

**LABOR, WORKFORCE AND AFFORDABLE HOUSING COMMITTEE**  
**OF THE**  
**SUFFOLK COUNTY LEGISLATURE**  
**Minutes**

A regular meeting of the Labor, Workforce and Affordable Housing Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on April 22, 2010.

**MEMBERS PRESENT:**

Leg. John M. Kennedy, Jr., Chairman  
Leg. Kate M. Browning, Vice Chair  
Leg. Thomas Cilmi  
Leg. DuWayne Gregory  
Leg. Vivian Vilorio-Fisher

**ALSO IN ATTENDANCE:**

Legislator William J. Lindsay, Presiding Officer  
Legislator Jack Eddington, Seventh District  
Legislator Tom Muratore, Fourth District  
George Nolan, Counsel to the Legislature  
Sarah Simpson, Assistant Counsel  
Renee Ortiz, Chief Deputy Clerk  
Joe Muncey, Budget Review Office  
Jill Moss, Budget Review Office  
Ben Zwirn, County Executive's Office  
Allen Kovesdy, Budget Office, County Executive  
Ed Hennessy, Aide to County Executive  
Yves R. Michel, Commissioner of Economic Development and Workforce Housing  
Jill Rosen-Nikoloff, Director of Affordable Housing  
Thomas Ryan, Aide to Leg. Vilorio-Fisher  
Jason Richberg, Aide to Leg. DuWayne Gregory  
Josh Slaughterhouse, Aide to Leg. Browning  
Paul Perillie, Aide to Majority Leader  
Linda Bay, Aide to Minority Leader  
Mayor Paul Pontieri, Village of Patchogue  
Dennis Brown, County Attorney's Office  
Michael Pitcher, Aide to Presiding Officer  
Dot Kerrigan, Legislative Rep for AME

**ALSO IN ATTENDANCE (Continued)**

Robert Loscalzo, Tritec Real Estate Company, Inc.  
Robert J. Coughlan, Tritec Real Estate Company, Inc.  
James L. Coughlan, Tritec Real Estate Company, Inc.  
David Sloane, Attorney for Tritec Real Estate Company, Inc.  
Jim Castellane, Building and Construction Trades  
Peter Elkowitz, Long Island Partnership  
All other interested parties

**VERBATIM MINUTES TAKEN BY:**

Diana Flesher, Court Stenographer

**THE MEETING WAS CALLED TO ORDER AT 2:07 PM**

**CHAIRMAN KENNEDY:**

Ladies and gentlemen, I apologize for the delay. If we can go ahead and we can convene the Labor and Workforce Housing Committee, please, all Legislators to the horseshoe. Okay. And we will ask that Legislator Gregory lead us in the Pledge of Allegiance, please.

**SALUTATION**

Okay. Welcome everybody. And we have a short agenda and we have two people that are scheduled to speak to us during the public portion.

**PUBLIC PORTION**

First, I'm going to ask Jim Castellane to come to the podium, if you would, please, Jim. You have three minutes.

**MR. CASTELLANE:**

Good afternoon. My name is Jim Castellane. I represent the building and construction trades on Long Island. Thank you for the opportunity to be here today and the opportunity to talk. Primarily everybody here knows what it has to do with. It has do with 2010. And I would just like to say with the unemployment the way it is, you guys know what we're facing out there. You know what we're doing.

I would like to make it perfectly clear, I'd like to see this job in Patchogue. Like so many other jobs -- we have 15 project labor agreements on the street right now. Long Island -- in the history of Long Island, there's never been that many. Having 15 project labor agreements between Nassau and Suffolk County is starting to put our men back to work. I'm going to request at this time that any work that takes place down in Patchogue under this will be a project labor agreement. Thank

you.

**CHAIRMAN KENNEDY:**

Okay, thank you, Mr. Castellane. And I assume that's the introductory resolution that we have before us IR 1363 regarding the New Village project in Patchogue; is that right, Jim?

**MR. CASTELLANE:**

Yes.

**CHAIRMAN KENNEDY:**

Okay, thank you very much. Okay, next we have Peter Elkowitz from the Long Island Housing Partnership. Hi, Peter, how are you?

**MR. ELKOWITZ:**

Very well. Thank you. How are you?

**CHAIRMAN KENNEDY:**

Good, thank you.

**MR. ELKOWITZ:**

Thank you, Mr. Chairman and Committee members for allowing me to speak today on the New Village Workforce Housing Development in the Village of Patchogue. We're pleased to say that this development will provide up to 67 affordable workforce housing rental units. As you may be aware, there's about 18 percent of the housing stock is actually rental units here on Long Island in Suffolk County. And our concern is that most of them are not affordable. And with the high rate of foreclosures these days, the people who are -- or have to move because they can't afford their home anymore need to go some place where they can afford to rent. And we don't have affordable rentals here on Long Island, specifically in Suffolk County.

I want to say that we have a good development team here. Top notch, starting with the Mayor who has done major affordable housing in his Village. We've completed Copper Beach Village. He's now working with Arts Space on completing their development. And this would be the third leg New Village Workforce Housing.

I want to say it's critical in this time, this economic time that we -- we see jobs as said earlier. It's important to create jobs but also while we're creating jobs to create affordable rental units here in Suffolk County.

So I don't really need to say much more, but I want to thank the Labor Workforce for consideration and their support for this workforce housing development because it is critical here for Suffolk County. Thank you.

**CHAIRMAN KENNEDY:**

Thank you, Peter. I appreciate you coming and sharing those comments with us.

We have Tritec, the contractor for this project who's scheduled to go ahead and present to us. And we have just one tabled resolution and this resolution itself. We also have Health and Human Services Committee, gentlemen, that was scheduled to start about three minutes ago. So I'm going to ask you to come to the table, if you would, please, to present; but I'm also going to ask you if you can at this time to abbreviate some of what might have been a little bit more, a broader presentation. And, again, my apologies. I had a personal schedule adjustment that I had to make. I thought it would start at 1:30; as it turns out it started a little bit later.

So if we can have our Commissioner from Economic Development, Yves, if you would please, and with Tritec, if you can kind of give us the essence of this project and why this is a good initiative to

go forward.

**COMMISSIONER MICHEL:**

Good afternoon, Mr. Chair, distinguished members of the Committee. Thank you very much for this opportunity to present this project. As you well know, this is a total of 240 mixed use units in the Village of Patchogue with 67 of the units slated for affordable housing. It's set on 4.87 acres. And it's quite key as we move forward with this project to continue the redevelopment that's occurring in the Village of Patchogue.

I would like to also at this time invite representatives from Tritec to give you an abbreviated version that's more in depth of why this project is quite key and the time sensitivity that's involved with this as we move forward.

So with that said, Mr. Loscalzo, please?

**MR. LOSCALZO:**

My name is Robert Loscalzo. I'm the Chief Operating Officer of Tritec Real Estate Company together with Bob and Jim Coughlan. We've been developing this project down in the Village of Patchogue.

I want to thank the Committee and the Chairman for allowing us to speak today. What I'm going to do is go over just a quick overview of an aerial and then some 3-D animation and then we can open it up to Q and A just to get everyone's bearings straight here.

**SLIDE SHOW PRESENTATION**

So what we're looking at up on the screen to my left are six sites. We have closed and own sites one, two, three, four and five. They surround a parking lot that's owned by the Village of Patchogue. We are in contract on site six and expect to close on that in June.

The essence here is to do a land swap with the Village to make a development's that more rectangular and surrounds the village parking.

What you're looking at here is to the top of the screen is Main Street. And you're looking at the Lake Street elevation. This is 240 residential rental units of which 67 will be designated as Workforce Housing. This is a four-story wood product over a depressed parking garage. What you're looking at here is Lake Street. We're going to come down along Lake. It will be retail at the base in certain portions of the project. There will be a bridge going into the project. And you can see there kind of the gateway to the project.

This is a view now of North Ocean Avenue going down Lake. To the left as we pass by will be the entrance to the garage that'll be subsurface. We've tried to keep the architecture in consistency with the Village.

Now, we'll be entering into -- underneath the gateway into the project. The leasing center is on the left. We incorporated a village green into the project, patio and seating area for restaurants. This is a view from inside the cafe area. You're looking at across the village green to the leasing center. There will be amenities such as a pool, fitness center, leasing center and clubroom for the residents.

Now we're moving down North Ocean Avenue towards the four corners. In the background ghost in there is -- is the location of where the hotel would go. You can see more retail as we now come in off of Oak Street; there'll be an entry point into the development. There'll be 450 plus parking spaces in the development of which 245 will be covered for the residents.

Now, we're heading towards the village green. You're getting a look down Havens Avenue that

we're going to reroute the traffic.

Now, we're on Main Street. You see the Brickhouse Brewery to the right. And we're going to be moving down Havens Avenue. This is going to be brick line streets, cafes that spill out onto the street. And then up to the leasing center.

So that concludes just the animated portion of the project. Again, there will be 67 workforce housing units, of which 48 of those will be geared towards renters that are at or below 80 percent of area median income. 19 of those units will be geared towards renters that are 85% or below area median income. Of that 48, 10 we're fixing -- we have fixed price for 20 units. 10 will be studios and 10 one bedrooms. And the remaining 28 will be at or below the 80 percent.

I'll open it up to any questions that you might have.

**D.P.O. VILORIA-FISHER:**

Mr. Chair?

**CHAIRMAN KENNEDY:**

Yes, thank you. Let's begin with Legislator Viloría-Fisher, please.

**D.P.O. VILORIA-FISHER:**

Thank you very much for coming down and giving us some information on this. It certainly looks beautiful and it seems to be running along smart growth principles.

**MR. LOSCALZO:**

Absolutely.

**D.P.O. VILORIA-FISHER:**

Right. Did you mention how many rooms in the hotel?

**MR. LOSCALZO:**

The hotel is slated for 111 room hotel.

**D.P.O. VILORIA-FISHER:**

111 rooms, okay. And you mentioned two types of units, the one bedroom and the studio. Is that all of it or are there larger ones?

**MR. LOSCALZO:**

Yes, there larger ones. There will be 35 studios, 85 one bedrooms, 115 two bedrooms and a handful or 5 three bedrooms.

**D.P.O. VILORIA-FISHER:**

About 5 three bedrooms?

**MR. LOSCALZO:**

Five.

**D.P.O. VILORIA-FISHER:**

115 two bedroom. Okay. Has there been any analysis of the impact that this would have on the school district? Because when we've looked generally at the affordable housing, part of the data that we use is that the studio and the one bedroom have little to no impact on the local school district. But when you move into two bedroom and certainly three bedroom, then you're looking at impact on the school district.

**MR. LOSCALZO:**

The Village commissioned Dr. Pearl Kamer, Chief Economist of the Long Island Association to do a

study. We completed a Environmental Impact Statement. And based upon Pearl's information the development would yield 27 school age children from K through 12.

**D.P.O. VILORIA-FISHER:**

And as part of the EIS, I know there's always a traffic study, where will the traffic be most impacted here? And how close are you to the train station? Are people able to walk to the train station?

**MR. LOSCALZO:**

Yes, we're within 1500 feet of the train station so it is considered a transit oriented development.

**D.P.O. VILORIA-FISHER:**

Okay, good.

**MR. LOSCALZO:**

And -- I'm sorry, the other --

**D.P.O. VILORIA-FISHER:**

The traffic study.

**MR. LOSCALZO:**

Yeah, there was a traffic study done. We're going to -- the project includes two new traffic lights, one at the Oak/Ocean interchange. And one at the Lake Street and Ocean interchange. In addition to that there's also a proposed traffic light at Lake Street and West Street.

**D.P.O. VILORIA-FISHER:**

Okay. Thank you. Thank you, Mr. Chair.

**CHAIRMAN KENNEDY:**

Thank you, Legislator Viloría-Fisher.

Mr. Presiding Officer, I'd be happy to recognize you in just a second. If I can just go over some of the basics with the project that I -- I was listening as you were laying it out. But if I can go back to what you had spoken about or what our Commissioner had spoken about, we have a total 240 units in the residential component of the project?

**MR. LOSCALZO:**

Yes, that's correct. 240 dwelling units. In addition there'll be about 30,000 square feet of retail.

**CHAIRMAN KENNEDY:**

Okay. And 67 of the dwelling units have been identified as workforce or affordable units. Roughly 25 percent of the residential units; correct?

**MR. LOSCALZO:**

That's correct.

**CHAIRMAN KENNEDY:**

Okay. Now, you mentioned earlier a land swap. So the Village and the Mayor, I guess, is a party to this project. Is the Mayor here? Mayor, could you talk to us a little bit about how that's going to manifest itself? Counsel is telling me that in actuality the County would be procuring this property from the Village, which we then in turn would make available for the developer to be a component of the project. How are we actually doing this, Mayor?

**MAYOR PONTIERI:**

In terms of the actual structure of it, I'd probably ask Joe or Yves to help me out with it, that agreement. But just where the parking works itself, currently there are 168 or 170 parking spaces

available within that parking lot. That's just behind the old Sweezey's Department Store. That was -- that was put together in the '60's; '50's into the '60's under Mayors {Lecktric} and {Waldbauer} at the time. It was purchased by a business improvement district at the time. So it was paid for by the stores.

Our charge to Tritec was, is that any parking that you need, any of that area that you take, you need to replace those spaces. And they're actually replacing the 168 with 200 so we're getting more municipal parking lot.

As far as the structure of their agreement as to how that works in terms of the property swap, I wish I could tell you I knew exactly how it is, but it's pretty convoluted to a guy like me, a former school teacher.

**CHAIRMAN KENNEDY:**

You know, Mayor, you keep your eye on the big picture which is why we see all the good things going on in Patchogue. But nevertheless there's some elements that we need to look at here any time we have municipal resources or assets that come into play, you know, we have the elements of prevailing wage and we have approved apprenticeship language that triggers here in Suffolk County depending on certain thresholds. So I guess I'm going to ask again if the representatives from Economic Development can speak to us. Jill? How about you, Jill, can you tell us? Certainly, Counselor.

**MR. SLOANE:**

Yes, good afternoon.

**CHAIRMAN KENNEDY:**

You have to hold your hand on the button. It's new technology, Dave.

**MR. SLOANE:**

My name is David Sloan. I'm the attorney for Tritec. As far as the property swap, it's the same amount of space as -- and the exact same amount of land as is authorized by the local law that the Village adopted prior to the time we filed this application. So there's no gift as far as the Village is concerned. And they're going to get exactly what they bargained for. They're going to get the same amount of spaces, the same amount of property as far as the transfer is concerned.

**CHAIRMAN KENNEDY:**

Okay. So you're getting at some of the areas that I was hoping to understand here. So, in other words, we have a fair market value, an appraisal for the value of that parking lot at 3.4 at this point, Dave? Is that it?

**MR. SLOANE:**

No, this isn't an infrastructure loan. It's my understanding. This has nothing to do with the infrastructure as far as the \$3.7 million.

**CHAIRMAN KENNEDY:**

Okay. So then I'm going to have to turn to Counsel and then, Jill, maybe you can help me as well; because Counsel is telling me that the language of the resolution speaks about purchase of land from the Village.

**MR. NOLAN:**

That's what it says.

**CHAIRMAN KENNEDY:**

Okay. Help me out, anybody.

**MS. ROSEN-NIKOLOFF:**

The developer has requested \$3,750,000 in land acquisition funds. There was an appraisal done by the Environmental Trust Review Board. They valued it based upon a per unit basis of the affordable units. That's how they came up with 3,750,000.

**CHAIRMAN KENNEDY:**

You know what? I'm going to defer now to Mr. Presiding Officer who's got a longstanding and intimate knowledge of this project. He's waited patiently.

**P.O. LINDSAY:**

So we're putting 3,750,000 into the project?

**MS. ROSEN-NIKOLOFF:**

That's correct.

**P.O. LINDSAY:**

Okay. And I want to direct my remarks to you guys. I guess it was maybe two years ago, we had a meeting in a restaurant with you fellows, with the Mayor, with Mr. Castellane. And I was led to believe that this was going to help in a lot of different things including economic development; was going to put a lot of our tradesmen to work. And I was out of the room but I heard testimony that you's haven't worked out any kind of agreement yet to do this project as a union job. It's disappointing to me because I kind of feel that it was, forgive the term, bait and switch. So what happened?

**MR. COUGHLAN:**

Well, when we were talking originally -- it's Bob Coughlan, for the record -- when we met, if you recall, the project was a ten story project and the County was going to be -- we were requesting and discussing with the County a \$25 million contribution at the time. The project has changed significantly over the last couple of years largely due to the reduction in the contribution that the County was willing to make.

The contribution went from 25 to 20 to 18 to 14 to 12 to 4 to \$3.75 million. And that's fine, whatever the County wants to contribute as part of the workforce housing component. One of our primary -- back up -- one of our primary motivations for the project was to attract and keep young people on Long Island. We really believe that's the future of Long Island. We believe that's where the jobs are. And in some ways it's motivated self interest because we have a lot of office space to create jobs and keep those buildings full.

When the project changed, the amount of affordable workforce housing went down. We went out and acquired adjacent properties. We brought the height of the building down, changed the construction type from combustible to non-combustible construction; hence four stories of wood.

During that period, and actually many times over the last couple of years, we met with mostly the trades, heads of the trades. Most recently we met with the carpenters and with the laborers over the last month. We regularly meet with them. As far as our history with the unions go, we were talking about earlier, we've probably done a little over \$300 million worth of work over the last few years with the unions.

We're currently building a union's headquarters, the UFCU Local 1500 in Westbury. We've done many, many large projects. Our projects used to be done with Mr. Kennedy's father. We'd go in, we'd shake hands and work out an agreement that way.

At this point of this project it is way too early for us to sit down and talk about any type of a significant agreement. We've not completed our construction drawings yet. We don't know what our costs are going to be. We don't know how much you guys are going to actually contribute. We don't know what our financing ultimate -- financing package is, which leads me to the comment that

time is of the essence for us. It's a very difficult market in the financial world. I'm sure you've all been seeing -- looking at the papers.

We need to make a decision. We've been working on this project for a little over two years with the staff and they've been fantastic to work with. But at this point in the game we need to make a decision shortly about which direction we're going to be going, whether we're going to have the workforce housing component or we're not; whether it's going to be a market rate job. And so we respectfully request that you take a hard look at it and we can either move on or not. Thank you.

**CHAIRMAN KENNEDY:**

I'm curious as to why we had such a drastic reduction in the number from County participation. But I want to turn to BRO, I guess, for a second. What do we have available in total? In no way, shape or form am I interested in negotiating this. That's the role of the department. But I have to find out what is available in these capital projects to commit to workforce housing?

**MR. MUNCEY:**

I'd have to actually take a look at it and do some analysis, see what's in the pipeline and what's not.

**CHAIRMAN KENNEDY:**

Okay. So we don't know that readily at hand right now?

**MR. MUNCEY:**

I don't have a hard number for that, no.

**MR. COUGHLAN:**

If I could just add to that a little bit, particularly related to the union contractors, we've done a lot of work over the years. You know, 100 Motor Parkway, 102, St. Anthony's, Woodland Ponds, Jeff Ferry, Briarcliff College. I mean those are some of the bigger ones. And the list goes on and on. Probably a little over 70 percent of our annual dollar volume goes with the union contractors. It is our intention to have a significant presence of union contractors on this job. It is our intention to have one hundred percent of local labor work on this job.

We will commit to agree to allow any contractor the trades recommend to us to bid the job. We are not at all looking to be adversarial with the unions and it's not our role. We regularly talk to them. We see them at functions. We have breakfasts with them. We have a very good working dialogue with all the trades. And we hope to continue that. We think we're relatively young and we hope to be doing this for quite a while and we're going to be working with these trades for a longtime.

**CHAIRMAN KENNEDY:**

I appreciate the sentiments, Mr. Coughlan. And that approach, I think, is always a good approach because as you mentioned, I grew up in a labor household. I had a card myself out of local 25. And I know that union mechanics do good work. That being said, please don't mistake this, that somehow myself or any of my colleagues are trying to direct how you conduct work out in the world. That's not my role. That's not my mission.

You know, the Presiding Officer's comments are, I think, poignant and telling. But I also just spoke briefly with Counsel. We do have requirements any time public funds or public property are involved in a project, that notwithstanding good faith compel that prevailing wage be done. And I'm trying to talk about the apprenticeship language. Mr. Chair, do you have any recollection where that kicks in? Mr. Presiding Officer?

**P.O. LINDSAY:**

I think you want to ask Counsel.

**CHAIRMAN KENNEDY:**

I tried that. We're all looking.

**P.O. LINDSAY:**

I don't think --

**D.P.O. VILORIA-FISHER:**

Your mike's not on, Bill.

**P.O. LINDSAY:**

I don't have any comments.

**CHAIRMAN KENNEDY:**

Mr. Coughlan, we spoke briefly before, and I appreciate your frank, you know, discussion with me. I'm wondering if there's any degree that we could have -- I'm inclined to -- we spoke about a couple of things. We can approve it. We don't have a motion for that. We can look to move it forward with a discharge without recommendation. We don't have a motion for that yet. Or we can look to table it.

I will tell you cycle-wise we have another series of committee meetings that commence in the first week in May. And then we have a General Legislative Meeting. I appreciate that for your purposes to move a project forward you need to know how you can aggregate funds. Absolutely, everybody talks about the fact that it's a tight financing market.

I also think that it's important to have some earnest discourse. I am not a union business agent. I am not a labor leader. You know, I struggle to be able to be a Legislator so I don't want to stand in the place of the role that they have as well. But I'm a firm believer always in earnest discussion. And I try always to encourage parties to have that. And then if we do have a tabling, to come back to the Committee and say, *look we made an attempt to have a meeting of the minds. It didn't work.* You know at that point any remedy or progress that parties might have been able to have amongst them, it's here and now we need to act. Tell me candidly what you can and can't do.

**MR. COUGHLAN:**

I'd like to give you some -- I mean based on our history, some comfort that we're sincere in our intention to sit down and talk to the trades. It's our intention to continue to -- not only on this project but on many other projects. To give you an example, we recently completed what we consider phase I of this project, which was a renovation of a 100 year old building, 31 West Main Street. That's a 30,000 square foot renovation. Typically that wouldn't be a union job or a prevailing wage job. 80 percent of the dollars, these are our dollars, went to that; primarily because we felt that the trades were more qualified in many of those aspects, which were some of the demolition work and the masonry work. We had store fronts, we had electrical, we had plumbers on the job. So we weren't required to do anything there. It was a private job on a relatively small job; yet we decided to go that direction because of the quality of the work that we needed on that job.

It's our intention to do something similar on this job. We don't know where we stand right now, whether it's with the County or with the ultimate financing package. We're going through a due diligence process. We made an application. We've got a commitment on terms. If those terms come through, it would be a good thing for all of us. But we're not there yet. We have no construction drawings yet. We can't sit down and talk to any trades specifically on what the numbers are going to be. So it's very difficult for us to have an open ended checkbook to commit to right now. We can -- all we're going to be able to do between now and next week or three months from now is to commit to sit down and work with them. We're not going to be able to get to 100 percent agreement on anything.

**CHAIRMAN KENNEDY:**

Let me go back. I know Legislator Gregory has a series of questions and I want to turn to him and, again, I'm cognizant of the fact that we're half an hour into Health and Human services but -- so there's a lot of detail work to still be done with this project as any construction project involves

regarding the architectural, the mechanicals. Where are you as far as the permitting process goes?

**MR. COUGHLAN:**

We've gotten our site plan approved. We've changed the zoning, gotten zoning approval and we've gotten site plan approval to build a project.

**CHAIRMAN KENNEDY:**

And it's all exclusively within the Village or are you dealing with Brookhaven Town as well?

**MR. COUGHLAN:**

All exclusively within the Village. They have their own sewer district inside the Village. We're -- right now we're going through -- we haven't gotten -- we've done building permits and we're working on our C of O for the first phase. And we're going to be doing the construction drawings for this upcoming phase shortly.

**CHAIRMAN KENNEDY:**

Sewage is going through the existing plant or is that predicated on an expansion?

**MR. COUGHLAN:**

No, the existing -- there is capacity under the existing plant for us to tie into. So the additional -- I'm not sure what they're going to use the additional capacity for.

**CHAIRMAN KENNEDY:**

You alluded to how it is that we're going to have ultimate financing. Does that mean you're seeking financing through maybe the IDA; the Suffolk County IDA? Or -- I don't know if the Village has one.

**MR. COUGHLAN:**

We're going through the County for our financing or the Village or any of the local municipalities.

**CHAIRMAN KENNEDY:**

So we don't have to raise capital exclusively out through the private market?

**MR. COUGHLAN:**

No, it'll be -- no. We have -- our equity is in the project already. And we're now working with an institutional lender for the balance right now.

**CHAIRMAN KENNEDY:**

Ballpark, how much do you have invested into the project so far?

**MR. COUGHLAN:**

Around \$20 million.

**CHAIRMAN KENNEDY:**

About 20 million so far.

**MR. COUGHLAN:**

We're fairly serious.

**CHAIRMAN KENNEDY:**

Okay. Let me turn to Legislator Gregory. I'm sorry, DuWayne.

**LEG. GREGORY:**

Thank you. And I understand that the hour is late. I just have, I guess, through the Chair to someone from administration, I don't know if Jill or Mr. Michele or Ben Zwirn, my question would be this bill authorizes the monies for the acquisition. Do we have as a Legislature another bite at the

apple for this project?

**MS. ROSEN-NIKOLOFF:**

This is it. You previously approved planning steps which authorized us to go forward with the appraisal process and title and things like that. This is the funding. This is where you approve the agreement and we finalize negotiations and -- so that the developer can proceed with finalizing its plans on the project. Got to put pen to paper.

**LEG. GREGORY:**

So we will not have another opportunity if there isn't a project labor agreement or anything that this body could have any input, say, regarding this project?

**MS. ROSEN-NIKOLOFF:**

Well, we're here. We're happy to answer your questions.

**LEG. GREGORY:**

Other than this -- other than this resolution, there's no other opportunity, you're saying?

**MS. ROSEN-NIKOLOFF:**

Not procedurally. That's not how it's worked in the past either.

**LEG. GREGORY:**

Okay.

**CHAIRMAN KENNEDY:**

We're joined in this Committee by Legislator Eddington who's not a member of the Committee but nevertheless this is his district. And, Legislator Eddington, please.

**LEG. EDDINGTON:**

Thank you, Mr. Chairman.

This is a project that's so vital in this area. I mean it's literally in the cross roads of my district really. I've met with the builders a number of times and I've talked to the Mayor. I get a sense that, you know, maybe I'm wrong, but I get a sense that they really want to do the right thing. They're committed to doing the right thing. They promised us two years ago when I met with Mr. Lindsay and them that -- -- this -- to quote someone else, this is a fluid project. So that I don't think they can give us a concrete. But I believe that they're going to do the right thing for labor and the Committee.

Certainly -- you ask if we have a second bite at the apple. Well, I'm committed to standing in front of the building protesting if they don't do what they say they're going to do. That's how much I believe that they're going to do the right thing. But it's just hard for them to commit right now. But I am going to be there to make sure that they do the right thing. And if you know Paul Pontieri, he's a a pit bull. He will be on top of them, too. So I think between the two of us we can make sure that they're doing the right thing. And I would be more than willing to come back and talk to this Committee about what I'm seeing. I'll be open and honest.

**CHAIRMAN KENNEDY:**

I don't know. Do we have anybody else who wants to speak on this?

**P.O. LINDSAY:**

No.

**LEG. GREGORY:**

I have another question.

**CHAIRMAN KENNEDY:**

Okay, Legislator Gregory has another question.

**LEG. GREGORY:**

Okay. My second question would be given our -- I know you're probably still looking, George, so it's for Legislative Counsel, our commitment or payment or contribution, I guess, of three million, if for whatever reason they violate what our County laws are as far as apprenticeship or whatever, do we have any legal recourse to get those monies back?

**MR. NOLAN:**

I think it would depend on how the contract or agreement is drafted. I looked quickly at our apprentice law. I'm not sure if the apprenticeship -- our apprenticeship law applies -- is going to apply in this particular situation. Because it really covers the County's contracts with builders. And I'm not sure that's what's going to be happening here. And I'm still looking at the prevailing wage issues. But we would have some recourse if there was an agreement broken, no doubt.

**LEG. GREGORY:**

Now, I haven't been here all that long but I have some knowledge or at least -- maybe my recollection is incorrect, that we've had projects that come before us with a project labor agreement in them. I'm not understanding completely why this project -- maybe it's a larger project. I'm not all that versed in the developing -- development of projects, but I'm sort of at a loss as to why in this project which apparently has been going on for at least two years, or you had a meeting two years ago, I'm sure that wasn't the beginning of the process, why hasn't there been some inroads as to working with the labor, you know, the construction trades? I don't understand that.

**CHAIRMAN KENNEDY:**

I see that we have our Commissioner at the podium. And I would be interested to hear responses. As I would also, Commissioner, if you have any notion as to why we started off with a \$25 million commitment and we're now at a \$3 million commitment.

**COMMISSIONER MICHEL:**

Thank you. I think the \$25 million commitment was simply a request from Tritec to the County on how much they feel the County should contribute to the overall project when the project first started; and a simple request, if I'm not mistaken. And at that point obviously we look at all the other projects that we're currently doing and the funding that has already been approved by the legislature and what we can use and what we cannot.

But to answer your first question, Legislator Gregory, there are certain thresholds that we have to meet especially if we go through the Industrial Development Agency. And if we do go through the IDA and it is a bond structured deal over five million, then that's when a prevailing wage and working wage kicks in. But your recollection that there are deals where that apply is correct.

**LEG. GREGORY:**

This is certainly over -- I mean they've invested already twenty million into it. I assume it's considerably more than that.

**COMMISSIONER MICHEL:**

From the IDA. From the IDA, yes.

**LEG. GREGORY:**

Oh, from the IDA. All right, got you. Okay.

**CHAIRMAN KENNEDY:**

Okay. I want to thank you gentlemen for the presentation. And being no more questions on this matter, I think we need to turn to the agenda so that we can move along. Let's turn to tabled resolutions.

## **TABLED RESOLUTIONS**

**IR 1276, adopting Local Law No. -2010, A Local Law to expand opportunities to create housing under the 72-h transfer program. (Schneiderman)**

**LEG. BROWNING:**

Is the public hearing closed on this?

**CHAIRMAN KENNEDY:**

I don't know.

**MR. NOLAN:**

It's closed.

**CHAIRMAN KENNEDY:**

The public hearing is closed on this.

**LEG. BROWNING:**

Motion to approve.

**CHAIRMAN KENNEDY:**

Okay. Motion to approve by Legislator Browning.

**D.P.O. VILORIA-FISHER:**

I'll second.

**CHAIRMAN KENNEDY:**

Seconded by Legislator Viloría-Fisher. All those in favor? Opposed? Motion's approved. **(VOTE: 6-0-0-0. PRESIDING OFFICER LINDSAY INCLUDED IN VOTE)**

## **INTRODUCTORY RESOLUTIONS**

Under new resolutions, **Introductory Resolution 1363, authorizing funding, acquisition, conveyance, development and oversight of real property under Suffolk County Affordable Housing Opportunities Program (New Village Patchogue Village) (Co. Exec.)**

**P.O. LINDSAY:**

I'll make a motion to table.

**CHAIRMAN KENNEDY:**

Motion to table by Legislator Lindsay.

**LEG. GREGORY:**

Second.

**CHAIRMAN KENNEDY:**

Second by Legislator Gregory. On the motion, is there a contract that has been drawn at this point that reflects the movement of the property from the Village to the County?

**MS. ROSEN-NIKOLOFF:**

Yes, it's attached to the resolution.

**CHAIRMAN KENNEDY:**

Okay. I apologize. I do not have that in front of me. Nevertheless, I think, we've heard at length where some of the issues are on this resolution. I've encouraged the parties to have some earnest

discourse. Do we have any other comments on the resolution? Okay, there being none, all those in favor? Opposed? Resolution stands tabled. **(VOTE: 6-0-0-0. PRESIDING OFFICER INCLUDED IN VOTE)**

There being no more business before the Committee, I'll take a motion to adjourn. Okay. We're adjourned. Thanks.

**THE MEETING CONCLUDED AT 2:46 PM  
{ } DENOTES SPELLED PHONETICALLY**