

**PUBLIC WORKS & TRANSPORTATION COMMITTEE  
of the  
Suffolk County Legislature**

**Minutes**

A regular meeting of the Public Works & Transportation 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 **March 13, 2002**.

**Members Present:**

Legislator Joseph Caracappa - Chairman  
Legislator Brian Foley - Vice-Chair  
Legislator Angie Carpenter  
Legislator David Bishop  
Legislator Andrew Crecca

**Also in Attendance:**

Paul Sabatino - Counsel to the Legislature  
Phyllis A. McAlevey - Aide to Legislator Caracappa  
BJ McCartan - Aide to Presiding Officer Tonna  
John Ortiz - Budget Analyst/Budget Review Office  
Nicole DeAngelo - Intergovernmental Relations/County Executive Office  
Ed Hogan - Aide to Legislator Nowick  
Terrence Pearsall - Aide to Legislator Lindsay  
Charles Bartha - Commissioner/Suffolk County Public Works Department  
Richard LaValle - Chief Deputy Commissioner/SC Public Works Department  
Leslie Mitchell - Asst to the Commissioner/SC Public Works Department  
Bill Shannon - Suffolk County Department of Public Works/Highway  
Laura Conway - Suffolk County Department of Public Works/Finance  
Vito Minei - Suffolk County Department of Health Services  
Emi Endo - Newsday  
Jack Kennedy - Nassau-Suffolk Building Trades  
Sal Carvalheira - District Council #9  
George Castellano - RJ Williams Heating  
Joel Itzkowitz - Construction Consultants, Long Island  
William Hardy - Austin Interiors, Inc.  
Ken Huber - Local 138/IUOE  
Edward Horbach - Local 1298  
Various Union Members of Local #1  
All Other Interested Parties

**Minutes Taken By:**

Alison Mahoney - Court Stenographer

CHAIRMAN CARACAPPA:

Would everyone rise for a salute to the flag by Legislator Carpenter.

### Salutation

Thank you. Actually, good morning to everyone. We have a few cards so we'll get right to the public portion of this committee. The first speaker is -- actually, the first speaker was going to be legislator Lindsay, but I do not see him. Jack Kennedy? Good morning, Jack, welcome.

MR. KENNEDY:

Good morning.

CHAIRMAN CARACAPPA:

You can have a seat at the table.

MR. KENNEDY:

Good morning. I'm here this morning to speak about the legislation that's before you, and it's referred to as IR 1266-02 and it deals with apprenticeship.

There was a bill that passed both the Assembly and the Senate and it was signed by the Governor on December 19th and it offered municipalities to be able to insert language in all public works, in all of the municipalities throughout the State. And I have some information for you, I guess -- how many of there are you? There's two, four, five?

MS. MAHONEY:

I need one, too.

MR. KENNEDY:

Okay, six. In the information that I presented are frequently asked questions about apprenticeship. It talks about the various criteria for becoming an apprentice, and hopefully it will answer some of the questions that are asked many, many times

(\*Legislator Bishop entered the meeting at 11:44 A.M.\*)

Let me just talk briefly about apprenticeship. I'm a product of the apprenticeship system. I became -- I graduated from high school as a young kid and my father said to me, "What do you want to do? Do you want to go to college, do you want to become a policeman or do you want to become a craftsman?" And at the time I chose to become a craftsman, I chose to become an electrician. I became an electrician apprentice right out of high school and that's what I've done all my life until I became the head of the Nassau-Suffolk Building Trades.

Let me just say this to you, that -- tell you a little bit about my experience. Not only did the apprenticeship program that was approved by the State of New York teach me a craft, it also taught me an awful lot of -- and I had an awful lot of journeymen that taught me a lot of the things that have stayed with me all my life and they were probably

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being responsible, working safely, reporting to work on time, before time, being productive, learning how to be productive, and probably mostly how to work safely.

I also chair, in the many, many hats that I wear, I chair the Apprenticeship System for the State of New York. I was appointed by the Governor. I was a Councilmember and I've become the Chair of the Apprenticeship for the State of New York and, as I say, I was appointed by the Governor of New York. Unbenownst to a lot of people, there are 1,210 different apprenticeship programs that are related to so many things that really most people don't even know about, and I'll give you a little bit; an aircraft engine mechanic, an autobody repair and painter, autoglass installer, a boat builder, a blacksmith, a beautician, nurses, a commercial press operator, a tool and die maker, a fire alarm mechanic, and on and on and on. And as I said, there's 1,210 different categories. There are a total of 22,958 apprentices that train in registered apprenticeship programs in the State of New York. Now, that information was up-to-date on last Friday, that number changes from time to time.

In Nassau and Suffolk County, there are 58 registered apprenticeship programs; 13 of them are building trades union apprenticeship programs, there are 32 non-union, construction trade apprenticeship programs on Long Island. It's not strictly a union endeavor. There are programs that, as I say, do exist in the non-union sector, so it's not a union/non-union type of thing, it's all about -- this language is all about training people for the future. It's no mystery and people will tell you that probably within the first -- within the next five years there's going to be a crisis in the State of New York with trained craft people. It's no mystery, you look around and you see a lot of people like myself with gray hair that are probably going to retire within the next five years and we're going to need to fill that need with apprenticeship programs.

In that packet that I gave you, I went before the Town of Babylon, I went before the Town of Huntington, and many of us went before the Town of Oyster Bay and this language was adopted and it's become part of the Town of Huntington, Babylon and Oyster Bay. Oyster Bay voted for it unanimously approximately a week ago; I haven't gotten the copy of the draft but it was passed.

I would urge the department to vote on the language, pass the

language, and I would be very, very happy to answer any questions or any reservations if there are any. I can't think of why anybody would ever want to vote against language like this because as far as I'm concerned, it's all about education and educating the work force for the future.

CHAIRMAN CARACAPPA:

Any questions? I have one. Jack, first, thanks for your testimony. What does it cost the employer per apprentice to send them to school, what's their share?

MR. KENNEDY:

Well, probably -- you know, I'm not that familiar with the non-union sector. I know it's very, very costly for a union program which is

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jointly administrated between the contractors and the electrical union and we pay for it, journeymen; journeymen that are out in the field pay for it, money is extracted from their collective bargaining agreement, their wage package and they pay for it and it's very costly. I would say that probably some of it probably costs as high as \$8,000 a year per student when you think about the time, the investment, the tools, the machinery, the curricula, everything that's involved.

Probably the avenue that a non-union contractor would take is in order to do the related instruction portion of the program, he would have to go to the State, make an application. There's a system that's referred to as Appendix A and Appendix B that gives you the curriculum, it gives you the amount of hours that are required for each specific craft. If he was a non-union person, he would probably go to a local community college for part of the related instruction, he might go to a BOCES and he would try to get courses that would fill that requirement for Appendix A or Appendix B.

CHAIRMAN CARACAPPA:

Legislator Bishop.

LEG. BISHOP:

Good morning, Jack. The question I have is -- I'm enthusiastic about this law and its purpose, but I'm concerned, as I am concerned with prevailing wage, that our good intentions could be lost in poor enforcement. Do we have any idea how we can improve the enforcement record of government with regard to this legislation and also with regard to prevailing wage?

MR. KENNEDY:

Well, first of all, as far as enforcement of the prevailing rate -- and you would probably be talking about how we would enforce it

against the non-union contractor?

LEG. BISHOP:

Yes.

MR. KENNEDY:

Okay.

LEG. BISHOP:

I guess what I'm asking is I want -- I'm obviously supporting this legislation, but I'm concerned that we're going to have a problem with enforcement next year and I wanted to know if you have any ideas how we can address that.

MR. KENNEDY:

Yeah, sure. There's a couple of ways that you can deal with it. If there was some kind of language that mandated on every public works job that there is that there's a form of monitoring how many people are on the job, how long they're on the job, a clerk-of-the-works, something that we used to have years ago and I think it's something that we should return to.

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LEG. BISHOP:

Something that this Legislature has included in County budgets but has never been put in by the Executive Branch, but we have provided funds for a clerk-of-the-works in the past. And we have provided funds for additional enforcement in the District Attorney's Office, last year we got that, that was put in.

MR. KENNEDY:

Well, hopefully now that you have a change in the District Attorney, we're hoping that that will come about as far as enforcement. And I've got to tell you this and I want to compliment the District Attorney because he has been diligent, he's been tenacious and he's really brought some stuff to a head already.

CHAIRMAN CARACAPPA:

You done, Dave?

LEG. BISHOP:

Yes.

CHAIRMAN CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Thank you, Mr. Chairman. Good morning, Jack, and thank you for your testimony this morning. As a cosponsor of the legislation, I, too,

look forward to hopefully the passage from today's committee and then we'll take it before the full Legislature next Tuesday. A couple of points you raised really get to the heart of the matter. And some of the calls that I've received, there were concerns as if this was only a union involved program, but as your testimony has amply demonstrated this morning, that there are both union and non-union apprenticeship programs; correct?

MR. KENNEDY:  
That's right.

LEG. FOLEY:

Okay. And if we couple that with the fact, Mr. Chairman, one of the WHEREAS clauses gets to another issue that the apprenticeship program really speaks to in that there have been of recent time in the bi-county region a number of OSHA violations that have occurred in a number of public projects, be they in school districts, be they in the County or towns. And that one of the best ways, one of the most effective ways of dealing particularly with OSHA violations, and we can see -- anticipate over the next five years before all those who may be graying and will be retiring, but within the next five years there will be well over a billion dollars worth of projects extant throughout the Island. With that in mind, programs like this are going to, if not totally eliminate, at the very least greatly mitigate the number of violations that could otherwise occur. So I see this as a big step forward. I like the fact that we have townships that have also approved this; usually we like to get ahead of other local municipalities when it comes to progressive legislation. But certainly here we can do it in tandem with the municipalities, local municipalities so that we can have a higher quality of workmanship, if

you will, of the different trades for the variety of jobs that will be out there on the Island over the next five to ten years. So I look forward to passing this out of committee today.

MR. KENNEDY:

Something that I might also add is, and I may have touched on it briefly, an awful lot of these buildings that we're working in right now that are public works, that are owned by the County, there's some in Riverhead, they're all over the Island, a lot of them were built in

the 50's and built in the 60's, a lot of them are full of toxic materials. Part of the apprenticeship training program teaches our apprentices about the dangers, about how to work safely in that kind of an environment by the utilization of protective clothing, by the utilization of respirators, many of our guys who trained for hazmat training.

And even on a personal level, and I shared this with the Town of Oyster Bay, when I went to apprenticeship school, I learned how to perform CPR. And by the grace of God, on two different occasions I had the ability to save a young boy that had drowned and I was able to save his life. Now, the reason I was able to do that is because I was taught and I was taught through apprenticeship and I was upgraded different times when I was part of the fire department, but I learned that basic skill as part of our apprenticeship training. So it has really been a lifetime experience for me and has prepared me for the rest of my life. So thank you.

CHAIRMAN CARACAPPA:

Any further questions for Mr. Kennedy?

LEG. CRECCA:

Thank you, Jack.

CHAIRMAN CARACAPPA:

Jack, we thank you.

MR. KENNEDY:

Thank you.

Applause

CHAIRMAN CARACAPPA:

I'm going to give it my best shot here. Next speaker, Joel {Chirkowitz}?

MR. ITZKOWITZ:

Itzkowitz.

CHAIRMAN CARACAPPA:

Come on up.

MR. ITZKOWITZ:

Good morning. How's this? Okay, a little better. My name is Joel Itzkowitz, I'm President of Construction Consultants, Long Island. We're a general contractor located in Suffolk County. I lived on Long Island my whole life, except for a period of time I was in the

midwest. And this resolution just came to my attention recently and I haven't had as much time to really study it as carefully as Mr. Kennedy may have. But my concerns as a general contractor who employs both union and non-union subcontractors on municipal projects, is that while the extensible intent of this is very good, no one can argue with education and training, the real result may be stifling of competition among contractors by, in essence, making it mandatory that the contractor and his subcontractors have an approved apprenticeship program.

My company is particularly aware of safety issues in construction. We are what is called a boa contractor of Brookhaven National Laboratories. That's something that's a little difficult to achieve, it is a lot of study, paperwork and, you know, review of a company before you are allowed to work in there. Brookhaven Laboratory probably has some of the highest safety standards and safety issues of any entity that I have ever worked with.

And the resolution really addresses safety. It's really -- they're saying really the intent, "WHEREAS the public disclosure regarding OSHA violations and severe worker safety have come to the attention of the Legislature; therefore, be it RESOLVED that we mandate that the contractors who do work or business with Suffolk County have these apprenticeship programs in effect." The only problem I find is that by mandating this for the individual contractors, and if you're not a union contractor or if you have subcontractors who may not be union contractors, you're sort of denying them the opportunity to employment.

What happens at Brookhaven Laboratory which, you know, is its own special case, you there have the laboratory itself enforces a training program, has -- you know, job safety is really worked on and looked at very carefully by all present, and it's really -- you know, it's mandatory, there's no getting around it, it's a very, very important part of your being there. And I'm just wondering if the Legislature should perhaps, you know, study this. I think the intent of this is excellent. No one could, as I said, argue with safety, we're very safety conscience, no one wants to lose money or see increased insurance premiums develop as a result of safety. And certainly, apprenticeship programs, you know, craft skills are very important. I think Mr. Kennedy was a hundred percent correct, there's a real dearth of qualified people out there, you know, in the building trades.

Is a mandatory apprenticeship program the way to go? It may be in certain areas and it may be in certain times, but should it be across the board and absolutely exclude anyone who is not following that particular path to employment? I think that's something the Legislature has to really consider, you know, before it takes, you know, this kind of action. I think the intent of it is good. I think

safety is very, very important, but I think the Legislature has to really study to see the impact of making this mandatory.

Now, Mr. Kennedy did speak about non-union apprenticeship programs and, to be honest with you, I'm not that familiar with them so they may be out there, but I don't know how good they are or what's really

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involved. And I think, you know, you really want -- if you're going to do something, you want something that's effective. I think the point I'm just trying to make is that before this thing is -- this Legislature or this Introductory Resolution becomes County Law, it should really be studied and the impact should really be thought about as it might affect immediately competition for public projects. And if you have any questions, I'd be glad to answer them.

**CHAIRMAN CARACAPPA:**  
Legislator Crecca has a question.

**LEG. CRECCA:**  
I guess one of my concerns is there's no question by your own testimony you agree that it does help promote safety, training, education.

**MR. ITZKOWITZ:**  
Well, I'm not familiar with apprenticeship programs, I imagine they would. I know the programs that we employ at Brookhaven Laboratories and their own -- we have our own safety plans, do. And I would say I would imagine that the union or the non-union apprenticeship programs would emphasize safety, it's very important.

**LEG. CRECCA:**  
My concern is -- and if you can address this, that would be good -- is on the other -- the flip side of it is if you have a contractor who's out there using subs and everything and union employees that are participating in an apprenticeship program and doing the right thing, and then you've got another contractor bidding on a job where he's dealing with subs and non-union or dealing with people who aren't doing the apprenticeship programs, the guy who's doing the right thing is really being penalized, you know, you're talking about competition, because you've got this other guy coming in there with a lower bid who maybe isn't promoting the apprenticeship programs. And I guess from this side, that's one of my, you know, serious concerns, that I don't want to give somebody who's avoiding participating in an apprenticeship program an unfair bidding advantage on public work type jobs.

**MR. ITZKOWITZ:**  
Well, I think if you are talking about dollars to dollars, you might

be right, I really don't know. I mean, Mr. Kennedy talked about what an apprenticeship program costs, though he indicated it was coming from the members of at least the unions themselves. I think to answer your question, it's a definite concern but I would also -- you know, you would have to evaluate each apprenticeship program on its own to see how effective it is. And I think if the contractor feels that the apprenticeship program is improving his business in general, over all, then he will be more competitive, he'll have more -- if he feels it's working for him, he'll feel he'll have more qualified people.

On a strictly -- if you're talking, Mr. Crecca, just on a strictly dollar to dollar like this guy, this contractor A doesn't have an apprenticeship program therefore he's not paying for it, therefore he can be more competitive; I don't know if that would really factor, you know, into a bid. I know we receive bids from union and non-union

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subcontractors and sometimes they're different, sometimes they're the same, sometimes the union is higher, sometimes the non-union is higher. I think a lot depends on the individual business and the type of project, you know. I just -- my feeling is that the immediate impact of this, without really looking at it, may be to lock out and stifle competition on public projects, and obviously that's my concern.

LEG. CRECCA:

I appreciate your comments.

CHAIRMAN CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Just as a point of clarification, just responding to the comments. This does not apply to the lab, this applies to County contracts.

MR. ITZKOWITZ:

Yes, yes. No, I brought the lab up as an example of an entity where a safety program was enforced and utilized, you know, in a situation that did not require that a contract or a subcontract be signatory to an agreement. But in fact that there was a program developed, you know, by Brookhaven Laboratories that all contractors participated in, you know, once they were on site, but it wasn't something that, you know, the workers per se, that you had to have a signed agreement, you know, before could you enter into a contract with the lab. It's something you participated in once you were on board.

LEG. FOLEY:

Thank you.

**CHAIRMAN CARACAPPA:**

Thank you, sir. Next speaker is William Hardy.

**MR. HARDY:**

Good morning. I would just like to go on the record as saying that I'm opposed to this legislation for the apprenticeship program due to the fact that the small non union contractor won't have an opportunity to bid on this work due to the fact that they effectively have no provisions to support an apprenticeship program. Another thing, problems that I see with it are, you know, Suffolk County also has their own employees that do carpentry and various different types of work, and is Suffolk County employees also going to be held to the apprenticeship training program, or is it just going to be the contractors that are going to be held to the standard?

Although I'm not against safety training at all, I'm quite for it, I don't see how a contractor that doesn't want apprentices, say we only want to hire skilled craftsman and we don't want to have any apprentices in our organization, we are still bound by this law that's going to effectively exclude us from all County projects.

Another thing is, you know, I believe every organization should have its checks and balances and I believe that the non-union organization is a balance for the unions. Having only one entity being able to bid

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on a job effectively is going to make it very expensive, I think, for the County in the long run. And I would hope that, you know, Suffolk County could look at this and see the long-term effects that this may have. Being as where Nassau County is standing now, I would hope we wouldn't want to take ourselves into a situation where only one entity could enter into contracts for Suffolk County.

I am for safety programs and I would like to see a safety program instituted for every worker in Suffolk County, but I don't think that this is the right program. I would like to see safety but not this way.

**CHAIRMAN CARACAPPA:**

Any questions from the committee members? Thank you, Mr. Hardy.

**MR. HARDY:**

Thank you.

**LEG. FOLEY:**

Thank you.

**CHAIRMAN CARACAPPA:**

Next speaker is Ken Huber.

MR. HUBER:

Good morning. My name is Ken Huber, I'm the Training Director for the Operating Engineers, Local 138 on Long Island. I have been a training director for approximately 13 years now, and as a training director, our program, which we have approximately 75 apprentices in it right now, our apprentices go to three years of school, two nights a week, 160 hours of classroom and they do 32 eight-hour days during the course of the year, that's for their practical out in the field to get their experience. After the three years, it's mandatory that they take a test on five pieces of equipment and if they pass they graduate to become journey people. During that time in the training program, there's many courses that they do take. When we send an apprentice out to work to a job site, the apprentice already has OSHA 500 which is construction, OSHA 501 which is general industry. They have hazmat in respiratory protection, again, silica, asphalt fumes and asbestoses. They're trained in all sorts of forklift training. If you people realize, now you need a forklift certification, training and certification.

We, as the Operating Engineers, are the downstate area to test for New York State Crane Licensing on Long Island or for the State of New York. At this present time, it costs us -- it costs the local \$14,000 per student per year to send an individual to school, so it's a very costly operation. But again, at the other end, they're all certified and ready to go as an apprentice for safety on the job site. And as the training director, I look at safety and training being just as important part of apprenticeship. It has to fall all together. And in closing, I'd like to say that it doesn't cost our contractors anything, our membership pays for the cost of the program to run for the three years.

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And in that, I would like to say that about a little over five and a half months ago I was asked by my business manager to participate in a -- with our international down at Ground Zero. He put a team together of six instructors, we trained two classes during the day, one in the afternoon, one in the evening hours, we trained over 2,000 members of public service, other trades, as well as other trades participating with the Operating Engineers. I am happy to say that today, Ground Zero happens to be one of the safest places to work and as a disaster area because of the training. And it's not because I am an operating engineer and I was there, it was done because training was in place for the worker and for the apprentice on the job site. Thank you.

LEG. FOLEY:

Thank you.

CHAIRMAN CARACAPPA:

Thank you. Just as I'm sure the entire committee -- in fact, I know everyone -- the job, on a side note, with Ground Zero, the work that's been accomplished there in such a short period of time in such incredible conditions, it's just unbelievable and a testament to the work force that's down there and the training that they have, to get it done so quickly and in such a safe manner. So I know this committee speaks in unison when we say thank you to the trades people that have done a tremendous job down at Ground Zero. Any questions? Thank you, sir.

MR. HUBER:  
Thank you.

Applause

CHAIRMAN CARACAPPA:  
Edward Horbach?

MR. HORBACH:  
Good morning. My name is Edward Horbach and I am the Training Director for Labors Local 1298 Joint Apprenticeship Training Fund. I'm here today in support of the legislation in front of us.

Our apprenticeship programs require an apprentice to successfully complete nearly 300 hours of instruction on a wide range of job and related safety classes, as well as hands-on instruction on various work related skills and tasks that they are required to perform. These classes include the OSHA 500, a 10-hour safety class covering various construction safety issues, hazardous awareness, excavation, permit required confined space, maintenance and protection of traffic and soil analysis to name a few. These classes are reinforced by the use of hands-on exercises as well as both written and verbal testing. An apprentice is also required to complete 4,000 hours of actual work experience in the employ of our signatory contracts before they graduate from the program and become a journey worker.

Our program gives members of our community an opportunity to make a wage to afford themselves and their families a decent standard a decent standard of living which they may not have had before. It opens up our trade to minorities, both female and male, and could give

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them a new direction in their lives. I feel that it is important, if not imperative, that we expand these opportunities and pass the legislation. It will give our contractors bidding work, an added incentive to employ not just our apprentices but apprentices from all different construction trades, programs on the County projects ranging from highway and drainage, installation and rehabilitation to repair and construction of County offices.

The construction trades some time ago had determined that an apprentice training program was needed for the industry. According to the Bureau of Labor statistics, workers with less than one year's experience accounted for 38% of all construction industry fatalities. The use of apprenticeship training programs teaching safe work habits will go a long way in reducing these numbers. In order to make all the apprenticeship programs work, contractors must be encouraged to hire and keep these novice workers. This legislation would give the contractors the encouragement they need.

In response also to the other speakers before us, our apprentices, when they complete the program, they have a job. A lot of programs, they're job specific. A contractor, for instance, might just use the apprenticeship program for that job and after the program ends that's it, these people are back on the streets. When our people are finished they have a career, and that's what this is all about. You know, just a level playing field for all the contractors. I know how some of these non-union fellas feel, but I know a lot of these people might be reaching across to the Spanish workers that come into this country, they can't speak the language and they're using them for cheap labor and we want to protect prevailing wage and it's important, I think, that we pursue on this topic. Thank you very much.

CHAIRMAN CARACAPPA:

Any questions? Thank you, sir.

LEG. FOLEY:

Thank you.

Applause

CHAIRMAN CARACAPPA:

The last speaker on this topic will be our own, Legislator Lindsay.

LEG. LINDSAY:

Yeah, good morning. I thank my fellow Legislators for giving me the opportunity to address the Public Works Committee. I'm not a member of the Public Works Committee, but I am a cosponsor of this particular legislation and if I'm not mistaken I think I'm the only person on the Legislature that has -- went through an apprentice program. And I think I had some valuable points that I wanted added to the record and that's why I asked to speak.

In the legislation and as alluded to by many of the speakers, the rationale for it is safety training. And there's no doubt about it that somebody that goes through a registered apprentice program certainly gets more safety training and ultimately, as a result of that training, probably becomes a safer worker. But that isn't what

apprenticeship is about to me. What apprenticeship is about to me is opportunities; opportunities for young people that might not have any other opportunities for career training in high paying jobs that provide benefits which is an important part of our society today. The last number I saw, there's like 45 million people in this country that don't have health insurance which is, I think, a national disgrace.

Myself, to just share with the committee and the public, as an example of the opportunities that apprenticeship provides to people. When I was 12 years old, my father died after a long illness. You heard of kids that worked their way through college, I worked my way through high school; when I went to high school, I used to have a job 32 hours a week and went to high school full-time. When I got out of high school, although I had the ability to go on to college, I didn't have the money. An apprenticeship came along and gave me an opportunity that has served me through my entire lifetime, gave me an opportunity to get a good paying job, work days with benefits, go to school at night and it didn't cost me anything. The reason it didn't cost me anything is that in apprenticeship training, for the most part, the industry pays for the training for the individual. The people that proceeded the apprentice, the current generation, the former generations put into a fund to pay for apprenticeship for the current generations train and to be the next generation of craftsmen.

Think about that for a minute, that concept. Can you imagine if college tuition was paid for by the previous graduates and our colleges were tuition-free, a person got into college based on aptitude and drive rather than money? I know it sounds like a kind of idealistic socialism, but it's a system that has worked for generations in apprenticeship programs. I guess because of these opportunities that apprenticeship provides is the reason that the Governor signed the enabling language that this resolution is derived from into law. Now a 26 State letting agencies have added this language to their bid documents.

As was previously mentioned, both the Towns of Babylon and Oyster Bay have passed similar language. Why do you think the State agencies in these towns have taken this initiative? Because they want to encourage a system that provides opportunity for good paying jobs to our youth. There's a lot of misunderstanding that surrounds both apprenticeship and this legislation. For one, and it was being bantered around here that unions are the only ones that have apprenticeship programs, and as it was previously mentioned, there are hundreds of non-union contractors and businesses that have registered apprentice programs in this State. Just last week I got pretty the pretty approximate numbers; of the 800 registered apprentice programs in the State, 300 are joint labor management programs that have union sponsors, the remaining 500 are independent contractors and businesses that have no

union affiliation.

The other issue that came up was that if this legislation is passed, will it raise the cost of County construction, which is on the minds of everybody sitting around this horseshoe. And this is absolutely not true; in fact, just the opposite is correct. Under the State Labor Law, Article 220, the prevailing rate in the area must be paid on all public construction. The only exception in the law is that if

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you have a registered apprentice program, and those rates for registered apprentices are typically anywhere between 30 and 80% of the prevailing rate. So the savings to the contractor is real and the savings to the County is real.

For all these reasons, I urge my colleagues to pass this legislation out of committee and let it come before the whole body and reward the employers that provide opportunities for our youth. Thanks.

Applause

CHAIRMAN CARACAPPA:  
Legislator Carpenter.

LEG. CARPENTER:  
Thank you. I just have a question for Legislator Lindsay. Do you -- I'm thinking in terms of young people who might want to avail themselves of the apprenticeship opportunities. Are there more slots than people applying or is the converse true?

LEG. LINDSAY:  
It really depends on the economy. Of late, the number of applicants has increased, there is times where because of the job market the converse is correct. But for the most part, there is more applicants than slots.

CHAIRMAN CARACAPPA:  
Anybody else want to be heard on this matter? Come forward, sir, and state your name.

MR. { AROJIMA } :  
My name is Steve { Arojima } and for the past 13 years I have been involved with Suffolk County directly, contracts relating to service work in the mechanical industries as far as HVAC, plumbing and electrical. And I am not part of a union, but the problem that we see is for the contracts I happen to deal with, and I happen to deal with electrical services, plumbing services and I have dealt with HVAC services, most of that work does not require an apprentice on the job.

You're doing service work where one mechanic is sent or possible two mechanics are sent. So therefore, this whole program would deny I know myself and my company right now the opportunity of bidding on any of that work unless I go into an expensive apprenticeship program. I am for training. I was involved with Suffolk Community College approximately ten years ago when they tried doing a mechanical offshoot here in Hauppauge, training the industry, because there is a problem with getting young people in the industry of mechanical that I deal with, plumbing, electrical and HVAC.

The legislation here, as far as the law passed, I don't think that is going to help a lot of the non-union contractors. If there was schooling out there such as BOCES, if BOCES could enhance their classes, I deal with electrical resources down in Lindenhurst, as far as sending guys to training, there are schooling out there where people are getting training. The requirements with New York State, I have contacted them several years ago, but in order to institute that

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apprenticeship program that they were looking for was too expensive, it couldn't be done. And like was brought out earlier, there are many trades done and contracts within the County that do not require apprentices. So therefore, if the law can be written accordingly, there should be some other options.

And also with dealing with safety issues, again, for the past 12 years I have been working on County projects and there is always as a County employee, okay, with the contractors, via a clerk-of-the-works or one of the building maintenance people in that area. Safety issues can easily be set up within the County through other means such as requiring bidding contractors to demonstrate safe OSHA practices. There are many other means to do that rather than making it unfair that certain contractors will not be able to bid on public work jobs.

CHAIRMAN CARACAPPA:  
Questions? Legislator Carpenter.

LEG. CARPENTER:  
Did I hear you say that you -- the industry that you're in has a hard time recruiting young people?

MR. {AROJIMA} :  
It's recruiting young people and maintaining qualified people. In all honesty --

LEG. CARPENTER:  
That almost seems counterproductive to what you're saying then. If you had apprenticeship programs in your industry, you would be recruiting these young people and you would be maintaining them

long-term because they would be trained properly and they would have benefits and they would want to stay within the industry.

MR. { AROJIMA } :

The apprenticeship program isn't going to accomplish that. Right now, and I deal with a lot of youth, what they're looking to do coming out of school is become white collar workers, stock brokers. It's not the point of an apprenticeship program, that's just going with what the kids are looking for, they all want to be computer programmers, white collar jobs. The ones that do come in the industry, okay, have been trained and they have both produced excellent workers. I have many people that I have worked with over the past 15 years that I have trained that have gone on to working for schools, owning their own businesses and have successful contracting companies safely, without any violations, without any injuries.

The apprenticeship program is not going to bring more people into the industry than I believe now. It's a matter of higher pay rates, better benefits will do that, and we all have the opportunity to offer that, that's my job. If I want to hire somebody, I have to give them the best pay and benefits available to keep that person.

LEG. CARPENTER:

Well, I would just go back to what Legislator Lindsay said. There seem to be more applicants than slots in these programs, so perhaps we

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need to have more apprenticeship programs and you might want to rethink your opposition to them.

MR. { AROJIMA } :

Well, the apprenticeship program is not a problem. It's a matter of generate a County -- generate the program first before you require the contractors to participate in it is all I'm saying. If there was a program out there that we all had equal share to, that would be fine, but that is not the case here.

CHAIRMAN CARACAPPA:

Any further questions? Okay, thank you, sir.

Okay. Is Commissioner Bartha in the audience? I'd like to have the Commissioner come up and, aside from this, be at the table for the agenda items. Okay. While we're waiting for the Commissioner, what I'm going to do is move the resolution. I know there is going to be some more discussion with regard to some of the language within some of the WHEREAS and RESOLVED clauses of the legislation and I've spoken to the sponsor as early as a little while ago and we're hoping to have something in place by Tuesday for the full Legislature to vote on. But seeing that there will be some possible changes to the bill as it

currently exists, I'm going to make a motion right now to take out of order. Is there a second?

LEG. BISHOP:

I make a motion to take it out of order.

CHAIRMAN CARACAPPA:

Yeah, and second by Legislator Bishop. All in favor? Opposed? Abstained? It's before us now.

1266-02 (P) - To require apprenticeship training programs for County contracts (Presiding Officer Tonna).

LEG. BISHOP:

Motion to approve.

CHAIRMAN CARACAPPA:

You're going to make a motion to approve. I'm going to make a motion to discharge without recommendation which is basically the same.

LEG. FOLEY:

Second the motion to approve.

CHAIRMAN CARACAPPA:

Charlie, why don't you come on up. Does the Department of Public Works have a position on this legislation at this point in time?

COMMISSIONER BARTHA:

Basically we support the principles that are here. We think there's some serious fine tuning that has to be done to it. We've had some discussions with some of the sponsors and I was actually just out speaking with Jack Kennedy on some of the concerns we have. We believe that they can be addressed, some of those concerns are it's very broad right now as it's written. We see that it includes

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contracted custodial work for which there are, you know, no training programs to our knowledge at this time.

LEG. FOLEY:

I think the dogs outside need a little training program, too.

COMMISSIONER BARTHA:

I have never been successful at training my dogs.

LEG. BISHOP:

They're part of my Prevailing Wage Enforcement Task Force that I'm --

LEG. FOLEY:

They have both a bark and a bite, right?

COMMISSIONER BARTHA:

We're also concerned as to what the impact would be on project labor agreements and we are concerned on the smaller work, the maintenance work that we do which are in the order of ten, twenty, \$30,000 sometimes, and even less, that we wouldn't be able to contract with firms to do that kind of work where sometimes we're calling out servicemen to handle an air-conditioning problem or a boiler problem at a police precinct or skilled nursing facility over night. And the larger firms tend not to bid on that work, and it's the larger union firms that would have to be included here. Right now it's just two, three man shops and do not belong to a program, apprentice training program. And we also are trying to educate ourselves very quickly as to what's involved in setting up an apprentice training program.

CHAIRMAN CARACAPPA:

Okay. I maintain my motion to discharge without recommendation.

LEG. CARPENTER:

I second it.

CHAIRMAN CARACAPPA:

And second by Legislator Carpenter.

LEG. FOLEY:

I have a question for the Commissioner.

CHAIRMAN CARACAPPA:

Just for the audience's information, discharge without recommendation is basically an approval. It is an approval, it's just that seeing that there is still -- it gets to the floor of the Legislature on Tuesday. Seeing that there are going to be possible changes we don't want to give the full approval but we wholeheartedly endorse the legislation. So we want to send it out to the full Legislature for further debate and further discussion and possible further changes. Legislator Foley has a question.

LEG. FOLEY:

Yeah, thank you. Commissioner, did you speak with the prime sponsor of the bill on the changes that you're requesting?

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COMMISSIONER BARTHA:

I spoke with his representative.

LEG. FOLEY:

See, one of the concerns -- and the audience should know this. One of the concerns from the point of view of our rules and regulations, in

order for us to vote on an amended bill next Tuesday, those amendments would have to have been made by this past Monday by five o'clock. So in essence, what's going to have to happen then is that if there's going to be any amendments made, it's going to be a Certificate of Necessity from the County Executive which would then require not just a simple majority of ten but will, in fact, require 12 votes, an additional two votes. In light of the fact that the bill was originally submitted on February 11th, did you speak to - I know as one sponsor, neither I nor my staff was called by your department about your proposed changes. When did you first notify any of the sponsors about your concerns with the bill; was it prior to this week?

COMMISSIONER BARTHA:

No.

LEG. FOLEY:

All right. Because I think in the future, and you have always been diligent to look after the interest of the department, but I would hope that in the future that if and when there are concerns for major pieces of legislation, and this is a major piece of legislation, that whether it's your department or any other executive department -- in fact, Mr. Chairman, Mr. Chairman, the County Executive should ensure that if and when a department has concerns about any proposed legislation, that those concerns be -- would be addressed to the sponsor of the bill as quickly as possible so that we don't find ourselves in a situation as we do now that next Tuesday we're going to have to rely upon a Certificate of Necessity from the County Executive in order to vote on a resolution if there's to be any changes made to it. And then it would not just be a simple majority but, in fact, 12 votes.

So hopefully, Commissioner, in the future, when there's other resolutions, Commissioner, let's just make sure we try to get a hold of each other before committee week so we can make those amendments in time so we can then report it out of committee and vote on it as a regular bill at the General Meeting as we usually do. Do we have any indications from the County Executive as to whether he's going to agree to any changes?

COMMISSIONER BARTHA:

The County Executive --

LEG. FOLEY:

And what are those changes?

COMMISSIONER BARTHA:

The County Executive's Office and myself are working with the sponsors to have the changes made.

LEG. FOLEY:

Has there been any indication from the sponsor of the bill as to where he -- the prime sponsor the bill as to where he stands about changes being made?

LEG. CRECCA:

Yeah. I -- do you want to answer it, Joe?

CHAIRMAN CARACAPPA:

Legislator Crecca, if you want to answer that, go right ahead.

LEG. CRECCA:

I know the sponsor is working with the County Executive and trying to work out some of those kinks between now and Tuesday.

LEG. BISHOP:

Mr. Chairman?

CHAIRMAN CARACAPPA:

Legislator Bishop.

LEG. BISHOP:

Thank you. It's my information, in speaking with the sponsor, that he believes he has a very sound bill. However, he's willing to keep an open mind and have dialogue with the department and the County Executive. We have a room here full of people who have been through numerous negotiations in their lives and I think they understand the power of a positive affirmative vote from this committee which would strongly indicate that we're ready to move forward with the legislation. That's why I made the motion to approve, not a motion to approve without -- to discharge without recommendation, I think that's the better motion.

However, if we have to do discharge without recommendation I will. But I think if you want to make the strongest possible statement in favor of the legislation, then vote to approve.

CHAIRMAN CARACAPPA:

Well, I agree with you, David. But the fact remains is we have oversight, and as much as -- I'm a cosponsor of the bill and I think most of this committee is, and when we're sitting -- we have a Commissioner and the prime sponsor calling me as early as just a little while ago talking about changes and still working out details, it's our duty to not just give a blanket approval, as much as we support the legislation as it currently is presented to us. I want to approve it. Usually we would just table the bill at this point in time. And to be quite honest with you, it was asked of me, as Chairman of this committee, to do that today, but I don't want to do that today. I want to move it forward but I want to do it the right way and discharge it without recommendation and that is I think

sending an even more positive message than a blanket approval for which we'll hopefully be doing on Tuesday. We're doing our duty as Legislators, we're doing our duty with regard to oversight and we're doing our due diligence with relation to fine tuning a bill, with relation to working with the prime sponsor and the County Executive and those who it will effect. So I maintain my motion to discharge

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without recommendation, and there's a second by Legislator Carpenter. All in -- any other debate?

LEG. BISHOP:  
It takes precedence?

CHAIRMAN CARACAPPA:  
Yes, it does. All in favor? Opposed? Abstained? The bill is discharged without recommendation. It will be before the full Legislature on Tuesday. (VOTE: 5-0-0-0).

MR. KENNEDY:  
Thank you.

Applause

CHAIRMAN CARACAPPA:  
Look out for the dogs out there, be careful. That was bill No. 1266, by the way. Okay, we will give the auditorium a chance to clear before we move forward.

Okay. All right, let's continue. As always, why don't we start with committee members asking the Commissioner about any district items that are of importance and outstanding. Okay, Legislator Bishop.

LEG. BISHOP:  
You know I have this bill to do the name sharing of Hoffman Avenue. How long do you think it would take to produce signs, in terms of working with the village and the family and everything on a date for a ceremony?

COMMISSIONER BARTHA:  
Well, we would be able to generate the signs in two, three weeks. I mean, two signs.

LEG. BISHOP:  
But I mean like street -- every corner would have -- so I guess it's like --

COMMISSIONER BARTHA:  
Well, that's something the village does.

LEG. BISHOP:  
On the County Road?

COMMISSIONER BARTHA:  
Yes. You know, we would put a large sign at either end of the --

LEG. BISHOP:  
I spoken to you and you indicated it was our --

COMMISSIONER BARTHA:  
Either end of the -- you know, we do this marking at either end of the stretch that's being dedicated and it's a large sign, it's not your average little street corner sign.

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LEG. BISHOP:  
Okay, so relatively quick. Okay. Thank you.

CHAIRMAN CARACAPPA:  
Okay, let's go to the agenda.

#### TABLED RESOLUTIONS

First, Tabled Resolutions. 2141-02 (P) - Authorizing execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest with the developer of Farmingdale Villas. With relation to this bill, I have distributed a copy of a letter I received from the owners of the Farmingdale Villas with relation to this project; did everyone get a copy of this letter with relation to 2141, Farmingdale Villas? Okay. Hopefully it cleared up some of the problems that --

LEG. BISHOP:  
This is 2141?

CHAIRMAN CARACAPPA:  
Yes. Some of the problems that we've seen or were told about with relation to the project it has from me as Chair. And at this point in time, I'll make a motion to approve.

LEG. CARPENTER:  
Second.

CHAIRMAN CARACAPPA:  
Second by Legislator Carpenter. All in favor? Opposed? Abstained?  
2141 is approved (VOTE: 5-0-0-0).

1029-02 (P) - Imposing a moratorium on Sewer connections by properties

located outside Suffolk County Sewer District No. 3 - Southwest and establishing a priority list (Postal).

LEG. CRECCA:

Motion to table subject to call.

CHAIRMAN CARACAPPA:

There's a motion to table subject to call by Legislator Crecca. I'll change that motion -- I'll make a motion to table which takes precedence.

LEG. BISHOP:

Second.

CHAIRMAN CARACAPPA:

And there's a second by Legislator Bishop. All in favor? Opposed? Abstained? It's tabled (VOTE: 5-0-0-0).

#### INTRODUCTORY RESOLUTIONS

1186-02 - Renaming Hoffman Avenue in the Village of Lindenhurst as Angelini Avenue (Bishop).

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LEG. BISHOP:

Motion to approve.

CHAIRMAN CARACAPPA:

Motion by Legislator Bishop, second by Legislator Foley. All in favor? Opposed? Abstained? That is approved (VOTE: 5-0-0-0). Public Safety was prime and it was approved this morning in Public Safety unanimously.

1202-02 (P) - Authorizing a public hearing to amend the Crossbay & Lateral Ferry License granted to South Bay Water Taxi Incorporated (Towle).

LEG. BISHOP:

Motion.

LEG. CARPENTER:

Mr. Chairman.

CHAIRMAN CARACAPPA:

Legislator Carpenter, on the motion.

LEG. CARPENTER:

I have a question on the process.

**CHAIRMAN CARACAPPA:**

Sure.

**LEG. CARPENTER:**

Because normally any resolutions dealing with the ferries are introduced by the Presiding Officer. And I see, in looking at some of this backup, that some of this is in response to a newspaper article that was written, and I would just like to have an opportunity to speak to the sponsor since it really has to do with the district that I represent.

**LEG. FOLEY:**

Second the motion to table.

**CHAIRMAN CARACAPPA:**

I take that as a motion to table.

**LEG. CARPENTER:**

Yes.

**CHAIRMAN CARACAPPA:**

Second by Legislator Foley. All in favor? Opposed? Abstentions? It's tabled (VOTE: 5-0-0-0).

1225-02 (P) - Authorizing execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 13 - Windwatch with the developer of Windwatch maintenance building (County Executive).

**LEG. CRECCA:**

Motion.

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**CHAIRMAN CARACAPPA:**

Motion by Legislator Foley -- Legislator Crecca rather, second by Legislator Foley. All in favor? Opposed? Abstained? 1225 is approved (VOTE: 5-0-0-0).

1226-02 - Amending the Suffolk County Classification & Salary Plan and the 2002 Operating Budget in connection with a new position title in the Department of Public Works (Geographic Information Systems Technician 11) (County Executive).

**LEG. CARPENTER:**

Motion.

**CHAIRMAN CARACAPPA:**

Motion by Legislator Carpenter, second by myself. Charlie, this is a current Grade 18 going to a Grade 20.

COMMISSIONER BARTHA:

Correct.

CHAIRMAN CARACAPPA:

A desk audit was done and the letter is in the backup with the resolution where Civil Service has agreed to this upgrade.

COMMISSIONER BARTHA:

Correct. They have recommended it, yes.

CHAIRMAN CARACAPPA:

There is a motion and a second by myself. All in favor? Opposed? Abstained? It's approved (VOTE: 5-0-0-0).

1228-02 (P) - Appropriating funds in connection with drainage improvements on CR 67, Long Island Motor Parkway, in the vicinity of CR 4 Commack Road, Town of Smithtown (CP 5176) (County Executive).

LEG. CRECCA:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Crecca, second by myself. All in favor? Opposed? Abstained? The motion is approved (VOTE: 5-0-0-0).

1229-02 (P) - Appropriating funds in connection with the reconstruction of Shinnecock Canal jetties and bulkheads (CP 5348) (County Executive).

LEG. FOLEY:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Foley, second by myself. All in favor? Opposed? Abstained? Approved (VOTE: 5-0-0-0).

1230-02 (P) - Appropriating funds in connection with the replacement of Deer Lake Spillway, Towns of Babylon & Islip (CP 5376) (County Executive).

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LEG. CARPENTER:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Carpenter, second by myself. All in --

LEG. CARPENTER:

I would like to be listed as a cosponsor.

CHAIRMAN CARACAPPA:

Second by myself. Legislator Carpenter as a cosponsor, please list that. All in favor? Opposed? Abstained?  
It's approved (VOTE: 5-0-0-0).

1231-02 (P) - Amending the 2002 Capital program and Budget and appropriating funds in connection with the reconstruction of CR 85, Montauk Highway from CR 97, Nichols Road to West Avenue, Town of Brookhaven (CP 5554) (County Executive).

LEG. FOLEY:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Foley, second by myself. All in favor? Opposed? Abstained? Motion is approved (VOTE: 5-0-0-0).

1244-02 (P) - Authorizing Public Hearing for authorization and approval of Seacoast Transportation Service, Inc.'s petition for Cross Bay Freight/Baggage and Passenger Water Taxi and Ferry Service over the Great South Bay from Sayville, Suffolk County, as proposed in the verified petition of Seacoast Transportation Service, Inc., dated November 27, 2001 (Presiding Officer Tonna pursuant to Rule 3F-13 of the Rules of the Legislature). Motion by myself, second by Legislator Foley. All in favor? Opposed? Abstained? Motion is approved (VOTE: 5-0-0-0).

1247-02 (P) - Authorizing Public Hearing for authorization of extension of license for Sayville Ferry Service, Inc., for Cross Bay Service between Sayville, New York, and the Fire Island communities of Fire Island Pines, Cherry Grove and Water Island (Presiding Officer Tonna pursuant to Rule 3F-13 of the Rules of the Legislature). Motion by Legislator Carpenter, second by Legislator Foley. All in favor? Opposed? Abstained? Motion is approved (VOTE: 5-0-0-0).

1248-02 (P) - Approving extension of license for Sayville Ferry Service, Inc. For Cross Bay Service between Sayville, New York, and the Fire Island communities of Fire Island Pines, Cherry Grove and Water Island (Presiding Officer Tonna Pursuant to Rule 3F-13 of the Rules of the Legislature). We have to table this pending a public hearing. Motion to table by myself, second by Legislator Carpenter. All in favor? Opposed? Motion is tabled (VOTE: 5-0-0-0).

1255-02 (P) - Amending the 2002 Capital Budget & Program and appropriating funds in connection with strenghtening and improving County Roads (CP 5014)(County Executive).

**LEG. FOLEY:**

Motion.

**CHAIRMAN CARACAPPA:**

Motion by Legislator Foley, second by Legislator Carpenter. I might add, if you look in the backup I think every district was covered in this resolution except the Chairman's; and I appreciate that, Commissioner.

**LEG. FOLEY:**

It's been taken care of already.

**LEG. CRECCA:**

That's right, they take your first, Joe.

**CHAIRMAN CARACAPPA:**

But with that being said, I still support the legislation wholeheartedly. So there is a motion and a second. All in favor? Opposed? Abstained? Motion is approved (VOTE: 5-0-0-0).

1266 has been already dealt with.

#### SENSE RESOLUTIONS

Sense 12-2002 (P) - Memorializing Resolution requesting State of New York to allocate Metropolitan Transportation Authority (MTA) funding for Long Island Bus Systems (Cooper). Motion by Legislator Foley, second by myself. All in favor? Opposed? Abstained? Motion is approved (VOTE: 5-0-0-0).

Sense 15-2002 (P) - Memorializing Resolution requesting State of New York to provide funding to Suffolk County Mass Transportation System to avoid fare increases beyond 2002 (Fields). Motion by Legislator Foley, second by Legislator Crecca.

**LEG. FOLEY:**

Cosponsor.

**CHAIRMAN CARACAPPA:**

All in favor? Opposed? Abstained? List Legislator Foley as a cosponsor. Approved (VOTE: 5-0-0-0).

Is there any other business before the committee? Commissioner, you have any other things you'd like to discuss with the members of this committee?

**COMMISSIONER BARTHA:**

No. Thank you.

**CHAIRMAN CARACAPPA:**

**Okay. Hearing none, seeing none, we're adjourned.  
(\*The meeting was adjourned at 12:49 P.M.\*)**

**Legislator Joseph T. Caracappa, Chairman  
Public Works & Transportation Committee  
{ } - Denotes Spelled Phonetically**