

**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, December 10, 2015.

**MEMBERS PRESENT:**

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

**ALSO IN ATTENDANCE:**

George M. Nolan - Counsel to the Legislature  
Jason Richberg - Chief Deputy Clerk of the Legislature  
Joe Schroeder - Energy Specialist/Budget Review Office  
Amy Keyes - Deputy Commissioner, Department of Economic Development  
Jennifer Culp - Suffolk County Department of Health Services  
Gordian Raacke - Renewable Energy Long Island  
Ellen Richardson  
Donna Bermel  
Caitlin Chandler  
Suzanne McBride - SCAME Police Emergency Unit  
All other interested parties

**MINUTES TAKEN BY:**

Gabrielle Severs, Court Stenographer

**MINUTES TRANSCRIBED BY:**

Denise Weaver, Legislative Aide

**(THE MEETING WAS CALLED TO ORDER AT 12:53 PM)**

**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)**

Again, good afternoon, everyone, and thank you for joining us today. I do have some cards, but before we go to our speakers today, we do have correspondence that I just wanted to make part of the record. First, I have a letter dated December 9th from the New York League of Conservation Voters. That is a letter from Christopher Goeken. That is going to be made part of the record today. Does everybody on the Committee have a copy of that correspondence? If not, we'll make sure that all the Committee Members have that. Second, this is from Sondra Cochran, the Executive Director of the Wyandanch Community Development Corporation, I have correspondence from her. I do not see a date on this letter, but it is in regard to the 72-h Program, so for Committee Members who do not have a copy of that letter we'll make that available as well. I also have here a letter dated December 9th from Anna Thorne-Holst, the Supervisor of the Town of Southampton. This is correspondence in regard to resolution number 1930 of 2015. I'm sorry, it is from the Town of Southampton but it is actually signed by Kyle Collins in the Department of Land Management on behalf of Supervisor Thorne-Holst.

So those are three letters to the Committee that, for the record, we'll have part of the record and, again, for Committee Members who don't have a copy we'll, make copies available. Okay.

With that then moving onto our public portion today. Our first speaker is Gordian Raacke.

**(Public Portion)**

**MR. RICHBERG:**

You have to press the button, sir.

**MR. RAACKE:**

There we go. That's better. Good afternoon, once again and thank you, Mr. Chairman and Members of the Committee, for giving me the opportunity to speak here.

I'd like to speak briefly on Suffolk County's municipal solar programs and initiatives. I've been working in this field as Executive Director of Renewable Energy Long Island and its predecessor organization for more than two decades now. I've been watching both Suffolk County and Nassau County closely as we made progress on renewable and clean energy sources, and I have to tell you right upfront that I'm very impressed with what this county is doing. As a resident of this county, I'm very proud to see the kind of progress we've been witnessing here.

With that, let me just zoom out a little bit and remind us that on this beautiful December day when it's about 60 degrees out there, we have about 190 nations meeting in Paris at the Climate Summit

trying to hammer out a solution to global warming and climate change and I -- I know that's not an easy thing to do. I also know that most likely we will not get the solution and the agreements that we need there to tackle climate change, and we know that we need to find solutions at national and State and local level and, of course, that's where Suffolk County comes in. You've been doing a tremendous job here. You've been working toward very aggressive goals to transition to clean renewable energy sources, and I just wanted to lay out a couple of larger frames on that issue.

Scientists tell us in no uncertain terms that we need to reduce greenhouse gas emissions that are changing the climate and come primarily from using fossil fuels for power generation and other things, that we need to reduce these emissions at least 80 percent by 2050, if not earlier. Some now say we need to do that earlier. Some say we need to reduce emissions 95 percent in all sectors of our economy, not just in the power sector. That means, of course, that in the electric power sector and other energy sectors, we need to reduce emissions entirely to zero, we need to decarbonize our energy economy if we want to survive, and that means that in the electric sector, we need to switch as soon as possible to a carbon-free supply of energy, and that means essentially solar, wind and other renewable energy sources doing everything we can to make our buildings, our economy as energy efficient as technically possible. You've been doing this here in Suffolk County, you've been doing this since 2008, and you've made tremendous progress on this.

New York State, I should mention, has an official goal to reduce carbon emissions 80 percent by 2050 economy-wide, all sectors of the economy. And the Governor just announced an initiative to direct and is directing the Public Service Commission of the State that we meet 50 percent of our electricity needs from renewables by 2030, just a few years away.

You've been implementing these kinds of things here at the county level. You've already done a lot of energy efficiency projects very successfully, which are saving the county a lot of money. You've already built about 17 megawatts of solar arrays on these parking lots out here on buildings and in a lot of other places and that's really good work. I know you have a proposal before you to add another, I think, about 17 -- no, 13 and-a-half megawatts of solar arrays on various parcels of land, and I would encourage you to do everything you can to move forward expeditiously with those proposals. There may be better ways to arrange these solar panels and that's certainly something you need to look at. There is a process, of course, in place to look at alternatives, which is called SEQRA, the State Environmental Quality Review Act, but I would urge you to not put the brakes on this because urgency is the name of the game. We have very little time left now to transition to a carbon-free energy supply, and I would recommend and urge you, and I know you've been doing this already, to continue the the course, to stay the course, to stay on track to do everything we can here in this county and to continue to lead on renewable energy development.

I would be happy to work with you on that if you call on me to move forward on these and future projects in the most expeditious way, and I want to thank you for your attention.

**CHAIRMAN STERN:**

Thank you.

**LEG. TROTTA:**

I have a quick question.

**CHAIRMAN STERN:**

Question for you. Legislator Trotta.

**LEG. TROTТА:**

Do you advocate cutting down 50 acres of forest to put solar panels up?

**MR. RAACKE:**

I don't advocate cutting down trees, but I have to admit something: I built a home some years ago, and it was in a wooded area and I had to cut down trees to build my home. I wanted to mitigate that impact of cutting down trees to build our home, and I put solar panels on that property. It's not something that we want to do, but in some cases I think we have to do it and I think in the projects that you are looking at, you need to weigh the benefits of generating carbon-free electricity against the cost of cutting down trees, which also sequester carbon.

**LEG. TROTТА:**

What would you do?

**MR. RAACKE:**

What would I do with that particular project?

**LEG. TROTТА:**

Would you vote for cutting down those particular trees to put up solar panels?

**MR. RAACKE:**

I would vote for generating clean electricity that avoids a lot of carbon emission. Keep one thing in mind: If we --

**LEG. TROTТА:**

Is that a yes or a no?

**MR. RAACKE:**

Is that a yes or a no to --

**LEG. TROTТА:**

Yes or would you vote no?

**MR. RAACKE:**

I would look at the facts. I would look as to whether there would be alternatives to site that kind of capacity, and if there are alternatives, I would go for the alternatives. If there are no alternatives, I would go with this.

**LEG. TROTТА:**

Okay. Thanks.

**MR. RAACKE:**

But I just want to stress that if we don't do -- if we don't move forward on these kinds of things, we continue to use electricity, which emits a lot of carbon and other greenhouse gas emissions, we are not achieving our air quality standards in this country year after year and we need to do something about that.

**CHAIRMAN STERN:**

Legislator Browning.

**LEG. BROWNING:**

Okay. Thank you for coming and basically what you're saying to me here is, The sky's falling, if we don't clear all this land and put up these solar panels. And I think you said that alternative locations should be looked at and I think that's something that I believe that we should be doing. Being that you're standing here advocating to cut down acres of trees to put up solar panels, can you tell me that there is nowhere else to do this other than, let's say, in Yaphank or in North Bellport where they're going to cut down trees to put up solar panels and there is absolutely nowhere else to go? Now, is it about the money, or is it about the environment?

**MR. RAACKE:**

I think it's about the environment.

**LEG. BROWNING:**

So tell me -- you're going to-- absolutely, the environment comes first and the savings obviously to the county is important, but if we're going to have a little less savings -- and actually from what I understand, you know, the administration's had its conceptual plan and we don't know exactly how many megawatts have gone into the grid yet, you know, we don't have all that information to be able to say what the real savings would be. So to come up with a million-dollar savings and actually I think it just got -- it increased to 1.2 million. I guess every week that goes by, it'll increase.

However, as an environmentalist, have you looked at Suffolk County and said, Here are locations that would be best suited to put up solar arrays instead of knocking down acres and acres of trees? Have you participated in any of those conversations?

**MR. RAACKE:**

Yes, I have, and I'm glad you bring this up. The Department of Public Works, as you probably know, looked at all county properties and did a very thoughtful, I thought, and comprehensive analysis in 2013. This is the report here.

**LEG. BROWNING:**

Oh, you have that. And that's the list of all the properties they looked at? Oh.

**MR. RAACKE:**

And I'm sure if you don't have that I can --

**LEG. BROWNING:**

No, I've asked for it. I didn't get it.

**MR. RAACKE:**

Okay. So I suggest that the Legislature take a look at that. That is a very comprehensive report. It looks at what the challenges are with various types of solar deployment, whether it's on just rooftops, parking lot covers, open space land, other parcels and it's, I think, is worthwhile reading. I can tell you from my experience over the last 20 years or so, it always sounds very simple to say, Why don't we put this stuff on rooftops, and why would anybody ever want to cut down a tree if we can just put it on our rooftops or places where we've already cut down trees. It's not as simple and clearcut as that. And I think our job collectively -- and we need to work together on this, Legislator -- I think is to figure out a way to transition to clean and renewable energy and finding the land resources and the places where we can put renewable energy installations. It's not just all about solar and it's not all about solar versus trees, you know, this issue's much more complex, but it is our job, and it's your job as a Legislator to ensure that we meet our energy demands and power our economy in a way that doesn't destroy our environment and our ecosystem.

And so that's a -- it's really just a longwinded way of saying, Let's work together and figure out how we're going to make this transition, and do it with the greatest benefit to the environment and the least impact to the environment, and that is something that you'll be looking at in very much detail and with expert help in the SEQRA process. So I would encourage you to continue on the planned -- on these projects moving forward, do the SEQRA process, and let's do the analysis and the weighing of benefits versus drawbacks at that point.

**LEG. BROWNING:**

Okay, so I would hope, Joe, did you get a copy of this report?

**MR. SCHROEDER:**

No.

**LEG. BROWNING:**

You don't have a copy, either. Okay. I've been asking for a copy of this report and for the information on the sites for quite some time and I've not received anything. And yet at some point we are going to have to vote on this and when you're saying, Well, let's move forward with this, this report, I guess, I'm assuming since I haven't seen it, is talking about only county property and not Suffolk County as a whole.

**MR. RAACKE:**

Suffolk County properties, correct.

**LEG. BROWNING:**

However, the issue is is that it would be the smarter thing to do for Suffolk County government to look at Suffolk County as a whole and the locations that would be more appropriate than just Suffolk County property. Obviously, when we look at just Suffolk County property we can say it's all about the money and not necessarily about the environment. So if we look at Suffolk County as a whole and say, Okay, let's look at some local businesses, let's look at schools, you know, where could we do this and do partnerships. So it seems to me that you're saying, Let's do this now and let's continue to look at it; but maybe when we get down the road and we look at it, we're going to go, Oops, we screwed up and we shouldn't have cut the trees.

So that's my concern is that it's a very rushed decision. I don't know, I've not been involved in any of the conversation even though the majority of the property's in my district. So I've not been privy to any of this information. So that's my concern is that it's -- it hasn't been looked at in a smart way that it's really being looked at as how much money can we save rather than doing a solar project for the environmental reasons, it's more about the money than the environment.

So, I appreciate that you said we should look forward and continue to research, but why didn't they do that in the beginning instead of just looking at county property?

So, I appreciate your comments and I'm hoping that our expert on energy here at Budget Review would have been privy to some of that information also. So, anyway, thank you.

**MR. RAACKE:**

Appreciate your comments.

**CHAIRMAN STERN:**

Okay. Ellen Richardson is our next speaker. Miss Richardson. Welcome, Miss Richardson, you have three minutes.

**MS. RICHARDSON:**

Thank you. I'm Ellen Richardson from Yaphank, New York, and unlike the last speaker I am urging that caution and some consideration be given to all these solar issues. Yes, there is a need to do alternate energy but it is not a panic situation, we're not on a sinking ship, it's a long-term issue.

What I see going on is a rush to judgment. Solar is fine but if you look at the national solar map, and it's on the internet, you will see that the southwest portion of the United States is where solar energy should be. The northeast portion of the United States is not good for solar energy, it's more for wind energy, according to the experts, because you don't have any guaranteed sunny days. How many days is it fully sunny where you can do it? And this brings me to the fact that the estimates are usually too high. You have companies like SolarCity, NRG, Vivint coming around to people on Long Island promising them great savings. "I was told I could save 92 percent of my power bill if I put solar panels on one-third on my roof;" that's absurd. I've consulted with experts in the field where they're trying to get people to do it. The difference is if somebody puts solar panels on their home with SolarCity or one of its competitors and they're wrong and they don't get the savings, they're out some money. If you tear down dozens of acres of forestland and you're wrong, it's irreparable harm. You can't unring the bell. Other factors haven't been considered. One of the things is the maintenance of solar panels. Solar panels, if they're not maintained regularly get film, dust, anything on them, and it's like looking at a lens. You don't get the energy savings. So if people think they're going to save this money, they're going to have to spend a lot of money to maintain these things almost on a weekly basis; otherwise, they're not going to get the savings even if the estimates are correct, and I submit that the estimates are grossly overinflated. And SolarCity should provide examples of where they put in similar arrays in New York State, not Arizona, not nationally, but in New York State to see if it is, and I submit this will not pass scrutiny.

What is important is that there is no rush to judgment because you can't unring the bell if you're wrong about tearing down these woods, they're not going to come back. The county has a policy of land preservation as well as energy savings. You spend public dollars to protect land from development and it would be contrary to that policy to rush in and develop 40 some-odd more acres of woodland to put in these solar panels and then find out that you're wrong. Time is on your side to do this carefully. Unlike the other speaker who thinks we're on the Titanic, he's wrong; you've got time. You're talking a 30-year window. You've got a year or two to look at this carefully.

Lastly, I'll say this, the technology in the solar field is rapidly changing. This is a 20-year contract. Would you have bought a computer 20 years ago and figured that's your computer for the next 20 years? They're coming out with new solar panels all the time that are going to be smaller and more efficient. They're working on one right now that's the size of a shingle and is more efficient than what people put on their roofs. Has any study been into that because you're not going to get that from SolarCity, Vivint or NRG. Their business plan is not compatible necessarily what the county has to do. You have to be a very savvy buyer of this stuff. Thank you very much.

**CHAIRMAN STERN:**

Thank you and thank you for being with us today.

Our next speaker is -- is it Donna Bermee (ph), Bermay?

**MS. BERMEL:**

Bermel.

**CHAIRMAN STERN:**

Bermel. Sorry about that. Welcome.

**MS. BERMEL:**

Thank you. I'm here on behalf of my mother Maryann Petit (ph) who was a 10-year resident of John J. Foley. Unfortunately, its closing caused my mother to be -- I'm sorry -- to be transferred to another facility. This facility happens to be in Long Beach, which is over 50 miles from Yaphank. This has been an extreme hardship for my mother and our family. It's my understanding that Brookhaven Hospital will reopen John J. Foley as a nursing home, and I am hopeful that Brookhaven Memorial Hospital will offer the same care John J. Foley once did and their admissions criteria will allow my mother and others to come home to where they should be.

I think it's time that the county give up that property. It's been sitting there now for two-and-a-half years deteriorating and the longer it sits there the longer it's going to cost -- I'm sorry -- somebody that may not want to take it over anymore, and we need nursing homes out here. It's centrally located. It's very difficult. My mother has changed dramatically in the two-and-a-half years that she has left John J. Foley. That was her home. These people consider this their home and moving her, it was terrible, she is not getting the care that she received at John J. Foley and it's hard for -- I try to go there as much as I can but it's very far. Long Beach is not an easy road to get there with other family obligations and work. I try to do the best I can getting there at least once a week.

I just think it's time for the county to sell it and reopen that facility and let other people -- hopefully they'll do the same as John J. Foley did. Thank you.

**CHAIRMAN STERN:**

Thank you and thank you for being with us today. Hold on just one second. You have a question from Legislator Browning.

**LEG. BROWNING:**

Not so much of a -- well, yes a question. I know your sister called also and I want to say thank you for calling because the stories that I hear and the 27 people who have passed away in this short period of time, no one else gets those phone calls and hears those stories like I do. In fact, Richard Smith -- I don't know if you remember Richard -- his sister just called me yesterday and --

So I know you're mom has -- she has schizophrenia, correct?

**MS. BERMEL:**

Yes.

**LEG. BROWNING:**

And obviously changing her surroundings has had an impact on her, Correct?

**MS. BERMEL:**

Absolutely.

**LEG. BROWNING:**

Right. So you're hoping that, and I certainly would love to speak with Brookhaven Hospital because I know that the mission that they have versus the mission of the other potential buyer is completely different. And so do you think it might help your mom if you -- if Brookhaven takes over and has a better mission, the nursing home beds, that they're proposing to have if she's able to come back home, do you think that might help your mom?

**MS. BERMEL:**

Absolutely. I believe that she knows she's far away and we're not there as much as we used to be.

**LEG. BROWNING:**

Right.

**MS. BERMEL:**

I used to go there every other day after work.

**LEG. BROWNING:**

Right.

**MS. BERMEL:**

Still even if it was for 20 minutes, a half an hour, she knew we were there.

**LEG. BROWNING:**

Right.

**MS. BERMEL:**

You know, she would definitely do better.

**LEG. BROWNING:**

Right.

**MS. BERMEL:**

Things have happened where she is, we are trying to get her out of there, it's not like we're not doing anything. We really are trying, but it's not as easy as it seems.

**LEG. BROWNING:**

I know you said to me that they don't bathe her.

**MS. BERMEL:**

She's not being bathed.

**LEG. BROWNING:**

Why are they not doing that? I mean, I know at John J. Foley that's what they do every day.

**MS. BERMEL:**

They did, yes, they did.

**LEG. BROWNING:**

And they have no reason or excuse.

**MS. BERMEL:**

No, they say she said she's refusing that. They're not --

**LEG. BROWNING:**

Oh, come on.

**MS. BERMEL:**

When there is somebody who is mentally ill, schizophrenia, there's very -- there's a lot of variations to somebody who is mentally ill and it's not -- I'm not saying to use forceful treatment, but you have to tell them, Okay, Maryann, this is what we're going to do today, you're going to get a bath; and you just do it and she will let you do it. But if they ask her, she'll say no, so they just let it go. So

if we're not there to do it to help with that process, she is not being taken care of the way she should be.

**LEG. BROWNING:**

Is the nursing home she's in, is it understaffed? They don't have enough people?

**MS. BERMEL:**

I'd say it's, for the most part, it's understaffed. By the time I get there when I leave work it's 6:00. As soon as I get up to the floor, there's nobody there at that nursing station. Not all the residents are eating in the rec area where they eat on that floor. Some of them are still in their rooms and nobody knows what's going on in those rooms.

**LEG. BROWNING:**

That's a shame.

**MS. BERMEL:**

Somebody could have, you know, fallen out of bed, fallen out of their wheelchair and laying there and nobody knows because they're all at the other end of the floor.

**LEG. BROWNING:**

Well, I appreciate you coming in and I, you know, definitely will be talking to Brookhaven and I'm hoping we can get her closer to home. Have you contacted the patient advocacy?

**MS. BERMEL:**

We have.

**LEG. BROWNING:**

And?

**MS. BERMEL:**

We did about a year ago. They tried helping but I think the nursing home where she is, they're just not easy -- they're not giving the information to the people that we're trying to seek help from.

**LEG. BROWNING:**

Right.

**MS. BERMEL:**

You know, most recently they said that they would give her -- they would give her records from John J. Foley; well, what is that good? She's been here at this nursing home for two and a half years.

**LEG. BROWNING:**

Right.

**MS. BERMEL:**

Where are those -- why don't you want to release those records? So, I do think that -- and I'm not sure we're not the only people in that situation where their family has been moved to 50 miles, maybe more than that, maybe some of them can't even get there but once a month.

**LEG. BROWNING:**

So the patient advocacy really has done nothing much to help you.

**MS. BERMEL:**

No, they haven't.

**LEG. BROWNING:**

Okay. And they're basically telling you there's nowhere else to go.

**MS. BERMEL:**

Pretty much.

**LEG. BROWNING:**

Surprise, surprise. I think that was my argument I can't tell you how long ago now but I appreciate that you have come in. Thank you.

**MS. BERMEL:**

Thank you very much.

**CHAIRMAN STERN:**

Okay. Our next speaker is Caitlin Chandler.

**MS. CHANDLER:**

Good morning, again, or good afternoon by now. As I spoke before the Public Safety Committee before, their recent salary and appeals decision to only give one half of the job titles from our unit a raise has caused a lot of outrage in our unit. We've been told time and again that, no, there's nothing that anyone can do about the salary appeals decision. We understand that. We would like to try other avenues if we could to sort of alleviate the pressure that gets put on us day to day. It's been mentioned, especially at the Government Ops. committee that we spoke at yesterday, that an idea would be to get our jobs reclassified. As it stands right now, we're classified the same as you would classify a clerk or a secretary. We do so much more than what a clerk or a secretary does.

For the Public Safety Committee, I played a tape about a five-year-old girl who called into 911 when her father was having a heart attack. If you like, I can play you another one that's a bit more graphic where a 17 year-old girl called after her 20 year-old ex-boyfriend came and killed her mother and her boyfriend and held her hostage for a few minutes before committing suicide, if it's not too frightening to you.

**CHAIRMAN STERN:**

No.

**MS. CHANDLER:**

This is from Livonia Michigan and it happened in April of 2012.

**CHAIRMAN STERN:**

No, I'm sorry, we're not going to have -- we're not going to have the tape played during Committee today.

**MS. CHANDLER:**

Okay.

**CHAIRMAN STERN:**

But please continue.

**MS. CHANDLER:**

Well, if you'd like another few minutes of information, the Forbes.com lists Long Island as 27.3 percent above the average cost of living for the national average. It's pretty high and considering that a lot of the safety of the 1.5 million residents in Suffolk County is in our hands, the fact that we're paid the same as someone who lists items in a Excel worksheet is a little bit frightening to us. The stress that we're put under, it's not burning the candle at both ends for us, it's more like putting a candle in a kiln and turning up the heat. It's crushing us, and the more you do that, the more frightening it becomes for us and for you as well. These are people who are burning out at a fast rate. They need help and we need to figure out a way to alleviate a lot of the unnecessary stress that comes along with it. Thank you very much.

**CHAIRMAN STERN:**

Thank you. Thank you for being here today and thank you for all that you do.

Okay, our next speaker is Suzanne McBride.

**MS. McBRIDE:**

Good afternoon. My name's Suzanne McBride, I represent the employees of the 911 center for Suffolk County Association of Municipal Employees.

I'm here today, again, to bring attention to the fact that we have a severe staffing shortage that has been going on for years. It started back in 2007 and it keeps getting worse and spiking, I was here in 2012 before the Public Safety Committee. Today I've been back again over and over because we are worse now than we were in 2012.

The point I'd like to make at today's meeting is this problem is not going to get any better for our emergency complaint operators, those people who are the first first responders because, as my coworker stated, they were denied a grade increase, which is going to make it very hard to attract and keep qualified professionals to do this job. "911 operator" is listed as one of the top stressful jobs across the nation and yet they're paid the same as somebody who bakes, somebody who files. They make life and death decisions in split seconds. They're the ones that when your family needs help, they're on the line to calm them down, to find out where they are, to send them the appropriate help when they need it.

We're asking all of the Legislators to please help us find a solution to this problem to get them the grade increase they deserve. We know salary and appeals is unappealable but we know there are other avenues. The Legislators of the lawmaking body of this county, they can help us find those other avenues, and we asking your assistance to find and exhaust every possible avenue to get them the grade increase that they deserve so that we can keep people in those seats, and I don't have to keep coming to the committees begging for employees with SCINs to be signed. Thank you very much.

**CHAIRMAN STERN:**

Thank you. Okay. I do not have any other cards before me. Is there anybody that would like to address the Committee? Seeing none, we will then go to our agenda and with the indulgence of my colleagues, a couple of which need to come on back in, we do have an item before us which is **IR 2019 - Appoint member to the Suffolk County Board of Ethics (Anthony M. Parlatore, Esq). (Calarco)** Mr. Parlatore is here with us today so I would like to take IR 2019 out of order since Mr. Parlatore is with us. I know he has a busy schedule and we'd like to get him back to continue on his day. So I'm going to make a motion to take IR 2019 out of order, second by Legislator Spencer. All in favor? Any opposed? Any abstentions? IR 2019 is now before us. Before we

take motions, I'm going to invite Mr. Parlatore to come on up and take a seat at the table. And, welcome, and thank you for joining us today.

**MR. PARLATORE:**

Thank you very much for the opportunity to be here.

**CHAIRMAN STERN:**

Okay. Everybody has the resolution and everybody has a copy of Mr. Parlatore's resume, but let me welcome you and thank you for joining us today. Maybe you could just start out by telling us a little about yourself and your background and what you see as, if confirmed, a role for a committee member on this very important committee and how you would like to best participate.

**MR. PARLATORE:**

Again, thank you for the opportunity to address you. I'm a lifelong resident of Suffolk County. I'm 69 years-old. I'm practicing law for longer than I'd like to admit, but it's 45 years.

As far as the ethics issue, it's always been near and dear to me. I've served on the Ethics Committee of the Suffolk County Bar Association for a number of years, also served on the Grievance Committee, and back, I guess it was in the early 80's, I sat on a committee with Stony Brook University. It was a committee that was manned by various members of the community, doctors, religious representatives. I sat representing the legal community, which passed upon ethical issues concerning experimentation that was being done at the medical school and at the university. That was really my initial introduction to many of the issues that might come up.

As far as I'm concerned with ethics, I remember an old law school professor that taught us ethics. He said, I'll teach you the whole course in five minutes: If in your heart of hearts you know it's wrong, it probably is. And I think that kind of sums it up, and that's kind of how I've lived my life and how I have practiced law over the last 45 years. We all have a sense of right and wrong. My sense of right and wrong is based upon my upbringing and my religious background. I went to Catholic school, taught religious education at a local parish for many years and, you know, I just go back to "if in your heart of hearts you know it's wrong, it probably is."

So looking forward, if possibly confirmed, to working with the board and hope that I can contribute based upon my years of experience.

**CHAIRMAN STERN:**

Very good. We certainly thank you for your willingness to serve. Are there any questions for Mr. Parlatore?

**LEG. TROTТА:**

Setauket fireman, right?

**MR. PARLATORE:**

Yeah, 44 years.

**LEG. TROTТА:**

I used to drive the 601 car. I remember you.

**MR. PARLATORE:**

Oh, that's right. Yeah, you do look -- yeah.

**LEG. TROTТА:**

I had a lot more hair then.

**MR. PARLATORE:**

Mine was a little bit different color.

**LEG. TROTТА:**

Exactly.

**MR. PARLATORE:**

I was a few pounds less, I think, at that time.

**LEG. CALARCO:**

I'll make a motion.

**CHAIRMAN STERN:**

Okay. Motion to approve by Legislator Calarco. Second by Legislator Browning.

**LEG. TROTТА:**

I'll second it.

**CHAIRMAN STERN:**

Okay, so Legislator Browning is withdrawing and Legislator Trotta is replacing. So we have a motion and a second before us. I'll call the vote. All in favor? Any opposed? Any abstention? IR 2019 is approved. **Approved (VOTE: 5-0-0-0)**

And, once again, let me thank you for being with us today and thank you for your willingness to serve. In discussing it with our counsel before you, because you made yourself available to Members of the Committee today and it was approved by this Committee, it is now going forward to the full Legislature, but you do not have to appear before the full Legislature and let me wish you the very best of luck.

**MR. PARLATORE:**

Thank you very much, and have a very good holiday season.

**LEG. CALARCO:**

Tony, thank you very much for your willingness to serve. We appreciate it.

**CHAIRMAN STERN:**

Okay. Going back to the top of the agenda, then, beginning with tabled resolutions.

**Tabled Resolutions**

**IR 1691 - Adopting Local Law No. -2015, A Local Law to strengthen the Code of Ethics. (Trotta)** That is still being tabled for public hearing so Legislator Trotta makes the motion to table for purpose of a public hearing. Second by Legislator Spencer. All in favor? Any opposed? Any abstentions? IR 1691 is tabled for a public hearing. **Tabled for Public Hearing (VOTE: 5-0-0-0)**

**IR 1693 - Amending procedures for Procuring Consultant Services. (Cilmi)**

**LEG. SPENCER:**

Motion to table.

**CHAIRMAN STERN:**

Motion to table by Legislator Spencer, second by Legislator Calarco. All in favor? Any opposed? Any abstentions? IR 1693 is tabled with one in opposition. **Tabled (VOTE: 4-1-0-0 - Opposed: Leg. Browning)**

**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)** Motion to approve by Legislator Browning.

**LEG. SPENCER:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Spencer. Everybody's good? Okay, I'll call the vote. All in favor? Any opposed? Any abstentions? IR 1802 is approved. **Approved (VOTE: 5-0-0-0)**

**IR 1926 - Establishing a policy to Protect county Woodlands (Browning)** Motion to approve by Legislator Browning and a second by Legislator Trotta. Motion to table by Calarco.

**LEG. SPENCER:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Spencer.

**LEG. BROWNING:**

Really?

**CHAIRMAN STERN:**

Okay. I'll call the vote. The tabling resolution goes first.

**LEG. BROWNING:**

On the motion.

**CHAIRMAN STERN:**

All right. On the motion, Legislator Browning.

**LEG. BROWNING:**

I think I put in a previous resolution that -- oh, this is the other one. Sorry.

**MR. NOLAN:**

This is the previous resolution.

**LEG. BROWNING:**

Sorry. I thought it was the other one.

**CHAIRMAN STERN:**

Tabling goes first. All in favor of tabling? Any opposed? Any abstentions?

**LEG. TROTTA:**

Opposed.

**LEG. BROWNING:**

Opposed.

**CHAIRMAN STERN:**

IR 1926 remains tabled. ***Tabled (VOTE: 3-2-0-0 - Opposed: Leg. Trotta and Leg. 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 was tabled for a public hearing, which has been closed so this is now back before us.

**LEG. CALARCO:**

Motion to table.

**CHAIRMAN STERN:**

Motion to table by Legislator Calarco.

**LEG. TROTTA:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Trotta.

**LEG. BROWNING:**

Actually, on the motion.

**CHAIRMAN STERN:**

On the motion, Legislator Browning.

**LEG. BROWNING:**

I have been speaking with Legislator Hahn, I know we've had some conversation with the administration so I guess at the beginning of the year, we're going to follow-up with some conversation, but I think this is a good bill but I understand that we need to have more conversation.

**CHAIRMAN STERN:**

Okay. So, Mr. Clerk, we have before us a motion to table and a second. Okay, so I'll call the vote on the motion to table. All in favor? Any opposed? Any abstentions? IR 1930 is tabled. ***Tabled (VOTE: 5-0-0-0)***

**Introductory Resolutions**

Moving to introductory resolutions. **IR 1938 - Authorizing the transfer of certain property to Suffolk County Department of Public Works (SCTM No. 0200-657.00-03.00-042.000). (Co. Exec.)** I'll make a motion to approve. Second by Legislator Spencer. Anybody have any questions on this one?

**LEG. TROTТА:**

What is it?

**CHAIRMAN STERN:**

Legislator Trotta is making an inquiry. We do have someone from the county executive's office here.

**LEG. TROTТА:**

Call me crazy.

**CHAIRMAN STERN:**

But this is a request by DPW. This is parcel or property that's used for -- will be used for drainage purposes. But please.

**MS. KEYES:**

That's exactly right. It's on county Road 16 in Medford and their request came directly from DPW upon receipt of the treasurer's list that we were receiving the property.

**LEG. TROTТА:**

So we own the property?

**MS. KEYES:**

We will own it. We're taking it -- right, yes, through tax foreclosure.

**LEG. TROTТА:**

Oh, okay. We need it.

**MS. KEYES:**

Yep, the Department of Public Works wants it for drainage.

**LEG. TROTТА:**

Someone already didn't pay the tax just coincidentally.

**MS. KEYES:**

Yes, that's exactly how -- right, so the list comes from the treasurer of what we're going to take through tax foreclosure. That list is then disseminated through the departments to see if there's a synergy or a desire for the property for a county use, and if that's that case it gets transferred to them. Instead of it coming to our inventory then being maintained, Public Works will now use it.

**LEG. TROTТА:**

So if we get any that has some solar panel availability --

**MS. KEYES:**

Sure.

**LEG. TROTТА:**

-- we'll know, right?

**MS. KEYES:**

That's right, yep.

**CHAIRMAN STERN:**

Okay. Everybody good? Okay, I'll call the vote. All in favor? Any opposed? Any abstentions? IR 1938 is approved. **Approved (VOTE: 5-0-0-0)**

**IR 1940 - Approving list of surveyors as designated by the Division of Real Property Acquisition and Management. (Co. Exec.)** I'll make a motion to approve.

**LEG. SPENCER:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Spencer. Everybody good? All in favor? Any opposed? Any abstentions? IR 1940 is approved. **Approved (VOTE: 5-0-0-0)**

**IR 1945 - Sale of county-owned real estate pursuant to Section 72-h of the General Municipal Law - Town of East Hampton (SCTM No. 0300-070.00-02.00-025.000). (Co. Exec.)**

**LEG. SPENCER:**

Motion.

**CHAIRMAN STERN:**

Motion by Legislator Spencer, I'll second. You're able to speak on this one as well? Okay.

**MS. KEYES:**

This is a -- the county investment on this is 2091, which the town will make us whole on and they want this for drainage. It's out in Montauk.

**CHAIRMAN STERN:**

Okay, and the Town of East Hampton has already made a resolution.

**MS. KEYES:**

That's right.

**CHAIRMAN STERN:**

All right, very good. Okay. All in favor? Any opposed? Any abstentions? IR 1945 is approved. **Approved (VOTE: 5-0-0-0)**

**IR 1968 - Authorizing certain technical correction to Adopted Resolution No. 775-2015. (Co. Exec.)** I'll make a motion to approve and place on the consent calendar. Second by Legislator Spencer. Is anyone available to speak on this one?

**MS. CULP:**

Hi. Jen Culp with Health.

**CHAIRMAN STERN:**

What's going on here?

**MS. CULP:**

This resolution was simply put forward in error. The grant was extended several times, but the amount of the revenue didn't change so the revenue had already been included in the 2015 Adopted

Budget so this resolution overstated it.

**CHAIRMAN STERN:**

So it's just a correction of a certain amount in a certain line.

**MS. CULP:**

Correct.

**CHAIRMAN STERN:**

All right, very good. Thank you.

**MS. CULP:**

Thank you.

**CHAIRMAN STERN:**

Okay. Everybody good? Okay. All in favor? Any opposed? Any abstentions? IR 1968 is approved and placed on consent calendar. ***Approved and Placed on the Consent Calendar (VOTE: 5-0-0-0)***

**IR 1984 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act 66 Edison, LLC (SCTM No. 0300-044.00-01.00-020.000). (Co. Exec.)** I'll make a motion to approve and place on consent calendar. Everybody good? All in favor? Any opposed? Any abstentions? IR 1984 is approved and placed on the consent calendar. ***Approved and Placed on the Consent Calendar (VOTE: 5-0-0-0)***

**IR 1985 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Anthony Ambrosio (SCTM No. 0100-152.00-01.00-007.001). (Co. Exec.)** 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 1985 is approved and placed on the consent calendar. ***Approved and Placed on the Consent Calendar (VOTE: 5-0-0-0)***

**IR 1986 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Cheryl C. Bedini (SCTM No. 0900-114.00-01.00-064.000). (Co. Exec.)** Same motion, same second, same vote. ***Approved and Placed on the Consent Calendar (VOTE: 5-0-0-0)***

**IR 1987 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act estate of Eileen Wheeler (SCTM No. 0200-080.00-03.00-033.000). (Co. Exec.)** Same motion, same second and same vote. ***Approved and Placed on the Consent Calendar (VOTE: 5-0-0-0)***

**IR 1988 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Jamie Curley, as administratrix of the estate of Ronald Deconza (SCTM No. 0200-886.00-04.00-050.000). (Co. Exec.)** Same motion, same second and same vote. ***Approved and Placed on the Consent Calendar (VOTE: 5-0-0-0)***

**IR 1989 - Authorizing the sale, pursuant to Local Law No. 16-1976, of real property**

**acquired under Section 46 of the Suffolk County Tax Act Robert Boccio and Barbara Cirlincione, as trustees of the Boccio Family Trust, as to a fee interest (SCTM No. 0200-540.00-02.00-019.000). (Co. Exec.) Same motion, same second and same vote. *Approved and Placed on the Consent Calendar (VOTE: 5-0-0-0)***

**IR 2014 - Establishing a committee to maximize use of county Property in Yaphank. (Browning)**

**LEG. BROWNING:**

Motion to approve and on the motion there were some requests for some amendments. I know that there's --

**CHAIRMAN STERN:**

Hold on just one second, Legislator Browning. Motion to approve. Is there a second?

**LEG. TROTTA:**

Second.

**CHAIRMAN STERN:**

Second by Legislator Trotta. On the motion.

**LEG. BROWNING:**

Okay. Sorry about that. So I know that there was a request to have someone from DPW. I will work to amend that come January. I'll lay it on the table in January. So if we can approve this for now so that we can start working on that committee and we will -- I recognize that there are some requests for some changes. I know that Legislator Calarco requested someone from DPW from Space Management. I can certainly accommodate that, and if there are other amendments or changes or additions to the committee, I'd be willing to consider that.

**LEG. CALARCO:**

On the motion.

**CHAIRMAN STERN:**

Legislator Calarco.

**LEG. CALARCO:**

I did request some changes to the committee's makeup and obviously the resolution certainly is going to -- would stop the proposed solar project, from being able to be planned any further because it stops any kind projects happening in Yaphank before the committee does its work. So it accomplishes the other goal of the other resolution in the same time.

I don't disagree with you I think we need to do a master plan for Yaphank because, and I have made a request that other people be on the committee because the makeup now is made up of four county people of some sense or another and five people who are not county people. This is county general municipal land. I, quite honestly, am not certain that our best use of it is solar. It may be some other needs that the county has in the future because general municipal land is not cheap to come by, but I think we need to have quite a few more county people responsible. If you look at the list you have -- you have two representatives from Yaphank, one representative from an environmental organization, a representative from the county Planning Commission, which is a quasi-county agency and the Town of Brookhaven supervisor, and then you only have four representatives from the county, three of them being legislators and one being the county Executive or -- excuse me -- two

being legislators, one being the county Executive, and one being BRO.

We have nobody from DPW, we have nobody from -- from any of the other agencies and I think that in order to put this thing forward, we have to have not just one. I think a couple of people from the County's departments who are going to be responsible. Quite honestly, we have FRES, the police department, the sheriff's office, DPW, among other agencies, all operating in Yaphank and some of these properties are right by in FRES's operations, and I think FRES should be talked about what their needs will be for their training facility.

Again, I don't disagree with you, Kate, I'm not sold on the solar project, I'm not, but I think if we're going to make a master plan, we need to have a master plan that's encompassing all the people who are going to be having needs out of it.

**LEG. BROWNING:**

I think you're saying -- okay. There was one part of it you're saying there's not enough county people, and representatives from the legislative side are county people. There's currently four from the county out of eight.

**LEG. CALARCO:**

Nine.

**LEG. BROWNING:**

Out of nine.

**LEG. CALARCO:**

So the majority --

**LEG. BROWNING:**

I have agreed to adding someone from DPW for Space Management that would be one more from the county. I mean, if you think the need to have -- I don't think Suffolk County PD wants to come to every meeting and participate in a meeting because I've been involved in many committee meetings where that's the last thing they want to do, and I don't think they want to sit in a meeting to figure out whether we should be cutting trees or not and the same goes with FRES. I can see no reason why we can't involve them or call them in when the conversation happens and that would be up to the committee when we want to do that, but I think to have them sitting on a committee every week, I can tell you Joe Williams has got more than enough to do, as does the police department. For them to come and sit in the committee about trees and (indiscernible).

**LEG. CALARCO:**

I see it differently, Legislator Browning. It's not a committee about trees. It's not.

**LEG. BROWNING:**

Partially.

**LEG. CALARCO:**

This is a committee about what are our future needs with our holdings in Yaphank.

**LEG. BROWNING:**

Exactly.

**LEG. CALARCO:**

And I understand that you may have a desire or think that these particular properties should be placed into more protected status, and that is an argument that could be had, and if that's the aim, you ought to just put a resolution in that does that.

But my vision of what we need to look at in Yaphank and the entirety of the County's holdings there is what are the County's needs because acquiring new general municipal land in the future, should we have future needs for any of our departments, is not going to be cheap. So we are sitting on quite a bit of acreage that has very high value to us that could be utilized in a lot of fashions and I don't know that solar is the best use of them anymore than I know that leaving them as protected open space is the best value for them. I think that we really need to be cognizant of the fact that 15, 20, 25 years down the road, we may need this property for something else.

**LEG. BROWNING:**

And, again, I think that the intent of this is to say should we preserve it all, should we develop it all, should we develop parts of it. That's part of the committee's task is to look at that.

**LEG. CALARCO:**

Which is why we need to have --

**LEG. BROWNING:**

And to bring in FRES and I don't think we're going to need FRES and the police department to sit in on every meeting. I think when it comes to those specific issues that we can have them come in and participate in that discussion. Again, I said in January, I'll be willing and happy to add Space Management and if there's another -- another representative you feel the need to have there, I'm certainly willing to entertain that.

**LEG. CALARCO:**

So why don't we just introduce a new resolution in January?

**LEG. BROWNING:**

You know what -- you know what, Rob, as far as I'm concerned, it doesn't matter what I do, you're going to vote against it, anyway, because you're drinking the Kool-Aid. You just do what you're told. Okay. I get it.

**CHAIRMAN STERN:**

Okay. Anyone else? Okay. Mr. Clerk, what do we have? We have a motion to approve and a motion to table before us.

**MR. RICHBERG:**

We only have a motion to approve.

**CHAIRMAN STERN:**

That's all we have? All right.

**LEG. BROWNING:**

We had a motion to approve and we had a second. Go ahead, do what you have to do.

**CHAIRMAN STERN:**

Well, actually it's a discussion to have on the record. On the -- all that's before us is a motion to approve. All right. I see this bill as doing two things effectively: one, it establishes a working

group to develop a long-term vision for the property. And if you read all the way through at the end is the second to last resolve it also says that "No county department, agency," et cetera, "shall take any action to advance any project on this property, which effectively would have the same result as the other resolution."

Let me agree with Legislator Calarco. I don't know if that's the right proposal, I don't know if it's the right plan, I don't know if it accomplishes the goals that we hope they would accomplish in theory or not. But as I said last time, I would like to have those answers, and I think that asking the questions and having the professionals involved and going through a process to raise those questions and provide us with answers so we can make an informed decision would be important.

I would also think that having the answers to those questions would be important for any body, any group, that you're looking to put together to be able to make an informed decision as well; but I understand where you're at. I understand the underlying purpose of the resolution here, but I would be very supportive of putting together a group to determine what the long-term use of that property is going to be, and I would be happy to support Legislator Browning in your efforts to put together that group and have those conversations.

At the same time, I would think that having that information to be part of that would be important. So while I support the underlying intent here of putting together a group to do that analysis and while I might agree that there should probably be some additional appointees here that I would like to see but we can certainly do that going forward. But as far as shutting off an opportunity to have an ongoing discussion and get us the information that we're all looking for to make an informed decision, that I would go back to the points I had made last time because I see that as being the same question before us today. Legislator Browning.

**LEG. BROWNING:**

Let me give you a little history. We wouldn't be sitting here today with this resolution had there been transparency on the part of the administration and the departments with this proposed project. So if we're going to take this property and look at it as a whole to determine what should be done with it, when Mr. Raacke got up and said, you know, solar's great and we looked at this county property, you know, the problem is is that you're basically saying, well, we're going to look at the property but we're going to move forward with the project. Well, yeah, that's what you're saying is we're going to move forward with the project, we're saying let's take a look at the property and determine what should be done with it whether we should have that solar, maybe that will wind up happening. However, the fact of the matter is they're going to continue to move forward with the project and like I said was we should be looking at the project as a whole and the property as a whole and saying should we be doing this why they're doing the work the work that they want to do to move it forward. So then why bother having the committee at all? You want to make a decision. Create a plan for that property for future purposes. So now you're going to say let's move the solar project forward, that's basically what you want to just let all of that move forward and then after we talk to the Suffolk County Police Department and FRES and, you know, anyone else and say, well, maybe we should not, you know, ten years from now say, Oh, we got this solar project here, we actually need this land for something else, or, Maybe we shouldn't be doing anything with it at all.

But the problem is is that I just -- I just get the impression that doesn't matter what I do there's always going to be a roadblock to just allow this to continue to happen, let this solar project happen, let them do whatever they do and then somewhere down the road when none of us are here somebody's going to say, Well, that was about the dumbest mistake anybody ever made, why didn't they -- in hindsight, Oh, we shouldn't have done that.

So let's be honest with ourselves, there's been no real plan with this property. You can't move one project when you're trying to make a plan, it doesn't make sense. I don't know about you, but I'm getting work done in my home and I made a plan before I did it. I didn't say I'm going to do this and then afterwards I'm going to think about what I really want to do. That's kind of what you're saying, that's kind of what we're looking at here is let's go ahead and do this and then decide later what we really should have done with it when it's all over with.

**LEG. SPENCER:**

George.

**CHAIRMAN STERN:**

Legislator Spencer.

**LEG. SPENCER:**

Are there any -- that second resolve, to the last resolve there where it indicates that "No county department, office, agency or official shall take any action to advance any project on county-owned property on or adjacent to the Yaphank county center." The way that that reads, the action we just took as far as the sale of the Foley, wouldn't -- if you look at the -- doesn't that basically say, you can't take any action on any county-owned property adjacent -- when I look at that, I mean, isn't that an unintended consequence of that resolve? It says any action, it's exclusive, it doesn't leave any room on any property of any project. That second to last resolve, Kate, is is --

**MR. NOLAN:**

It's actually a good question. You know, but there's a couple questions is, you know, I'm not that familiar with Yaphank, I guess Foley is in that general vicinity. But is this --

**LEG. SPENCER:**

(Inaudible)

**MR. NOLAN:**

Let me just finish. But is selling, you know, or entering into negotiations to sell Foley a project? You know, I don't know if that is a project. We're transferring a building.

**LEG. SPENCER:**

But you could see --

**MR. NOLAN:**

You know, it's something that maybe you want to clarify, it wouldn't be the worst thing.

**LEG. SPENCER:**

I mean, I'm giving you a difficult time but that -- that action you're saying nothing can be done, anything, any action, any -- you got to clarify that.

**LEG. BROWNING:**

No, the building is sitting there, come on, let's find every excuse under the sun to not support the bill, let's be honest. The fact of the matter is, is the building is there, we've made an approval to go into an agreement with the John J. Foley, it's a building that exists, we're talking about the rest of the property, the rest of the land over there. Behind it, in front of it, whatever you want to call it, there's all that wooded property that is not yet developed, we want to come up with the a plan, that's what we want to do. It's been sold off, it's been piecemealed what's been done with it over

the years, let's come up with a real plan and Rob said maybe it's -- the purpose of this land, the reason it was purchased for, many years ago, was for future development for county property. However, things have changed over the years. We know a lot more about our environment and protecting our environment since 40 years ago.

So what I'm saying is before we do anymore development, let's look at it. So stop throwing in John J. Foley because I just see that as another excuse to put a roadblock in front of this bill. So I swear I think if I was to stand on my head and do summersaults and it was asked of me to do that, it would still not be good enough. It doesn't matter what would be done, it's --

**LEG. SPENCER:**

I'm sorry you feel that way but that's just not the case with me personally and you can say whatever you'd like I know that I think that words have meaning here. I would support this. I'd discharge it. If you want to change that resolve, but the farm -- anything you're saying any project; what's a project? We're saying no action on any project does that -- I mean, the words matter, Kate, it -- the words matter, I'm sorry. They do. I'm sorry, I know this is very passionate but you've got to change that resolve. There's no way you could pass this.

**LEG. BROWNING:**

So you're saying we should allow development to occur while we create a plan.

**LEG. SPENCER:**

I'm not saying that, but you're got to have a better --

**LEG. BROWNING:**

That's basically my plan.

**LEG. SPENCER:**

-- you got to have a better resolution.

**LEG. BROWNING:**

Is we're going to continue to allow -- that property is not part of it.

**LEG. CALARCO:**

It's not in Yaphank holdings?

**LEG. BROWNING:**

Right now, that's farmland property.

**MR. NOLAN:**

The intent of the resolution has to do with the surplus property at Yaphank. A lot of it's already been declared surplus. I know the intention is not to affect Foley or the farm or anything like that. The sponsor's intent is very important in determining the meaning of the resolution. I don't consider the sale of Foley a project and I certainly know that's not the sponsor's intention. You know, if the Committee wants more clarification and the sponsor wants to go that way we could do that, you know, if it'd make people feel more comfortable but in my mind the sale of Foley is not a project and I think the intent of the resolution is directed towards the surplus property.

**LEG. CALARCO:**

I think Doctor Spencer makes as good point though because it doesn't say the surplus property, which in and of itself implies that it's surplus and we don't need it anymore, it refers to entire county

holdings. So, yeah, the project's to -- to expand the farm are projects, projects to expand the DOE are projects. We have a lot of projects going on out there right now quite honestly. The intention is obviously, listen, we know what the intention is here. The intention of this resolution is to kill the solar project, let's just be frank about it, that's what the intention of the resolution is. Let's not do the solar project because it's bad. We had one resolution attempted to do it, this is another version to attempt to do that. I don't know if the solar project's good and quite honestly I'm pretty damn close to just saying let's not do the solar project, but, you know, let's just be honest about what we're doing and stop, you know, finding one way after another to do the same thing and let just say this is what this is doing.

**CHAIRMAN STERN:**

Okay, so, Mr. Clerk, once again, we have before us is a motion and a second to approve, so Legislator Spencer or Legislator Calarco; anything?

**LEG. CALARCO:**

I'll make a motion to table.

**CHAIRMAN STERN:**

Motion to table by Legislator Calarco.

**LEG. BROWNING:**

Just vote it up or down, one way or the other.

**CHAIRMAN STERN:**

Okay. Legislator Calarco's going to withdraw his motion to table. All we have before us is a motion to approve, I'll call the vote. All in favor? Any opposed? Any abstention? Okay. IR 2014 is not approved. **FAILED (VOTE: 2-3-0-0 - Opposed Leg. Stern, Leg. Spencer and Leg. Calarco)**

Okay. The last item on the agenda was IR 2019, that we had done earlier, so there are no other resolutions before us but we are going to Executive Session. So I will make a motion to recess for purposes of Executive Session, second by Legislator Spencer. All in favor? Any opposed? Any abstentions? We are recessed for Executive Session.

**[\*AN EXECUTIVE SESSION WAS HELD FROM 2:06 P.M. UNTIL 2:23 P.M.\*]**

**CHAIRMAN STERN:**

Okay. Back on the record from Executive Session for the purposes of considering a settlement in a lawsuit. In the matter on Gregory Hubbs v. County of Suffolk the Committee approved a settlement for this litigation. Okay.

There being no other business before the Committee, we are adjourned.

**THE MEETING CONCLUDED AT 2:24 PM**