

**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 **June 19, 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
Frank Tassone - Aide to Legislator Crecca
Jim Spero - Deputy Director/Budget Review Office
Nicole DeAngelo - Intergovernmental Relations/County Executive Office
Charles Bartha - Commissioner/Suffolk County Public Works Department
Richard LaValle - Chief Deputy Commissioner/SC Public Works Department
Leslie Mitchell - Assistant Deputy Commissioner/DPW
Ben Wright - Director/Sanitation Division - DPW
Bill Shannon - Director/Highway Division - DPW
Ed Hurley - Bay Shore Ferry Co.

Minutes Taken By:

Alison Mahoney - Court Stenographer

1

(*THE MEETING WAS CALLED TO ORDER AT 11:48 A.M.*)

CHAIRMAN CARACAPPA:

We will start the meeting with a Pledge of Allegiance led by Legislator Carpenter.

Salutation

Good morning, still. We have one card, Mr. Edward Hurley. You guys stay right there. Mr. Hurley, come on up. This is with relation to 1558 and 1559. Mr. Hurley, go ahead.

MR. HURLEY:

I just want to say that Budget Review said that it really should be approved, they were wholeheartedly for the application. I just wanted to say hello and see if anybody wanted to ask me some more questions because I figured that the last time they -- I didn't get all the questions asked that were necessary, so out of respect to you I have showed up for that.

I really want to run a ferry service that's going to compete with really not really anybody, just to a place that no one runs to. I have not operated the boat as you have asked last Wednesday I believe it was when we had our last meeting, the public hearing, so I have not operated the ferry as per your instructions, and I will continue not to operate the boat until I am told I can legally. I guess that's really all I needed to say.

CHAIRMAN CARACAPPA:

Budget Review, you have issued the report on this, it's come back, everything is good, you have recommend their one year license, they have followed all the recommendations --

MR. SPERO:

Yes, they have a Coast Guard approved vessel, they have secured landing rights on both sides of the bay. At this point, there's no reason not to grant them a license. They have pledged to implement a cash control system.

CHAIRMAN CARACAPPA:

Which we have made a corrected copy in the legislation, so it's all in there.

MR. SPERO:

So it can be approved if you would like it to be.

CHAIRMAN CARACAPPA:

Okay, very good. Legislator Carpenter.

LEG. CARPENTER:

I had asked Mr. Hurley earlier about whether or not the boat had been operated and he, as he just said now, did not and I was very glad to hear you be so forthcoming and say that you will not issue it until such time as you are legal. You have one vessel currently that is Coast Guard certified; do you have any other vessels or plan to have any others?

2

MR. HURLEY:

For this year I don't believe I will, no.

LEG. CARPENTER:

Okay. But if that does happen, hopefully, you know, it will be very successful. And if you do entertain adding another vessel, that the same procedures would have to take place.

MR. HURLEY:

Of course.

LEG. CARPENTER:

Okay, thank you.

MR. HURLEY:

Thank you.

CHAIRMAN CARACAPPA:

Okay, excellent. I'm going to make a motion to take 1558-02 out of order, second by Legislator Bishop. All in favor? Opposed? It's before us.

1558-02 (P) - Approving Cross Bay Ferry License for Bay Shore Ferry, Inc. (Presiding Officer Tonna). There's a motion to approve by myself, second by Legislator Bishop. All in favor? Opposed? Abstained? 1558 is approved (VOTE: 5-0-0-0).

Motion to take 1559 out of order, second by Legislator Carpenter. All in favor? Opposed? Abstained? It's before us.

1559-02 (P) - Authorization of rates for Bay Shore Ferry, Inc. (Presiding Officer Tonna). Motion to approve by myself, second by Legislator Carpenter. All in favor? Opposed? Abstained? It's approved (VOTE: 5-0-0-0).

MR. HURLEY:

Thank you very much.

(*Legislator Crecca entered the meeting at 11:52 A.M.*)

CHAIRMAN CARACAPPA:

Okay. Please add Legislator Crecca to the majority of the votes there as well. Thank you very much for coming down, we appreciate it.

MR. HURLEY:

Thank you.

CHAIRMAN CARACAPPA:

Okay, Commissioner. Commissioner Bartha, Commissioner LaValle, thank you for coming down. Is there any specific bills you want to speak about before we move forward with the agenda.

COMMISSIONER BARTHA:

I'm comfortable going to the agenda.

3

CHAIRMAN CARACAPPA:

Okay. We'll go --

LEG. CARPENTER:

I have a question.

LEG. CARPENTER:

Okay, question by Legislator Carpenter.

LEG. CARPENTER:

On the report, Item 23, the Police Special Patrol Bureau, I note that you are ready to bid on it this summer but the ground lease agreement with the town has not been executed; can you elaborate on that? Is there some problem or --

COMMISSIONER BARTHA:

That goes back quite a while and the County Attorney's Office has been dealing with that issue for us. We really can't address that.

LEG. CARPENTER:

Well, have they given you a reason for why it's taking so long, are they running into problems?

CHIEF DEPUTY COMMISSIONER LaVALLE:

No, I think -- well, they're working with the Town of Islip on that agreement, because basically they own the property. It's a County building on town property, so in order to proceed we need to enter into that agreement with the town for the ground lease, that's what that's for. I'm not aware of any specific problems other than the fact that they have been negotiating with the town.

LEG. CARPENTER:

All right. If you could check on that and let me know what the progress is.

CHIEF DEPUTY COMMISSIONER LaVALLE:

Yes, absolutely.

LEG. CARPENTER:

Because, you know, if you are ready to go to bid, I'd hate to see this thing held up even further and would like to know what's going on. Thank you.

CHAIRMAN CARACAPPA:

Okay. Are there any district-specific projects that any Legislator would like to bring up at this point in time? Great. Let's continue with the agenda.

TABLED RESOLUTIONS

1029-02 (P) - Imposing moratorium on sewer connections by properties located outside Suffolk County Sewer District No. 3 - Southwest and establishing priority list (Postal). Motion to table by myself, second by Legislator Crecca.

4

LEG. CRECCA:

I'm actually -- I don't want to second.

CHAIRMAN CARACAPPA:

Okay. Second by Legislator Foley --

LEG. FOLEY:

Which one now?

CHAIRMAN CARACAPPA:

1029, it's the first one on the tabled resolutions.

LEG. FOLEY:

It's a tabling motion.

LEG. CRECCA:

Oh, it's a tabling motion, I'm sorry. Yeah, I'll second the tabling motion. I apologize.

CHAIRMAN CARACAPPA:

Second to table by Legislator Crecca. All in favor? Opposed? Abstained? 1029 is tabled (VOTE: 5-0-0-0).

1464-02 (P) - Transferring escrow account revenues and transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2002 Operating Budget, amending the 2002 Capital Budget & Program and appropriating funds for the improvement and rehabilitation of the existing facilities in Suffolk County Sewer District No. 6 - Kings Park (CP 8144) (County Executive). Motion to --

LEG. BISHOP:

Table.

CHAIRMAN CARACAPPA:

-- table by Legislator Bishop, second by myself.

LEG. CRECCA:

I'd like to hear from the Chairman on this briefly, because it does, you know, involve an area in the town that I represent.

CHAIRMAN CARACAPPA:

Yes. What we were hoping to do in the very near future is instead of using Assessment Stabilization Reserve Funds to just pay for this stuff outright, we'd much rather do some sort of in-house financing where the Department of Public Works or the sewer district would be borrowing from it and paying it back in the future.

MR. SPERO:
Mr. Chairman?

CHAIRMAN CARACAPPA:
Commissioner Bartha?

COMMISSIONER BARTHA:
We have followed up on the suggestion of the Legislature and BRO and

5

corrected copies have been prepared, I don't know whether they've actually been filed or not.

MR. SPERO:
The corrected copy --

CHAIRMAN CARACAPPA:
I have it right here, I'm sorry.

MR. SPERO:
-- has language that would make the transfer a loan at 5% interest for a period of up to 20 years.

LEG. CRECCA:
I'm going to make a motion to approve then.

LEG. CARPENTER:
Second.

CHAIRMAN CARACAPPA:
Motion to approve by Legislator Crecca, second by Legislator Carpenter. All in favor? Opposed? It's approved (VOTE: 5-0-0-0). Very good.

LEG. BISHOP:
I know I voted in favor, but is there a memo on this from BRO on this measure?

MR. SPERO:
On this particular measure?

LEG. BISHOP:
Yeah.

MR. SPERO:

No.

LEG. BISHOP:

Okay.

MR. SPERO:

It's just a suggestion we made. It's written up in our review of the Capital Program that we've made this suggestion and the resolution implements the suggestion.

LEG. BISHOP:

We have Stabilization Reserve Funds that are collected from all the sewer districts, correct?

MR. SPERO:

Well, it was collected from the sales tax, the quarter cent sales tax.

LEG. BISHOP:

Right.

6

MR. SPERO:

One-third, approximately one-third of which is used for sewer stabilization for all districts --

LEG. BISHOP:

Forgive me.

MR. SPERO:

-- for all districts.

LEG. BISHOP:

And how much is in that pot right now?

MR. SPERO:

I'd have to check, but I think it's around 30 million projected for the end of this year; I'd have to check.

LEG. BISHOP:

How much is being drawn down?

MR. SPERO:

In this resolution?

LEG. BISHOP:

Right. As I recall, it was some significant amount for a small sewer district.

COMMISSIONER BARTHA:

Four point three million dollars.

MR. SPERO:

Four point three, yeah.

LEG. BISHOP:

Right. And what was the change made to the resolution that would make this more palatable?

MR. SPERO:

I could read it into the record if you'd like; "RESOLVED that the Assessment Stabilization Reserve Fund shall loan Sewer District No. 6, Kings Park, the sum of \$4.3 million for the purpose of implementing the project; and be it further RESOLVED" --

LEG. BISHOP:

Oh, so now it's in the form of a loan rather than a grant, is that the difference?

MR. SPERO:

Correct, that the loan shall be repaid by the district to the Reserve Fund in the amount of 5% annually for a maximum payback period of 20 years. So the Reserve Fund will be made whole over time with interest.

LEG. BISHOP:

Okay. Thank you very much.

7

CHAIRMAN CARACAPPA:

Very good. So we approved that.

1504-02 (P) - A Local Law to reform process for Public Works change-orders (Towle). I'm going to make a motion to table again.

MR. SPERO:

No, I'm sorry.

LEG. FOLEY:

Second.

CHAIRMAN CARACAPPA:

Second by Legislator Foley. All in favor? Opposed? It's tabled.

LEG. BISHOP:

I'm opposed to that one.

CHAIRMAN CARACAPPA:

Tabled (VOTE: 4 -1-0-0 Opposed: Legislator Bishop).

1531-02 (P) - Transferring escrow account revenues and transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2002 Capital Budget & Program and appropriating funds for improvements and/or rehabilitation of existing facilities in Suffolk County Sewer District No. 3 - Southwest (CP 8170) (County Executive). There is also a corrected copy for everyone relating to the in-house financing idea. Motion by Legislator Carpenter, second by myself. Jim, you have something to say about this? No. All good?

MR. SPERO:

This resolution takes the funds from the Southwest Sewer District Reserve for capital purposes.

CHAIRMAN CARACAPPA:

Okay, very good. All in favor? Opposed?
It's approved (VOTE: 5-0-0-0).

1558, approving Cross Bay, we did that, 1559 we did.

1633-02 (P) - Amending the 2002 Capital Program & Budget and appropriating funds for the construction of sidewalks on various County roads (CP 5497.325) (Foley). Legislator Foley, this needs to be tabled pending the --

LEG. FOLEY:

I understand that. Is there a reason why they need an EAF on about a hundred linear feet of side walk, no sidewalks?

CHAIRMAN CARACAPPA:

You have to talk to CEQ about that.

LEG. FOLEY:

Okay. I just found out about it from --

8

CHAIRMAN CARACAPPA:

I just found out today as well.

LEG. FOLEY:

-- the County Exec's Office. So I'll try to get an answer before next Tuesday and if we can I'll discharge it; if not, then we'll have --

CHAIRMAN CARACAPPA:

Very good, and I'll support that.

LEG. FOLEY:

Thank you.

CHAIRMAN CARACAPPA:

When does CEQ meet again?

MR. JOHNSON:
The third Wednesday in July.

CHAIRMAN CARACAPPA:
Tomorrow?

MR. JOHNSON:
No, July.

CHAIRMAN CARACAPPA:
Oh, July, huh? Okay.

LEG. FOLEY:
Because this is something of a pedestrian safety issue which is why we put it in. I had wished -- I had hoped that if there was any issues in the future that we'd be notified.

CHAIRMAN CARACAPPA:
Counsel, we were discussing --

LEG. FOLEY:
1633.

CHAIRMAN CARACAPPA:
-- 1633 which is amending the 2002 Capital Program for sidewalk in Legislator Foley's area. Apparently there needs to be an EAF, that was brought to us by the County Executive; what's your opinion?

LEG. FOLEY:
He just walked in. Apparently Mr. Jim Bagg had stated on the record at CEQ that there was a need for an EAF because this is an unlisted action, and this is a longer commercial County road.

MR. SABATINO:
I'm just going back to look at the bill again to see. The ordinary rule of thumb is that it just goes through a normal SEQRA process. I haven't been seeing EAF's on road projects, but let me see if there's any --

9

LEG. FOLEY:
Well, it's thing to have an EAF for a substantial project, but not -- well, it was tabled in CEQ, correct; was it tabled?

CHAIRMAN CARACAPPA:
I'm not sure, Brian.

LEG. CRECCA:
You want to discharge without recommendation?

LEG. FOLEY:
Well, I'd like to --

LEG. CRECCA:
Let's discharge it without --

MR. SABATINO:
Here it is, okay. We have a SEQRA determination -- okay, we have a SEQRA determination that did not -- in the resolution that did not include an EAF process. You had verbal communication with --

LEG. FOLEY:
I just found this out about a half hour ago, that --

LEG. BISHOP:
Does it legally require an EAF, that's what he wants to know.

LEG. FOLEY:
That CEQ has a problem.

MR. SABATINO:
No, what's legally required is that it go through the SEQRA process which means it goes to CEQ, CEQ makes a recommendation, the Legislature makes the final decision. We haven't been doing EAF's on road projects. If there's something unusual or different about this, you know, I have an open mind to listen to it, but if it's your ordinary run-of-the-mill --

LEG. FOLEY:
CEQ is now requesting a EAF for this.

LEG. BISHOP:
But there's no legal requirement -- I'm losing my famous lack of patience.

LEG. FOLEY:
Infamous lack.

LEG. BISHOP:
Yes, infamous lack, I'm sorry. I thought the issue, you portrayed it as a safety issue or perhaps a redundant or unnecessary inquiry into environmental its impact, so I asked is it legally necessary. The answer is no, it is not legally necessary to go to CEQ at this time; is that correct?

MR. SABATINO:
What's legally required is that it go through the CEQ process, that means it goes to the Council on Environmental Quality, they review it,

make recommendations. They don't have the ability to veto projects, they can just make recommendations, you take that information under advisement and consideration and then you make the final SEQRA determination. All I'm suggesting is that if -- because it's not in the normal course of events for road projects, if there's something unusual, I mean, I have an open mind.

LEG. BISHOP:

This is a project that simply rebuilds sidewalks that are crumbling?

LEG. FOLEY:

Well, No, it's constructing new sidewalks along a stretch of County Road 19, a commercial corridor, it's not along any parks.

LEG. CRECCA:

I'm going to make a motion to discharge without recommendation and then if --

LEG. BISHOP:

I will second it.

LEG. CRECCA:

And then, Brian, if you could just --

LEG. FOLEY:

I'll speak with Mr. Bagg and see what I can find out.

LEG. CRECCA:

Right, follow up on it so we can find out between now and Tuesday. Why hold this up for months more if it's not necessary?

LEG. FOLEY:

Yeah. Okay, thank you.

CHAIRMAN CARACAPPA:

Okay, motion to discharge without recommendation by Legislator Crecca, second by Legislator Foley. All in favor? Opposed? It's discharged without recommendation (VOTE: 5-0-0-0).

1689-02 (P) - Implementing lowered bus fares for students (Carpenter).
Legislator Carpenter?

LEG. CARPENTER:

Yes. In light of the fact that we're receiving how many millions of dollars more from the State, I certainly think it's in order that we pass this resolution given the minimal financial impact, as had been reported at the last meeting; certainly it's nowhere near the additional millions of dollars that we're going to be receiving. So I'll make a motion to approve.

LEG. FOLEY:

I'll second the motion. And on the motion, Legislator Carpenter is absolutely right that it's our understanding that the State -- and if

11

we can hear perhaps from the Department of Public Works, but it's my understanding that the State has allocated additional millions of dollars for transit aid for Suffolk County. So with that said, it's all the more reason to support this.

CHAIRMAN CARACAPPA:

Legislator Bishop.

LEG. BISHOP:

Does the department support this?

COMMISSIONER BARTHA:

We're just concerned and we pointed out at the last meeting as to the up and down of the State revenue aid to the County and the impact that that has on the fares. It's liable to be magnified by the reduction in revenues if we have a reduction in fare box revenues as well as the reduction in the State aid revenues.

LEG. BISHOP:

What I --

LEG. CRECCA:

Mr. Chairman? When you're done.

CHAIRMAN CARACAPPA:

Legislator Bishop has the floor.

LEG. BISHOP:

The buses run at a deficit now, right, they're subsidized by the General Fund.

MR. SPERO:

Correct.

LEG. BISHOP:

That's correct, right?

COMMISSIONER BARTHA:

Correct.

LEG. BISHOP:

And the fair that we set, we increased the fare a quarter to reduce the pressure on the subsidy. Then in the middle of the year comes this resolution which says reduce the fare for a certain category of riders which creates, I assume, more pressure on the General Fund; is

that correct, Mr. Spero?

MR. SPERO:

Yeah, because this is revenue we won't have next year when we prepare -- well, you won't have it for the remainder of this year and you won't have it for 2003. The trend in the State aid, though, is that the County share keeps increasing and the State operating assistance has been decreasing over the years. So I'm not aware of any increase, recent increase by the State Legislature, I could be wrong.

12

LEG. BISHOP:

Also, I mean, is there a goal in terms of increasing ridership among students, is there something quantifiable or are we just picking out off a phone call? And I don't mean that disparagingly but, I mean, off a very, you know, limited request. Are we granting a very large hole in our transportation bus budget? That's what I'm concerned about.

LEG. CARPENTER:

If I could respond. It's my belief that anything we can do to increase ridership and I think that by lowering the fares for students we will see more students utilizing the buses. And I think if you capture young people with the idea of utilizing public transportation, you might be inclined to have people who as they get older use public transportation and not rely so heavily on their automobiles.

The financial impact of -- the number that we were given I believe is much higher than it would be because as you hear about reduced student fares, you're going to see more young people using the buses and it is, in fact, true that the State has in the State budget increased the transportation aid, I don't remember what the exact amount is, whether it be three, four or three point whatever million dollars to Suffolk County; is that not correct?

CHIEF DEPUTY COMMISSIONER LaVALLE:

Well, there's an increase but there's no guarantee you're going to have that same money next year. I mean, you're talking about this year.

LEG. CARPENTER:

Well, the County Executive is proposing that we roll back the increase on the regular fares. So if we are able to do that -- I mean, did I not read that in the paper or am I dreaming?

LEG. FOLEY:

I don't know.

LEG. BISHOP:

I think he wants to roll it back a quarter, right.

LEG. CARPENTER:

Right, to what the increase was. Which we had said that if we got the money from the State --

LEG. BISHOP:

If he got Senator Trunzo got some grants.

LEG. CARPENTER:

Right, exactly. And I believe Senator Trunzo, who is the Chairman of the Transportation Committee, has, in fact, gotten that increased funding. But again, we're, you know, looking at a population that -- who needs to use the buses to get to school, to the college. And I really think it would be very worth while on our part to pass this policy, just as we have a senior fare, to have a student fare, which is something that we had in place in the County before, and this would

13

not be as little as the seniors pay, but still it would be a reduced fare for students.

LEG. CRECCA:

Mr. Chairman?

CHAIRMAN CARACAPPA:

Legislator Foley was next.

LEG. FOLEY:

Thank you. As a cosponsor of the bill, I wholeheartedly agree with the sentiments of Legislator Carpenter, and this is not just a monetary issue. You know, all the transportation experts will tell you that over the next ten years to 20 years there will be an alarming increase in the number of cars on the roads and that we're trying to persuade the public to try alternative modes of transportation. One of the best ways to do so is to encourage them at an impressionable age to use alternative modes of transportation such as buses. When you have a group of students, whether they're in high school or in college, that is a crucial time period in which we can try to persuade those students to use the buses and introduce them to another mode of transportation so they don't automatically think they always need a car. So with that in mind, this is not just a budgetary issue, it's also a way of, let's say, persuading the younger public to use public transportation.

Now, for those of us particularly who have either high schools or colleges in our Legislative districts, I know for instance, with St. Joseph's College in Patchogue there's a number of students who use the public transit, and given the financial situation of students as we all recall when we were college students, that if we can help in

this small regard, whether it's less of a burden for them, I think that's something we should do. Also in the case of Legislator Carpenter, whether it's St. John the Baptist or other high schools that are close to fixed bus routes, this makes a heck of a lot of sense, particularly for those school districts that don't have late bus transportation for those students who are involved with after school or extra curricula activities.

So for those reasons, I think it's the right approach. We're trying to encourage people to use alternative means of transportation, and by lowering the bus fare I think we're going to succeed in that fashion with a very impressionable age group, particularly high school and college students.

LEG. CRECCA:
Mr. Chairman?

CHAIRMAN CARACAPPA:
Legislator Crecca.

LEG. CRECCA:
Jim, what is -- and I remember you guys telling us the numbers previously. What is the fiscal impact, the estimated fiscal impact on the lowering of the fares?

14

MR. SPERO:
We're estimating about a loss of about \$135,000 a year in revenue.

LEG. CRECCA:
That's a different number than the original number given by Budget Review?

LEG. CARPENTER:
No.

MR. SPERO:
I'm just reading the fiscal impact, the fare would go from a \$1.75 to a dollar. So I'm not aware of --

CHAIRMAN CARACAPPA:
All right.

LEG. BISHOP:
Why aren't we doing this for handicapped or seniors?

LEG. CARPENTER:
Yes.

CHAIRMAN CARACAPPA:

We do, but we raised that --

LEG. CRECCA:

It's 75 cents for seniors.

LEG. BISHOP:

We did it for (inaudible).

CHAIRMAN CARACAPPA:

They have their own rules.

LEG. CRECCA:

And the other question I have is to my fellow committeemen. Has anyone heard of any serious proposals by the County Executive to lower the fare? Because if that's the case too, why don't we do -- if we're going to do anything, why don't we address it all at the same time? I'm not trying to kill Legislator Carpenter's bill, I'm just saying --

CHAIRMAN CARACAPPA:

No, I understand. I share your view, I said it in the last committee meeting. Yes, Legislator -- Senator Trunzo apparently has come through with the added State aid for transportation for the County of Suffolk, but that was hopeful from the days we put together our Operating Budget in an effort to rollback what we had to do during that tough operating budget and that was raise rates, bus rates 25 cents. We're now, based on Senator Trunzo's State aid, going to roll that back, it's going to be imminent with relation to the County Executive moving that forward. That will put us back at square one to where we want to be; this, again, is \$135,000 on top of that.

15

I maintain my position where this should definitely be an item to be discussed during our -- what will soon be upcoming Operating Budget discussions. To do it mid stream, mid year, especially based on the problems we faced with this year's Operating Budget and still the uncertainty of where we stand in the 2003 operating cycle, I firmly believe that that is the most prudent way to go about doing a policy decision that relates to reducing revenues \$135,000.

LEG. CARPENTER:

Mr. Chairman, may I respond?

CHAIRMAN CARACAPPA:

Legislator Carpenter, of course.

LEG. CARPENTER:

Jim, what is our total operating budget?

MR. SPERO:

Two point one billion, give or take.

LEG. CARPENTER:

Okay, thank you. So I think in that in a \$2.1 billion budget, for an impact of \$135,000, that this is a worth while investment in the youth of our County, in the students of our County to put this policy decision in motion. And although the Chairman makes a good point that this could be something that would be considered in the Operating Budget, because of the nature of what this is, student fares, and with the school year just ending now and beginning in September and many young people who will be taking summer classes or needing public transportation, I think it is imperative that we do this sooner rather than later.

And again, I would just remind everybody that \$135,000 would be a very worth while investment in the students of Suffolk County.

LEG. BISHOP:

I have a final insult.

CHAIRMAN CARACAPPA:

Go ahead, Legislator Bishop, and I have one final {salvo} myself.

LEG. BISHOP:

If this has a direct fiscal impact on the County, why is this not a Budget bill?

CHAIRMAN CARACAPPA:

That's a good point.

MR. SABATINO:

The Budget Committee only gets legislation that amends the Operating Budget during the course of the year under Section 4-31G of the County Charter which is a Legislative initiative, an amendment. This is not amending the budget, this is dealing with the question of fares which are revenues.

16

CHAIRMAN CARACAPPA:

It says amending the budget \$135,000, potentially.

MR. SABATINO:

No, it's not amending the budget. I mean, technically to amend the budget you have to change the line item --

LEG. BISHOP:

How are fares and revenues recorded in the County budget?

MR. SABATINO:

As a revenue.

LEG. BISHOP:

And so your interpretation of the Statute is that --

MR. SABATINO:

It's not a question of interpretation. By way of example, okay --

LEG. BISHOP:

Well, I mean, that's your job to interpret the Statute.

MR. SABATINO:

By way of example --

LEG. BISHOP:

But I want to understand --

MR. SABATINO:

-- all of the real estate bills generate revenue. Every time you approve a real estate bill you're either spending money or you're -- acquisition or disposition, you're either bringing money in or you're appropriating money. All those bills aren't going to the Budget Committee because none of them anything to do with Section 4-31 of the Charter. The Budget Committee has a very narrow jurisdiction, it's only when a Legislator initiates an amendment to change a line item in the budget, a specific line item from one place to another place. Everything else goes with the normal jurisdiction, that's why all transportation issues go to this committee.

CHAIRMAN CARACAPPA:

Well -- are you done, Legislator Bishop?

LEG. BISHOP:

I'm done.

CHAIRMAN CARACAPPA:

Okay. Again, as I said last time, it's a laudable goal, I just do not think that we should be taking potentially \$135,000 out of the Operating Budget at this point in time. During the Operating Budget when we put it together, many -- there are many contract agencies that receive less than \$135,000 that this Legislature felt the need to cut, they still have not been reinstated with relation to where they were in previous County budgets with relation to their line item. We're facing a potential increase in County tuition for our community colleges, I can see \$135,000 going a long way in reducing what

17

possibly might be an increase in student tuition. I just personally think that there are areas if we were going to take \$135,000 out of our Operating Budget, it would be -- personally I think we should at least reinstate some contract agencies that were cut during the budget

cycle.

And again, one final point, not to be redundant, but I think it's very important, mid year amendments to decrease revenue is I think the wrong way to approach this. Come again, budget cycle of 2003, we have the money to do it, I will be a cosponsor, I will participate in making this happen, but now is not the time.

LEG. FOLEY:

Mr. Chairman, if I may.

CHAIRMAN CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Yeah, thank you. At the last meeting when this number of 135,000 was given as the figure for loss of revenues, I still feel that that is a remarkably large number. I think it's far less than that because how many bus patrons, particularly of high school age who use the bus, I think it's a rather small amount. So when I heard that figure, that high of a figure, I was quite startled by it and I think it's far less than that. Do I have any hard evidence? No. But, you know, it's an inexact science and even the Budget Review Office can't give you, let's say, a hard figure on how they arrived at that particular amount.

But I would say this is not just a budgetary issue. This committee is also involved with transportation issues, and as I said earlier, one of the prime issues with transportation is the need to encourage the public to find alternative modes of transportation, and one of the ways that you do that is particularly to, in the best sense of the word, influence those of an impressionable age to use alternative modes of transportation. And those of a high school or collage age, we can at least have them think about taking buses as opposed to always thinking of taking a car, well, then to some degree we're going to be encouraging and fostering a public policy goal of encouraging the public to use mass transit.

So if there's a loss on one hand of \$100,000 which I respectfully disagree with, I think there are other gains that far outweigh that small monetary loss of other more important policy goals which is to diverse our modes of transportation.

CHAIRMAN CARACAPPA:

Legislator Carpenter.

LEG. CARPENTER:

Thank you. I think also just to elaborate a little bit of what Legislator Foley is saying, I think that this investment of dollars, you know, regardless of what that amount turns out to be, I think will

certainly be minimized by the fact that you're going to have more students riding the buses when you advertise the fact that there are

18

student fares. And it's not like by reducing the fares we're going to have to go out and hire more buses. The buses are running now, I don't think I have ever seen a County bus go by that is filled with passengers, there are always empty seats on the bus. So if we can put people in those seats even at a reduced fare, a reduced rate, I think we will wind up minimizing whatever little fiscal impact you might think we would have by passing this policy.

CHAIRMAN CARACAPPA:
Any final comments; Jim?

MR. SPERO:
Just one comment on the fiscal impact. We're getting State aid from Senator Trunzo to backfill the increase in the fare and roll it back to \$1.50, the fiscal impact would be the difference between \$1.50 a ride and \$1 a ride, so it would roll back to about \$95,000.

LEG. CARPENTER:
Thank you. You just saved 40,000.

CHAIRMAN CARACAPPA:
Great.

LEG. BISHOP:
I don't see that last point.

CHAIRMAN CARACAPPA:
It's based on the original number --

MR. SPERO:
We're getting State aid to roll back our fare.

LEG. BISHOP:
To go from one --

MR. SPERO:
So the student fare --

LEG. BISHOP:
Oh, I see.

MR. SPERO:
-- as it would be \$1.50, would be from \$1.50 to \$1, not -- when we did the fiscal impact we weren't aware that this aid was coming down, so we figured it based on the 75 cent differential, not a 50 cent differential.

LEG. FOLEY:
Right.

LEG. CARPENTER:
Thank you, Jim.

LEG. FOLEY:
Thank you, James. It's now below six figures.

19

CHAIRMAN CARACAPPA:
And it's now still a motion to table by myself. Second by Legislator Bishop?

LEG. BISHOP:
No.

CHAIRMAN CARACAPPA:
Whoa, you bailed out on me that quick?

LEG. CARPENTER:
He cares about ours students. Thank you, Legislator Bishop.

LEG. BISHOP:
Let's see them get to it, let's see if they think it's bad policy.

LEG. CRECCA:
I'll second.

CHAIRMAN CARACAPPA:
Second by Legislator Crecca. All in favor to table? Opposed?

LEG. CARPENTER:
Opposed.

LEG. FOLEY:
Opposed.

LEG. BISHOP:
Opposed.

CHAIRMAN CARACAPPA:
That was worse than your golf stroke, what you just did. Tabling failed. There is a motion to approve by Legislator Carpenter, second by Legislator Foley. Maybe I'll make the motion to approve -- no, I'm kidding, I'm kidding.

LEG. CARPENTER:
Now do you want to cosponsor it?

CHAIRMAN CARACAPPA:

Not at this point in time, I will when we do it in the budget.

LEG. BISHOP:

I want to hear better argument.

CHAIRMAN CARACAPPA:

All in favor? Opposed? Abstentions? Mark me as abstained for now.

LEG. BISHOP:

(Inaudible).

CHAIRMAN CARACAPPA:

Abstained. I am abstaining right now for the reasons I put on the record; it's bad policy to do it in mid year.

20

LEG. CRECCA:

You know, you can record my vote as an abstain also.

CHAIRMAN CARACAPPA:

Okay, it's approved (VOTE: 3-0-2-0 Abstentions: Legislators Caracappa & Crecca). Wow.

INTRODUCTORY RESOLUTIONS

1700-02 (P) - Revising and clarifying use of Capital Project priority ranking system for implementation of Capital Budget & Program projects (Caracappa). I am going to make a motion to table this until we come back. Second by Legislator Foley. All in favor? Opposed? Abstentions? Tabled (VOTE: 5-0-0-0). I just want to put on the record that I'm having very constructive talks with the Department of Public Works and we're going to be continuing those discussions with relation to the Capital Budget and the Capital Program and the problems that we were all introduced to during the last cycle. And hopefully we can come up with some solutions to the problems that we were faced with in the last budget cycle.

1708-02 (P) - Appropriating funds in connection with the reconstruction of Shinnecock Canal Locks and Tide Gates, Town of Southampton (CP 5343) (County Executive).

LEG. FOLEY:

Question.

CHAIRMAN CARACAPPA:

On the motion, Legislator Foley.

LEG. FOLEY:

If approved, when would the department undertake the reconstruction work?

COMMISSIONER BARTHA:

This is -- correct, it's construction work, we would look -- it has to be done in the winter so we would plan to do it this coming winter.

LEG. FOLEY:

Okay, so it's this coming winter. Motion to approve.

CHAIRMAN CARACAPPA:

Motion by Legislator Foley, second by Legislator Bishop. All in favor? Opposed? Abstentions? Mark me as opposed.
Approved (VOTE: 4-1-0-0 Opposed: Legislator Caracappa).

1709-02 (P) - Amending the 2002 Capital Budget & Program and appropriating funds in connection with a Highway Transportation Needs Assessment (CP 5530) (County Executive).

LEG. BISHOP:

What is this?

LEG. FOLEY:

Explanation, please.

21

COMMISSIONER BARTHA:

The Highway --

MR. SABATINO:

It goes from the 5-25-5 to the one year -- this is a financing mechanism to take advantage of that one year.

LEG. FOLEY:

For what projects? Through the Chair, if we could hear about the assessment program.

COMMISSIONER BARTHA:

This is a specific project that looks at all the County roads and creates an inventory and assessment of the condition and gives us a tool for making determinations as to which roads need improvements. We use this -- even though it's not completed yet, it's been an effective tool in us determining the programs, projects to be included under strengthening and improving County roads. That's basically it.

LEG. CRECCA:

Is \$200,000 the cost for this?

CHAIRMAN CARACAPPA:

Yes.

COMMISSIONER BARTHA:

Right, that's correct.

LEG. BISHOP:

What did you do for \$200,000?

CHAIRMAN CARACAPPA:

Hold on, hold on. Legislator Crecca has the floor.

LEG. CRECCA:

Charlie, what I don't understand is if we're amending the budget, why was this -- I mean, that sounds like something that's a very road that we would do on a normal basis, so why is this -- why was this not part of the budget?

COMMISSIONER BARTHA:

It was part of the budget, this is a part of -- this is merely changing the funding mechanism from --

LEG. CRECCA:

Pay-as-you-go to bonding it?

COMMISSIONER BARTHA:

Correct.

LEG. CARPENTER:

Motion.

CHAIRMAN CARACAPPA:

There is a motion by Legislator Carpenter. Is there a second?

22

LEG. FOLEY:

Just on the motion.

CHAIRMAN CARACAPPA:

Legislator Foley.

LEG. FOLEY:

I'll second the motion for purposes of discussion. This is done on a yearly basis, is that not correct?

COMMISSIONER BARTHA:

No.

LEG. FOLEY:

No?

COMMISSIONER BARTHA:

This is completing the Transportation Needs Assessment Project; bill can speak about it more.

LEG. FOLEY:

Yeah. Because the question would be if it was done on a yearly basis, then is last year's list completed or is this redundant in any fashion; why do we need to do it? Because I thought we approved something last year for a Highway Needs Assessment.

MR. SHANNON:

Yes, we did and we've virtually completed the work under that. We're ready to go with an additional RFP. What we're trying to do with this particular funding is -- there's several things. One of them is we want to change the basis of the aerial photography of our base maps so that we can now match our database with -- in formal terms which is the NAD 87 which is the current, most up-to-date ground control for aerial photography. It's what the Planning Department is using and Real Property is also converting into this NAD 87, so we want our database and our mapping to be consistent with that so that we can put the aerial photography and the Real Property map on a layer on the aerial photo.

Additionally, as you are aware, we have been scanning all of our drawings, our historic drawings for right-of-way maps for construction plans, we're incorporating the indexes of that material into this so that you can readily pull up drawings to provide for the public and also for surveys that need that information. We intend on using this to incorporate some of the licensing fees that are required for software so that our database will be accessible as a web browser. We feel that that's the most efficient, cost-effective way to have this database available to all the members in the Division of Highways and subsequently in the future to other parties.

And finally, with the additional monies that are available, there are additional fields of data that we would like to incorporate into the database specifically related to traffic signal operation. And that covers the overall cost of what we would like to do with this funding.

23

LEG. FOLEY:

Just through the Chair, you mentioned to make it available to other parties, those who are looking to -- if people are looking to access information that DPW has, is there a fee structure in place for that? If these -- by these other parties, you mean non -- what I would call non-governmental parties.

MR. SHANNON:

At this point, the website contains traffic volume data which is free

of charge. At this point, we do not have a fee structure in place. I think the accessibility of this data to outside agencies is years away and it would be on a selected, basis obviously we don't want all of our information --

LEG. FOLEY:

If we didn't pass this, if this wasn't approved, then your department would not be on the same page, if you will, that Planning is and that the other departments are?

MR. SHANNON:

That's correct. Not only that, but also other agencies as well, the Water Authority, everyone is converting to this NAD 87 and we would like to follow suit.

LEG. FOLEY:

Okay. I'm seconding the motion to approve. When -- just again, in the spirit of the Capital Program we just went through, when would you begin this project and how long would you believe it would take to complete it?

MR. SHANNON:

Right now we have a -- we're finishing up that phase of last year's work. In speaking to staff prior to the meeting, we can have an RFP ready to go in about a month and at that point we could continue on with our project.

LEG. FOLEY:

Okay.

CHAIRMAN CARACAPPA:

There's a motion and a second. All in favor? Opposed? Mark me as opposed. It's approved (VOTE: 4-1-0-0 Opposed: Legislator Caracappa).

1711-02 (P) - Amending the 2002 Capital Budget & Program and appropriating funds in connection with the rehabilitation of Smith Point Bridge, Town of Brookhaven (County Executive).

LEG. FOLEY:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Foley, second by Legislator Carpenter. On the motion, Legislator Foley.

24

LEG. FOLEY:

Is this to accept additional aid from the State, {Marcicelli} monies, or is this to undertake the project? Just give us a reason for it.

COMMISSIONER BARTHA:

This is to -- we have received bids on the project, the bids exceeded our estimate by the amount of this resolution approximately by \$67,500.

LEG. FOLEY:

So when would you expect to do the project, this coming winter?

COMMISSIONER BARTHA:

Before the winter because we've already received bids, once this money is authorized we'll be able to give the contractor notice to proceed.

LEG. FOLEY:

And then the project will be completed before next summer, is that the hope?

COMMISSIONER BARTHA:

I'm not sure what the duration is of the project.

LEG. FOLEY:

Will the project impact --

MR. SHANNON:

The project will not impact traffic flow, we'll be working underneath the bridge.

LEG. FOLEY:

Okay. Thank you, Mr. Chairman.

CHAIRMAN CARACAPPA:

There's a motion and a second. All in favor? Opposed? Abstentions? Mark me as opposed. Approved (VOTE: 4-1-0-0 Opposed: Legislator Caracappa).

1721-02 (P) - Approving and amendment to the existing connection contract between Suffolk County Sewer District No. 3 - Southwest and Underwriter's Laboratory Extension (County Executive).

LEG. BISHOP:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Bishop.

LEG. CRECCA:

Second.

CHAIRMAN CARACAPPA:

Second by Legislator Crecca. All in favor? Opposed? Abstained? It's approved (VOTE: 5-0-0-0).

SENSE RESOLUTIONS

Sense 48 (P) - Memorializing Sense Resolution requesting New York State Department of Transportation (NYSDOT) to avoid rest stops on Long Island Expressway (LIE) at residential locations (Binder). Is there a motion? I'll will make a motion to approve.

LEG. CRECCA:

Second.

CHAIRMAN CARACAPPA:

There's a second by Legislator Crecca. On the motion, Legislator Carpenter.

LEG. CARPENTER:

I don't know if the department really has any knowledge of this, but this rest stop has been proposed on the LIE where the old railroad car is and it's been a problematic area and what the DOT is proposing is to rehabilitate the facility, and also there's been some discussion about putting a substation there for Highway Patrol which would certainly enhance any enforcement of any of the problems that some of the neighborhood was complaining about at the rest stop. Are you guys aware of any of it?

COMMISSIONER BARTHA:

(Shook head no).

LEG. CARPENTER:

No. So, I mean, the DOT, the State is willing to come in and take what is a God-awful eyesore, you know, it's really the entrance of Suffolk County on the LIE and I think it's kind of wrong-headed for us to be passing a policy like this, you know, telling them not to do it.

CHAIRMAN CARACAPPA:

Okay. There's a motion and a second. All in favor? Opposed?

LEG. CARPENTER:

Opposed.

CHAIRMAN CARACAPPA:

Legislator Carpenter is opposed. Abstentions?
It's approved (VOTE: 5-0-0-0).

Any other business to come before the Public Works & Transportation Committee? We are adjourned at 12:35 P.M.

(*THE MEETING WAS ADJOURNED AT 12:35 P.M.*)

**Legislator Joseph Caracappa, Chairman
Public Works & Transportation Committee**

{ } - Denotes spelled Phonetically