

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 **July 31, 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
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 - Deputy Commissioner/SC Public Works Department
Tedd Godek - Suffolk County Architect/SC Public Works Department
Ben Wright - Director of Sanitation/SC Department of Public Works
Bill Shannon - Director of Highways/SC Department of Public Works
Bob Shinnick - Director of Transportation/SC Dept of Public Works

Minutes Taken By:

Alison Mahoney - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 11:37 A.M.*)

CHAIRMAN CARACAPPA:

We'll start the meeting with a salute to the flag led by Legislator Carpenter.

Salutation

Welcome back, everyone. We have no cards, so we'll go straight to the agenda. Commissioner, why don't you come up to the table just in case there are some comments by yourself or members of the committee.

Before we go to the resolutions, do any committee members have any questions of the Commissioner or the department regarding any projects in their district? Great. Straight to the agenda. Commissioner, do you have any comments on any agenda items?

COMMISSIONER BARTHA:

No. Thank you for the opportunity, though.

CHAIRMAN CARACAPPA:

Okay.

TABLED RESOLUTIONS

1029-02 (P) - Imposing moratorium on Sewer connection by properties located outside Suffolk County Sewer District No. 3 - Southwest and establishing a priority list (Postal). Is there a motion?

LEG. FOLEY:

Does the six month rule apply with this?

CHAIRMAN CARACAPPA:

It should be close, actually.

LEG. FOLEY:

I would think. I don't know when -- let's see, the bill was laid on the table January 2nd?

LEG. CARPENTER:

Yep.

LEG. FOLEY:

So the six month rule has to apply, right?

CHAIRMAN CARACAPPA:

We'll wait for Counsel, skip over it until Counsel comes back.

1504-02 (P) - A Local Law to reform process for Public Works change-orders (Towle). Motion to table by myself, second by Legislator Foley. In favor? Opposed? Tabled (VOTE: 5-0-0-0).

1700-02 (P) - Revising and clarifying use of Capital Project Priority Ranking System for implementation of Capital Budget & Program projects (Caracappa). Motion to table by myself, second by Legislator Foley. All in favor? Opposed? It's tabled (VOTE: 5-0-0-0).

INTRODUCTORY RESOLUTIONS

1745-02 (P) - Amending the 2002 Capital Program & Budget, appropriating funds to develop a master plan for the North County Complex, Hauppauge, and the Yaphank County Complex (CP 1601.110) (Foley).

LEG. FOLEY:
Motion to approve.

CHAIRMAN CARACAPPA:
Legislator Foley has a motion to approve, second by Legislator Carpenter. All in favor? Opposed? It's approved (VOTE: 5-0-0-0).

LEG. FOLEY:
Thank you.

CHAIRMAN CARACAPPA:
1751-02 (P) - Amending the 2002 Capital Program & Budget, appropriating funds and approving Federal aid for participation in engineering for the reconstruction of CR 57, Bay Shore Road, from NYS Route 27 to NYS Route 231, Towns of Babylon & Islip (CP 5523) (County Executive).

LEG. CARPENTER:
Motion.

LEG. FOLEY:
Second.

LEG. CARPENTER:
Much needed work on County Road 57.

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

1763-02 (P) - Authorizing execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest with the developer of 330 South Service Road, Melville (County Executive).

LEG. FOLEY:
Explanation, Mr. Chairman.

CHAIRMAN CARACAPPA:
Charlie, Commissioner?

COMMISSIONER BARTHA:
This is a proposed office building, it would distribute approximately 5,000 gallons per day.

LEG. FOLEY:
It was approved by the sewer agency.

COMMISSIONER BARTHA:

It was approved by the sewer agency. There is capacity available and they will be contributing through the connection fee a total of \$76,800; that's a one time charge as well as paying the same charges as anyone else in the sewer district annually plus a 5% administrative fee.

CHAIRMAN CARACAPPA:

Is there a motion?

LEG. FOLEY:

In light of the documentation and report that was submitted to the Legislature, Mr. Chairman, in June about some additional residential hook-ups to the district, do we want to table this for a meeting? Is there some, let's say, over -- some master plan that's being reviewed about hooking up those residential areas within a district? So we would want to have -- not a moratorium, but we want to table these until there's a clearer picture on what the County intends to do with the homes within the district that aren't currently hooked up, aren't currently connected?

CHAIRMAN CARACAPPA:

Well, I look at it --

LEG. CARPENTER:

It seems like a very low use.

CHAIRMAN CARACAPPA:

It's a low use, number one. And number two, though your points are points of interest of this Legislature, that report and implementation of hooking people up that aren't hooked up as of yet residentially speaking could take years upon years. It's going to be a major policy decision by this Legislature to move forward on that project and I don't know -- if we held up every project in Southwest between now and then, I don't know, we'll have an agenda about 50 pages long. Commissioner?

LEG. CARPENTER:

I will make a motion to approve.

LEG. FOLEY:

I'll second the motion.

COMMISSIONER BARTHA:

If I could just make one point to clarify this. That report that we prepared, it talks about residential homes outside the district. In the district, everyone is accounted for, so there's no problem with servicing people in the district.

CHAIRMAN CARACAPPA:

Right, it's to expand the district.

COMMISSIONER BARTHA:

To expand elsewhere, yes. And what this represents, this would really be less than 20 homes is what this particular project would represent,

5,000 gallons day.

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LEG. CARPENTER:

Okay. I make that motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Carpenter, second by myself. All in favor?
Opposed? It's approved (VOTE: 5-0-0-0).

1764-02 (P) - Authorizing execution of an agreement by the
Administrative Head of Suffolk County Sewer District No. 11 - Selden
with the developer of Land Division Map of Marie Gagnon (County
Executive).

LEG. FOLEY:

Motion to table, Mr. Chairman.

CHAIRMAN CARACAPPA:

Motion to table by Legislator Foley, second by myself. On the motion;
where's the address of this?

COMMISSIONER BARTHA:

I'm just checking the backup. Ben, do you know what the address is?

MR. WRIGHT:

I have the tax map number, not the address.

COMMISSIONER BARTHA:

We'll get back to your office with that information.

CHAIRMAN CARACAPPA:

Okay. There is a motion and a second to table. All in favor?
Opposed? It's tabled (VOTE: 5-0-0-0).

(Legislators Crecca & Bishop entered the meeting at 11:43 A.M.*)

1765-02 - 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 improvements to the facilities in Suffolk
County Sewer District No. 18 - Hauppauge Industrial (CP 8126) (County
Executive). This is another borrowing situation, correct, Charlie?

COMMISSIONER BARTHA:

It's another what situation?

CHAIRMAN CARACAPPA:

Another loan situation between --

COMMISSIONER BARTHA:

It's a loan situation and it would change the way treatment is
provided to the sewage from that area; we would abandon the existing

treatment plants and connect it to Southwest Sewage District. We are having some additional conversations with representatives of the Hauppauge Industrial Association as well as Legislator Crecca and we would support the tabling motion.

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LEG. CRECCA:

Motion to table.

CHAIRMAN CARACAPPA:

Motion to table and a second by myself. All in favor? Opposed?
Tabled (VOTE: 5-0-0-0).

LEG. CRECCA:

Mr. Chairman?

CHAIRMAN CARACAPPA:

Yes?

LEG. CRECCA:

I apologize, I was right outside.

CHAIRMAN CARACAPPA:

Just add Legislator Crecca to the majority of the votes.

LEG. CRECCA:

Thank you.

CHAIRMAN CARACAPPA:

As well as Legislator Bishop.

1766-02 - Transferring escrow account revenues to the Capital Fund, transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2002 Operating Budget, amending the 2002 Capital Budget & Program and appropriating design funds for upgrading WWTP Facilities, authorizing construction funds for a Project Labor Agreement Feasibility Report and appropriating construction funds for pump station improvements to Suffolk County Sewer District No. 1 - Port Jefferson (CP 8169) (County Executive). Motion by myself.
Is there a second?

LEG. FOLEY:

Second for the purposes of discussion. Could we have an explanation from the Commissioner on this one?

CHAIRMAN CARACAPPA:

Second by Legislator Foley.

COMMISSIONER BARTHA:

This is to provide both planning -- additional planning and construction funds to upgrade the Sewer District 1 - Port Jefferson

facilities. Part of this relates to the need to comply with new nitrogen discharge requirements, to the limitations to the Long Island Sound, and part of the treatment plant is considerably older at this point. So we're looking for an improved process to remove more nitrogen and be more reliable.

LEG. FOLEY:

All right. Now, the escrow accounts for that sewer district are to be used for Capital Projects, is that the purpose of those escrow accounts, or are they escrow costs that are really geared towards stabilizing the sewer rates?

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COMMISSIONER BARTHA:

It's from the Assessment Stabilization Reserve Fund.

LEG. FOLEY:

Which the intention I believe, if we can hear from Counsel, the intention --

COMMISSIONER BARTHA:

There is --

LEG. FOLEY:

That fund was to stabilize sewer rates, correct, not to be used for Capital Projects.

COMMISSIONER BARTHA:

Well, part of the amount here, 563,000, is from connection fees. But Legislator Foley, you are correct, Capital Projects however do have an impact on the rates.

LEG. FOLEY:

Right.

COMMISSIONER BARTHA:

And this is set up as a loan, I believe this is the way this is set up at the suggestion of the Legislature's BRO.

LEG. FOLEY:

Oh, this is the same approach that we've had on several other resolutions? If we could hear from --

COMMISSIONER BARTHA:

That's correct.

LEG. FOLEY:

That's correct; the same approach per BRO's recommendations, correct?

COMMISSIONER BARTHA:

Right.

LEG. FOLEY:

Okay.

CHAIRMAN CARACAPPA:

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

It's approved (VOTE: 5-0-0-0).

1767-02 - Transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2002 Operating Budget, amending the 2002 Capital Budget & Program and appropriating design funds for reconstruction of the sludge treatment and disposal facilities in Suffolk County Sewer District No. 3 - Southwest (CP 8180) (County Executive).

LEG. CRECCA:

Motion to approve.

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CHAIRMAN CARACAPPA:

There's a motion to approve by Legislator Crecca, second by Legislator Bishop. All in favor? Opposed? It's approved (VOTE: 5-0-0-0).

1789-02 (P) - To roll back bus fares (Foley).

LEG. BISHOP:

I thought we did this policy last time.

CHAIRMAN CARACAPPA:

To rollback bus fares.

LEG. FOLEY:

Yeah, Mr. Chairman, it's my understanding that as of July 1st that the fares have been rolled back. So I'll be withdrawing the resolution. I'm happy to see, I think as we all are, now that the State has finally come forward with monies for bus transportation that we can roll -- that these bus fares can be rolled back.

CHAIRMAN CARACAPPA:

Okay, the resolution is withdrawn. That's it for the agenda.

LEG. CARPENTER:

You have the other resolution, 1029.

CHAIRMAN CARACAPPA:

Oh, right, I'm sorry. Paul, 1029, the first resolution under tabled resolutions; the six month rule, we're up against it?

LEG. FOLEY:

January 2nd was the --

MR. SABATINO:

You will be. 1029 will expire after the next meeting, after August 6th, so if you table it one more time then it will expire. A whole

bunch of bills are going to be lost in the next cycle.

CHAIRMAN CARACAPPA:

So motion to table by Legislator Crecca, second by myself. All in favor? Opposed? Tabled (VOTE: 5-0-0-0).

LEG. FOLEY:

Mr. Chairman, before we conclude the meeting, it's my understanding that at our next committee meeting Mr. Shinnick will be here to discuss a number of transportation issues. And your excellent letter had outlined a whole number of issues for him to discuss, I would just add on the record to that discussion about the additional dollars that we received this year from the State for transportation, how we intend to use those dollars both in 2002 as well as in 2003.

COMMISSIONER BARTHA:

Bob will certainly --

LEG. FOLEY:

It's an additional \$4 million I believe.

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COMMISSIONER BARTHA:

Bob will certainly include that in the presentation.

LEG. FOLEY:

Thank you.

CHAIRMAN CARACAPPA:

Very good. For those of you -- I sent a letter to Mr. Shinnick outlining a series of questions to be discussed. If any of you, such as Legislator Foley just has, has any more questions relating to transportation, just forward it over to the Department of Public Works to make sure that they're addressed at the presentation of the next Public Works meeting.

Any other questions or comments? Any other business to come before this committee? Hearing none, we stand adjourned.

(*THE MEETING WAS ADJOURNED AT 11:49 A.M.*)

Legislator Joseph Caracappa, Chairman
Public Works & Transportation Committee

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