

**WAYS AND MEANS**  
**COMMITTEE**  
**of the**  
**SUFFOLK COUNTY LEGISLATURE**  
**Minutes**

A regular meeting of the Ways and Means Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Wednesday, November 19, 2015.

**MEMBERS PRESENT:**

Legislator Steven Stern - Chairman  
Legislator William Spencer - Vice-Chairman  
Legislator Kate Browning  
Legislator Robert Calarco  
Legislator Robert Trotta

**ALSO IN ATTENDANCE:**

Jason Richberg - Chief Deputy Clerk of the Legislature  
George Nolan - Counsel to the Legislature  
Debbie Harris - Aide to Legislator Stern  
Bill Shilling - Aide to the majority leader  
Robert Lipp - Deputy Director - Budget Review Office  
Laura Halloran - Budget Review Office  
Katie Horst - County Executive's Office  
Joe Schroeder - Energy Specialist/Budget Review Office  
Sarah Lansdale - Suffolk County Director of Planning  
Wayne Thompson - Department of Environment and Energy  
Rick Brand - Newsday  
All other interested parties

**MINUTES TAKEN BY:**

Gabrielle Severs - Court Stenographer

(The meeting was called to order at 12:42 p.m.)

**CHAIRMAN STERN:**

Good afternoon, everyone, and welcome to the committee on Ways and Means. I'm going to ask everybody to please rise and join us in the pledge led by Legislator Spencer.

(Salutation)

Please remain standing and join us in a moment of silence as we keep all of our brave men and women fighting for our freedoms overseas in our thoughts and prayers.

(Moment of Silence Observed)

Thank you.

Good afternoon, and, again, thank you for joining us, everyone. We are all here and we're ready to proceed. First on the agenda is Correspondence. The committee is in receipt of correspondence dated November 19 from the Open Space Council. Does everybody have a copy of that? No? Okay. We'll make copies for all of the members of the committee, but just for the record that we are in receipt of this letter dated November 19 from the Open Space Council. We'll make that a part of today's proceedings. Okay, and I do not have any other correspondence before me, but I do have a couple of cards. Thank you, Mr. Clerk.

First is Brenda Prusinowski. Welcome, and thank you for being with us today. You have three minutes.

**MS. PRUSINOWSKI:**

Thank you. Can you hear me? Is this on? Thank you. Hopefully I won't take all of that three minutes. My name is Brenda Prusinowski. I serve as the Deputy Commissioner of the Department of Planning, Environmental Protection, Engineering, and Building for the Town of Brookhaven, and I'm here today to represent Supervisor Ed Romaine who is unable to attend. I'm here to express Supervisor Romaine's support for resolution 1926-2015, Establishing a policy to protect county woodlands.

As you know, the county has awarded a bid to a solar contractor to clear over 130 acres of wooded land in Yaphank and North Bellport for the purpose of constructing solar arrays. The North Bellport, Yaphank county center south, and Yaphank county center sites individually would be considered type one actions by the amount of clearing of natural and undisturbed vegetation within critical environmental areas. These critical environmental areas consist of the South Shore estuary reserve, the compatible growth area of the central Pine Barrens, and the Carmans River watershed area. In addition to the destruction of a vast natural area that provides critical habitat to Long Island wildlife and protects our drinking water aquifer, the proposed project is within the Carmans River watershed where the town has spent millions of dollars of taxpayer money to purchase tracks of open space to protect this imperiled watershed from further degradation. The county has been a partner in some of these acquisitions. There's no reason to sacrifice open space for solar at any site. Utility solar should never be established at the cost of our native habitats that serve not only ecological functions but purify our only drinking water source.

Cumulatively, the proposed clearing intended for photovoltaic development will surely constitute a type one action with the possibility of significant adverse impacts that will require a full environmental impact statement, coordinated review between interested involved agency and most

likely the development of a DEIS to analyze the loss of natural habitat and possible impacts to ground and surface waters.

To commence the environmental review of the individual sites as though they were independent, unrelated activities would be segmentation pursuant to the state Environmental Quality Review Act. The North Bellport site proposes 10 to 15 acres of clearing of natural vegetation. The proposed cleared area buffers the Frank P. Long School from the illegal Copart facility and other industrial uses nearby. It is also adjacent to town recreational and open space resources at Martha Avenue Park and is within the south shore estuary reserve.

The Yaphank county center south and central sites are likewise within the south shore estuary reserve as well as the Carmans River 10- to 25-year travel zone. The Yaphank county center north site is within the Carmans River 0 to 2 travel zone, as well as the compatible growth area of the central pine barrens and Suffolk County groundwater management zone 3, which is deep recharge, the Town of Brookhaven hydrogeologic sensitive zone, and the south shore estuary reserve. I would note that the town is pursuing similar land lease agreements with American Capital Energy. The actions approved thus far have been uncoordinated, unlisted actions pursuant to SEQRA. None of the town projects individually exceeded type one threshold. Segmentation is not occurring, as the individual projects are geographically separated, functionally independent of one another, and future phases may not occur or are too speculative.

(Timer sounds)

Additionally, the ACE projects received a declaratory ruling from the New York State Board on electric generation siting and the environment that they were indeed individual projects.

**CHAIRMAN STERN:**

Ms. Prusinowski, if you can wrap it up.

**MS. PRUSINOWSKI:**

In summary, Supervisor Romaine has concerns that the county's proposal has not been publicly vetted and has received little or no legislative oversight, a proposal of this magnitude requires careful consideration and scrutiny to determine environmental impacts and to assess what local energy needs may be. As stewards of our public lands, the county should never make arbitrary decisions on land use of this magnitude without legislative authority or public input.

We, therefore, urge the Ways and Means Committee and the legislature itself to reject the county's ill-conceived solar array proposal and to support Legislator Browning's resolution that would establish a policy to protect county woodlands. Thank you.

**CHAIRMAN STERN:**

Thank you. If you can hold on for one moment. Legislator Browning.

**LEG. BROWNING:**

Yeah, I have one quick question. You're familiar with Boys and Girls Club and sanitation credits that they needed when they were under construction. It's my understanding that some of the sanitation credits were purchased from that North Bellport property. I don't have the information, and I was wondering if you could at some point provide me with that information.

**MS. PRUSINOWSKI:**

Yes, certainly. Actually, Liz and I were discussing that prior to the hearing.

**LEG. BROWNING:**

Excellent. Thank you.

**CHAIRMAN STERN:**

Thank you. Next is Peter Gollon.

**MR. GOLLON:**

Thank you. My name is Peter Gollon. I'm the energy chair of the Long Island Sierra Club, and we've been advocating both for open space on Long Island and also for renewable energy. I want to recognize, first of all, the county's efforts in procuring renewable energy. It's certainly been a leader there, and we need to go forward and do more. I also fully recognize Supervisor Romaine's efforts in both protecting the environment, especially sensitive watersheds, and also bringing his town forward with renewable energy.

The one thing we do have to understand is that rooftop solar, home rooftop solar, by itself will not be adequate for bringing us to a 50 percent, 70 percent renewable energy economy. We will need a large-scale solar, but the question is where, and that's a question of process and of values. The process by which this site was selected, to me, is obscure. I've been away for a couple of weeks, so I may not have been aware of everything that's going on. My colleague will speak to that, but I certainly would like to have seen the lists of sites that were considered and rejected before this site was brought forth.

I think the same is true of all the other environmental groups. We did not know what the process was, what the alternatives were, and that makes us unhappy because certainly it is better to build on an already-disturbed site than on a vacant site, than on the tree site, so in that sense I support putting the brakes on this whole process until we see what the alternatives were.

The one thing that bothers me about the resolution is the second part: "Resolve that no county department shall take any action to advance the project." Now I don't know what "any action" covers. Does it cover a phone call? Does it cover an e-mail? Does it cover a contract? That's very vague, and I would suggest that you remove that because that just stops them in their tracks, perhaps, or they have no direction there expect to sit on their hands and not answer the phone, but the process here has been faulty, and I'm unhappy about that. Thank you.

**CHAIRMAN STERN:**

Thank you. Next is Jane Fasullo.

**MS. FASULLO:**

Hi. Good afternoon. I'm Jane Fasullo. I'm with Sierra Club also, and I'm the Long Island group chair. I just came here from a meeting that was taking place on the Carmans River watershed. I don't know if you're familiar with the fact that that meeting was being held, but there were a lot of people there representing many organizations. The question of the siting of the solar came up at that meeting, and I was surprised to see without any exception those that were there were questioning again the siting of the location of these, but it really comes down to the process. None of those organizations -- in fact, even one of the head people in the town, John Turner (ph), was not aware that these sites were chosen and certainly John knows a lot about siting of buildings. He's been with the town for quite some time looking at land, land protection, land preservation and working hard to get community preservation fund as a potential last time, in 2009, I believe it was, and we're looking again for the upcoming election in 2016.

The siting of the project really should have had community input. I'm also a member of the Brookhaven town, and of course that means I'm in Suffolk County. We were not made aware of this. The land belongs to us, the public. It is county property. We are county residents. The process was just not done correctly. There was no appropriate notification, and so I'm in approval

of having 1926 or some modification of it put in place where it says, yes, the county should consult people and should consult the scientists and should consult even Stony Brook University to get a better sense of where would be appropriate places to put these sitings.

It has been shown time and again -- a major study was done -- that Long Island can get by on renewable energy in the near future, and it does require that some major installations be done; however, with the new technologies coming along, in addition to rooftop solar, there is also glass solar, clear glass that buildings can be put right on the face of the building, south facing side. If we were to do it in a smart way, all of the electricity we'd generating not only for us to keep the environment cooler but also for the county if they chose to keep these things on county buildings.

I don't want to be totally negative because I know the county has done a lot so far, including the solar carports, including making their buildings more energy efficient. I have no bones with the county for trying to do these things. We totally support it. We only suggest that when they do sitings and it requires cutting down forest, which, by the way, you wouldn't have so much kickback if forest weren't important to people. It really has some emotional attachment that all of us know if we just go out into the woods and sit for a while. It's a totally different feeling. It calms us right down. We are against having forests cut. Thank you.

**CHAIRMAN STERN:**

Thank you. Mr. Clerk, I don't have any other cards. Do you have any?

**MR. RICHBERG:**

No cards, Mr. Chair.

**CHAIRMAN STERN:**

Okay. Is there anybody else that would like to address the committee? All right. Seeing none, then we will proceed with the agenda. Before we go to the agenda, does everybody now have a copy of the letter? Copies were made from the Open Space Council. Everybody has that? Okay. Very good. So turning to the agenda, then, beginning with tabled resolutions.

**IR 1691, Adopting Local Law No. -2015, A Local Law to strengthen the Code of Ethics (Trotta).** Motion to table by Calarco for public hearing. Second by Legislator Trotta. All in favor? Opposed? Abstentions? **IR 1691 is tabled for public hearing (VOTE: 5-0-0-0).**

**IR 1693, Amending procedures for Procuring Consultant Services (Cilmi).** Motion to table by Legislator Calarco. Second by Legislator Spencer. I'll call the vote. All in favor? Opposed? Abstentions? Note two in opposition. **IR 1693 stands tabled (VOTE: 3-2-0-0, Opposed: Browning, Trotta).**

**IR 1802, Adopting Local Law No. -2015, A Local Law authorizing the County Executive to execute agreements for the sale of the John J. Foley Skilled Nursing Facility to the Brookhaven Memorial Hospital Medical Center (Browning).** This also needs to be tabled for public hearing. Motion to table for purpose of public hearing by Legislator Browning. Second by Legislator Calarco. All in favor? Opposed? Abstentions? **IR 1802 is tabled for a public hearing (VOTE: 5-0-0-0)**

Turning to Introductory Resolutions, **IR 1878, Approving payment to General Code Publishers for Administrative Code Pages (P.O. Gregory).** I'll make a motion to approve. Second by Legislator Calarco. All in favor? Opposed? Abstentions? **IR 1878 is approved (VOTE: 5-0-0-0)**

**IR 1879, Authorizing a certain technical correction to adopted Resolution No. 783-2015 (County Executive).** I'll make a motion to approve and place on the consent calendar. Second by Legislator Spencer. All in favor? Any opposed? Any abstentions? **IR 1879 is approved and placed on the consent calendar (VOTE: 5-0-0-0)**

**IR 1881, Authorizing transfer of surplus desktop computers to the Vanderbilt Museum (Spencer).** Motion by Legislator Spencer. I'll second. All in favor? Opposed? Abstentions? **IR 1881 is approved (VOTE: 5-0-0-0)**

**IR 1882, Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to Andreas Dambakakis and Giovanna Dambakakis (SCTM No. 0800-115.00-01.00-039.000)(Kennedy).** I'll make a motion to approve. Second by Legislator Spencer. Everybody's good on this? All in favor? Opposed? Abstentions? **IR 1882 is approved (VOTE: 5-0-0-0)**

**IR 1896, Sale of County-owned real estate pursuant to Local Law No. 13-1976 U.S. Bank National Association, as trustee for the Structured Asset Investment Loan Trust Mortgage Pass-Through Certificates, Series 2006-3 (SCTM No. 0200-033.00-02.00-016.000) (County Executive).**

**MS. KEYES:**

This is a 4500-square-foot parcel, three adjoining owners. It was appraised at \$8,000, and the single bid that came in was for \$8,000 so we're looking to sell it to an adjoining owner.

**CHAIRMAN STERN:**

Okay. Everybody good. Motion to approve by Legislator Browning. I'll second. All in favor? Opposed? Abstentions? IR 1896 is approved.

**IR 1897, Authorizing the sales of surplus property sold at the October 20 and 21, 2015 Auction pursuant to Local Law 13 1976 as per Exhibit "A" (Omnibus Resolution)(County Executive).** Everybody has had the opportunity to review the list? Everybody good? I'll make a motion to approve. Second by Legislator Spencer. All in favor? Opposed? Abstentions? **IR 1897 is approved (VOTE: 5-0-0-0)**

**IR 1904, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Michael Wasiluk, as executor of the estate of Marie Wasiluk (SCTM No. 0200-316.00-13.00-015.000)(County Executive).** I'll make a motion to approve and place on the consent calendar.

**LEG. SPENCER:**

Second.

**CHAIRMAN STERN:**

Someone from the administration on this?

**MS. KEYES:**

This is a redemption. It's already paid in full. It's \$50,537.

**CHAIRMAN STERN:**

Okay. Everybody good? All in favor? Opposed? Abstentions? **IR 1904 is approved and placed on the consent calendar (VOTE: 5-0-0-0)**

**IR 1905, Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Wade Stroble and Anita Stroble, husband and wife (SCTM No. 0103-005.00-01.00-015.000) (County Executive).** Same motion, same second.

**MS. KEYES:**

Again, redemption. It's paid in full. This was 91,646.

**CHAIRMAN STERN:**

Without objection, same vote. **Approved and placed on the consent calendar (VOTE: 5-0-0-0)**

**IR 1926, Establishing a policy to protect County Woodlands.** Motion to approve by Legislator Browning.

**LEG. TROTTA:**

Second.

**CHAIRMAN STERN:**

There's a motion to approve and a second; Mr. Clerk, you have that?

**MR. RICHBERG:**

Yes, I do.

**LEG. SPENCER:**

Is there anyone here who can speak on this? I guess on the issue with regards -- this is brought out of the solar.

**LEG. BROWNING:**

I can speak on it.

**CHAIRMAN STERN:**

Sure. Legislator Browning.

**LEG. BROWNING:**

I mean I've done a lot of research and I want to say thank you to Joe Schroeder for providing me with some comments on this issue. This is an RFP that went out in June of this year. We all receive RFPs to our office, and we have staff members who diligently go through those RFPs. How many we get in a week is tremendous sometimes. I was not contacted at any time with regards to this issue, and being that a number of these parcels are in my district, it would have been nice to have received some communication with what the intent was. Again, it's not an opposition to the solar projects. The major issue is the cutting down of trees in Yaphank to do this.

I have requested -- I don't know if the administration has yet provided. I have not received the list of properties that were under consideration for solar projects. I believe that they had a number of properties that they considered, and I guess whittled it down to five, four of them being in my district, one in Riverhead, and I have yet to know why they eliminated the other ones, what their reasoning was behind it. Was it because it might have cost too much money and there may be a little less return for us. But again, for many, many reasons, environmentalist reasons especially, that's my concern about continuing to cut down trees. We only have so many trees left. We are stewards of our environment. We do have a responsibility to our environment. I don't know, Joe, if you would like to kind of give me some comments on the building solar. You know, we do have the police headquarters right there. We have a lot of open space. We have the Suffolk County

farm. There's a parking lot there that it could have been considered for solar panels. It's an open parking lot, so there is a lot of cleared space in that area. There's cleared space across the street by DPW. I believe one of the projects is proposed over there. Why not just do it in that entire parking lot area, like we have done right out here?

So, again, why are we clearing trees? The benefits of having trees -- and, Joe, I think you've said it well. I appreciate your comments, so if you wouldn't mind, through the chair, that we get some comments from Mr. Schroeder.

**CHAIRMAN STERN:**

Mr. Schroeder.

**MR. SCHROEDER:**

Thank you. In response to your request for information, Legislator Browning, and as an extension of comments that were prepared on behalf of Legislator Gregory, the presiding officer, involved in the rate proceedings with PSE&G Long Island and LIPA, I put together some comments relating to the development of these utility scale solar projects, and as Legislator Browning has stated, the county legislature in particular has supported the development of utility scale solar projects on county properties, the first being the projects that are in our parking lots, which have largely consumed most of the available and viable parking lot areas that we have to offer for such projects and also in support for the project that was proposed for the Gabreksi Airport infield area.

The Gabreksi Airport project is an illustration of some of the difficulties that are being realized not just on Long Island but across the country and indeed other areas of the world relating to the development of these utility scale projects. The initial proposal that was considered for the Gabreski Airport site six megawatts. When PSE&G evaluated the capacity of the electric facilities that service that area, including surrounding communities, they knocked the project down from six megawatts to 4.2 megawatts because existing facilities could not handle the capacity of that energy. When utility scale projects are built remote from electric loads, that will happen.

What we have advocated for and the comments that have been submitted as part of the rate proceeding and as comments that were pending prior to the award of this RFP, advocate for the development of solar -- utility scale solar projects over parking lots where, during the daytime hours, at present, during the summer months especially, the pavement absorbs an excessive amount of heat and releases that heat back to the environment, creating what is called and known as a "heat island effect," which raises the ambient air temperature and increases the cooling load for the surrounding communities, and when you get enough of that, as we have clearly illustrated in the progression from New York City out through Queens and into Nassau County, as that paved areas expands, the heated area grows out and it affects the entire region.

We have a significant problem here with electric demand. The state is in the process through the reforming the energy vision proceedings to revamp the electric industry in New York State with a significant focus of reducing electric demand. Peak summer electric demand is a number one target of that effort.

The Department of Public Service has identified that the Long Island electric grid is approximately 44 percent efficient because our peak summer demand is so high compared to our winter demand. It's the worst efficient rating in the state, according to the Department of Public Service. By continuing to remove trees, which the comments I have submitted as part of the record here to you, Legislator Browning, are informed by scientists at Brookhaven National Lab. Columbia University, the U.S. Forest Service and in close consultation with representatives out at the Sacramento Municipal Utility District in California where they have an aggressive tree planting program to provide reduced cooling load for particular buildings and to reduce the cooling load in the entire region. There is ample

information available that speaks to the heat island effect, and in fact, the Environmental Protection Agency has a program to cool climates in urban and suburban areas that are affected by the heat island, so that's one consideration here.

Not only could the projects have the potential of increasing the cooling load for the surrounding region, they may even result in cooling load increase for the buildings that they are being built adjacent to depending on how much tree clearing is being done.

So anticipated savings relating to this project in terms of expenditure reductions may have to be re-evaluated in context to the increase in air temperature that might result in an increase in cooling load for the nearby buildings. Just on that note, and this is not a site-specific observation, but the U.S. Forest Service does modelling relating to heat islands and in their modeling, they assume a half a degree rise in temperature Fahrenheit for every 10 percent of canopy that's removed. So when you take the canopy in an existing area and you reduce it by 10 percent, you should expect the ambient air temperature to increase. Whether it's five degrees or whether it's greater or less is not something I'm qualified to comment on, but that's what the U.S. Forest Service models.

There are a number of studies that have been done by Brookhaven National Lab and, as I said, Columbia University that speak to large scale solar arrays and the effect on air temperature surrounding those arrays, and they note that the air temperature is higher during the day around those arrays, but they also note that when you elevate those arrays and build them over paved areas, there's a profound cooling. So as Legislator Browning stated, these comments are not intended to be in opposition to utility scale solar projects; it's just an advocacy for having those projects developed on appropriate parcels.

I have also, in the context of this effort, spoken with NYSERTA about the possibility of the county partnering with private companies and private facility owners that have large parking lots to see if they would consider supporting public/private investments, and during the course of that conversation, they have expressed interest in pursuing the matter further. The energy improvement corporation, which the county is about to become a signatory member of, through the Energize New York program, is also interested in speaking with the county about the possible development of public/private utility scale projects along private property.

So there are other venues that we could consider as alternatives to some of the parcels that have been proposed in the RFP. There are other comments. I can speak for several hours on this if you let me. I'd rather answer your questions, if you have any.

**LEG. BROWNING:**

Another thing that I learned is Suffolk County Planning came up with a code for other municipalities to adopt for private developers who want to clear trees for projects, and I think that that code requires no more than 35 percent clearance; however, it's my understanding, according to Mr. Schneider yesterday when I spoke with him, this is about a 42 percent clearance. Again, I've heard the argument: This is Suffolk County property, Suffolk County owns the woods, they bought it years ago for potential development; however, when Suffolk County purchased that property however many years ago, the development that has occurred here in Suffolk County since then has certainly reduced the numbers of forests and trees in Suffolk County and on Long Island, period. So I think it's important for us not just to look at this solar project but to just look at should we be looking at this Suffolk County property and doing anything with it and considering preserving it? Because we only have our forest. You can't keep blacktopping.

Many of you go to the city and you see how hot it is when you go to the city in the summertime in comparison to Long Island. There's a reason for that. They don't have trees. It's all concrete. So what do we want to do? And I can tell you how many times we've talk to our constituents who talk about development. We need to develop, where there are no trees, we need to develop like

Patchogue, like Riverhead. We have sites. How about the Medford facility where they want to put a casino? Why couldn't we consider --

**LEG. CALARCO:**

I have called the companies. I'd love to have solar there.

**LEG. BROWNING:**

-- solar. Absolutely. That's a perfect place for it. We have to be smarter about it. We know more today than we did 40 years ago. Joe, do you got a comment?

**MR. SCHROEDER:**

This is just another comment I was going to add earlier that I'd like to have on the record. As a former builder, I can tell you it's a lot easier and more fun to go into a fresh project to do new construction than it is to do a renovation project. There's a lot more complications involved. The county's position on this particular issue, if the county itself is willing to remove trees of this magnitude in order to install these types of projects, it's entirely likely that developers who want to build other projects will be looking at the same types of opportunities because it will be more difficult to make arrangements with property owners to build carports, and it is more expensive to build carports, the easier option, the quicker buck, is to build it on a fresh site. So if the county is willing to do this and where these utility scale projects is likely to build this within Suffolk County, then it's likely that that remainder of the county would be -- this could kick the door open for projects across multiple areas of the county and, you know, for --

**LEG. BROWNING:**

I appreciate that comment because we have a committee. It's Environment and Planning. We have a planning department. We have CEQ. So if we're going to -- so we should be stewards of our environment. We should be leaders, and we should be showing example, and I think that what we're doing here is we're saying do what we say, not what we're doing, and so let's just get rid of our planning department, get rid of our environmental groups, get rid of CEQ, get rid of our committee because we're not leading by example. We're not being good stewards of our environment if we do this. And again, I have been very clear: Riverhead, over by DPW, go ahead, do it. But let's go back and I have to say I don't think would be sitting here discussing this if I hadn't received a phone call back in April -- actually, there was a PowerPoint that I received a couple weeks ago that if I hadn't received that or had that phone call back in April, we wouldn't be sitting here having this debate and discussion and asking you to support this, and maybe things would be different.

**CHAIRMAN STERN:**

Legislator Browning, the floor is yours. I just want to, at this point, because you raised process. I just want to make sure that we're all on the same page regarding process, and I don't know, Joe, if it's you or members of the administration who are here or maybe our counsel. I bring it up now because you mentioned CEQ. My understanding is that this project or any such project would have to go through a CEQ process, correct?

**MR. NOLAN:**

Yeah, I would think so. I think this might be akin to the proposal years ago when it was County Executive Levy and he had a big plan for the Yaphank property and they did an RFP or and RFQ and they got proposals and they had somebody, and at that point, then, they put in a resolution to approve it, and CEQ at that point said, This is type one, you're going to have to do an environmental impact statement or you may be able to come to a different conclusion about this project, but I assume at some point there's going to be some environmental review.

**CHAIRMAN STERN:**

Okay. So there is a CEQ process that any proposal would have to go through and what it would then come back before the legislature, if my understanding is correct, would have to be an approval of the project in the form of an approval of any type of an agreement or any kind of a lease that would result from this project going forward. I just want to be clear as to process. My understanding is that there is a CEQ process and then there is a legislative approval that would be required as well.

**MR. NOLAN:**

Well, we had a conference call with folks from the administration a couple of weeks ago about this or 10 days ago, and at that time it was stated that this would have to come to the legislature for approval at some point. After that, I heard anecdotally that maybe they would not bring it back here. My opinion is it would have to come here for our approval ultimately. I assume that's still the administration's position as well.

**CHAIRMAN STERN:**

We've got county attorney on that.

**MS. BIZZARRO:**

Yes. Thank you. Lynne Bizzarro. Yes, this would absolutely come back to the legislature for full approval after all CEQ has been done, any type of statements have been issued, et cetera, absolutely.

**CHAIRMAN STERN:**

Okay. I just wanted to be clear for the record as to process, and I'm sorry to have interrupted you, Legislator Browning.

**LEG. BROWNING:**

Is it type one, type two? What exactly are you going to do?

**MS. BIZZARRO:**

I have no idea, but I'm going to leave that up to our CEQ people to make those determinations, but it would be completely vetted, and this is a big project and the RFP went out and things change as we go along, and that's the process that's going to happen now that a vendor has been chosen. Again, that will all be before you, all be presented to you for a full vetting, an absolute full vetting on all of these properties, no questions.

**LEG. BROWNING:**

Right; and again -- I see Sarah behind you -- the issue being is there are four specific properties that are in my district that I was not contacted about and that's the biggest part of the problem, that you did not contact me. You did not provide with a list of the properties that were under consideration from get-go. I don't know how many properties were under consideration. You put in an RFP with a select number of properties. You didn't even put the RFP in with all of the properties and let the vendors make a decision when they submitted the RFP request on the properties that they would be interested in. So, Sarah, how many properties was there entirely that you were considering?

**MS. LANSDALE:**

I'd like to defer. I know that there were a number of properties originally. I just wanted to clarify the CEQ question that was raised. The Council of Environmental Quality, they would be the ones who would determine if it's a type one, type two, or unlisted action. They would vet that. Also, I just wanted to briefly, before I get someone up to answer your question. The planning commission guidelines, their solar utility guidelines, they do have -- I just wanted to have a point of

clarification -- that it's a 60 percent clearing limitation, and I'd be happy to send members of this committee just that clarification on the clearing limitation on that.

**LEG. BROWNING:**

Okay. And that was limited to private land, it was not -- there was nothing in there with that clearance on public land, like county-owned land?

**MS. LANSDALE:**

It didn't specify that.

**LEG. BROWNING:**

Okay. Because your concern was private entities being able to clear property without any kind of guidelines and prohibit and to prevent them from just cutting down every tree, so that's my concern is is that you know we're trying to set guidelines for the private entities but not for us.

**MS. LANSDALE:**

I also wanted to point out real quick --

**CHAIRMAN STERN:**

I'm sorry. If you're going to go on to another topic, if I may, I just to pick up on Legislator Browning's point. I heard it mentioned before that there are guidelines with this percentage, so I'm wondering if you know, maybe, Joe, if you know, is the percentage the same regardless of the size of the property? This percentage, does it apply if it's a five acre or a fifty acre?

**MR. SCHROEDER:**

I can't answer that for you, Legislator.

**MS. LANSDALE:**

The minimum lot area for a solar array energy production facility shall be a minimum of 5 to 10 acres, so there's no specific clearing limitations delineated if it's a small lot or a large lot.

**CHAIRMAN STERN:**

I'm sorry. Was the percentage -- was it a third or a 30 percent?

**MS. LANSDALE:**

Total lot coverage cannot exceed, with solar panels, 60 percent lot coverage.

**CHAIRMAN STERN:**

The solar panels, the space taken up by the solar panels, cannot exceed 60 percent of the property.

**MS. LANSDALE:**

That's right.

**CHAIRMAN STERN:**

And that 60 percent of the property, whether it's 10 acres or 60 percent of the property if it's 100 acres.

**MS. LANSDALE:**

That's right.

**CHAIRMAN STERN:**

Okay. Thank you.

**LEG. BROWNING:**

That's 60 percent of the entire Yaphank property, the entire wooded property, or the selected properties?

**MS. LANSDALE:**

It's 60 percent of the lot.

**LEG. BROWNING:**

Again, we are setting guidelines for private entities who have as of right to develop, but public land, generally, we don't try not to clear that public land. We're not setting guidelines for ourselves, so it's pretty much, again, like I said, do what we say not what we do, and I don't think that's fair, and those same guidelines should be set for us, especially when Suffolk County Planning is making the rules.

**MS. LANSDALE:**

My understanding is our lot coverage is a lot less than 60 percent lot coverage on these parcels.

**CHAIRMAN STERN:**

Do you have an approximation as to what the percentage would be based on the current proposal?

**LEG. BROWNING:**

Well, again, we didn't get a number of how many properties we looked at because that's the issue is is there a possibility that in April of last year when you came up with this PowerPoint, which I just saw maybe 10 days ago, with identified sites that -- the issue is you're saying now we're going to go CEQ, this has to go to CEQ. Well, if we had the conversation six, seven months ago, maybe none of these properties would be even under consideration right now. So now you kind of saying to the legislature, Well, it's going to CEQ, here you go, it's going to go through the process; and I think like one of my other colleagues said was you just keep pushing us back and giving us no choice. Give us the choices. Don't give us five choices. Give us every choice.

**MS. BROUGHTON:**

Hi. I'm Lisa Broughton. I'm the Suffolk County energy director, and I've been before this legislature any number of times to talk about how our solar program is going. So first I just want to thank you for previous support. We are absolutely a leader in this area and what has happened as far as selection, and we are working to get you a physical document, is that it began -- and I won't do a whole history -- but 2008, we wanted to upload properties to the LIPA RFP website. We looked at tax default property, all the county centers. Every rooftop that we have was examined at that time as well as parking lots, and we uploaded a document that said here's some parcels but any other county parcels, let us know what works.

Since then, we've issued four different clean energy RFPs, and every time we've done this, we've looked at what works logistically. So to answer your question, some of the criteria that make Yaphank most appealing, it has its own substation to serve county property, county facilities that are there, so we're not going to have that problem where residents can't get their solar or any of the other problems affiliated with some of the other interconnection issues. Joe correctly pointed out I had to come back to you on the Gabreksi project because we originally thought it could be upwards of almost seven megawatts and it got reduced to just over four and that's what we're building.

So the way that it has worked is that we've gotten input from developers -- they know our parcels better than we do -- and I've looked at literally hundreds as recently as August. Somebody wanted to do a project just south of the Dennison Building. We have a right of way. It's four acres. It's not going to work out. It's not worth the county's trouble to do. The rooftops, we've looked, and if you want to go into detail, Mike is right here. To say that, you know, most of them are old or

they're newer and they have a warranty or they have equipment and cell towers and other stuff that would prevent it. The parking lot you asked about, we looked at at least eight times, the Yaphank police headquarters parking lot. It has shadowing from all their communication towers that would interfere with solar, so it was developers who told me that is not viable. And then we looked, okay, the shadows go this way, how about to the north or the east. I've tried every possibility around that, and then we spoke with the police. They had some security issues with some of the other ideas that we had when we wanted to do a fuel cell project, so there were many, many mitigating factors.

We looked at, in Yaphank, land that is a little more clear than what's next to the jail, but one of the things that went into this selection -- and on my part I wish that we could've had this conversation in the spring. We did issue the RFP and we maybe could have been more alerting about what was in it, but it did force us when we did the RFP in June -- what forced the selection is that we were expecting PSEGLI to issue a new solar incentive. They had said it in December that they were going to issue it. They, again, in the paper said March. We were using all our possible contacts to glean information because if they had issued the incentive, we would have been looking for different kinds of projects. We may have still been looking at that lease model that's working very well and bringing in half a million dollars a year in new revenue to this county while creating clean energy, so that forced our hand, and now we're using the energy.

The proposal you will see, and we've done with this with every RFP. We kind of come up with a project, go through CEQ, work with LIPA on the interconnect. Even though we did that with Gabreksi, we got burned when they finalized the CESIR study, but all of those factors go together, and then we come to you to say, Here's a proposal, here's the environmental impact, here's the good environmental stuff, here's the economic impact. We're going to induce this industry. We're going to strengthen our solar companies. We've got tremendous companies now, little mom and pop shops that were construction companies now have 50 people, our companies growing with this industry.

So we give you all of that including a ratio, which we don't have now. We're not holding back from you. This project has not been scoped out and developed. The process is that we pick a vendor. We work on a project. We do the environmental review through SEQRA. We can only come to you with a CEQ approval, and then it goes to a committee and then it goes to a full legislature, and that has been the process and it is the way that SEQRA is designed to work, so to the degree that we focused on one area, I think that it really was driven by how much power we can use in that area, the fact that we already have a campus there. We are absolutely committed to minimizing tree removal. We are committed to using open areas where possible if trees come down. We certainly will look for a replanting plan where appropriate because we understand the value of those trees. I certainly have not ever come to a project looking to remove in any way a big parcel of trees, so that has been our process.

**LEG. BROWNING:**

Okay. And the issue being, again, to say, Well, I wish, we should've, we could've, well, guess what? That's why we're sitting here now.

**MS. BROUGHTON:**

I'm sorry that --

**LEG. BROWNING:**

And the problem is is that I'm sure we all remember the whole development project that was proposed for Yaphank under the former administration, and I can tell you one thing: That was something that I will give credit for that administration is that they reached out to the community, as much as the community may not have liked it, they reached out to the community and said,

Look, this is what we're proposing in your backyard.

**MS. BROUGHTON:**

Right, but until last week, we didn't know what we're proposing. We still don't have the kind of detail to go to a community meeting and --

**LEG. BROWNING:**

I have something dated April 2015.

**MS. BROUGHTON:**

Right.

**LEG. BROWNING:**

So this is clearly proposed in 2015, April of 2015. It says here "North Bellport, Suffolk, total acres." There's an awful lot of information if it wasn't proposed, and then the RFP went out in June with the proposed properties; yes or no? But you had no identified properties on the RFP.

**MR. MONAGHAN:**

We had identified properties --

**LEG. BROWNING:**

Okay.

**MR. MONAGHAN:**

-- but we did not identify a technology to be utilized. That was up to the proposers and the developers. They could have come back, and we did have proposals talking about fuel cells, which are a much smaller footprint than solar arrays.

**LEG. BROWNING:**

Either way, you were considering doing something with property in those specific areas, so what you exactly had in mind, some openness with the community that you were proposing to do something would not have hurt, because even with the former administration and that development, there was no definitive, and I know Sara Lansdale was involved, I believe, maybe at that time, maybe not, but there was a thought, some ideas. And there was no RFP that had gone out yet; however, it was brought to the community, here we go, let's talk about this, Community, let's get your input, what can work for you, what cannot work for you, and that was not done, and that's not fair. Because, again, that is land, while you may say it's the county's land, it's the taxpayers' land. It's not mine, it's not yours, it's not the county executive's. It belongs to the taxpayer, so what you want to propose to do in their backyard, out of fairness, should have been brought to them.

Let me remind you about the solar project that was up in Shoreham on a big open field of grass. There was so much community input and a lot of discussion, and people had an issue with that. That was a sod farm. So what do you think's going to happen? Shouldn't you have taken that into consideration and saying, Look at all the opposition that was going on up there, that you should've taken into consideration that surely somebody's going to have an issue with you knocking down acres of trees, because I'm looking here at your proposed, that you don't want to call a proposed: North Bellport, total acres: 28.5, proposed to use: 10 to 15 acres. Total acres in Yaphank county center south: 50 acres, proposed to use: 46 acres. In the central, a total of 100 acres, propose to use: 63 acres. So there was some sort of proposal or idea and that's all I'm asking is that you did not -- there was no transparency. There was no openness with anyone or the community in what you wanted to do, and that was the failure of this administration to not come forward, as you may have had some objection but there could have been some compromise, and there could have been some agreement, but now I am left to the point where you weren't open, you weren't transparent,

and now I'm trying to put the brakes on something, when maybe we could've had this all hashed out and we wouldn't be doing this today.

**CHAIRMAN STERN:**

Legislator Spencer and then Legislator Trotta.

**LEG. SPENCER:**

As I listen to what Kate is saying, I agree with you, and I do, again, I have a lot of remarks, a lot of questions. I do want to thank -- I know early on, I had some interest and I was briefed on some projects that were being considered as far as solar in general from an overall global point of view, and I see -- I'm looking at an issue here of establishing a policy to protect woodlands, and I actually support that. I think we need to have a policy to protect woodlands. I think the policy itself gets very specific with regard to specific parcels and it's out of response to this, and I think that the communication issues with regards to -- I have to support a legislator that's saying I'm fighting for my district, that four of these parcels are in my district, and I do see that and I do -- I wish there would be a better way of being able to communicate this, and I think that there should have been some foresight when there's 18 legislative districts and there's a project that four of those parcels are in one legislator's district, that legislator should have been brought in in the planning process. I understand the constraints. I understand the difficulties.

First, let me just speak to the establishing a policy to protect our woodlands. Is there anyone here who can address, really, the issue of clearing trees and solar arrays, what's the benefit environmentally, trees versus solar arrays?

**MS. SANTERAMO:**

So the administration has been in contact with Brookhaven National Lab, and they have agreed to make available Dr. Green to come here and discuss. We agree that, you know, we want to protect our environment just as much as you do. We think it's important that we bring in an expert to discuss, you know, trees versus solar and what the benefits -- basically the math behind that. I certainly am not an expert on that, but we do have an agreement that the expert would come and brief the legislators on that, so we think that would be important because, as you know, BNL did do a study when they did their own solar project and they had to remove trees as well.

**LEG. SPENCER:**

I'm a huge advocate, and I know that working with the administration as a partner when we look at economic development and energy issues, these are important issues that face our county and to have a team there addressing these issues is really important to do that, and I stand as a partner in those things, and I know that we also have a very strong sense to protect our environment, as evidenced by our priority looking at our water. And I have a concern where it comes to clearing an acre of trees and when you look at root systems and you look at erosion with rainfall and what's the impact of that in terms of, really, our recharge basins if you have an active root system, but I was hearing 60 percent, and I look at the land area and the thought of clearing 55 acres potentially of wooded areas gives me a lot of concern, and I need a lot of information to support anything related to something like that.

So I really think the administration has a lot of work to do to do this, and I cannot not support a legislator who wants to protect her legislative district. I support that, and I don't want to, though, do two wrongs, and so I asked her to -- can you amend the policy, and the policy, when I'm hearing remarks, I don't want the policy that we're making to be based off of an issue because there was poor communication and so we're going to stop one thing and not communicate and react to that, but I think we need a policy to protect our woodlands.

But I am going to say that regardless, if this administration is not able to work satisfactorily to Legislator Browning's -- you know, to work with her on these issues, I just -- there's no way I'm going to support it, and I need to know how many acres precisely. I mean, even clearing an acre of trees, it takes a tree years and years and years to grow, so to clear trees, we've got a lot of work to do here, and my problem with this, because I appreciate Legislator Browning's passion too, is I don't want to have a punitive legislation because there was lack of communication, a lack of research. So on the one hand, I don't want this to go forward until these questions are answered, but on the other hand, I don't want to see it ground to a stop because of legislation -- I was thinking, like, if I had an issue in my legislative district, would I pass a law that would say specific areas, and I almost wish this would say "a policy to protect woodlands in all of Suffolk County" before we install solar arrays for the whole things, and I'd say this is very specific.

So I'm having a very difficult time here. I'm very unhappy because I feel I have a very collaborative with the administration. They've worked with me, and I'm disappointed in the way this was rolled out, and I would be really mad as -- I don't want to curse on the record -- if someone was going to put four parcels in my district, and so this is tough. But I don't want me voting on this resolution to be as a measure to stop us from moving forward. We should vote on it on the merits of what it does to protect the environment, and it should be for the entire county and all woodlands, so those are my concerns, but I may have further remarks later on, but I'm not happy, and I really think the administration has a lot of work to do. I'll yield.

**CHAIRMAN STERN:**

Before we go to Legislator Trotta, Legislator Browning had a comment.

**LEG. BROWNING:**

You know, I just want to comment as far as communication and working together. I have one of the largest sewer projects going on in my district, and there have been a number of public meetings, and, believe me, not all positive, but that's important and that's great that we're doing that because through the public meetings, it's brought education and better understanding and kind of killed all the misinformation, so that is something that I am doing with the administration. I'm working with them to continue this project and to move it forward.

One of the other issues is that we have the Shirley-Mastic conservation plan in the Shirley-Mastic community. Before I even took office, there's a master plan for open space preservation, and there was some of this Yaphank property was sold off to the Brookhaven Rail Terminal, and there's no real plan with what are we going to do with this property, and I think that's something that the administration should be looking at is with all of the other developments that are going around Suffolk County, should we be looking at -- let's look at this property and stop doing piecemeal work and piecemeal development and let's truly look at the entire parcel and create a master plan and decide should we develop it, yes or no, what's acceptable and how much, and how much should we preserve. So that's something that's never really been done, either, and I know we have some -- I have a lot of respect for Sarah Lansdale in our planning department. She's been very helpful. I see Loretta here. They've been a phenomenal help to me over the years, and I think that's something that we should continue to maybe move forward, look at that property and say let's look at a master plan. Let's look at what we should really do with the property.

So I thank you for your comments but, again, openness, accountability, transparency; that's what helps, and, again, this legislation doesn't stop them from doing what they want to do.

**LEG. CALARCO:**

(Inaudible).

**LEG. BROWNING:**

It doesn't really.

**CHAIRMAN STERN:**

Legislator Trotta.

**LEG. BROWNING:**

It stops it for now, but it's not saying they can't move forward. It's putting brakes on it for now.

**LEG. CALARCO:**

Yes, it does.

**LEG. TROTТА:**

Joe, were you consulted on this at all?

**MR. SCHROEDER:**

Legislator Trotta, I was not part of the planning process for this project.

**LEG. TROTТА:**

To the administration, how much money is this going to save us?

**MS. BIZZARRO:**

Sorry, I don't know the answer to that. If I could just put a comment on, and then someone else, if they can answer that question. I just want to make sure everybody's reviewed this resolution closely because if, in fact, it does get adopted, it would in essence put a stop on the entire project. I'm hearing the legislator saying we're not looking necessarily to do that, and it would as it is written, so I just want you to be mindful of that. Thank you.

**CHAIRMAN STERN:**

Was there someone available who can answer Legislator Trotta's inquiry?

**MS. BROUGHTON:**

Again, we don't have a project. The reason Dr. Spencer and everyone have so many questions is we are developing the details. We pick a vendor and then we figure out a project, go through environment, go through interconnect. But as proposed by Solar City, the vendor that was selected, we could save over a million dollars a year energizing our jail, our police headquarters, and the sewer treatment plant, and that's why we're in the area, and it makes sense because there's a substation there.

Now, what I fear because of especially the experience with Gabreksi is to give you that number and then to come back with only \$700,000 a year in savings. If you will, bear with me. This is as proposed in its first blush. We do have a lot of work to do. This is all coming right as we would be starting a public dialogue, and so that is the number. It's about \$25 million over 20 years.

And the other reason that we are moving ahead and hoping not to be stopped in our progress, the federal government right now has a 30 percent investment tax credit for solar projects, and that is driving that \$25 million. So right now if we move ahead, quickly get to SEQRA, we'd be coming to you individually and, as I said, through CEQ and committee, and if we do come up with a project that we can get online in time to take advantage of the 30 percent, then we could realize that full \$25 million over 20 years. If, in fact, we are slow to the takeoff, we're going to lose that. It gets reduced to 10 percent after December 31 of 2016, so the economics are driven in some case by the federal tax credit.

**CHAIRMAN STERN:**

So essentially as to the tax benefits, you have a year.

**MS. BROUGHTON:**

Correct.

**CHAIRMAN STERN:**

What has to happen by the end of the year? Well, we understand your schedule, so we'll be doing a SEQRA and presenting that to CEQ. As Sarah said, CEQ is going to decide what the SEQRA is, what level it is going to be --

**CHAIRMAN STERN:**

But in order -- I'm sorry to interrupt -- but in order to be eligible for the tax incentive --

**MS. PRUSINOWSKI:**

We'd have to be plugged in by December 31.

**CHAIRMAN STERN:**

That's my question.

**MR. NOLAN:**

Of next year.

**LEG. TROTТА:**

Okay. So it's about a million dollars a year. How much are we getting from the solar panels I see all over here?

**MS. BROUGHTON:**

The carport project brings in about \$320,000 a year. The Gabreski project will bring in, if it happens to work out, \$180,000, so together the two projects will be half a million a dollars a year in lease payments for property that we still are using fully for county purposes.

**LEG. TROTТА:**

So we're getting \$365,000 a year from this?

**MS. BROUGHTON:**

320,000 every year for parking under the carports, that's correct.

**LEG. TROTТА:**

I thought that we weren't getting anything because of the pending lawsuit and they haven't been paying.

**MS. BROUGHTON:**

Yeah, just for one site, but for the sites that are built we are absolutely collecting that revenue.

**LEG. TROTТА:**

Recently in my district, there was a house that came for sale that we wanted to give away. It was a \$300,000 house we could've auctioned it off for. Recently we had a chief of police that resigned, and I recommended that he be demoted; that would've saved another \$100,000. I could go on and on. We just recently, the other day, Tuesday, voted for the police to have their payments deferred. That's probably going to cost us another \$4- or \$500,000, so in the scheme of 10 seconds in my mind, I just saved a million dollars, that we're going to cut down 55 acres so we can have this for a year? It just seems totally illogical to me that we're even considering this.

**LEG. CALARCO:**

A million dollars a year.

**LEG. TROTTA:**

Exactly, a million dollars a year.

**LEG. BROWNING:**

That's not guaranteed.

**LEG. TROTTA:**

Which isn't even guaranteed. So we're sitting here arguing over cutting down 50 acres of prime woodland so that we can get a million dollars a year, yet we spend \$131,000 a day on police overtime. In seven days, you could save that. It's absurd to me that we're even discussing this.

**CHAIRMAN STERN:**

Legislator Calarco.

**LEG. CALARCO:**

So here's the thing: I don't know what plan -- what the project is. I haven't had anything presented to me. I don't know what the project is exactly that's being pitched, so I don't know if I can say yes or no to it because I don't know what it is. The resolution that Legislator Browning has here, and I understand her frustration and her anger and I think I would share it if I was in her shoes, and since Legislator Browning represents Yaphank where we have the real bulk of the county general municipal properties that has nothing necessarily assigned to it in terms of its use is always going to bare this brunt, and I feel for her because of that, because she's bared the brunt a few times and her community has bared the brunt a few times, absolutely, so I get that. And the administration, if they were considering the use of properties in anybody's district, should have addressed that with their appropriate legislator before they put that out there.

But to arbitrarily say we're going to select these four or three locations -- I guess it's about 10 different parcels total -- and say you cannot even talk about solar on those parcels without coming to get a resolution from the county, that's what this does --

**LEG. BROWNING:**

(Inaudible).

**LEG. CALARCO:**

That's what the resolution is. I'm not assigning fault to anybody. I'm just saying what the resolution is. It's not something I can necessarily support because it's not a whole lot different than the original version, which said, You will not do solar on these properties ever. So the question becomes, you know, how do we get some communication here so that there's dialogue going on with the legislator who represents this area so that they are given some information to know whether this is a good project or not. Quite honestly, I don't know if it's good project. I don't know if knocking trees down for solar panels is a good thing. I don't know if we want to give up this property. It may have other more important uses to the county in the future. I really don't have the answer to these things and that's partly what needs to be vetted out, but when you say you cannot even discuss that on these parcels without a resolution from us, you're cutting off that dialogue as well, and that's the issue I have. How do we have a dialogue if we say you can't have a dialogue? How do we say you can't have a dialogue without coming to us and then being able to make an informed decision from this side because we don't have that dialogue? I understand that they should have come to you from the very beginning. I agree with you 100 percent. But to now say *you can't come to me* doesn't really fix the problem. It just says *we're gonna put a hold to this and the hell with your project or your idea because you didn't talk to me from the start.*

I don't know if I'm ready to do that. What I want to hear is what they're even talking about trying to do because all I have heard so far is a little bit here and a little bit there or piecemeal. They put out an RFP that identify these parcels as potential parcels. I need more information, and to pass a resolution that says you can't develop an idea means I can't get that information.

**LEG. BROWNING:**

Well, I hate to say, history's repeating itself. Four years ago, the Yaphank residents were made all kinds of promises and commitments and election day came around and they got stabbed in the back. I'm going to say this is happening again. There was no transparency. There was no public input. There was no information given out there. It was done very quietly, very quickly, without any public input, and after November 4th we found out about it -- 3rd, sorry.

**LEG. CALARCO:**

I'm not disputing with you that there wasn't better communication --

**LEG. BROWNING:**

So, very clearly, it was done for a reason, and that's what's annoying is that it was all done under wraps so nobody knows about it, and how many bills did we vote on on Tuesday that it was after Election Day? Because, guaranteed, before election day, it would have been no votes, more no votes on those things. So again these properties, the reason why I'm doing this is because if there was openness, if there was transparency, they may not be sitting here today on our desk.

**LEG. CALARCO:**

We have a responsibility to vet these things, and what you're saying is that you --

**LEG. BROWNING:**

Yes, we do, and there was a whole bunch more that they did not share, and if they had shared back in April of 2015, this year, then, again, those parcels may not be sitting in front of you right now.

**LEG. CALARCO:**

That may be very true, and that's why we need to have some dialogue. We need to have some conversation, and that's what we --

**LEG. BROWNING:**

You pass this, I guarantee you this is going to keep moving and everybody's going to be backed up against the wall about your million dollar savings, and that's what's going to happen, so go ahead and vote for this because I guarantee you it's going to happen.

**LEG. CALARCO:**

You know, that is our job. That's our job. Whether you like it or not, our job is to sit behind this horseshoe and make those decisions and make them fully well-aware of what the decision is. It a good thing to go forward with a potential solar energy project that may knock down trees. I don't know how many trees, but it's clearly going to knock down some trees. That's going to give the county a million dollars in energy savings per year, or is it not a good thing to do that? I don't know the answer to that. I need to get more information, but that's the point: That's our job.

There's not going to be a case that's going to come down the line that's going to say, Well, we're backed up to the wall and we have to do this because the administration did work on it. I don't care how much work they did on it. If it's a bad idea and we've decided it doesn't really meet our needs, then it's a bad idea. But to say it's a bad idea before I even know what the idea is really is not doing the due diligence. I'm not afraid to take a hard vote. I've taken 'em here before and we'll take them again, I'm sure, but that's part of the job. That's what we sit here to do.

**CHAIRMAN STERN:**

Legislator Browning.

**LEG. BROWNING:**

Like I said, these are properties, they were cherry-picked. We have been left with, This is your choices take it or leave it and we will continue to move forward with the process that we have to do to make this happen. So if you vote against this, it allows them to continue to move forward and then they're going to come book to each and every one of you and say, Oh, it's about the money. It's all about the money and you're all going to say, Oh, God, we can't turn down the money.

That's what's going to happen because they gave you cherry-picked parcels and didn't give you them all. They were not transparent, they were not opened, and they waited for Election Day to pass before they came out in the open with it.

**LEG. CALARCO:**

You are absolutely right, they gave us very cherry-picked properties for whatever reason that they picked them, which I'd like to hear, and they are going to give us a yes or no, and you know what they're going to get from us? Either a yes or no, and that's just what it is. That's what our job is to do.

**LEG. BROWNING:**

I hate to say it, history's going to repeat itself, and I know how the votes are going to go in the end.

**CHAIRMAN STERN:**

Legislator Spencer.

**LEG. SPENCER:**

As I strongly stated, Kate, I agree with you. I agree with your frustration, but you're introducing legislation and you said, "The reason I'm doing this," and that's not the reason we should be introducing legislation. I said my concern is to protect the woodlands. I want the information. I'm frustrated with them, but I'm not going to turn around and do the same frustration to introduce legislation to stop the process when what we're talking about is a communication issue. It's one thing if there's legislation that we are introducing in good faith that is concern about the environment, concern about the district; I support you a hundred percent on that, and I'm not going to vote for this project. I'll tell you here as a colleague, as a friend, as whatever you view me as that I'm not voting in the affirmative in this project until I have all of the information, all of the environmental impact. I want to know every tree that's going to be cut down.

But to sit here and to vote for a policy that establishes a law -- I'm a lawmaker -- because of a communication issue or a process issue, that's the problem that I have, and, you know, I've stated on the record to you my support of you, but I just heard -- you said "the reason I'm doing this," and it shouldn't be -- we shouldn't do laws because of a process issue or a conflict or a communication as a way -- because that's tying our hands. I don't want to tie our hands with that. I don't think that's the way we should pass legislation, and I'm not saying I won't vote for this legislation in the future, but I do think there's a lot more information, and I don't have that information at this point to establish a specific policy to address this particular issue.

**LEG. BROWNING:**

This vote is not about the lack of transparency and openness. That's not the only reason. The main reason is these parcels, in particular, I do not believe are appropriate for the project that they are proposing, and, again, I don't know what the other ones are because they didn't provide it. So maybe it would have cost a little bit more to do it in other parcels. I find it hard to believe that that

police headquarters could not have been used at all or that the Suffolk County farm parking lot could not have been considered. I don't know because I don't know that they considered them all. So in my opinion these particular parcels, I do not believe to be the appropriate parcels to do this project.

**CHAIRMAN STERN:**

Legislator Trotta.

**LEG. TROTТА:**

Doc just summed it all up. You said we shouldn't have to pass laws to do this, but guess what? Clearly we have to because they didn't come, they didn't vet the process, so this is just making them do it. We shouldn't have to be in this position. Kate shouldn't be sitting here, even, with this on the table. If they use the process correctly, and I know there's a Smithtown dump that's probably 10 acres that I'm sure would be available to put solar panels on, and the parking lot at the police headquarters, I mean there's one tower. I actually think they tore the tower down recently. You know, I agree with you; we shouldn't have to. But every once in a while you need to say, hey, listen, maybe this will stop you from the next time, so I'll support this a hundred percent.

**CHAIRMAN STERN:**

All right. Everybody's good? First of all, what I'm hearing from Joe is these types of projects, utility-grade projects, are a positive as long as it's the right place at the right time in the right way. I don't know if there's anybody who is more greatly respected on these issues than Joe Schroeder is, and I certainly appreciate all of his input and should have every opportunity and I think that we should insist that Mr. Schroeder is an integral part of any of these conversations going forward because I know that's when I have questions, that where I'm going. And so it would be very important to me -- I'm sure my colleagues would agree -- that there needs to be that very important pair of eyes and ears and insight on this project specifically and any other going forward.

As to some of the procedural reasoning behind the legislation that's before us today, I could not agree more with Legislator Browning. Important project, not just important to her community that she represents but all of us regionally, and it's a substantial county asset. And so Legislator Browning as an advocate for her community as well as for our environment and for our county assets, I would, based on what I have heard just today, that the communication does not rise to the level that is adequate for the representative of the area I find really unacceptable, and I cannot stress how important it would be for me personally in making a decision going forward, how important that line of communication needs to be with Legislator Browning as well as the community.

This, again, is an area that Legislator Browning points out has been the subject through many years of what to do with the property and how to go forward with it, and community input has always been extremely important regardless of what the focus has been, what some of the plans have been, involving the community and the surrounding area has always been a part of the conversation that we've had, and that would really need to be the case here.

So let me say this, that I would support Legislator Browning going forward in ensuring that the public has a meaningful opportunity to participate in this process as it goes forward. We're all concerned about clearing trees, and when it's done for what should be a positive purpose, it makes it even more of a concern. So what I would like to see, and I'm hearing some of the reasons why some areas were considered and some areas were not considered, I think it would be very important to go back and to see, you know, what in the immediate area that has already been developed can be used for this process, whether it's existing parking lot, whether it's existing roofs, whether there are other areas that are in the immediate area. We have to look to those areas first before any decision is made to knock down even one tree in that area. And so I would hope, and I think that we should require, that any proposal that comes back shows in a very compelling way that every

single option was looked at, was reviewed, and I'm hoping that we're going to use some innovation here so that as much as of the existing area that would be suitable for this purpose is considered before, again, even considering knocking even one tree for this purpose. As we've heard, CEQ and that process would be an important procedural requirement here. Anything that might be done in the future would have to come back to this legislature for our approval, but ultimately in looking at the legislation that's before us today, I'm going to go back to what was stated earlier, and it was actually Mr. Gollon, if I have the pronunciation correct, sir, this is a bill that's the way it's written is just too limiting.

I would like to know the answers. I would like to see a proposal. I would like to have our CEQ representatives make a determination. I would like to see what the community thinks. I would like to see them play a meaningful role. The legislation, as it's proposed right now, doesn't allow us for any of that, and so I think it would be important to go through the process, have our professionals, including Mr. Schroeder play an important role there and be able to report to us along the way as to what the merits or the disadvantages of a proposal might be. Anything that we learn along the way will be helpful not just for this particular proposal, but my guess is that a lot of the information that comes out of this process will make us more informed and allow us to be able to glean information that is not necessarily just particular to this proposal but anything that we might be interested in doing when it comes to protecting our environment and looking at alternative sources of energy along the way and throughout our entire county.

For those reasons, I would like to see us at least continue the process of having the conversation and having us all come together and making an informed decision along the way. All right. So there is a motion, Mr. Clerk, to approve and a second.

**MR. RICHBERG:**

Yes, there is.

**CHAIRMAN STERN:**

Motion to table by Legislator Spencer. I'll second. Tabling resolution comes first. I'll call the vote on the motion to table. All in favor? Opposed? Abstentions? Okay. **1926 stands tabled (VOTE: 3-2-0-0, Opposed: Trotta, Browning)**

**IR 1930, Adopting Local Law No. -2015, A Local Law to establish new procedures for the auctioning of real property owned by the County (Hahn).** This needs to be tabled for a public hearing. I'll make a motion to table for purpose of public hearing. Second by Legislator Spencer. **IR 1930 is tabled for purpose of a public hearing (VOTE: 5-0-0-0).**

There being no other business before the committee today, right, we do not have executive session today, so we are adjourned.

(The meeting was adjourned at 2:12 p.m.)