of controls. Cape Cod Commission, our geological twin just north of us, has a wonderfully empowered entity. One of the entities that I'm very impressed by is the Denver Regional Council of Governments, DRCOG, which is comprised of elected and appointed leaders from 51 different governments. It has a population that works around of about two and half million people largely the size of Long Island population; and it has a budget of nearly \$10 million. And Eric will talk to that in a couple of minutes. But when looking through these various other models from around the country, there are several themes that seem to resonate and that are fairly consistent across the board.

One is an extensive representation that embraces cooperation amongst the local jurisdictions. Two, is that it's a comprehensive community based bottom up process rather than a top down process. Three, that the entities, the councils had teeth either through incentives or legitimate zoning authorities that given the ability to control some level of development. Four, they also deal with developments of regional impacts. Something that's called DRI's. Projects that are just too unwieldy for a local municipality

or the even the County to deal with without having to be worried about impacts from contributions, without having to worry about political problems. It takes some of the pressure off the local municipality.

They have sufficient budgets to permit planning excellence. They have the ability to provide legal backup to the municipalities so that they can move forward with some aggressive and visionary concepts without fear of lawsuits and being left out to dry. They have the ability to provide education to the local jurisdictions. They have the ability to do reality check, economic and fiscal analysis of large projects; something that most governments don't have the ability to do. They have transparency in the extreme. And most of all they're practical, doable, implementable plans and procedures. It's not visionary statements. It's real stuff that makes impact on the local level. And it's very effective.

So, I have a couple of recommendations for this legislation. And it's not radical. Just a couple of tweaks. One, I would recommend a clause that recognizes the importance of carefully researching the structure and responsibilities during the creation of a Regional Planning Council. And I'll get to that in a minute.

Another clause that recognizes the importance of input and participation by and with all the local municipal jurisdictions. Three, a clause that recognizes that specific projects, projects of developments of regional impact, not just the issues as referred to in the resolution, may be appropriate for consideration by this entity. And four, a resolve clause that a, expressly instructs the new Council to research and analyze best practices models of regional planning entities nationwide. Let's do it right. Two, produce a report in six months that includes a recommended budget, structure set of responsibilities and means of engaging local jurisdictions and community involvement in a form appropriate to the locale. C, that six or nine months from now we reconvene hearings on some level or re-visit some of these issues to consider the results of these reports and move forward as we should.

And at this point I'm going to turn it over to Eric.

MR. ALEXANDER:

Sure. Thanks again for having us. We think that certainly Suffolk County as well as Nassau is moving in the right direction. But regarding these joint hearings in regional planning, we're excited to see this energy. And certainly there's been a lot of successes between the open space bond just passing, certainly between the Suffolk County Work Force Housing Commission that has municipal buy in and coordination. And certainly some of the quarter studies that are happening in Brookhaven and elsewhere that we've seen. There is some work happening between the counties and the town and within the County government. What came up, though, for example, when -- we were part of the Suffolk County Smart Growth Committee, the Supervisors' Association chose not to participate. That was the weirdest situation, but I think we recognized some of the political realities and some of the home rule realities. But there are challenges to this. I think we need to take careful -- I think really I just want to reiterate Ron's clauses that we can put into the legislation to move this forward. Other things to consider regarding staffing for this entity. One of the big concerns is that there wouldn't be significant staff to have the background data that's needed.

For example, right now on Long Island, one of the -- the think tank maybe that may be thinking regionally right and along with the Regional Planning Board is the Long Island index. It's run by a private foundation. Those skills set should be part of -- part and parcel to a Regional Planning Council. So, we need to think about staffing and capacity. And that relates to budget issues. Again, the budgets nationally we've done our survey of different regional planning councils. We've ranged from a million to 13 million as far as budgets. So, it's something to consider. Maybe we would want to start with something less than that to move forward and produce some interim recommendations. But again to think that you can do a regional planning council effectively for a 2.7 million populus that's growing in many different directions, you know, is a little -- might be shortsighted.

And as far as representation, really there's always a fear that there will be -- folks will be involved and it's political appointments and such, but I think to identify a set of criteria and a set of skill sets that we want to see on the council; and then whether we have ten members, whether there's -- I think there's a hundred members for the Treasure Coast Regional Planning Council in Florida. It doesn't really matter how many members there are. The question is does the collective body have the skill sets necessary, the representation necessary to effectively represent part of Long Island. And I think bring that expertise to the table. And we certainly support county employees, particularly Planning Department Directors and so on being part or ex officio members. We think that's excellent.

So, I guess, just to wrap up and bring it back to Ron for final comment, we're excited that there's movement in this direction. The question is let's just take a little more time. Let's look at the legislation, add some things to that. We can really build this thing properly. And this is going to be a work in progress. We're going to have to grow this council in a way that has the buy in with the local municipalities and local community leaders. Otherwise we may have a conversation twenty, thirty years from now where, you know, I'll have completely no hair. And we'll be frustrated a bit because we didn't move forward in a way in which we could have, particularly as it relates to developments of regional impact. And that's one of the biggest issues that's happening right now. And we'd like to see that evolve. Ron, back to you.

MR. STEIN:

A little ping pong game here. First, a plug, I encourage all of you to come out to our Smart Growth Summit on Live-ability tomorrow at the Town House. And hopefully we're going to be discussing some of these regional issues and making a regional announcement. I also want to volunteer; again, we did this last week at the Nassau County hearings; that we are at your convenience and disposal in any way to help as we can. We think this is an extremely important and a terrific initiative.

Just a couple of thoughts that I'd like to leave you with. We think this a very good and welcomed first step. But also that given the importance that we proceed in a responsible way, we do our homework, we research the best models that are out there. Measure twice, cut once as my father used to say. And conceive this as more as a legitimate first cut at a bigger project as Eric was alluding to. And, also, to build on the institutional knowledge of the existing Regional Planning Board, which I think is very

important. It also means that we try hard to make this new council both relevant and effective. And that a) it has the necessary funding; b) we establish a new standard for ongoing staff education and excellence which is a real problem for a lot of the planning staffs given the budgetary limitations of the local jurisdictions. When the folks in Brookhaven went down a couple of years ago to the conference on -- of The New Urbanism, was it? And they were excoriated in the press. But it was actually a terrific initiative and it came back with a tremendous amount of very productive knowledge. And look at what's Brookhaven's doing today. Establishing a new standard for education; c) engaging preferably after a national search, a Planning and Executive Director that can incorporate the best planning methods nationwide. Setting a new standard for cooperative coalition of all the municipal governments that are empowered in this process. And finally setting a new level of transparency and broad stakeholder involvements in all its stages and activities so we can be effective going forward. In other words, let's go forward. But above all, let's do it right. Thank you. Happy to take any questions.

CHAIRMAN LOSQUADRO:

Thank you. I just wanted to ask, you obviously had a number of suggestions there. And it seemed like you had them down on paper. Could you possibly submit a copy of those for our review?

MR. STEIN:

Sure.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

I think we can all agree on the importance of regional planning particularly at a time when we face large regional issues like the fact that so many young people are leaving our area, the entirety of Long Island as the index that you, Eric, pointed out in your comments, the Rauch index. And I think the idea of reinvigorating the regional planning process certainly sounds like a good idea. But when I look at the actual bill, I don't see a lot of substantive changes. The fundamental change is that you have a paid Executive Director and you have a slightly larger board. Instead of three members from Nassau and three from Suffolk, you have five from each. It outlines areas such as transportation, affordable housing and environmental protection, etcetera, which is certainly within the purview of the current board. You talked a little bit about the skill set. And would it be in your opinion more helpful if we looked at this board as basically bringing the best minds together in these various planning disciplines or areas so that we would know that in assembling this board we would have an expert on housing planning, an expert on transportation planning, an expert on environmental planning rather than just simply say pick any five people from each of these two counties. Do you think that would be a helpful change to this bill?

MR. STEIN:

Well, I think that there -- I think we're -- we're fortunate in that we have some considerable expertise in a lot of those areas. I mean we have -- Kevin McDonald spoke before, as fine a mind on environmental issues as we're likely to find. And a number of the people that are sitting behind me today are very expert in their

respective fields. So, I think -- I think we have to -- I think we have to be trustful on some level that the County Executives are going to utilize all levels of discretion in choosing the people to fill these positions. And we're not going to take -- we're not going to have the -- you know, the usual suspects filling these spots. And that we're going to take advantage of the expertise that's here.

MR. ALEXANDER:

I just add to that, I think, you know, whether it be the County Executive or the Legislature or both as far as appointments go, I think it's both skill sets and representation because one thing we all know about is that if folks don't feel like they're part of the process or there's not a role for geographical representation in this, there will be a significant gap in the trust building that's needed let alone the expertise.

LEG. SCHNEIDERMAN:

Well, you have seven areas that are highlighted within this bill. Transportation, housing, environment, economic development, health care homeland security and energy. And yet you only have five representatives from each of the County. And it's likely that one of these areas will not be at the table in terms of expertise; though they might be there -- they might be brought in in an ex officio capacity to help provide that expertise. It seems to me that this bill could be changed in a way to make sure that there are experts in all these major areas who are on the committee, who are voting members of the committee so that we do have a balance of these issues.

MR. ALEXANDER:

That would help.

MR. STEIN:

Yes.

CHAIRMAN LOSQUADRO:

Thank you, Jay. Legislator Kennedy, did you have a question first?

LEG. KENNEDY:

You mentioned two examples of commissions, I guess, that are analogous in population and size to Nassau Suffolk Cape Cod Commission and Greater Denver Commission.

MR. STEIN:

Well, Cape Cod, not quite in size. Maybe geographical size, not in population, Cape Cod isn't quite as developed as Long Island is. But Denver is about two-and-a-half million. San Diego is about 2.8 million. I think Treasure Coast Planning Council is just under a million.

LEG. KENNEDY:

And you also mention that, I guess, there's local input in these commissions as well as the County based infrastructure?

MR. STEIN:

That is, in fact, the essential nature of almost every single successful regional planning entity we've seen. The actual representatives, rather than being, for example, a representative from the environment, a representative from energy, a representative

from business development area, rather than that, they focus first and foremost on having jurisdictional representation; the mayors, the council people, the town supervisors from each of the jurisdictions all sit on essentially a congress of -- that is the basis of this entity. And includes appointments that would include the environmental specialist and the energy specialist, transportation specialist, etcetera.

LEG. KENNEDY:

And these commissions have dealt with fairly large scale types of initiatives or projects?

MR. STEIN:

Precisely. In fact, for example, the Metro 20/20 program that the Denver Regional Council of Governments and the Metro -- the Blueprint Denver program are fantastic community based comprehensive regional plans that are being implemented, that have had zoning codes implemented, that have had follow-up right down the line -- right down the line to the various local municipal jurisdictions.

LEG. KENNEDY:

Okay. Thank you.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you, Mr. Chairman. I'd like to follow up on that excellent point that was just discussed. And that is why is it, do you think here locally in the New York metropolitan area, we shy away from having vested stakeholders at the table? Why don't we incorporate a planning council that includes the supervisors or the deputy supervisors, someone that is a vested stakeholder, who can represent that town, village or city as opposed to designees or appointees. Not to take anything away from the appointees. They do a very fine job. But they really don't have, nor does this legislation incorporate the very thing that you're speaking about. And that is the ability to use staff personnel in both county planning departments to conduct studies and make recommendations, but not have the ability to actually implement those recommendations is more of the same. So, we really have to think bigger than we're presently thinking about how to go forward with the new Regional Planning Council.

MR. ALEXANDER:

I'd just like to answer that question.

LEG. CARACCIOLO:

Any disagreement?

MR. ALEXANDER:

No, no. I certainly agree that we need to think a little harder on the legislation. That's why we say, you know, let's add some clauses and then re-visit this a year from now, you know, in some substantive way so that there's another bite at the apple here because I don't think we're ready.

LEG. CARACCIOLO:

I heard that in your previous presentation.

MR. ALEXANDER:

Right.

LEG. CARACCIOLO:

Six months -- you know.

MR. ALEXANDER:

Right.

LEG. CARACCIOLO:

But let me, Eric, before you continue, just continue with this thought. It seems to me and Legislator Schneiderman's very passionate about this. He's a former town supervisor. He has seen in the small town of East Hampton the issue first hand. We at the county level hear about it. But we're almost powerless to do anything about affordable housing issues. That said, and I think there is a distinction with Nassau County's Planning Commission, they have some broader powers that I believe are -- we're just strictly advisory here in Suffolk.

P.O. JACOBS:

Not in zoning. We do rule on certain zoning applications that come to us.

LEG. CARACCIOLO:

Correct. Right. But to truly make this what it should be, you know, following up on the models you've outlined, we really have to have those towns, villages and cities -- because you have two cities in Nassau County -- they have to be at this council. And maybe this council has to be fifteen members or some body like that. But we're never going to address a real affordable housing initiatives without those individuals there agreeing how are we going to deal with this problem. It's been said in Suffolk County alone that there's a need -- I've heard figures as low as 50 thousand to as many as 90 affordable housing units -- how are we going to address that if we don't have the towns present to say, okay, we the Town of Brookhaven has now over 460,000 residents, geographically larger than the entire County of Nassau, how are we going to deal with that issue in our town? And go right through the different towns. You know, the ten towns in Suffolk, the three in Nassau, the two cities and all of the villages, and, you know, come out with a master plan and a timetable and some incentives for builders and some concessions perhaps on local governments to provide land use techniques that work elsewhere that should work here.

This past weekend I was talking with a developer who develops not only locally but in Pennsylvania. And he was telling me in Pennsylvania where he develops, he's mandated by local statute to set aside a fixed number of affordable housing units for every project he builds. I mean that's the kind of vision, and we really have to start approaching and implementing instead of talking about more of the same. And I want to commend the two executives. I think they have highlighted for all of us a challenge that we all have to meet. But I'm not so certain the current legislation as proposed really is anything more -- more of the same with some new faces. Thank you.

MR. ALEXANDER:

I just want to comment and I agree with you on the representation point. In Suffolk

County's own Workforce Housing Commission, five towns are represented and three actual supervisors are on that commission. And I think that has produced -- that kind of cooperative approach has produced, you know, 250 sites that were not pre-approved but certainly solicited from the municipalities themselves where they would say, hey, there's 250 sites that the county should consider. So, there's a partnership there between the county and the local municipality. And again that was done because you have a, you know, number of towns, other stakeholders and county officials on a commission. We happen to sit on that commission so we get to work through it live every couple of weeks. But, you know, we think that's a -- just that in and of itself is a good model. We should export that, that kind of thinking in the Regional Planning Council.

LEG. CARACCIOLO:

Okay. So would you endorse a consideration in this legislation to have at least, at a minimum how many representatives and from what governmental entities?

MR. STEIN:

Yes. At least one representative from each governmental -- every governmental entity.

LEG. CARACCIOLO:

That has zone power?

MR. STEIN:

That has zoning power. I guess we're looking at 81 entities, which basically means you got something akin to the size of the UN senate that we have to contend with, but is a matter -- you know, it sounds like an overwhelming issue and I know there was some skepticism when we spoke in front of the Nassau County Legislature about that last week, but --

MR. ALEXANDER:

There were a lot more villages, Ron.

MR. STEIN:

That's true. But the reality is is that there is a system to make that work. And it works quite effectively with most of these regional councils so government which have as many, and some of them even more, municipalities to have to deal with.

LEG. CARACCIOLO:

Thank you.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Denenberg.

LEG. DENENBERG:

Just a few things off the top. I would commend you for taking the interest for coming down and for making some conceptual proposals and then actually some recommendations in terms of what you would want to add into the legislation. There's something that -- unfortunately Presiding Officer Caracappa just got up, but I spoke with both Presiding Officers and I think Dan as well. You have a concern, Eric, which is a justified concern given the past history, that this is the first time this legislation is being

tweaked in forty years, is it? Very longtime. That's wrong from the legislative and the executive standpoint; not from people trying to have a say and trying to have a stake in regional planning. Anything that we do shouldn't look -- we shouldn't be looking at, and we're all wrong if we're saying we're not going to touch it now for 40 years, let's make it perfect this time. I mean it always makes sense to take a system, try it. If there's something about it doesn't work, admit it frankly and move on and fix it. Continue to tweak it to make it better. One of the things with that said, you know, you have whereas clauses which are just broad scope, this is what we want to look at that would recognize the input and participation of local municipalities that would recognize the importance of carefully researching the structure and responsibilities during the creation of a Regional Planning Council. And then you want a resolve clause that the council itself basically review and analyze the best models of regional planning councils and come up with a report as to what the Regional Planning Council should be. So, it's almost as if let's create the council and then tell the council to report on us as to what they should be. Now, I don't necessarily disagree with what you want within your Regional Planning Council or in your whereas clauses. But to have a resolve clause that says the Regional Planning Council should tell us -- research and tell us what it should be and come back to us in six or nine months, I mean -- am I reading this correct? That that's what you're proposing?

MR. STEIN:

Well, what I handed to you was basically assemblance of a speech, parts of a speech that weren't really thought through all that thoroughly in terms of what's whereas and what's resolved. And I leave it to the attorneys and the legislators to figure out perhaps how to implement in language that makes sense what it is that will make the most work-able. I mean I'm not an expert at doing that. You folks are. I think the basic concept is this. That rather than -- rather than act as obstructionists to a concept that we think is a very, very positive general concept, that we'd like to see this move forward; but we'd like to see it move forward where the essential -- the initial part of this, the -- what is being proposed operates more or less as a steering committee, as a committee that is charged with the responsibilities to basically decide what it wants to be when it grows up. And to do it thoughtfully and to do it with great energy to figure out what's going on elsewhere, what goes on here, how we can properly meld the best concepts here and elsewhere and then come back and do it right. Now, of course, the right may not be something that's going to be right forty years from now.

LEG. DENENBERG:

Let me just interrupt -- well, I'm not interrupting. I think you finished your point. Legislator Schneiderman said that the main things that were in the current legislation as proposed was paid Executive Director, more members. Something that I will say, I heard Dr. Koppelman not liking, but something that I think gets part of what you're saying and is meat and potatoes that's in the current bill as proposed is public meeting requirements as well as reporting requirements. Now, those reporting requirements and public meeting requirements can include where should we be going, where we need more resources to go there. And also at least a public -- a required public forum -- on the way I read it -- partially and annual or even a semi-annual basis where not just the Legislators, not just groups but the public at large can say, well, you haven't done a report for a year, why not. Instead of, you know, the current way things have been going for forty years, if we have nothing to report on, we don't have any meetings, we don't have any reports. And that sort of leads into nothing getting done. I think by

having the public reporting requirements as well as the public meetings, you at least stay somewhat focused as to where should this be when it grows up, I think to use your words. But I'm not so sure that the resolve clauses themselves should be give us a report as to where you want to be when you grow up as opposed to give us reports on the seven items that we prescribed that Legislator Schneiderman was just talking of. And if we want more representation, which I think is laudable, more local jurisdiction stakeholders at the table, I guess we have to resolve whether your proposal of having 81 people is a good idea or whether we should -- I would rather -- I would rather get more representation at the table; not 81, but there are things -- and we're just starting it in Nassau, but a Planning Federation or the Village Officials Association where basically the concept of shared resources and multi-jurisdictional solutions to regional problems are already growing or already being recognized by those kind of councils. So, maybe the villages together should have a representative, maybe the towns together should have a representative. And let the village or towns decide whether they want to send the elected official, i.e. a supervisor or whether they would rather send their planning people to be the stakeholder here. But I certainly agree with you that if they're not at the table, you know, to force feed them is something that intrinsically they're going to be against. And I don't really see us changing state law here to take away planning responsibilities from local jurisdictions. And I'm not so sure that many of us here are advocating that anyway.

MR. ALEXANDER:

And neither are we. I think the key, though, is you have to have the folks at the table in a meaningful way. I can't tell you whether that's 81 people. I can't tell you whether that's 15 people. But the point is -- and there needs to be a vetting process to structure this properly. And I think that, again, for it to have some real authority and authority not necessarily always in formal sense, but in a realistic way where people will participate and take the advisement. The Workforce Housing Commission has no formal authority between the local supervisors and the county government. But there's some production that's coming out. Not as much as we may want, but it is a model that we can point to that -- with some shared and cooperative approach here. We're just saying that we need -- I think we -- we as our organization, but I think this -- we need more time to really think through properly the best system. And that's -- you know, I think we have to grow into it. I don't think there's an immediate answer that now we know that there's going to be the perfect Regional Planning Council.

LEG. DENENBERG:

Let me just close by saying one of the stakeholders we didn't mention at all that should be at the table as well as the business community, too, because, you know, that's a very important aspect and economic development is what we're talking as well. But I think I'd be remiss and my fellow Legislators if we're saying this is the only time we're ever going to do this. Whatever we come up with in the next few, months, that's it. That's the sine qua non. It shouldn't be. I'd like nothing more than to have you guys come back to Nassau in a couple of years from now.

CHAIRMAN LOSQUADRO:

Even sooner than sooner. Legislator Jacobs.

P.O. JACOBS:

Hi. I just wanted to make a couple of points. Number one, I don't think we should

forget about the fact that there is a Long Island Regional Planning Board right now who has done an excellent job up to this point. And I know in my own mind that synonymous with planning whenever Nassau County had any gathering is certainly Dr. Lee Kopplemen, you know, coming in. And we shouldn't forget that expertise. And we shouldn't disregard that expertise as we're moving forward even though I do approve of increasing the size of -- of changing the name, increasing the size. I do think that there's a certain expertise that should not be ignored and should be recognized.

I also am concerned about having a body that you put together -- I'm not saying 81 is the figure, but a body of so many people that you really -- we could tell -- I'm sure Joe and I could share this -- you have 18 or 19 -- a body of 18 or 19 and still have trouble getting consensus. I can't imagine a body of 81 or a hundred even though I -- I certainly am not arguing the point with you that there are places in the country that have done that. I can sooner see having an advisory committee to the council made up -- and give it teeth -- I mean an advisory committee where their advice really is something that's taken and absorbed and is reflected in what comes out of the council. And make that part and parcel to the setting up of the council. And this advisory committee, in my mind, should have representation of the various entities that actually do do the zoning.

But I think it's very difficult -- number one, we shouldn't forget the expertise we have. Number two, make it something -- a group that you actually -- that could actually do some good because it's within the scope of a ten member group even if you want to make it 15 members where they could do it. To me, if you make it too unwieldy, you're not going to be able to reach this important conclusions that you want to see reached. So, I guess -- I also think it's important that we also remember that this is still a blueprint; that whatever this council comes out with is still a blueprint, it's still advisory. It's like -- someone mentioned a master plan for the entire area. I've been involved -- I guess my roots are environmental and planning. And certainly we all know that a master plan is only as good as the next person who comes before a zoning authority to break it. So, it's really advisory, but it's an important advisory one. And if we give it the teeth it needs, their advice will be well taken. So, I guess my main -- my main thought here for all of us is to consider maybe including some type of advisory council that would include the various entities within our counties; the cities, the towns, the villages. But to keep the council at a size and a scope that actually can come out with some substantive decisions.

CHAIRMAN LOSQUADRO:

Thank you. And if we're able to keep moving, hopefully we can get to a couple of those people before they have to leave. I would just like to say thank you to you. As I had said the last time that you spoke last week, you know, to echo the comments of Presiding Officer Jacobs, that, you know, we are building upon the work of the past. And really standing on the shoulders of giants who have done so much good work that have come before us such as Dr. Koppelman. But again, this is not a final draft. It's not etched in stone. But what you have done here, and I thank you for that, is you've engendered debate and thought about this process. And we're going to take your recommendations as well as others and try to move forward with this. So, thank you for coming. I appreciate it.

MR. ALEXANDER:

It's our pleasure. Thank you.

CHAIRMAN LOSQUADRO:

Next speaker, I would like to thank him for taking time out of his day to come is Michael LoGrande, Chairman of the Suffolk County Water Authority.

P.O. CARACAPPA:

Mr. Chairman? While Mr. LoGrande is coming up, I'd also like to welcome and thank all the staff from Nassau County Legislature for coming as well as the Clerk of the Legislature Bill Geier, who was just at the table; he's just taking a walk back there now. It's nice having them here as well as so we can -- they can hear what's going on, bring it back and do the work as we know we rely so heavily on staff. And in general departments can get to know each other and share ideas as well. So, thank you for coming and welcome.

CHAIRMAN LOSQUADRO:

Thank you and good morning.

MR. LOGRANDE:

Good morning, Mr. Losquadro. Mr. Presiding Officer and Madam Judy Jacobs, we're happy to see Nassau County people over here as you come east a little bit. We always go west when we want to go somewhere.

P.O. JACOBS:

I'm east very often. Lot of children live out here.

MR. LOGRANDE:

Is that right? Great. That's great. As the members know -- congratulations, Mr. Kennedy, good to see you. As the members know, I have served in various capacities in this county over the last forty years just about, serving both as the Chief Planner for the Suffolk County Planning Department. And I worked on and helped to complete the first bi-county plan for the Long Island Regional Planning Board. Of course, since then I also served as the Commissioner of Planning and Development for the Town of Islip. I was once on the Suffolk County Planning Commission itself. I served with the Association for A Better Long Island for three years. And dealt with both Nassau County and Suffolk County in terms of economic growth and development.

Just by way of saying that, I would also like to indicate that some of the comments that I'm making come from the fact that I've developed all these gray hairs over the years in all these different positions and that I have seen an awful lot and perhaps I can just share some of that with the Legislature. You're doing an outstanding job. And I want to say at the onset that I do support this resolution. It's a confirmation that you want to continue regional planning. And that's an important thing. All the little codicils and things in between, of course, would have to be tweaked and given some consideration. But in the overall, I think this resolution is excellent and I think that perhaps with some additional adjustments that you make, you're at least showing that there is a great commitment to continuing regional planning, which we desperately need. And we probably need that more now than maybe we did in the earlier years when growth was taking place and we almost couldn't stop it or even control it. Today we have the opportunity to do regional planning and to do some regional thinking.

What we don't have today and what we had in the mid-60's when we worked on the bi-county plan was the federal government priming the pump. And we got a tremendous amount of federal dollars to do 701 comprehensive planning in those days. And the dollars to do those kinds of efforts today are just not that readily available.

As to the resolution itself, I would like to point out a couple of things. If you look at the resolution, a series of whereases precede the some 26 items altogether in the resolve. The whereases talk about both county government, their commitments to doing regional planning, to bringing in additional people, expanding the board to ten members, which is a good idea by the way, to allow for diversity. All those things are good. Then when you get to the resolve, the County Legislatures of both counties and the County Executives of both counties with the exception of having ex officio members, you bow out. And you look at the resolves, you'll see that they're pretty much on their own. And why you have an input that's ex officio input, my thought was that there should be a series of challenge resolutions; that there is no question that both legislatures could come together certainly through their committee Chairman both represented today and come up with a joint resolution that gives us specific charge to the newly formed council.

And the reason why I say that, is so you keep a hand in the process. If you don't have a hand in the process, you may not be as interested and future legislatures may not be as interested in the outcomes. And I think that it's important that if you had a challenge resolution, or a series of challenge resolutions, you could direct a common interest for both counties in a specific area.

I go along with the listing that is shown, and it's a typical list that we would show in terms of -- in terms of areas of focus and concentration in paragraph twenty. But there is a distinction, and a very clear distinction between solutions in each one of those things. The transportation systems in Nassau County are very different from those that we face in Suffolk County. The workforce housing issues are very different in both those counties. I also caution that when we look at workforce housing and affordable housing, I often think that we are sitting on the fringes of one of the largest -- the largest city in the United States, the largest metropolitan area in the United States; that there is an insatiable supply of affordable housing. I mean we have to know that. That as soon as we take care of one family, we're going to have three more that we have to take care of.

So, at some point the Regional Planning Council should even give thought and consideration to what our limitation should be, where are responsibilities lie. And I think that that is a proper exercise of that agency.

But if go down the line, these are typical things that we should be looking at. And even though they vary from one county to the next, I think that those things can be resolved. The challenge resolutions, I think, are important. I think that somehow in one of the resolves you should lead yourself in the process; that you should be there to provide for the Regional Council to have guidance in those areas that both Legislatures, both County Executives agree that that should be the defined area that you should be looking at and spending some time and concentration. If you don't do that, they can do studies all over the place. And you're going to sit there, say what's the relevance to

my area, what's the relevance to our county, why is this county different from the other county. You're not going to get anywhere. You're going to have probably a debating society, as Lee likes -- Lee Koppelman likes to refer to it as, and not really end up with solid products that can be used by both counties.

I couldn't help but listen to some of the comments that were made. And they were excellent comments, by the way, both by Mr. Schneiderman and Mr. Caracciolo. And I -- but I have answers to those, as you might be surprised; that one of them had to do with the professional representation. That's a good one. But if you took, for example, the ten members and you assigned that A through G of those things, and you got an energy expert, and you got a housing expert and you got a -- an economic expert, an environmental expert, you're going to end up with a council of experts. And they will sit there and debate and they will push for their own area of jurisdiction; and perhaps none of them may be looking out for the overall interest of both counties. But those experts are absolutely needed. But maybe not as representation on the council itself. They should have the ability to bring those experts in in every area that they want to work on; bring in the best possible experts. And bring them in where they need them and when they need them to resolve a particular issue. The one that Mr. Caracciolo brought up, which was also a good point, was stakeholders. And I think that he knows because he went -- he weathered the process of developing the Pine Barrens Plan, which we worked on. And he attended some of those meetings. That was a process in planning that was very different from anything that we've ever seen before in both Nassau and Suffolk County. And I refer to it as confrontational debate. But it was bringing in all the stakeholders and some very bitter stakeholders to come in and debate it. But we made it have very clear from the onset that we're not walking away from this until we come up with a consensus and a solution of the protection and preservation of the Pine Barrens. We had builders, developers, property owners within the Pine Barrens with all of their dreams and everything else, sat at the table and we came up with a solid consensus and that law was passed. That law has regional significance because this is important for Nassau County as it is for Suffolk County.

And the one final comment that I would make and that was the notion of having large bodies, and we've seen this, Lee Koppelman will probably testify and tell you about the comprehensive planning -- health planning effort that we once went through, which, God knows, how many committees there were. And all I heard was there was 62 committees working on this and 47 people working on that. You never get anything done. I mean you're spending more time trying to coordinate committees with large numbers of people, keeping schedules and calendars getting the proper number of people to attend the meetings and the professionals to attend those meetings. You can't get anything done. I believe that the number ten -- if it was twelve or eight, it probably wouldn't make too much difference. The number ten is certainly adequate. They should be people who represent -- are representative of what our citizenry is like in both Nassau and Suffolk County. And they should represent those family interests.

The Executive Director that you will pick or they will pick should be the expert that knows how to bring in the stakeholders to the table, knows how to bring in the necessary experts and will advise -- will tell this Board, the council itself, exactly how to proceed from there to respond to those things that are of critical -- of a critical nature.

And finally my idea of challenge resolutions, if there was a section in there that keeps

you in the process, I think that that would be very important. In addition to that, there is no reason why we shouldn't be doing more things on a bi-county basis like this in some specific areas. I'll give you a hot button one. If you take, for example -- and housing is an easy one -- but if you take, for example, sewers, Nassau County has done much more in sewerage than we did in Suffolk County. And, of course, this legislature had nothing to do with it. The Southwest Sewer District. But because the Southwest Sewer District was an out of control project, so big in scale and so much money, it ended up in scandal. And as a result we never talk about sewerage anymore. But I have to tell you and if I have to put in my parochial interest as Chairman of the Water Authority, we still need sewers. But there is no one that is willing to say that because it's a scary sort of topic after what we went through. The trouble is we went through a time when sewers -- when the largest sewer district ever created ended up in such serious scandal that no one would go near the subject. If you go to your respective health departments and the Department of Public Works in Nassau County, you have outstanding experts. They will tell you, and not be vocal about it, that the need for sewers still exists. And if we're to protect the largest aquifer in the United States, this aquifer that we're sitting on in Nassau and Suffolk County, for all future generations, we ought to consider even expansion of those kinds of projects. I leave it that that's probably something that the Long Island Regional Planning Council should take up and look at and see -- and even if things are not done immediately, if they're done 15, 20 and 25 years from now, plan for it. Make sure that we keep those options open, that we know we have to do that. There are generations yet to come, just born today, who will be forming their families in 30 years from now. They should know that we thought about them. And that, in fact, we were thinking about how their water was going to be protected and preserved for future generations.

I leave you with that thought because I think that the Long Island Regional Planning Council should have those challenge resolutions, should have those kinds of interests that would come from a representative legislative body as well as the County Executives. And those kinds of things should come to them and they should provide you with informative answers that would be good for the future. And with that I thank you very much.

CHAIRMAN LOSQUADRO:

Thank you. I again want to thank you for coming. When we referred earlier to standing on the shoulders of those who have come before us, I just want to acknowledge all of your past and present contributions and thank you for the insightful comments. Anybody have any questions?

P.O. CARACAPPA:

Just one thing -- I'm sorry, Mr. Chair. That Mr. LoGrande left out, not only does he have a long history of great work in the bureaucratic sense, but he was our County Executive. So, you've been on both sides of the issue. And you can come to the table today knowing the -- I'll use the word -- the hardships as an elected official to implement broad policy because that's something we discussed at the last meeting in Nassau is we could have great plans put forward and ideas brought forward by the Regional Planning Board, but how many of them have been shelved over the years and what do we do about that?

MR. LOGRANDE:

That's right.

P.O. CARACAPPA:

But I just wanted to say thank you for all the years of leadership.

MR. LOGRANDE:

Thank you. Thank you, Mr. Caracappa.

LEG. SCHNEIDERMAN:

You had referred to my comments about having expertise on the board. And you know my concern is that areas may be left out. And, you know, obviously there's some very compelling interest. And the way this resolution is structured right now is you have the five from each of the counties and they will pick the Executive Director who you talked about as bringing in the expertise. That puts a lot of weight on this council to choose an individual. Now obviously Lee Koppelman we've all worked with, we know he has a balanced approach, and, you know, maybe not everybody's always been happy with all of his decisions, but I think everybody respects that he has attempted to balance these issues. A friend of mine who's an attorney once said when all parties walk away from the table unhappy, then you have a good deal. So, it's very hard to give everybody all of what they want. And there are these very competing interests. So, I'm not yet satisfied with the structure of this that will guarantee that we will end up with an Executive Director that will have that kind of balance. So, that's why I just want to, you know, think it through and hear from experts like yourself in helping formulate my opinion on it.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Caracciolo.

LEG. CARACCIOLO:

Thank you, Mr. Chairman. Mr. LoGrande, it's always nice to see you not only in your official capacity but as a constituent.

MR. LOGRANDE:

Yes.

LEG. CARACCIOLO:

Michael, let me just clarify perhaps what may have been misunderstood in terms of a direction and, I think, this council should go in terms of composition, representation and size. I would not subscribe to 81 members. That's totally -- and I agree with the Presiding Officer of Nassau County and Legislator Denenberg -- that's clearly unmanageable. But I do think that when we talk about the Central Pine Barrens and the vested parties that came together and worked through very different interests to accomplish a common goal and set good public policy in preserving a hundred thousand acres of Pine Barrens, that at the end of the day, there was an entity called the State of New York that had authority to implement the legislation. And then we had a willing partner in the County of Suffolk who has purchased and preserved more than 50% of the land and paid with taxpayer -- county taxpayer dollars more than 50% of the costs associated with preserving the core, that something got done. When we look back to the reference that we've heard last week, this week about the many, many studies that

the local planning commissions, probably at the town level as well as county and the Regional Planning Board have put together and how they really have not gone anywhere, we really have to start thinking about a council, if it is going to be reconfigured, that has authority, not just advisory authority but an actual authority to implement some of the goals and objectives that they spend, will spend countless hours and taxpayer money formulating. Do you disagree?

MR. LOGRANDE:

Well, I agree that they should have more authority. But I also think that my idea of keeping the Legislatures involved and keeping them in there with challenged resolutions and something that both counties can agree with, because the one thing you can't do you is use the Regional Council to deal with localized issues. You can't do that. I mean it has to be -- there has to be some commonality. This is a regional planning board. God knows we have enough planning agencies at different levels that handle the respective smaller projects. But if both Legislatures get together and give a challenge to this council, they would have to respond. And when the -- when the council responds, the Legislature should also say, hey, look we supported this effort. Now we want to -- we either agree or disagree. If we agree with their recommendations, we should follow through and do the implementations. And that was my point. If you pick supervisors -- and I was one, so was Mr. Schneiderman, and I was the Supervisor of the Town of Islip for a number of years; if us pick supervisors, they will have an interest in those things that interest their town. And it's hard to develop an interest that may interest some other town. And I think that Jay knows that. I mean we used to get together all the time. When we had common interests like eliminating the land fills, we would fight like dogs together. But as soon the situation was resolved, we would go our own little way and say, well, they got stuck with that one, and they're doing this and we're doing our thing. So, there is that aspect to it in having locally elected officials serving on this board. I'm not so sure that the council should have implementation powers in and of themselves, but they should have implementation powers through you; through the respective legislatures in both counties. They should have you backing that up and backing every aspect of what goes on. And then I think you'll get things done just as we use the State the New York on the Pine Barrens thing. You're absolutely right. We had the State of New York that stood there and said hey, look at what these guys just did. I mean they battled it out for six months and they've come up with a plan that everybody seems to agree with. And now we have the third largest forest preserve sitting in the State of New York. And they were happy to be part of it. So, I think that -- I think that's where the implementation aspect will come in.

LEG. CARACCIOLO:

Thank you.

CHAIRMAN LOSQUADRO:

Thank you.

MR. LOGRANDE:

Thank you.

CHAIRMAN LOSQUADRO:

Next speaker, a regional planner in his own right on a local level, Dan Gulizio, the Planning Commissioner for the Town of Brookhaven as we heard mentioned, larger

geographically than all of Nassau County. I really would like to thank him. I know he cleared his morning to be here today. And he's -- he's one of the most energetic people I've met. And I know he's always hopping around. So, we really appreciate you taking your time to be here today.

MR. GULIZIO:

Thank you for the invitation to speak today. And I'd like to applaud the County Executives for their efforts in recognizing the importance of regional planning and the Regional Planning Council. As a planner for the last 19 years, 17 of which were with the Town of Islip in various capacities including Chief Planner and Planning Commissioner and currently as the Commissioner of Planning for the Town of Brookhaven, it may seem counterintuitive that I would support the idea of regional planning at the cost of the home rule authority or the municipal home rule authority. But quite honestly as a planner committed to the profession, it's obvious to everyone here that the reverse is actual -- is absolutely the case, that we need and have a dramatic need for regional planning now as much as ever in the County and in the bi-county region.

Having attended several hundred public hearings over the last 19 years, one is very cautious to discuss any policy that's being advocated or the service of any individual that's held a position in the past. And that's why I think it is absolutely important as Legislator Jacobs indicated to recognize the efforts of the Regional Planning Board the last couple of decades and the leadership under Dr. Koppelman. It's no small task. It's no easy task. And it's certainly something that's a challenge. Again, I keep saying I've been at it 19 years. I look back now and I can't believe 19 years has passed so quickly. And yet there are so many people that have spoken here today including Chairman LoGrande, who was my first Supervisor in the Town of Islip and a fine Planning Commissioner himself has been at it for 40 years and 35 years and the commitment to the profession is something I think should be applauded. And we should recognize those efforts and keep in mind those comments that they've offered.

At this point I'm going to be very brief in my comments. I do have a public hearing scheduled for later today. We're attempting to rezone several hundred properties in the Mastic community. So, I do need to focus my efforts there also. But this is a critical issue. And I do welcome the opportunity to speak once again. I'm not here to advocate for a particular structure of the legislation. I would leave that to the people that have spoken today and to the County Executives and the Legislatures -- respective Legislatures. And I'm sure whatever solution you'll fashion will work effectively. But I would offer just one or two comments.

Number one, the structure's important. And it's important to look at it carefully and to get it right without having to look at it again immediately thereafter. But regardless of what structure you pick, I think equally important if not more important is going to be the approach that that council or that board or that Executive Director takes in connection with its mission in its role. You can have a large commission, you can have a small commission, you can have a medium size commission. If the approach isn't the proper approach, and if you don't have the right composition of individuals, then, I don't think it's going to be successful. There's a tendency, and I've drafted several hundred code amendments over the years to try to legislate a particular outcome or legislate a particular behavior through your ordinance amendments or your statutes. But in the end it really comes down to effective decision making and effective

implementation of the mission that you've been given.

There are so many layers in our government right now, you know, with regional planning entities, county planning commissions, county planning departments, town planning departments, village planning departments, American Planning Associations, American Certified Planners, regional planning organizations, the RPO. There are tons of layers of government. As a local representative I would tell you that we would certainly welcome the guidance that a regional planning entity would offer in terms of helping us with regional issues. Many times we lack the expertise or we lack the staffing to tackle these issues on a regional basis. It's easy to see it. We have one water quality standard in the Town of Brookhaven. We have one affordable housing standard in the Town of Brookhaven that's at odds with the Town of Islip or the Town of Riverhead or the Town of Southold. It's going to be counterproductive. To the extent that a regional planning organization can establish a clear set of standards to guide local municipalities with some of these regional efforts, I think that opportunity will be welcomed. I think the more you engage us as local planning officials and local elected officials, I think the more effective those efforts will be also.

Again, not a criticism of any of the past efforts and certainly no small task, as I said, but I've been a planner for 19 years. I've never once attended a regional planning board meeting. I've never known when one was scheduled. I think that's something we ought to be involved in. I think that's something as local elected bodies I think our local governments and local villages ought to make sure they make the efforts to supply the staff and the resources and make the commitment to participate in that process. I don't know if that needs to be formerly done as a member of a council so we have a huge and unwieldy council. But certainly I think the effort needs to be there. We all participate, we all sit in on those meetings. And we all discuss and commit to providing solutions for those issues that are clearly obvious to everyone that's in local government.

Again, I didn't want to take up a lot of your time. I greatly appreciate the opportunity to speak here and thank you again, Legislator Losquadro, for that effort. I applaud the effort of the County Executives on considering this issue. And I wish you great luck in moving forward with it. Thank you once again for your time.

CHAIRMAN LOSQUADRO:

Again, thank you. We really appreciate. You know, we've talked a lot about the home rule powers and the local governments; but to have someone here from one of those bodies, especially someone as qualified as yourself is great. Thank you very much again. Legislator Denenberg.

LEG. DENENBERG:

Mr. Gulizio --

MR. GULIZIO:

Gulizio.

LEG. DENENBERG:

Gulizio. Okay.

MR. GULIZIO:

Dan is fine.

LEG. DENENBERG:

Just to tell you the interest from the towns regarding these joint sessions has been great. All the towns were represented. Nassau County towns were represented at the session we had in Nassau County. And I see many of the Suffolk County towns represented as well. And then the Village Officials Association of Nassau County showed and even spoke at our session. Lots been made about how to get input and participation of local jurisdictions so that the stakeholders who are at the table -- what kind of -- and you just mentioned that certainly involvement and participation should be encouraged. And just looking at the past, you know, you never attended a meeting; although you seem like a Commissioner of Planning who would have attended had you known about the meetings and what was going on. What would you like to see at least conceptually within the legislation to ensure because there is something now for public meetings and notices and at least, you know, annual and semi-annual reporting requirements that would include more participation. The membership is being expanded slightly; but there is nothing that would require town or local village participation. I mean my thoughts right now just, you know, again, I don't see how we can invite 81. I mean we can invite anyone to be there. But to have a membership of 81 seems untenable to me. But representatives of the town or a village officials association, what do you think?

MR. GULIZIO:

I think most importantly is participation. I don't think it needs to be mandated where you need to require a representative from each local entity, zoning entity to attend the meeting. But it would be wonderful just to be invited speak on the issues, to be given an idea of what the agenda is, to be given an opportunity to prepare something to advise the board of the current state of affairs in the Town of Brookhaven. We're doing a tremendous number of things from a zoning stand point right now looking at corridor studies and zoning amendments. I think a wonderful opportunity to present those ideas and communicate those ideas on a larger forum. No one likes to reinvent the wheel. And one of my kind of pet sayings is, you know, plagiarism is a good thing when it comes to local ordinances. We don't need to necessarily reinvent the local ordinance and prepare it in isolation. But to serve as a networking opportunity, a communication of ideas and just to have that on a bi-monthly basis or monthly basis, sit down with all the Planning Commissioners from both counties and some other planning experts -- we have some great people out in this county and in both counties.

LEG. DENENBERG:

That's funny. When I met with the County Executive in Nassau two years ago, one of the things I really pushed hard on was the Planning Federation in Nassau County just to get all the planners together and discuss ideas in a forum where you can share ideas and no one's taking the credit, no one's taking blame. Everyone's working together. But I'm trying to think on the Regional Planning Council, you know, how to mandate participation is a tricky thing.

MR. GULIZIO:

I think it's a commitment that every local entity needs to make. I don't think it's something you can necessarily mandate as part of your legislation. I think provided you -- you give us the opportunity; and shame on us if we don't take advantage of that opportunity.

LEG. DENENBERG:

Thank you.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Similar comments. Yeah, I think it's really important that all the planners on all the municipal levels understand that big picture. And I agree with something you said earlier that sometimes particularly in the smaller towns, they might lack the resources to really understand some of the larger environmental issues or the housing issues and see their place in terms of their own policies and the impacts it might be having on other areas. As a former Supervisor, I understand particularly well how local elected officials feel the pressure from within their communities to make sure that the communities are protected to stop unwanted changes or to see them happen anywhere but their communities. Yet these issues don't go away. And I guess what I'm asking you as a local planner even though it's quite a large region, what would you like to see for you to be able to go back to your community and say look this Regional Planning Council is recommending these changes to happen. And we in Brookhaven are part of this. For you to give that council credibility, what do you need in terms of expertise on it? Would it be better to have -- going back to my earlier comments, well-known or respected experts in particular disciplines or members of the community at large? What is it going to take to be able to not compel but at least to put some pressure on these local communities to try to understand these regional impacts and try to become part of the solution?

MR. GULIZIO:

I think it's a combination of all of those things. I don't think it's one particular set of experts or qualifications that you would need and that's going to solve the problem. You need people that are committed to the region. I've had -- again, in my experience, I've had civic individuals who have no professional background, who are some of the best advocates for local planning and the most articulate individuals when it comes to local planning. And a lot of the professionals I've worked with over the years. I have people living in a development community that have a balanced approach that understand the importance of preserving and protecting our quality of life as much as they understand the need for economic development. I think you need, you know, and I think we have it here on Long Island our population qualified individuals to sit on the board. I think the Executive Director or the Deputy Director of the board as a whole also needs the ability to hire people, to bring people in that might represent a particular area of expertise that the council or the commission doesn't have on the board. I don't think you need necessarily an expert in each particular area, but you need the ability to get them.

LEG. SCHNEIDERMAN,

Might a structure where you have, again, your executive director and then a group of

advisors, maybe seven members based on these interests that are -- you know, must be at that table. And then you have your council which has more of a local community representation, do you think that might be an improvement to the current bill that's before us?

MR. GULIZIO:

Well, I honestly don't want to speculate. I think the bill works effectively. I think you could also modify it and it would work equally effectively. But, again, I think there needs to be a commitment to bring in the best people either on a consulting basis or on the board and have a participatory process with your local entities.

CHAIRMAN LOSQUADRO:

Obviously we know Legislator Schneiderman's passion for the experts on this panel.

LEG. SCHNEIDERMAN:

Well, I'm just trying to figure out how to best structure it. It may be that the panel does not have to have experts. Maybe there should be individuals representing the whole of Long Island from, you know, various municipalities or geographic locations. But I want to make sure that the expertise is there to help them come up with the recommendations that they end up making; and that major issues, whatever they be, environmental, housing, transportation are not, you know, are not missing from the table.

CHAIRMAN LOSQUADRO:

Thank you. I would first just like to take a moment to welcome Legislator Vivian Vilorio-Fisher. Thank you for joining us.

Presiding Officer Jacobs.

P.O. JACOBS:

Yes. Mr. Gulizio, it was a pleasure to hear you speak. And I could tell you that next to me I heard, you know, people speaking about how wonderful you've been and how involved you've been. So, truthfully sitting here as someone from Nassau County, I think you said really a lot when you said you didn't know about the meetings and have not attended them. So, I do have a solution. I mean that seems like an easy solution. I think if it's not within -- you know, we'll have to read this very carefully. Certainly as legislators and as legislatures, we have to put out public notices, people have to know we're meeting. And then it's their responsibility to either come or not come. But I do believe that with public notice and then therefore with knowledge, you will -- it will equal participation. And somebody of your expertise of 19 years would not have to scamper around to find out if there's been a meeting or if there hasn't. And truthfully I am aware of the fact that the Regional Planning Board up to now feels if there's nothing to meet about, you don't meet. But the truth of the matter is, I'll be the first to admit there's times we have legislative meetings that are much more intense than others. But the truth of the matter is having regularly scheduled meetings, having public notices out there, will give the opportunity to the council to hear from interested people and give the interested people a chance to participate. So, I think you really touched on something that is very important and pivotal to the success or failure of any new change that might come to this. And I personally appreciate your remarks.

MR. GULIZIO:  
Thank you very much.

CHAIRMAN LOSQUADRO:  
Thank you. Legislator Denenberg, final comment.

LEG. DENENBERG:  
Yeah. Just along the lines, I mean currently it's being proposed to have meetings on a bi-monthly basis. So, I'm hearing from your comments to me and then again to Legislator Jacobs that one of the things you would recommend is that those bi-monthly meetings go with the notice and invitation to all the towns and villages to be invited. The annual report that's required, what do you think of the idea that would be associated with meeting that would almost be as a summit of some type where the villages and the towns are invited not just to participate but to comment on the annual report; almost a summit. The annual reporting type meeting being a summit on where we've gone this year?

MR. GULIZIO:  
I think it's a great idea. Again, as a planner I think it's important to have goals. I mean, you need to move from point A to point B. We all want to maintain our quality of life. We all want to achieve certain objectives. So, the idea of an annual report and a summit on that report, or whatever form you would like to use as a term, I think is a great idea.

LEG. DENENBERG:  
If there was nothing to report on or really no reason to meet, then that in and of itself might be a reason for criticism or to understand why we're not going anywhere.

MR. GULIZIO:  
Certainly a reflection of something.

CHAIRMAN LOSQUADRO:  
Thank you very much. You brought up some excellent points. And I again want to thank you for taking your time out this morning. I know you have to run right out. So, thank you again for coming.

MR. GULIZIO:  
Thank you.

CHAIRMAN LOSQUADRO:  
If Mr. Isles would indulge me, I hate to take things out of order, but we have someone who's been a wonderful advocate for public transportation. And I know he has to be out of here by 12 o'clock. I will just move to one of the members from the public portion briefly, Mr. Clifford Hymowitz. If you could please come up and obviously I know your comments are three minutes. I know you'll keep it brief because you have to get going. Thank you.

MR. HYMOWITZ:

Okay. My name is Clifford Hymowitz. My experience in grass roots community work along with my affiliation with not-for-profit organizations and my experience as a consumer using public transportation on a daily basis combine to give me a unique perspective on the role of public trans in Suffolk County. While in college in the late 1970's I interned with a Pennsylvania state representative. I learned to identify problems, isolate causes, locate resources and apply solutions. Since providing services to the most needy was not a popular fiscal issue, I learned to be creative. From 1979 to 1996, I enjoyed a successful career as a business manager. Unfortunately an automobile accident interrupted my career track. I joined the ranks of the disabled. Unable to drive for an extended period, I relied heavily on the Suffolk County accessible transportation. St. Charles Hospital sponsored my first attendance at the first paratransit conference facilitated by the American Public Transportation Association. After this conference, I immersed myself in the issues relevant to public transportation. For without transportation one is barred from employment as well as all social activities. One's forced to be dependent rather than independent. As a result I was involved in a production of a peer to peer travel train curriculum empowering transit dependent individuals who have developed strategies facing barriers in accessing public transportation with the skills necessary to convey these strategies to other dependent residents.

Every year since attending the first paratransit conference, I have attended transportation expos promoted by Community Transportation Association of America. Participation in these expos affords me the opportunity to network and learn from the successes as well as the failures experienced by transportation providers of agencies similar to ours both here in Suffolk as well as Nassau County.

My role as an advocate has driven me to take advantage of every opportunity to provide public input to ensure that the perspective of individuals facing a multiple of access barriers will be heard. And I bring these to your attention only because these are successful plans and planning studies that have been done on a regional basis. This Job Access and Reverse Commute Transportation Plan for single parents and persons with disabilities the added burdens of scarce child care and inaccessible transit can further complicate the journey to work. We have a regional job access and reverse plan that's both comprehensive to Nassau and Suffolk County. There was also the Long Island Sound Waterborne Transportation Plan exploring the potential for expanding the use of Long Island Sound and its tributaries for waterborne passenger and freight transportation. Is it done on a both Suffolk County and Nassau County jointly plan.

Also, there's a Long Island Non-Motorized Transportation Study. This study represents the interest and ideas of bicyclists advocates for disabled, mass transit, urban planners, environmentalists, traffic engineers, health care professionals, community and citizen leaders and public safety, bicycle shop owners and even automobile interests from both Nassau and Suffolk County. So, we do have precedent for successful planning things that's been done on a bi-county basis.

Having these opportunities to participate in planning process along with other members of a region, I've acquired an appreciation of the benefit of cooperation and coordination. For this reason I embrace the reorganization and strengthening of the Long Island Regional Planning Council. Given the opportunity to review Intro. Resolution number 1954-2004, I would like to recommend certain amendments.

The first one is to paragraph six, resolve pertaining to ex officio members of the council. In addition to the parties listed, I strongly recommend the addition of the position of Director of Transportation Operations. I would also recommend the inclusion of an additional area that the council is directed to focus their planning efforts primarily on in paragraph 20. And this area is, I think, an example of a way to get interaction from all the the towns involved. What it is, is, I recommend the inclusion of the area or recommend implementation of Intangible Assets Surveys mandated about the Governmental Accounting Standards Board, other known as GASB. GASB guidance on this issue promotes comparability among governments on reporting intangible assets. The council should focus on the development of guidance to insure that all the municipalities in both Nassau and Suffolk record procedures -- record procedures to insure ability to have the information in a format that we use on a bi-county basis instead of each one doing it individually. The major components of this survey are right-of-way easements, streets and sidewalks, all major components required for land use planning.

So, right now every municipality is mandated to do these inventories but there's no body to insure that they all do it in a format where they could share. And so here is a way that they don't even have to be a part of the board. But by involving them in that process, they automatically have input and they buy into it. And it makes it more successful.

In conclusion I noticed that as part of 12 -- the paragraph 12, the council is authorized and empowered to receive and expand public and private funds for its approved purposes. Authorization to receive funds is powerless unless public funds are allocated for the Council to receive. For this reason, I seek clarification if the budget for the council should be part of this intro resolution or is this done as a separate line item in the county operating budget.

Thank you very much for giving me for giving me the opportunity to address you today. And I would like to know if there's any procedural place that would afford me opportunity to receive to feedback on my recommendations. Thank you very much.

CHAIRMAN LOSQUADRO:

First of all, thank you for coming. And I would just like to take a brief moment to apologize to other members of the public who wish to speak. As had I stated earlier, Mr. Hymowitz does have to leave -- within, I think, about four minutes he's being picked up. So, I thank you again. And I thank everyone for being so understanding. Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:

Hi. It's good to see you.

MR. HYMOWITZ:

Thank you. You, too.

LEG. VILORIA-FISHER:

I have a very quick question. You were speaking very quickly because of the time constraint. But you mentioned a couple of issues that are transitional services that are --

that are available for people moving from welfare to work. And those transitional services that are very important, our child care issues and transportation. And you said we are working -- and I wasn't certain -- did you mean the County?

MR. HYMOWITZ:

Yeah. There's NYMTEC, our MTO brings together members of all the different, you know, municipalities and interests. And we came up with a regional job access plan. So, therefore, when Nassau County applies for job access money or Suffolk County, they have to apply to meet the goals in that regional plan.

LEG. VILORIA-FISHER:

Cliff, could you forward more information on that to my office, please?

MR. HYMOWITZ:

Yeah, especially because Suffolk County has just received, I think, \$600,000 in matching money for job access transportation.

LEG. VILORIA-FISHER:

Okay. I'd appreciate taking a closer look at that. Thank you very much, Cliff.

MR. HYMOWITZ:

The thing that I would really recommend is that GASB thing. It's something that really -- I don't think people are taking advantage of. And it's not really well known. And that each -- like I said each municipality is mandated to do this inventory. And, you know, it's for land, you know, planning. We should, you know, at least have it so it's inter-changeable. Thanks a lot.

CHAIRMAN LOSQUADRO:

Thank you, Mr. Hymowitz. And, of course, you will be receiving feedback on your recommendations because, you know, we're hoping to, as I said earlier, make this the best possible resolution that we can.

MR. HYMOWITZ:

Okay. Thank you very much.

CHAIRMAN LOSQUADRO:

Thank you. I was hoping to be a bit further along in the agenda at this point. I know we did have another individual who is on a very tight time schedule. And I keep hating to pick on Tom Isles here, but if he would defer, I would like to move Dr. Koppelman up. If you would please come forward. I apologize, as I said. I hoped to be a bit further along in the agenda at this point. So, thank you for waiting. It know you have a very busy schedule today.

DR. KOPPELMAN:

Distinguished Legislators, first I want to thank my friend, the Presiding Officer of Nassau County's Legislature for her kind comments. It was beginning to sound almost like an epitaph.

I think in the abstract everyone will support a reasonable idea that regional planning makes sense and regional planning should continue. When we get from the abstract to the reality, however, I think some of the issues that should be considered have not been discussed thus far today. Kevin McDonald, former student of mine, raised the question of whether this was the first time that the two Legislative bodies have met in joint session. In one sense, it is. But in another sense it isn't. The joint Legislative bodies met on two prior occasions both dealing with regional planning board business; first to create the board and second when the question of creating a sales tax, which was a report of the regional board came up. But at that time all of the supervisors from both counties who comprised the Legislative bodies at that time were in attendance. As I look at the meeting today, we have about 12% of the combined legislators who are here on such an important business. And I understand it's basically the planning committees. I'm just sorry that the entire Legislative bodies of both counties who have to make these momentous decisions are not here to participate and to respond to what they hear on these matters. And that is, I think, a concern at least to me.

In terms of the resolution, let me suggest that the origin of it came about not because the Regional Planning Board has not been doing an adequate job, but because some of my friends have looked at the inexorable movement of time. And as Kevin law put it, he's very concerned that in my advanced age, I may get hit by a bus and they better re-organize the board before that happens. After his comment, I have tried my best not to be a pedestrian and not to get in the way of buses.

In terms of the Regional Planning Board, though, I must say I'm somewhat saddened by a couple of the comments that I heard from at least one of the legislators which indicated to me a total unawareness of the Regional Planning Board in general, or some county actions in particular. There was a reference to the Suffolk County Pine Barrens as saving a hundred thousand acres. That happens to be not correct. The Pine Barren legislation cut up the Pine Barrens of a hundred thousand acres into two parts; the core and the so called compatible growth area. The core was called fifty thousand acres and it was also referred to in Legislator Caracciolo's comments that we saved fifty thousand acres. That also was incorrect. The County of Suffolk and combined with the State of New York had already saved about 26,000 acres before the legislation was passed. On top of it there are 15,000 acres in the core that were already developed. And the only reason it was left in the core is because the quality of the water was still reasonably good.

However, in terms of land preservation, what we're talking about is 35,000 acres out of the 50,000 acre area. The special groundwater plan that the Regional Board laid out would have saved 80% or 80,000 acres. The difference being that with the legislation at least the 36,000 acres are in one contiguous group rather than being pockmarked. But then the choice of would it have been better to save 80,000 with interspersed housing, which would not have affected the groundwater, be preferable. Well, that's not the way we went. And we all have to live with the final decision.

There were also comments made that the Regional Planning Board studies by and large sat on a shelf. That also is a gross error. The elements of regional planning that's been undertaken in the last forty years has been largely successful in those areas that are not social in nature. And so all of the environmental studies -- and by the way everything that has occurred including the recent bond issues flowed from the work of

the Regional Planning Board. That's been one of the glowing successes in both counties largely to the credit of both Legislative bodies. Without that constant support over the last forty years and particularly at the present time, we wouldn't have the money to acquire this open space. So, that was a tremendous accomplishment.

The second area where there's been accomplishment has been in the field of transportation. The Regional Board studies lead to the electrification of the main branch of the railroad, lead to the creation of the two bus operations in both counties. And I'd have to say Nassau County does a far superior job on busses than Suffolk County. And part of the reason is because of the spread out nature of Suffolk County; but also the issue that the County has to provide the majority of the subsidy to keep the busses operating. So, when you have to wait an hour, hour-and-a-half for a bus, it's not a question that planning can't give you the answer. The question is that there's real constraints in where the financing is going to come from.

Now, there was also a comment that there should be mandatory meetings. Well, let me observe, one of the reasons in recent years that the Board itself has not had monthly meetings or meetings twice a month as it did when it was carrying out the major planning studies, is that federal grants were not available. This was referred to by numerous previous speakers. But let me observe for a number of years in the previous Nassau County government, Nassau County did not put up their share of the hundred thousand dollars from each county. And that was a problem. It wasn't until Presiding Officer Jacobs came into office, and I brought this problem to her attention, that the problem started to be rectified. But you can't operate a planning function without the financial resources to carry it out.

Now even that \$200,000 is extremely modest. The group for Vision Long Island talk about other regional councils and sort of alluded that one of the things Long Island has to be aware of is examples from all over the country. Well, let me observe. I've been a consultant to the United Nations, the Army Corps of Engineers, the United States Department of Commerce. I've been on numerous international panels. I'm fully aware of what's going on internationally as well as nationally. And the example of the grass being somewhat greener elsewhere is something I would take slight issue with. And I'm not saying that in a defensive sense. The Cape Cod Commission, when they first set it up, called on our expertise as to how to go about it. And let me observe they did not follow the recommendations that we made. And so zoning decisions were totally left with the local governments. If you're familiar with Cape Cod, every single community on Cape Cod is limited to one half or one acre zoning. And that's far less than what we've done in Suffolk County in terms of five acre zoning in critical areas or the Town of North Hempstead that is putting five acre zoning in their special groundwater area. Long Island does not have anything to learn from Cape Cod. We're well ahead of them.

In terms of other programs, Long Island has been the leader nationally. The farm development program to save agriculture was developed here and copied by 26 states of the nation. That does not mean that we shouldn't be constantly aware of what other parts of the country are doing. The recommendation was let's consider a regional council. Well, New York metropolitan area had gone through that process and participated in it where you had every elected official invited to participate in such a council as well as all the planning directors. It became a debating society and went

absolutely no where.

Now, let's get to the real crux of the matter in terms of where we are going relative to regional planning. And let's look at the substance. First of all, regional planning does require expertise. We don't expect the expertise from the lay members of the board. The lay members should be leading citizens who have the intelligence to listen to technical data and to use their influence as citizens to determine what the policies should be. And let me observe that you don't have to have a particular specific expertise to serve on the Regional Planning Board. You just have to have basic intelligence to understand what you're hearing and to weigh that against you, the board members' awareness of their own segment of the community. The expertise requires professional work whether by staff or by consultants. It's the board's function then to look at this and say yea or nay.

Now, in terms of the board itself, should it be advisory, should it be regulatory, we've been through this many timings. Local home rule is firmly entrenched. And if the regional board is going to suggest that they're going to use a big stick, I could tell you categorically it is not going to work. It can't even work at the sub-regional level. The seeds program was to bring the five eastern towns together spending perhaps close to a million dollars just to look at transportation for the five eastern towns. I told the consultant at the time that they might as well take the money and go to the Bahamas for a vacation. They're not going to get anywhere. Well, the optimism was let's do the job. Southold and Shelter Island do not like the Orient Point ferry because all they become is a traffic corridor for traffic that comes into Orient Point where their destination is East Hampton or Southampton. So, one of the strong recommendations from those two towns that the seeds planners listened to was let us provide ferry service directly to Montauk. Well, that would have solved the problems at least in part for Southold and Shelter Island. East Hampton participating in this study -- yeah, and when I did their comprehensive plan, I discussed it with their distinguished supervisor. And I said I don't know why you're participating in this study because your town is totally opposed to what the seed program wants to do. But the supervisor at that time, now a distinguished Legislator, thinks like a planner. And he said it's important to sit at the table and hear what's going on. And hopefully some good will come out of it. Well, what did happen is that the Town Board of East Hampton in their wisdom adopted a strong resolution that it would be over their dead bodies and preferably the dead bodies of the boards of Southold and Shelter Island before they would see a ferry in Montauk. That is the reality.

Now the question is how can you effectuate regional planning that it could be carried out? And that's no easy no easy chore. For example, the Regional Board did the study for Hempstead Hub. That was several years ago. That was participation by the Nassau planning people to the limit they could assign staff. But it was mainly the regional planning board, New York Institute of Technology and the distinguished Regional Plan Association of New York. And I partnered with them because one of their members Jeff \\_Supan\\_ is one of the top transportation planners in the entire United States. One of the functions of the Regional Board is to pull the chestnuts out of the fire. You cannot solve the transportation problems around the Hempstead Hub with the intensification of land use that now exists. Forget the proposed Wong project for a minute. But just consider what now exists. And I refer to it as a strangulated traffic hernia. You don't have the road capacity. You might be able to improve the busses. But if you don't

improve the roads, which is almost impossible to do, then the only answer is mass transit. Well, in the abstract when we do surveys, everyone is in favor of mass transit. Everyone's in favor of affordable housing. Until you get to the basic concrete of where it's going to occur. One of the recommendations -- and we looked at all transit alternatives. One of the simplest was merely to connect the Long Island railroad to the Hempstead Hub. And then internally have perhaps a monorail or a Disney type people mover so you could move people from Hofstra University, Community College, Coliseum, Roosevelt Field, perhaps Roosevelt Raceway. And then have rail links going down to Freeport, have a connection to the Village of Hempstead. And hopefully have some connection towards the north shore. The most modest was a short rail link from the Long Island Railroad to the Hub. And as soon as we released the study, it hit the fan because the good citizens in Carle Place and the good citizens in Westbury approached their legislator and said over their dead bodies, they don't want it. And so the plan, that one sat on the shelf.

Now Nassau County is re-examining it. They're going to reinvent wheels. They're going to spend considerably more money. And they're going to be in the same basic position. So, the question is where can a Regional Board be effective? Well, on motherhood issues like open space extremely effective. On broad transportation issues, if you have a time, patience to wait, you get effectuation. But it's beyond our control. We recommended the electrification of the railroad forty years ago. The first improvement was made in 1988. And that was simply because the MTA didn't have the funds at that time. But the point is even that was finally moving in some directions. The one area where no progress has been made has been in the area of affordable housing. We have an awful lot of talk about it. We've changed the euphemism. Because affordable housing was interpreted as low income housing. And that sailed like a lead balloon. It took the Regional Planning Board almost twenty years to get acceptance of even Senior Citizen Housing because the public finally realized that they are the citizens who need the housing. But when it comes to so called affordability, that is a totally under the control of local towns. If I look at a town and they don't even have a housing authority, I can tell you categorically you're whistling in the dark if you think the problem be solved. But even towns that have a sincere desire like East Hampton, and that's some example, one of the smallest towns in both counties, and they've now built hundreds of units of affordable housing. But the last one that they proposed, I think is what helped Jay Schneiderman's career to become a County Legislator because he proposed affordable housing of 60 units, each house on a half acre identical with the surrounding neighborhood except the houses will be a little larger and better built than the cottages -- and of course these cottages now sell for 600 thousand; but the point is it was a proper development. And with community opposition, it wound up to maybe 48 units.

LEG. SCHNEIDERMAN:  
Hasn't even happened.

DR. KOPPELMAN:  
Pardon me? Not even that. So, the price went up because they had less of a yield. But if a town doesn't even have a housing authority, they're not even going to address that problem because there's a basic inherence -- inherent opposition whether it's for racist reasons or economic reasons. And that's why that area of the Board's work has sat on a shelf.

Now, let me say a few words about stakeholders. And here again there seem to be a lack of awareness on the part of some of the Legislators which means that perhaps the public has a lack of awareness. Every meeting of the Regional Planning Board, we notify the news media. Some of them carry the announcement where they have their calendar of opportunity. Whenever the Regional Board had a matter to discuss that affected a particular town, in addition to the public notice, we would notify the towns to participate. But let me observe, and I don't make it as a criticism, but an observation, that the presiding Legislators are members of the Regional Planning Board and quite often they don't even attend the meetings; they send a representative. And I don't know if the full intelligence of the meeting is properly transmitted; at least I hope it is. But the Board has always had an outreach program. And the way we approach it in terms of expertise and participation is that every major study of the Regional Planning Board that it has undertaken from 1960 to the present time, we made a bi-county outreach to have citizen participation.

And so on the 208 study, we had almost 200 participants. In the Nassau Suffolk Comprehensive Health Planning Council, which only went out of business because the Reagan administration cut all the funds; but the point is we had over 200 representatives, 49% of them were providers, 51% of them were consumers. As soon as the "doctors" -- and I use that in quotes -- discovered that the council is no threat to their businesses, the providers disappeared. And then when the money was cut, the Nassau Suffolk Health Planning Council disappeared. We set up the heart/cancer/stroke program. As soon as that was taken over by Stony Brook Medical Center, and they've done a brilliant job in increasing their ability for heart operations, cancer and so on; the same thing for North Shore Long Island Jewish. They took over that function. There was no longer a perceived need for planning vis a vis health. The health professionals now control it. Or I should say the HMO's largely control it.

But in terms of outreach, every study that the board has done, we made an outreach. Now, the legislation that you have, in my judgement, is only a beginning; a beginning in a number of senses. First of all, every study we've done including the Hempstead Hub study where our PA and I conducted 24 separate public meetings. Not one, but 24. When we did the regional plan released in 1970, my staff and I made 242 presentations in both counties. Every study we've had an open-ended invitation to the public stakeholders to participate. And you can't have greater outreach than that.

In terms of the recommendations for a council, if you want regional planning to be a debating society, then, a council is the way to go. But let me observe. And my young friends from Vision Long Island mention some of the costs. They didn't mention Los Angeles Council. That's a \$30 million operation. We have small county councils where even the small county councils have a half a million dollar budget; not a \$200,000 budget, which basically buys you one and a half staff persons. Now, the legislation before you has several faults in it. One of the faults is that the Regional Board is supposed to work vis a vis the county staffs. And that's a marvelous idea. Because I think it's important that whatever planning is done should be done to strengthen county planning, not to compete with it. And, in fact, that's how the Regional Board had operated when it did most of its major studies.

Now we move to the beginning. Moving from the beginning to right now 2004, we

have two county planning commissions that in my judgement are grossly understaffed. They're doing a fine job in terms of their regulatory functions. They have no choice on that. The state law requires the county to have certain zoning and subdivision review powers. Nassau's slightly different in that Nassau has even more powers in one of these directions. Their staff is totally committed just to do that work. They don't have a single planner that is available to be assigned to the Regional Planning Board on a regular basis. And if that situation continues, then we're spinning wheels to talk about a regional council with a director and a deputy director. And I stress that because there's a financial component to what these distinguished legislative bodies have to continue. And it has to be more than just lip service. And I'm not calling for a large staff. I think the way to go is to strengthen the two county planning commissions. Because if they're not strengthened, they're the ones that have the regulatory reviews on zoning and subdivisions. They're the ones that work directly with their own legislative bodies and with their own County Executives. And my judgement at the present time is that both county commissions are grossly understaffed. They don't have the capacity to participate in a meaningful way in this new Regional Planning Council or whatever the final title may be. And that has to be clearly understood. Otherwise we are merely spinning wheels. I said this in Nassau County and I appreciate the opportunity to reiterate it here.

Now, where shall we go? One of the prime functions is to do the Regional Planning and to keep it up to date. Regional planning has to have maximum citizen output and input, but it cannot be a debating society. It is not a popularity contest. Regional Planning is a technical process. You maximize your lay participation, but it is technical. You don't layout a transportation system by guessing by gosh. It's a technical function. It requires technical skills. The same on any planning component. But the value of citizen participation is that the real wisdom comes from the citizenry. They don't have to be the professional planners. And let me tell you they do have the wisdom to know if they like something or they don't like something.

And I mention as an example the issue of affordable housing. Eighty some odd percent of the people of Long Island are numerous survey, whether it's the current Rauch surveys or the surveys that I ran or the work I did in the comprehensive plan for East Hampton or for the Town of Brookhaven or the advice I've given other towns; when you survey the people on affordable housing, the majority are in support of it. That's a general support. When you get to the specifics that you're going to build an individual project in a particular community, that's when the nay sayers come out and the nay sayers call the shots. Now you either -- you subscribe to local home rule or you do not. Now, there is a question should this Regional Board as reconstituted have powers. And I've always recommended against it. If you can't convince the counties and the local governments of the merit of the planning recommendation, then, the last thing I'd want to see is a regional body that could override local government. Because you can't have it both ways. Governor Rockefeller tried that when he gave override powers to the Urban Development Cooperation. The first time he tried to exercise that in the Town of Babylon, it sank like a lead balloon. And that has to be recognized.

Now, where do we go from here? Well, if you really want to reorganize the Regional Planning Board, there's a price tag that is attached to it. And my recommendation will be the same one that I followed for forty some odd years. Using regional planning as an opportunity to build, strengthen the county planning commissions to me makes the

most eminent good sense. Because you can have the best regional planning going; but if it can't be implemented at the county and the local level, you're merely spinning wheels. And there's a price tag that's attached to it. The Nassau Planning Commission has five planners that they could assign to planning, which means the local housekeeping details of zoning and subdivisions. They haven't got one spare planner to assign to the Regional Planning Board. And Suffolk County, it's slightly better perhaps because I intimidate some of my former students and colleagues who are in the Suffolk Planning Commission so that when I ask for participation, I'm granted it. And I do appreciate it. But they don't have any surplus. I mention the loss of planners in Suffolk County, key planners. Dr. \\_Cayma\\_, Dr. \\_Rosenbergs\\_, \\_Botheim\\_ people who have national experience and knowledge. None of those positions have been replaced. And the result is your planning departments cannot do the function that's required. So where's the staff going to come from? And my argument is here's an opportunity to build strength at the county levels and have staff not at the whim of the planning directors, but assigned to regional work. And I stated in Nassau County and it's worth iterating, we either will have one planning agency too many or we have two planning agencies too many. And I certainly would never argue about diminishing county planning. To the contrary. I'm anxious to see county planning strengthened because they're the first line of communication with the local governments. And if the Regional Council is going to be a planning council doing the comprehensive planning then hopefully the two county planning commissions will participate with staff in that work. So that in effect you have one comprehensive planning staff; not three agencies that may be competing for similar resources. And these are some of the serious questions that have to be considered. The Legislation that is before you now is merely the first step. And that's all it is. I have some quarrels with it. I don't think the county planning directors should see themselves coming and going. They should serve on a planning coordinating group with whoever is the executive director of the board. That's a staff function. The ex officio members represent people, for example, your commissioners of Public Works. They're members of the Regional Planning Board at present. There's some discussion of adding the Health Commissioner because there are health issues that have a planning component. But I think it's improper to have planning staff people both on the policy end voting on the very work that they're doing. That's an absolute conflict of interest from my point of view. And certainly the two county planning directors could have full recognition in terms of a planning council.

But let me observe, when there was a question of strengthening the Regional Planning Board three years ago, I had a joint meeting with my two colleagues. And the idea was let's meet on a regular basis so that the two county planning departments could participate in the function. We had one meeting. That was it. Because the first time I asked for staff, I was told we don't have surplus staff. And that was basically the end of it. Now we have an opportunity to really strengthen the planning function. And the way to do that is to see to it that the two county planning commissions in addition to their regulatory powers have the staff that could participate in the functions of the Regional Planning Board. And it'll strengthen the Regional Planning Board and at the same time build greater competence at the county level. Most of the problems by the way are not regional in nature. Most of the problems are at a scale at the county level or even the sub-county level. Those issues that are regional in nature like the economy of Long Island or transportation that transcends the boundaries or addressing some of the housing problems are suitable business for regional board. The board studies should be at the scale of the region. The county scale should be at that scale coordinating

with the municipalities.

And as far as outreach is concerned, on everyone of the studies in addition to citizen input, the local planners were invited to participate. And when we first started the regional board, there weren't professional staffs at the local levels. Now almost all the towns have professional staffs. So, the direction has somewhat changed. And I think it's important that they do participate. The planning staff of a little town like East Hampton has more professional planners at the present time than the Nassau County Planning Commission. And perhaps in terms of professional planners, they may even have more planners than the Suffolk County Planning Commission.

CHAIRMAN LOSQUADRO:

Absolutely. I know you said a lot of this bears repeating, but I'm looking back over my notes, and I took copious notes, I told you that when you spoke last time, for us in this capacity who will be, you know, seeking to make changes -- you know, any possible changes to this legislation, in the interest of time I think you've addressed a lot of the questions that were raised today. But some of this we're just going back over some of the same information that we have already heard. And I told you we appreciate it very much last time and we hope to incorporate some of that. Did you have a question, Legislator Kennedy? I love saying that, Legislator Kennedy.

LEG. KENNEDY:

I did. Thank you, Chairman Losquadro. Thank you, Dr. Koppelman. It's a pleasure to be briefed by you today. As a matter of fact, this is kind of analogous to a chief justice. The opportunity to talk to them is rare and valued.

You mentioned a couple of specific points. And I guess what I'll do is just ask you if you can since you have so much detailed knowledge for my benefit and maybe for some of my members here, talk about a little bit about the enforcement aspect with the board itself. The council -- you talked about zoning and subdivision approvals. There's an actual mechanics that's involved with that where there is approval and that approval then allows for that process to go forward; correct?

DR. KOPPELMAN:

Correct.

LEG. KENNEDY:

Okay. There's a threshold, as a matter of fact, that brings the projects to your board.

DR. KOPPELMAN:

Actually on zoning and subdivisions, the board does not review those unless they're tangential to another planning issue such as an environmental issue. Zoning and subdivisions is primarily a county function handled by the county planning commissions. And to duplicate that would not be the way to go. The regional board is advisory. The county planning commissions do under certain instances have conclusive control. For example, in Suffolk County if it's within five hundred feet, etcetera and so forth, if the planning commission turns down a local obligation, that's the end of it. But on most issues if the county planning commission is negative, the towns can override with an extra ordinary vote. That protects local home rule.

LEG. KENNEDY:

So you do still have a blend, then, I guess of both levels preserving your home rule. And your comments about home rule actually were very poignant, I think. You need to have the local entity invested if the initiative is going to go forward.

DR. KOPPELMAN:

Yes. And I think we have to recognize that at the present time many of the towns have the ability and are doing a good job at planning. I can think of Smithtown, Huntington and even out east Southold and East Hampton; and to a lesser extent but nevertheless a good job in Southampton, are doing a very fine job. In terms of the Town of Brookhaven, they probably have the largest planning staff in either county including the county planning commissions. And I had the pleasure of doing their comprehensive planning for the last eight years. And I think with the presence of their new Planning Director, they're moving forward with a great deal of competence and a great deal of commitment. They don't need even the county or the Regional Planning Board to tell them what constitutes good planning. And that's something we've striven for over the years to build this expertise where the actual power lies. And by the way, statutorily, the primary powers vest with the local municipalities.

LEG. KENNEDY:

Okay. Thank you.

CHAIRMAN LOSQUADRO:

Yes. We'll take a moment for the paper change.

DR. KOPPELMAN:

I've exhausted the stenographer. While she's doing that, let me observe Westchester has a court witness who never answered a sentence with less than 14 pages of testimony. And when he was challenged and the attorney said I want a yes or no answer, he took one half hour to explain why he couldn't categorically say yes or no.

CHAIRMAN LOSQUADRO:

Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:

Thank you for being here, Dr. Koppelman. I'm not a member actually of the Environmental Committee, but as a member of the Legislature, I did want to actually educate myself a little bit as far as the Regional Planning Board because I am quite ignorant as to how it functions. And most of the knowledge I gleaned is through the media, through the newspapers and decisions and studies. And you've said so much. And by the way my husband was your student at Stony Brook University.

DR. KOPPELMAN:

I know.

LEG. VILORIA -- FISHER:

And I feel --

DR. KOPPELMAN:

And he got an A, too.

LEG. VILORIA-FISHER:

Oh, probably. I feel as if this were the first day of class where you're outlining a syllabus because there is so much that is covered here. And there's still quite a bit to learn. But looking at the resolution, as I look at page four, these are such -- the issues that are outlined here are so critical to our future. And yet as we've approached them through legislation and different types of initiatives, I have not known how these particular issues would have triggered a study or a look by the Regional Planning Board. For example, I'm seeing energy planning here. And now energy planning is something that I have had at the top of my agenda for a couple of years. I put together a county energy task force that was running concurrently with LIPA's plan to have a master energy plan for the region. And there were a number of not-for-profit and environmental groups who were also working on a parallel master plan. Was there a role there or should there have been a role there for the Regional Planning Board to look at it as well at that time?

DR. KOPPELMAN:

The answer to that question is yes. In fact, in my judgement, in the last 35 years there's only been one comprehensive energy plan. And it was done by the Regional Planning Board, not by LIPA. LIPA is constrained by political constraints, economic constraints. And what they're doing in my judgement is not planning. For example, in the wisdom of LIPA they determine that they are going to try and build a series of oil fired 79.5 megawatt plants. That is the most uneconomic way of providing energy. But there are several reasons for doing this.

LEG. VILORIA-FISHER:

Well, sure it skirts regulations.

DR. KOPPELMAN:

It skirts regulations. And to me that's not the way to go. I approached the board. And I suggested that we update the comprehensive energy study. And I spoke to my friend, Mr. Kessel and Mr. Cunningham --

CHAIRMAN LOSQUADRO:

If I may. I apologize but -- the historical background I know is very important but I had would like to try to keep this on point to the resolution before us. And I apologize, Legislator Viloría-Fisher.

LEG. VILORIA-FISHER:

Okay. Yes.

CHAIRMAN LOSQUADRO:

But if you have a specific question --

LEG. VILORIA-FISHER:

Okay. The specific question was --

CHAIRMAN LOSQUADRO:

-- as to the resolution. I know we have not only other -- another speaker waiting but members of the public as well. Thank you.

LEG. VILORIA-FISHER:

I'll make it a more specific question. All right. Which is, these are important issues. And how should I have taken that very important issue of energy -- or in the future how would we be certain that rather than looking at it more parochially as we did on the county level and depend on environmental stakeholders looking at an issue and LIPA looking, how should we have brought this to the Regional Planning Board? Through a resolution or just have contacted, attended a meeting? How should that have been put on your lap to --

DR. KOPPELMAN:

At any time the Legislature of either county could assign functions to the board. The Hempstead Hub study was assigned by Nassau's IDA and Hempstead's IDA. The Suffolk County Legislature asked the board to look at the Dare Study, which we did. In fact, the Suffolk Legislature has taken advantage of the board's technical ability on a number of independent studies. We're doing two for the County right at the present time. So that mechanism is there. The Presiding Officers participate. The presiding -- the County Executives participate. And the assignment can come from either source. And the only requirement is they put up the resources, which both counties have done on these special studies.

LEG. VILORIA-FISHER:

Thank you.

CHAIRMAN LOSQUADRO:

Thank you very much. Any further questions? Legislator Denenberg.

LEG. DENENBERG:

Just really quickly. One of the things with respect to the resolution that you did talk about is that a lot of the staff or resources need to come from the county planning commissions in and of itself. In Nassau there is the Planning Commission, which are the commissioners. The Planning Department is what really provides the staffing to the Planning Commission. You may be interested the County Executive has made a proposal that went through committee and is going before the full Legislature on Monday, which is really to revamp not just the staff, but to make the Planning Director a Commissioner of Planning to give the Director of Planning more formal -- the same types of powers as the commissioners of other departments and also to enable them to bring in more staff both at the civil service level as well as at the exempt level so try to direct -- to try to target some of the issues you're talking about. Understaffing at the planning level, that really only supports what are the regulatory functions of the Planning Commission as opposed to planning. You may be interested in coming down on Monday and speaking on it. Because there are some who are opposed, thinking somehow that's going to weaken the commissioners of the Planning Commission as oppose to really strengthen them by giving them more resources.

DR. KOPPELMAN:

Well, I couldn't agree with you more. Since Ralph \\_Caso\\_ left government, there was no Nassau County interest in planning whatsoever. It's only in the last three years, largely the two of you who are sitting at the table as well as specifically the County Executive, who takes a very strong planning posture, which I more than welcome. And I think anything you do to strengthen the ability of the Nassau Planning Commission to function is absolutely a step in the right direction.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Jacobs.

P.O. JACOBS:

Chairman, just very quickly. What I was going to suggest, Dr. Koppelman, is that perhaps my office could send you a copy of the resolution. And if you're not able to attend time-wise, at least if you could give us something in writing, it would be a very big help on Monday. Because we do think it's that important. And we -- you know, we obviously would like to have your input on it.

DR. KOPPELMAN:

If in addition to sending me a fax of the resolution, you could do as you kindly did the other day and fix it so I can park my car without getting ticketed, I'll be happy to be there.

P.O. JACOBS:

Well, now that's asking an awful lot.

CHAIRMAN LOSQUADRO:

Thank you. And I would just like to say just to touch upon something that Legislator Vioria-Fisher said, when a body has been in existence this long and done so many good things, sometimes people like myself who are new in the Legislature, we're not even aware of the resources -- some of the resources that we have available. So, if nothing else, public discussion such as this can inform not only the public, but, you know, the public representatives as to what the -- you know, what the opportunities we have at our disposal to use. So, thank you very much again for your testimony and we greatly appreciate your taking your time today.

DR. KOPPELMAN:

Well, I thank both members of both boards. Thank you.

CHAIRMAN LOSQUADRO:

Commissioner, did you want to wait a little while longer? We can put somebody else in front of you if you really want.

MR. ISLES:

Good afternoon and thank you very much.

CHAIRMAN LOSQUADRO:

Thank you.

MR. ISLES:

And I realize there are members of the public here. And we certainly appreciate that. And I will once again try to keep my comments --

CHAIRMAN LOSQUADRO:

I was just going to -- I was just going to say if you had anything to add or, you know, any responses to any of the previously raised questions, I'd appreciate it. Thank you.

MR. ISLES:

And so not to hash, I had spoken at the last meeting last week. And once again I do appreciate that opportunity and the opportunity today. I would like to make note that we do have the Chairman of the Suffolk County Planning Commission present Robert Martin. And joining us earlier was also member John Caracciolo being here today for this important event.

But just very briefly, the -- once again to get back to what this is, and this is a re-approval of the authorizing resolution for the Regional Planning Board, we kind of have a greater appreciation of the constitutional convention when we go through this process in terms of talking about what is this going to do, what do we hope it's going to achieve. And those types of things. It's an important process and it's not an easy process, but fundamentally the goals of the resolution in Suffolk are to conform the current authorizing resolution to General Municipal Law, to provide for an enlargement of the staff -- pardon me, of the board itself as we've heard. And also to provide a message from the county government, the executive and legislative branches in terms of priorities and focus, but not to the exclusion of other issues.

So, just a couple of key points I'd like to -- points I'd like to make; is that the -- the staffing issues have been raised a number of times and certainly as a County Planning Director in Suffolk, it's something I'm very in tune to. It's -- the purpose of the authorizing resolution is only to set the stage and to enable regional planning to happen. I agree with Dr. Koppelman's statement that this is a step one. Obviously there will be other steps as further definition is made in terms of what the regional board will actually tackle. And then, yes, there are very definitely staffing and budget issues that may or not come up as we get into that.

I will point out that the -- in terms of the ex officio membership proposed, that's pretty much consistent with the current law from 1965. The Suffolk County Planning Director of Planning is an ex officio member, the Executive Secretary of the Nassau Planning Commission is an ex officio member. That would continue in addition to the health commissioners of both counties. All executive ex officio members cannot vote, but they can certainly participate in the deliberations. And I think it is helpful to have that kind of participation at the county level including at the county planning level.

There was discussion today on membership requirements and, here again, not to belabor the discussion at this point but just -- just as a, you know, context, the General Municipal Law doesn't -- does speak on membership requirements. It is a proposal whereby the County Execs would nominate and the legislators would then act on those and review and interview and confirm the nominations. But the state legislation speaks of the requirement for memberships as being a representative of a cross section -- a broad cross section of interest within the region, consideration also given to securing

representation by population size, geographic location and type of municipality.

My own personal comment on that is in the balance between experts and good citizens, is that I see with any board whether at a county planning board, a local planning board is that that is really a sounding body of the citizens of the community that -- if it was just strictly experts, then, you almost wouldn't need a board; you just have the staff, make these decisions. The whole idea of a board is to have the opportunity for that public participation. As Dr. Koppelman said, I think the idea of good citizens is probably the best way to do it; that are intelligent, active, engaged and a part of their communities. That to me in my own personal opinion most be important. You, however, as the legislatures of the two counties will have your opportunity obviously to vet each of those candidates as they come forward.

I think just in quick summary here, just -- I think the -- what we've heard with this process both at last week's meeting and this week's meeting is, to me it's reaffirm the importance of regional planning on Long Island. Once again, we're defined by our geography, we're limited by it. We have so much in common as to both counties. We've heard so much in terms of what regional planning has accomplished. And I think it's affirmed once again the need to continue it and do what we can to assure that it's healthy and alive. But I don't want to lose sight of the fact that although there may be broader long-term goals of what we want to achieve in terms of maybe the regional board can be similar to Envision Utah or something like that. Those are great ideas. They're not currently permitted from what I can see in General Municipal Law in terms of our authorities. And maybe long range those can be weighed further. Short term, I think, we need to consider this resolutions or the respective resolutions in light of the fact that we should conform to the current requirements of General Municipal Law, the housekeeping, the kind of cosmetic things, perhaps. And I think move on with business. And so the process you're doing is extremely healthy, I think. I think it's yielded benefits already in terms of this awareness. I would like to hope we can continue on with the work of the Regional Board and, you know, have this as a process of beginning, middle and an end.

And then the last comment is the obviously on behalf of the County of Suffolk Planning Department, anything, any of the committees need or the full Legislatures need in terms of information or anything I can provide by the County Planning Department, certainly I stand ready to do that.

Maybe I'll just add one other comment, to welcome Legislator Kennedy to the legislature and look forward to working with you, sir.

LEG. KENNEDY:

Thank you, Tom. As a matter of fact it's nice to see you here and get a chance to chat with you. And just one quick comment, I guess. You talked about, I guess, limitations that are in place now vis-a-vis General Municipal.

MR. ISLES:  
Right.

LEG. KENNEDY:

Briefly would there be anything that you'd recommend that might give more latitude under General Municipal if there was a way to go ahead and recommend modifications.

MR. ISLES:

Modifications to General Municipal Law?

LEG. KENNEDY:

Correct.

MR. ISLES:

Certainly at this point in time I wouldn't want to be flip and just say, well, General Municipal Law should be changed in this manner or that manner. I mean the only thing you could really do off the starting blocks right now is the powers that are vested in the counties can be assumed on a regional level. I don't think that really helps in terms of the referral of subdivisions and zoning matters. I think the -- I happen to agree with Dr. Koppelman in the sense that I don't think this should be a regulatory body either. And I think it's -- so fundamentally I don't disagree with the General Municipal Law and the purpose of regional agencies. It's not the end all. And we talked about last week at the committee, I don't think the intent is to have the centralized form of planning in government that flows from the top on down. I think there's still a purpose of local government, county governments. The question is how do you tie those together? As I'm reading through and my past experience with other regional planning agencies and so forth, although some do -- have regulatory authority, most do not. Most are entities that coordinate, communicate, make ideas happen by collective will power and so forth. So, I can't answer your question and say, well, I think this should be done to GML right now. I think we, you know, as we go forward if there are ideas that we think we should suggest to the state legislature that they enhance what we want to do, great.

LEG. KENNEDY:

But it sounds like you're saying to me you've got room under General Municipal as the framework is in there to kind of embrace what you envision with the planning council at this point. There's room for you to go ahead and function.

MR. ISLES:

Yes. Put very simply, but yes.

LEG. KENNEDY:

Okay. Fine. Thank you.

CHAIRMAN LOSQUADRO:

Thank you, Tom. I appreciate it. And I thank members of the public who have stuck around. First card that I have -- we'll move onto the public portion -- is Chris O'Connor, who I see just returning to the auditorium. Thank you for hanging around, Chris. I remind you you have three minutes for the public portion. Excuse me. Five minutes.

MR. O'CONNOR:

Thank you. For the record my name is Christopher O'Connor. I'm the Program Director

for the Neighborhood Network. And I thank the Legislators for being here and for holding this hearing. Given that I only have a few minutes, I'll just be very brief. You've heard a lot of issues pro and con today. You've listened to a number of my colleagues talk about the need for changes. You've heard some issues about public participation. You've heard issues about things that are going to be -- that shouldn't be changed and should not be changed. You know, this legislation is -- has been called by some people as just throwing new paint on a barn. Some people seem to want to burn the barn. Our organization is generally supportive of this legislation because it's a first step in a process of taking regional planning to the next step and building on the blocks that have been previously built by Dr. Koppelman and others and their good work. But now we have to move forward. And we have to find different things that we're going to be looking at.

My organization is particularly looking forward to when this legislation is passed, that there will now be a requirement that there will be an annual report. And there will be a participatory process which will be mandated that people in the community, environmental community, the civic community, there'll be all included in that process. You know, because I attend a number of the meetings throughout the County. I sit on the Workforce Housing Commission here in Suffolk County. And it is very difficult to keep up with what is going on with activities in various agencies.

But, you know, I can't recall being invited to a meeting of the Planning Commission, the Regional Planning Commission. And the public does need to be educated because the average person who is unaware of some of the conflicts and the needs of affordable housing, the workforce housing, the building and planning, they're ultimately the people who are voting on these issues. And the civic and community leaders that are involved, and I deal with these people on an everyday basis, really do not know the functions that go on on a regional policy level. And we have to do a better job of reaching out to those people in the communities because to them, it's all Greek.

And so, you know, let me sum up and just say is that this is an important first step. But we should not be lost in the minutia of this legislation and go in and try to dot every I to its utmost because frequently I've been before the County Legislature on a number of pieces of legislation over the years. And you can get caught up in the details to a point where at the end of the day you have nothing. And we're stuck with nothing. So then what's the choice? We do nothing and we don't move forward. There's a time that we need to move forward and look through this century. And hopefully this is the first step that we can build this process.

CHAIRMAN LOSQUADRO:

Thank you, Mr. O'Connor. And to that end, that's why we're holding -- you brought up the point of public involvement. And that's why the two Presiding Officers decided to hold these joint meetings and invite the public and to get comment so we can actually move forward on something that, you know, we can honestly say there has been input on. So, again, thank you for your comments.

MR. O'CONNOR:

Okay.

CHAIRMAN LOSQUADRO:

Next card I have is Holly Beck and Nina -- will not try to pronounce your last time. I don't know they stuck around. They were from Sustainable Long Island. They spoke at the last meeting. We do have comment from them on the record. Next card is Ira Paul Costell. Mr. Costell, did he stick around? Cesar Malaga. Okay, we have a taker. Good afternoon, sir.

MR. MALAGA:

Thank you. My name is Cesar Malaga. I'm the President of the Hispanic-American Association. Also I am a former member of the Long Island Railroad Commuters Council. I have also participated in the Long Island transportation plan for 2000. I'm also -- I participated in New York City Master Plan back in 1960's.

I would like to just address two things that was already said and that's transportation and affordable housing. All of you know that, you know, that we have a problem with transportation here on Long Island. And when you build a new highway or a widening a new road, before you even open the road, you already have a congestion. So, you will never solve that problem of, you know, highways to, you know, fit the number of cars we have in the area, so the solution is mass transportation.

We have asked for many years, you know, as a member of the Long Island Railroad Commuters Council, that Long Island Railroad should improve service. And also the bus service, they should be improving the bus service in Nassau and Suffolk Counties. Suffolk County, of course, has it's own transportation, the Suffolk County Bus Service. And now the Long Island Railroad, we have to have an improved schedule to meet the needs of the people. It has to be also an affordable rate. The fares cannot continually increase and increase and increase that people cannot afford. Once improving the schedule, we have more people using the Long Island Railroad. For instance, take Suffolk County, east of Babylon. In the last ten years, the population has tripled from \$300,000 to over a million people living east of Babylon, and the schedule of Long Island Railroad has not improved.

Now, as a member of the Long Island Railroad Commuters Council, I have asked maybe for several studies, asked the Long Island Railroad to provide additional trains, additional service. But, of course, their answer is always there is no demand. If you do not provide service, they will not be no demand. I provided -- like out east for -- I know Mr. Schneiderman is not right here -- but out east from, you know, you have to wait five to three hours to get railroad service coming east or west. That's not -- well, we should have mass transit, public transportation. We need to improve that. Now, many people -- lately you heard that the MTA is hiding funds. They don't have enough money. In the budget, they have 400, you know, \$30 million in deficit for 19 -- you know, 2005 to 2006. Now, the money's available.

In the last 12 months, New York State collected over \$5 billion of extra tax dollars from the sale of gasoline that we buy at the pumps. Now, where's that money going? Those \$5 million, it should be coming to public transportation. So this way we can have improved public transportation. We can eliminate the pollution caused by the number of cars that are on the roads. People will stop riding, you know, on the road for two hours going from one place to another. It can be a half hour. So, we need to improve public transportation.

You, as the members of the Legislature, you have the power for us. You have the power to speak and ask the Governor to diverse some of the \$5 billion extra dollars to mass transportation.

Now, another thing is that the counties or the towns don't ever ask the developers about making a study for the transportation where they're building a housing area. Now, the developer should provide a transportation plan in which they say, we build so many houses and this is the study that will not congest the roads or this is what's going to happen. They should demand a study from the Transportation Department how that housing project is going to increase the traffic on the roads.

Let me just talk about affordable housing. I know many -- in the papers we hear so much about affordable housing. You know, one thing all of us forget is the fact that we have young people. Someone mentioned that young people are moving out of state. I heard that the Suffolk County Legislature several times has had meetings about affordable housing.

CHAIRMAN LOSQUADRO:

I would just ask you -- you have about a minute left on your time.

MR. MALAGA:

Okay.

CHAIRMAN LOSQUADRO:

Just if you have a particular --

MR. MALAGA:

Yes, I have suggestion.

CHAIRMAN LOSQUADRO:

-- suggestion towards the resolution, I would ask you to get to it.

MR. MALAGA:

I would like to talk about affordable housing, that in counties or the towns provide affordable housing for those young people making over \$78,000 a year. I know some towns are already working it. And also, we need affordable housing for senior citizens. It should be incorporated. And once you have a master plan, you should implement it. It should be, you know, like you're having a Suffolk County Regional Planning slash implementation. Well, what we need is implement something. These good ideas I heard. I'm used to following for -- you know, many things that Dr. Koppelman says, I don't want to repeat, but we do need to improve mass transit. It has to be improved. The money's there. Let's get the money to all of our people. There's no need, you know, to increase the fare on that.

Well, I appreciate your time -- giving me the time. But, of course, there's a lot of other things I'd like to say but there is no time for that. Thank you.

CHAIRMAN LOSQUADRO:

No, no. I'd just like to say as far as implementation goes, we have had attempts -- I can think of one specifically that I voted for along with -- put forth by my Presiding Officer to

try to include a component of affordable housing in all projects. He tried to use the component for tying into sewer districts. And that was unfortunately struck down by the executive branch. So, we can legislate to these ends, this bodies through resolutions. But, you know, we have to get support within our, you know, co-branches of government as well. So, just, you know, for your knowledge, these ideas are not lost on people sitting before you today. And they are ends that we are working towards. So, I appreciate your comments.

MR. MALAGA:

The only thing is, I live in the Town of Babylon. All right? They build affordable housing for senior citizens. But there are no senior citizens living there, you know. And that's wrong. But that's why I say, I would like to see that the county should be in charge of affordable housing for senior citizens. Thank you very much.

CHAIRMAN LOSQUADRO:

Presiding officer.

P.O. CARACAPPA:

Just to quickly expand on what Legislator Losquadro said. You're right, Mr. Malaga. We need to implement. And a little comment aside from the Regional Planning Board stuff. We need to set policy. And we have to bit the bullet or else we're never going to get anywhere. We will continue to spin our wheels. We did make an attempt earlier this year to set aside 20% of anything to be built from this day forward through any developer, any project, senior housing, single family detached or apartments. And it was anyone that went before the sewer agency, which is every developer for any project. They would have to do a set aside. And it did pass this Legislature. It didn't stand the test of a veto. And then we need to continue to do things like that. I mean, there needs to be more elected officials that are willing to just do it, so to speak, and not cater to special interest that usual put the kibosh on good policy. So, I appreciate your sticking around and showing how committed you are to those two issues.

MR. MALAGA:

Thank you.

CHAIRMAN LOSQUADRO:

Thank you. Final card I have today is Eugene Murphy.

MR. MURPHY:

Good afternoon. My name is Gene Murphy. I'm the Commissioner of the Town of Islip Planning Department. And I just want to share a little time I guess from the local perspective. One, I really want to thank the Board for really evaluating critically the Long Island Regional Planning Board. Because from a local perspective, the documents it's given us has some times been extremely helpful. In the local level you're dealing with zoning changes, you're dealing with subdivisions. And the time constraints of those makes it very difficult sometimes to evaluate things on a broader level. And we've gotten studies from them that are really very seminal in our thinking. It was very important for us to know at one point that places like Westbury and Melville were filling up in terms of office. It helped us think of Veterans Highway as a future office corridor rather than a retail corridor because it gave us that broader view saying, you know, we should really start planning for this. That enabled for zoning -- that preserved it for high

quality commercial development. And the inside -- and the information we got from the Regional Planning Board were seminal on that.

I have to say I think of those kinds of documents as more in the past than in the recent present. So, I would certainly speak to any efforts in terms of increasing staff is very helpful. It seemed that in earlier years there was just more staff to do those very important kinds of studies.

A second point I'd just like to make from the local perspective is how every town is almost its own nation in terms of its laws, in terms of its culture, in the terms of way projects are approved. And locally as planners get together very often, Suffolk County Planning Federation is extremely useful in that way. And over the last month I've gotten great advice from the Town of Huntington on how to streamline building codes. We give advice all the time on affordable housing because we know that we are a leader in that regard or in cutting back strip commercial zoning. Many of these things happen because there's a professional camaraderie and they happen anecdotally. But once again, every town is in its own strong time constraints. And thank God for the Suffolk County Planning Commission because we've gotten tremendous abilities and information from them that's guided our zoning policies in particular.

The perspective, I think, from the Long Island Regional Planning Board from Suffolk -- we could get the Nassau perspective and see what trends are happening there. And even if it did nothing more, and I know it would be a lot more than this, to serve as a clearing house, you want inclusionary housing in Hempstead? Well, this is how Islip and Huntington are doing it; two towns that have those statutes. We're looking for ways to do transfer of development rights. We're starting that path. Well, this is how Brookhaven or North Hempstead might do it. They're trying to find ways to preserve historic houses in some kind of way where you don't enter into confiscatory. Oh, this is a town that's had expertise in that. And that's the kind of information that is vital. And I can tell you from the perspective of a local planning Commissioner is absolutely seminal to guiding certain directions. And then from that point we take it from there. We do the rezoning, we do what we do.

So, I just want to commend the Board for looking at this and evaluating this. And certainly to send its appreciation for the good work the planning board has done in the past, how it's helped local planning to make real decisions that's turned senior housing where there would have been shopping centers, that's provided affordable housing where that would not have happened.

So, I just want to briefly lend my support to your efforts. And certainly the Town of Islip stands ready to assist in any kind of effort. Obviously the wonderful relationship we have with the Commissioner Tom Isles is a great situation with the County. I can only see the planning board on an island perspective kind of being a colliery to that and providing that insight since very often Nassau is maybe ten years ahead of us in certain development trends. I thank you.

CHAIRMAN LOSQUADRO:

Thank you very much. Thank you for sticking around. Your thoughts are appreciated.

Seeing no further cards, anyone else from the public wishing to be heard? Ma'am, if

you could please come forward, have a seat, state your name for the record.

MS. WIER:

Good afternoon. Dianna Wier, Vice President of the Long Island Housing Partnership. And as a little bit of background, I was one of those people that offered to be dead before we had a ferry in East Hampton because I did serve on the Town Board with Legislator Schneiderman.

From the perspective of the Long Island Housing Partnership, everything has been said today. And I commend you -- both bodies for doing this. I don't know if the Regional Planning Commission was quite broke, you know, broken and that you have to fix it. But I'm sure that improving it is a noble goal.

As a Long Island Housing Partnership, we are working in both counties. And what you've heard before is the very local municipal home rule situation. And now we're working in the Village of Hempstead and Hempstead, and Glen Cove and Babylon and Southampton and Islip. And they are the leaders, by the way, in affordable housing. And it is a challenge because you are going to be facing that. Every single community, every village, every town has their own rules, their own laws. And they are very proprietary and they feel that way. And we've been successful because we work with the community. And I think what you may take back from this is working with the local communities is very important. Your services or the services of the Regional Planning Commission, we use them. Dr. Koppelman worked on our planning process for our comprehensive plan. And they're invaluable. But I don't envy your challenge in the future. I commend you for what you're to do and thank you for letting everyone here speak. Thank you. Good to see you, John.

CHAIRMAN LOSQUADRO:

Thank you. Legislator Kennedy.

LEG. KENNEDY:

Diane, thank you very much. And as a matter of fact I just want to add for all my colleagues here I know firsthand the good work that your agency does.

MS. WIER:

Thank you.

LEG. KENNEDY:

And you bring a valuable expertise for us as we go forward in the process with what you do both on a global scale but also individually how you effectuate positive change and get some of the results that Presiding Officer Caracappa was talking about. You folks do embody implementing and make results.

MS. WIER:

We work at it. Thank you.

CHAIRMAN LOSQUADRO:

Thank you very much. There being no further business before this, I would just like again say thank you to our Presiding Officers who have helped facilitate this. And I think we've gotten a lot of valuable information that we're going to work together towards

making positive changes. And I just want to thank you. Do you have a closing comment?

P.O. JACOBS:

We just thank you very, very much for this opportunity. I think it's unique and I hope it's not the first -- I hope it's the first of many, not the last of one. And it's really been, I think, very helpful to all of us.

CHAIRMAN LOSQUADRO:

I look forward to that as well.

P.O. JACOBS:

Thank you.

CHAIRMAN LOSQUADRO:

Legislator Denenberg.

LEG. DENENBERG:

I can't miss the opportunity to say that my grandparents, the \\_Loreas\\_ and Denenbergs would be very impressed that I sat on a legislative board with John Kennedy.

CHAIRMAN LOSQUADRO:

Thank you. We have a motion to adjourn. We stand adjourned. Thank you.

(THE MEETING WAS CONCLUDED AT 1:12 PM)

\\_DENOTES SPELLED PHONETICALLY\\_