

**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 **November 22, 2002**.

Members Present:

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

Also in Attendance:

Paul Sabatino - Counsel to the Legislature
Kellianne Sacchitello - Aide to Legislator Caracappa
Clark Gavin - Aide to Presiding Officer Tonna
Jim Spero - Deputy Director/Budget Review Office
Nicole DeAngelo - Intergovernmental Relations/County Executive Office
Charles Bartha - Commissioner/SC Public Works Department
Richard LaValle - Chief Deputy Commissioner/SC Public Works Department
Leslie Mitchel - Deputy Commissioner/SC Public Works Department
Tedd Godek - Suffolk County Architect/DPW
Bill Shannon - Director/Highway Division/DPW
Alan Otto - Chief of Staff/Suffolk County Sheriff's Department
Joe Rubacka - Lieutenant/Suffolk County Sheriff's Department
James Maggio - Deputy Commissioner/Suffolk County Police Department
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Stenographer

(*The meeting was called to order at 11:30 A.M.*)

CHAIRMAN CARACAPPA:

I suppose we can start the Public Works Committee meeting. We'll start with a salute to the flag led by Legislator Foley.

Salutation

LEG. BISHOP:

I have a question.

CHAIRMAN CARACAPPA:

All right, we'll start with questions. Legislator Bishop.

LEG. BISHOP:

I contacted the Town of Huntington about this weight limit.

CHAIRMAN CARACAPPA:

Not to cut you off, we had a series of correspondence from the Supervisor back and forth; I think I provided a packet to the committee members on the issue. I spoke to the Supervisor the other day as well and just -- our conversation was based on the letter.

LEG. BISHOP:

Commissioner, would it surprise you to learn, as it surprised me, that the Town of Huntington got a copy of the Vehicle and Traffic Law Statute from the Suffolk County Department of Public Works; the statute that they were using to justify their -- at the time, their banning of the -- it was faxed to them from the Suffolk County Department of public Works.

COMMISSIONER BARTHA:

That doesn't surprise me at all, we provide them with that information.

LEG. BISHOP:

Then the Supervisor writes that he never heard a comment from the Department of Public Works.

COMMISSIONER BARTHA:

The Supervisor has written a couple of things, including that I had said that -- I don't have the letter in front of me, but he states something which I don't believe is correct with respect to my comments.

LEG. BISHOP:

"I personally discussed the issue with Charles Bartha, Director of the Suffolk County department of Public Works in October. At that time, Mr. Bartha" -- it's Commissioner Bartha, frankly -- "verbally advised me of his concern with the proposed Local Law and I requested a written opinion from him as to the County's position on the proposed truck exclusion. I wrote to him on October 31st but have not received a response of yet. For that reason, I was surprised to hear that members of this department had testified at your November 13th meeting that no response from prior to the following meeting." Is that what you were --

COMMISSIONER BARTHA:

No, there was another letter that he had sent.

LEG. BISHOP:

He sends lots and lots of letters. Well --

CHAIRMAN CARACAPPA:

Well, this is the letter that he sent to me yesterday; I don't think the Commissioner had a chance to see that one. There is a letter in the backup that I gave you from Commissioner Bartha to -- to --

COMMISSIONER BARTHA:

Supervisor Petrone.

CHAIRMAN CARACAPPA:

Supervisor Petrone.

LEG. BISHOP:

I just want to say this about the faxing of the Statute. You know, I can't -- I'm not making even making the accusation, I just think it by appearance looks perilously close to facilitating something that's against our interests.

COMMISSIONER BARTHA:

When someone asks us for information that we have, I --

LEG. BISHOP:

They have Town Attorneys. I don't understand. We fax out the Statutes from the VT -- I don't know what happened, it just truck me as strange.

LEG. CARPENTER:

It's public information.

LEG. BISHOP:

Of course it's public information.

LEG. CARPENTER:

They have no idea of knowing what they're going to want to use it for.

COMMISSIONER BARTHA:

If I only gave information to people that agreed with me, my life would be a lot simpler.

CHAIRMAN CARACAPPA:

If the Town of Babylon called your office, Dave, for a County statute of some sort, wouldn't you fax it over to them?

LEG. BISHOP:

This is a New York State Statute.

CHAIRMAN CARACAPPA:

Which I'm sure they have seeing that it's the Department of Public Works.

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LEG. BISHOP:

The Town of Huntington would have it. And I'll tell you, it was the former Aide to Legislator Binder faxing it to -- it just wreaked of -- it was problematic to me, the whole thing. But, you know, I'm -- I can't approve anything, I can't even make a credible accusation, I'm just saying I found it strange.

CHAIRMAN CARACAPPA:

All right, I'm not where you're at right now.

LEG. BISHOP:

You don't need to be.

CHAIRMAN CARACAPPA:

I don't want to be.

LEG. BISHOP:

Hopefully someone knows what I'm talking about. It would be an embarrassment for the town --

CHAIRMAN CARACAPPA:

It is an embarrassment to the town that they can't get the statute on their own. All right, any other comments or questions on the material that I provided for each member on the Commack Road issue? Good.

Anyone have any other questions right now for the Commissioner before we move on anything else relating to your district? Legislator Foley.

LEG. FOLEY:

Yeah, it's something that Mr. Shannon has been working on and I just wanted to get an update -- Commissioner, if Mr. Shannon can step forward -- on a dredging project over at Fire Island Pines that's been going back and forth between a core of engineers, the DEC, the DOS, Fish and Wildlife, FINS. And it's been about two years that we've been working on this thing, so if you can give us an update on where that is. You've been very cooperative and I know the whole approach has been to try to get this dredging job done prior to the next boating season.

MR. SHANNON:

Sure, I would be glad to comment on that. As you are aware, the Fire Island National Seashore Park Service required us to prepare a special use permit because their jurisdiction falls within the area of the

Fire Island Pines Channel. We prepared that special application in a draft format, sent it to their offices, they reviewed it, commented on it, and as a result of their comments their recommended preferred alternative was to discharge the material on the bay side as opposed to building the beach up on the ocean side.

In subsequent conversations with DEC, we understood the DEC would oppose this bay side disposal based on the fact that there was no beach to put it on, he would be essentially discharging it into open water. The DEC -- we prevail upon the DEC to converse with FINS so that we could get out from between a rock and a hard place here and they have -- they met last week and it's my understanding that DEC has convinced FINS that that's not an appropriate use of that material,

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that they would not support a direct discharge, an open water discharge. DEC is in the process now of putting together a meeting with FINS. FINS would like to find another place for us to put this material so that they perhaps could truck it to that site. As you're aware, there's an erosion problem to the immediate east of where the property begins at Fire Island Pines.

LEG. FOLEY:
Correct.

MR. SHANNON:
So we're working with DEC and FINS to make that final meeting to determine where that material -- if, in fact, it's going to go on the bay side. And we still intend on doing this project prior to the boating season.

LEG. FOLEY:
Very good. Thank you very much for the update. Thank you, Mr. Chairman.

MR. SHANNON:
You're welcome.

CHAIRMAN CARACAPPA:
Is that an ocean side dredge, Legislator Foley?

LEG. FOLEY:
Actually it's on the bay side. Normally speaking, they'll dredge on obviously the bay side and they'll place the spoils on the ocean side, as Legislator Carpenter knows. But what's happening in certain areas of the bay side of Fire Island, where the bulk heading ends and beach begins again, the skewing} that's occurring and erosion that's occurring so that even the seashore sees the need to have some renourishment of spoils along the eroded areas where the bay beach

meets the bulk heading, so.

CHAIRMAN CARACAPPA:

Thanks. Any other questions for the Commissioner right now?

LEG. CARPENTER:

Yes.

CHAIRMAN CARACAPPA:

Legislator Carpenter.

LEG. CARPENTER:

Mr. Chairman, I hope you don't mind, I would normally not ask for a discussion on a topic without notifying you but it sort of came out as an outgrowth of the Public Safety Committee earlier this morning. And Chief Otto is here from the Sheriff's Department and Jim Maggio from the Police Department to address the Quarter Master Building. And if they could come forward, if that would be all right, and perhaps Rich LaValle who we've had some communications with on this.

(*Legislator Crecca entered the meeting at 11:41 A.M.*)

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Thank you, gentlemen. Charlie and Rich, this is the Quarter Master Building that originally was supposed to be for the Police Department only and as an outgrowth of a report from Budget Review, the suggestion was made that perhaps the Sheriff's Department who was also looking for Quarter Master building and the Police Department work cooperatively and have a joint facility in Yaphank. And they have been working together on this, it's all been agreed to. Chief Web -- or Inspector Weber had indicated to me that it was imperative that this move forward before the end of the year so that they would not be having to live by a whole new set of codes and restrictions or guidelines that the State is promulgating and we seem to have reached a little bit of an impasse. It's my understanding from Chief Otto this morning that any of the modifications that had to be made to have this be a joint project has been done and Tedd Godek is here and we appreciate your assistance on this in helping to move it forward quickly and that everyone has signed off on it and wanting to make sure that we can get this accomplished. So that was basically what this is all about, so if you would comment.

CHAIRMAN CARACAPPA:

Tedd, could you elaborate on that for us?

MR. GODEK:

Sure. All right, we have been working with the Police and the Sheriff's staff in conjunction with the architect who was the original architect on the building and we've reviewed both programs and

incorporated both the Sheriff's and the Police needs into the existing building, so to speak, as it's designed.

The footprint of the building has pretty much stayed the same; that is to say the overall square footage of it. We have reapportioned some office space and some storage space inside the building, but it pretty much sits as it was designed initially. Now, we -- you mentioned the issue of having to build this prior to a new set of codes; we will be under a new set of codes when we construct this building, there's no question about it. It's a revised building code put out by the State of New York which has some basic changes to it nothing but nothing that's going to be of any earth shattering impact on this project. So I'm not too concerned about the timing for that reason.

We have been in touch, again, with the architect who has identified the changes. There is some engineering work that still has to be done to accommodate the changes, primarily in the mechanical end of things because certain rooms have changed, certain layouts have changed and mechanical systems have to change accordingly, so we will be working on that.

Now, preliminarily we have asked the architect for a construction cost estimate and as late as yesterday he came back with an estimate of \$5 million, but that's not where it ends. The \$5 million is a bare cost estimate without any contingency included. So what we have done is we've taken his \$5 million and gone through and added a 5% contingency, we've also added shelving into the project, shelving systems for the storage. Initially that was anticipated as being an Operating Budget item, we felt that it should be put into the Capital Project it's a permanent installation, it's a permanent shelving

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installation, it's not desks and filing cabinets, so properly we felt it should be in the project. So that adds almost \$200,000 to the bill also, it's a sizeable shelving system; and that's an estimate at this point, it may come down from that, I'm hoping it will.

Adding also into the project project management and construction inspection services, which we are probably going to need for this project giving the staffing situation the way it is, our budget, total project budget is coming up to somewhere in the vicinity of \$6.1 million.

LEG. CARPENTER:

What was this originally budgeted for?

MR. GODEK:

This was originally budgeted back in '99 at 2.8 and as we got into the project and developed it, it was becoming obvious that that 2.8 was

insufficient. And we at one point went to appropriate the 2.8 and offset additional funds to that and both of those measures failed, so the project pretty much died in place for lack of funding.

CHAIRMAN CARACAPPA:

Jimmy, what did -- we just recently did in May with the Capital Program, we had discussed the Quarter Master building.

MR. SPERO:

This didn't make it into the program, so the funding is not in the program of the Capital Budget to accomplish the construction. We need to come up with the offset, if there is one out there of this size, so the project can move forward. I guess that's the next question for the Commissioner; is that an offset we can go to --

COMMISSIONER BARTHA:

Not sounds like a budget question for me.

MR. SPERO:

Is there anything available that we might be able to use as an offset?

LEG. FOLEY:

They first have to confer.

MR. SPERO:

It's in the eye of the beholder, I realize.

COMMISSIONER BARTHA:

We certainly have some funds available for offset this year, I don't know whether they total up to four million or six; what are we looking at, six million? I'm sure they don't total six million, but we're only one part of the Capital Program, albeit the largest part. So we can put together that list in the next few days of projects that would be available and give it to the Chairman and see where we would like to go.

LEG. CARPENTER:

If I could. You know, earlier this morning we discussed the fact that there's been much discussion about, you know, looking at how we do

business and trying to be more cost effective and efficient and this recommendation to get two departments to come together and share a facility I think, you know, is very good and the kinds of things we want to keep doing. I'm a little bit troubled that the cost of it, you know, has gotten to be where it is and would ask, you know, when you're looking for those offsets to maybe relook at the number and see if there -- because the last estimate I got on the shelving was 75,000 and now this morning you tell me 200,000. So --

CHIEF OTTO:

If I could, that 75,000 was the amount of money that we originally put in our Quarter Master building, that was for the Sheriff's office.

LEG. CARPENTER:

Okay. Now, that's an interesting -- that leads me to another point; is there money in the Capital Program for the Sheriff's that could be all pulled together to try and come up with this offset? Because there was some money in the police program for the Quarter Master building and if, you know, collectively we can come up with the dollars, that might be a way to approach it.

COMMISSIONER BARTHA:

We'll work with Jim on trying to do that.

LEG. CARPENTER:

Thank you.

CHAIRMAN CARACAPPA:

Okay.

LEG. CARPENTER:

Thank you, Mr. Chairman. I appreciate it.

LEG. FOLEY:

Progress today, Mr. Chairman.

CHAIRMAN CARACAPPA:

Progress, what a concept. Okay, guys, thank you. Do you have anything further to add, chief? Mr. Maggio? Okay.

LEG. CARPENTER:

Thanks for coming down.

LEG. CRECCA:

Tedd, are you going to stick around for a few minutes after the meeting?

MR. GODEK:

Yes.

LEG. CRECCA:

Okay. Thank you.

CHAIRMAN CARACAPPA:

Before we go to the agenda, is there any other business that the

committee would like to discuss? Okay, we'll go straight to the agenda.

TABLED RESOLUTIONS

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

MR. SABATINO:

You can strike that from the agenda after today's meeting, by the way, just for the record.

CHAIRMAN CARACAPPA:

1700-02 (P) - Revising and clarifying use of Capital Project priority ranking system for implementation of Capital Budget & Program projects (Caracappa). I believe this is a mistake, I remember tabling this subject to call in the last --

MR. SABATINO:

That's correct, Mr. Chairman.

CHAIRMAN CARACAPPA:

So just strike that, that's tabled subject to call from the last committee meeting.

1765-02 (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 to the facilities in Suffolk County Sewer District No. 18 - Hauppauge Industrial (CP 8126) (County Executive). Legislator Crecca?

LEG. CRECCA:

Motion to table.

CHAIRMAN CARACAPPA:

Table one more time.

LEG. CRECCA:

Right, Charlie, we have to still meet about this.

COMMISSIONER BARTHA:

Yes, we -- I just signed a letter this morning asking for a corrected copy so that we can look for money to improve this district rather than connect to Southwest.

LEG. CRECCA:

Thank you. Some of your support staff has been keeping me somewhat informed, I'm the one who has ignored it with you guys. We'll get it

together and get it done. Thank you. That was a motion to table.

CHAIRMAN CARACAPPA:

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

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Charlie, before we go on to the next couple of resolutions, is Mr. Shinnick coming.

COMMISSIONER BARTHA:

I looked around a couple of times, I'm not sure why he's not here today; I apologize.

CHAIRMAN CARACAPPA:

Maybe you can answer questions if there are with relation to these resolutions.

INTRODUCTORY RESOLUTIONS

2188-02 (P) - Amending the 2002 Capital Budget and Program and authorizing the purchase of up to seventeen (17) paratransit vans, accepting and appropriating County, State and Federal Funds for this acquisition (CP No. 5658) (County Executive).

LEG. FOLEY:

I will make the motion.

CHAIRMAN CARACAPPA:

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

LEG. FOLEY:

Thank you, Mr. Chairman. What I had wanted to ask Mr. Shinnick is which I'm reading the backup but I don't see it here is exactly how these vans are going to be used, is it through the -- well, the County's paratransit system? What will happen to the buses that they're replacing, can those buses be available for other municipalities who could use them? I know the village in my district and other villages in other, let's say, even not-for-profits sometimes can utilize the vans that are being replaced. So this is all for the paratransit system, obviously, right?

COMMISSIONER BARTHA:

Right. This is not simply replacing, this is to expand the service --

LEG. FOLEY:

Oh, okay.

COMMISSIONER BARTHA:

-- to increase ridership demand. There may be some that are being replaced, I'll check on that.

LEG. FOLEY:

If you could, please. And that's good to hear that paratransit is being expanded. Thank you.

CHAIRMAN CARACAPPA:

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

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2190-02 (P) - Appropriating funds in connection with the construction of shoulders on CR 67, Motor Parkway, Town of Islip (CP 5533) (County Executive).

LEG. CRECCA:

Motion.

LEG. CARPENTER:

Second.

CHAIRMAN CARACAPPA:

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

2192-02 (P) - Appropriating funds and approving Federal Aid for participation in engineering for the reconstruction of CR 67, Motor Parkway, Town of Islip (CP 5172) (County Executive).

LEG. CRECCA:

Same motion.

CHAIRMAN CARACAPPA:

Same motion. Same second?

LEG. CARPENTER:

Yep.

CHAIRMAN CARACAPPA:

Same vote. Approved (VOTE: 5-0-0-0).

LEG. CARPENTER:

Are we ever going to get Motor Parkway done?

LEG. CRECCA:

No.

LEG. FOLEY:

It's a work in progress.

COMMISSIONER BARTHA:

This is moving towards that direction, this will be for the final engineering design and it's only 5% County funds involved.

LEG. CARPENTER:

That's a good thing.

CHAIRMAN CARACAPPA:

2193-02 (P) - Appropriating funds and approving Federal Aid for participation in construction in connection with a closed loop traffic signal system (CP 3309) (County Executive). This goes back to 1995 I believe; right, Charlie?

COMMISSIONER BARTHA:

Yeah.

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CHAIRMAN CARACAPPA:

I think it was originally sponsored by Legislator Blydenburgh.

COMMISSIONER BARTHA:

Really?

CHAIRMAN CARACAPPA:

Yeah.

COMMISSIONER BARTHA:

Well, this -- I'm sorry.

CHAIRMAN CARACAPPA:

Give us some background before we move forward.

COMMISSIONER BARTHA:

This is a really state of the art project that we've been looking for for a long time. We have a consultant that is now designing the system and this is the construction funds. What this system will allow us to do is on interconnected signals we'll be able to monitor them from the office and we'll be able to make adjustments from the office; we're all on computer controls.

LEG. CARPENTER:

How cool is that?

COMMISSIONER BARTHA:

So this will -- it's actually, it will reduce congestion and that's why we're able to access the CMAC Fund, the Congestion Mitigation Air

Quality Fund.

LEG. CRECCA:

Charlie, is there any specific places where you're looking to implement this yet?

COMMISSIONER BARTHA:

Every place where we have interconnected signals where more than one signal is part of a system, so all of those throughout the County would be connected back into our office that we could do.

LEG. CRECCA:

We might actually be able to get the timing somewhat better on 347?

COMMISSIONER BARTHA:

No, that's a State Law.

LEG. CRECCA:

That's right.

CHAIRMAN CARACAPPA:

County Road 16?

COMMISSIONER BARTHA:

Absolutely.

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LEG. FOLEY:

Now County Road 83.

CHAIRMAN CARACAPPA:

Nicolls Road.

LEG. CARPENTER:

Pine Aire Drive and Fifth Avenue.

CHAIRMAN CARACAPPA:

Should we go on?

LEG. FOLEY:

As we can tell, the first priority obviously is the membership of the committee.

LEG. CARPENTER:

But he didn't say that.

CHAIRMAN CARACAPPA:

That \$800,000 --

LEG. FOLEY:

It's where it's needed the most is where it's done.

CHAIRMAN CARACAPPA:

-- is being reimbursed; correct, Charlie?

COMMISSIONER BARTHA:

That's correct.

LEG. CARPENTER:

Motion.

CHAIRMAN CARACAPPA:

It's 80/20.

LEG. FOLEY:

Second the motion. And just finally on the motion, Mr. Chairman, I'm glad to see that in the backup we have a time line a, project time line sheet and it really gives us a -- well, an outline of when you intend to get the project moving. So I'm glad to see that's part of the --

CHAIRMAN CARACAPPA:

More progress, Legislator Foley; wow.

LEG. CARPENTER:

May I ask a question?

CHAIRMAN CARACAPPA:

Certainly.

LEG. FOLEY:

And it doesn't seem that complicated.

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LEG. CARPENTER:

This certainly sounds like it's really going to make a difference and it just reminded me of something that I have inquired about many times over the years and that is the signing of roads with the -- either the overhead signs so that people coming -- approaching an intersection can see what road they're crossing. And I know on Nichol's road we have some of that kind of signage but I would like to know if it's an initiative that's being considered on, you know, a major of our County Roads because it just makes it so much safer a situation when people are trying to identify what intersection they're approaching to be able to see it straight on and not have to be turning their head as they get, you know, almost up to or through the intersection to see if that's the road that they wanted to turn on.

COMMISSIONER BARTHA:

Where we're doing road improvements and there are major intersections involved, we are seeking to improve the signage into major intersections, not every cross street but the intersections.

LEG. CARPENTER:

Right. Okay, thank you.

CHAIRMAN CARACAPPA:

There's a motion and a second. All in favor? Opposed? Abstained? 2193 is approved (VOTE: 5-0-0-0).

2211-02 (P) - Appropriating funds and approving Federal Aid for participation in construction of the replacement of Mill Dam Bridge, Town of Huntington (CP 5854) (County Executive).

LEG. FOLEY:

Legislator Bishop, what's your pleasure?

CHAIRMAN CARACAPPA:

What's the tonage restrictions?

LEG. BISHOP:

Motion to approve.

CHAIRMAN CARACAPPA:

Motion to approve by Legislator Bishop, second by Legislator Carpenter. All in favor? That's 80/20 split. All in favor? Opposed? It's approved (VOTE: 5-0-0-0).

2212-02 (P) - Accepting and appropriating New York State Transportation Operating Assistance Funds (County Executive).

LEG. FOLEY:

Motion.

LEG. BISHOP:

Motion.

CHAIRMAN CARACAPPA:

There's a motion by Legislator Foley, second by Legislator Bishop. All in favor? Opposed?

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LEG. CARPENTER:

Can this go on the consent calendar?

CHAIRMAN CARACAPPA:

I don't believe so.

LEG. FOLEY:

Just on the motion.

CHAIRMAN CARACAPPA:

On the motion, Legislator Foley.

LEG. FOLEY:

This is why it would have been important to have Mr. Shinnick here since there are a number of transportation issues. You read the backup and it mentions a cover cost reimbursement of anticipated reduced fare and unanticipated student fair with a \$50,000 shortfall. And it mentions also another 180,000 due to shortfall and budgeted funds for paratransit operations. You know, why was there that sizeable of a shortfall for paratransit?

COMMISSIONER BARTHA:

I apologize.

LEG. FOLEY:

That's okay. If we can hear by Tuesday or actually before Thursday the 5th it would be helpful, all right?

COMMISSIONER BARTHA:

Okay. Perhaps through the Chair if BRO could find out also.

LEG. FOLEY:

Why was it the size of a shortfall, a hundred and eighty thousand. Thank you.

CHAIRMAN CARACAPPA:

Okay, there's a motion and a second. All in favor? Opposed? Abstained? It's approved (VOTE: 5-0-0-0).

Legislator Carpenter.

LEG. CARPENTER:

I just would like to make a comment based on that little reference to the loss of revenue because of reimbursement for student bus fares. I venture to guess that -- in fact, I think Mr. Shinnick said it at the last committee meeting, that there has been an increased ridership of students on the buses, so I don't know if that figure of \$50,000 is terribly accurate.

CHAIRMAN CARACAPPA:

He said he would be able to calculate the numbers or codify the numbers more so in a few weeks and then opposed to when you asked, correct?

LEG. CARPENTER:

Right.

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CHAIRMAN CARACAPPA:

So hopefully at the next committee meeting he'll have some numbers for us.

2213-02 (P) - Appropriating funds in connection with the purchase of a fare collection system upgrade for Suffolk County Transit (CP 5648) (County Executive).

LEG. FOLEY:

Motion.

CHAIRMAN CARACAPPA:

This is 80/10/10 split. Motion by Legislator Foley, second by myself. All in favor? Opposed? Abstained? 2213 is approved (VOTE: 5-0-0-0).

2215-02 (P) - Amending the 2002 Capital Budget and Program and appropriating funds in connection with roof replacement on various County Buildings (CP 1623) (County Executive).

LEG. BISHOP:

This is --

LEG. CRECCA:

How much is it?

CHAIRMAN CARACAPPA:

This is amending the two -- this is a waiver of 5-25-5.

LEG. BISHOP:

Which we over spent the account, right? I'm not going to support it.

CHAIRMAN CARACAPPA:

Me neither.

LEG. CRECCA:

How much is it, please?

CHAIRMAN CARACAPPA:

It is for \$400,000.

LEG. CRECCA:

And what building -- Charlie, can you tell us if you know what building it's for and what the degree of urgency is? I don't have -- I apologize.

CHAIRMAN CARACAPPA:

It's the Bomarc building, Building C209, the Board of Elections which is Building C11 and the other following County buildings which is C50 MIS Building in Hauppauge, Building C17 which is the Labor Department Building in Hauppauge and Building C10 which is the Public Works building in Yaphank.

LEG. CARPENTER:

Are any of these critical?

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CHAIRMAN CARACAPPA:

The question was are any of these critical?

LEG. CARPENTER:

Or is this routine maintenance?

COMMISSIONER BARTHA:

I will let Tedd respond to how critical they are.

LEG. FOLEY:

And which Commissioner's office at Board of Elections needs to have a roof replaced?

MR. GODEK:

They're both on the same side of the building. Bomarc is especially critical to us at this point in time because we are moving a lot of the County Clerk's records out to that facility, it's becoming a storage facility for him and it is quite, quite important that that facility be tight to the weather.

Board of Elections a roof that's reaching the limit of its useful age so to speak. MIS has problems, as a matter of fact we're in there now doing some temporary patch up. The Labor Department is nearing having to have some major work done to it and there are certain sections of the Public Works building which are old and need to be taken care of.

A couple of these, the Labor Department especially, we're trying to get a little proactive on, we're trying to get ahead of the curve on these buildings and get them taken care of as we see them coming into the 20, 25 year range rather than waiting for a massive deluge and of failure before we do anything with it.

LEG. FOLEY:

So in other words, there's no leaks at most of these facilities, it's just that you want to get -- as you say, stay ahead of the curve. What about the slate roofs over at the Labor Department building?

MR. GODEK:

That is part of what we're looking to do over there.

LEG. FOLEY:

What do you intend to do with the slate?

MR. GODEK:

We intend to use as much of that as possible and replace as we find broken pieces, pieces that have come loose and so on and so forth. And as we get deeper into it, too, we can identify worn slate that has to be replaced.

LEG. FOLEY:

So you're going to try to keep the slate, in other words.

MR. GODEK:

Oh, yes, definitely.

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LEG. FOLEY:

Okay. Just through the Chair, I mean, I don't know how large a part of the overall budget that is, but usually they say slate can last 50 to 75 years, the way that it's placed in a building. So -- but you're finding that there's a need? Well, those buildings are pretty old to begin with.

MR. GODEK:

Yeah, those buildings are pretty old and add to that the problem, too, with flashing. The slate roof itself is one issue, the flashing that goes into that slate roof is another issue that needs to be looked at and in some instances is failing.

LEG. FOLEY:

For those -- for the bidders of these projects, particularly those who work with slate, I mean, you have -- you make sure that that particular roof is well versed with that particular material?

MR. GODEK:

Yes.

LEG. FOLEY:

Because not all the roof is ours you know.

MR. GODEK:

No, they're not, and we ask for credentials from the low bidders as they come in.

CHAIRMAN CARACAPPA:

Legislator Bishop, you have a comment?

LEG. BISHOP:

No.

CHAIRMAN CARACAPPA:

Okay.

LEG. CARPENTER:

I'll make a motion.

CHAIRMAN CARACAPPA:

There's a motion by Legislator Carpenter, second by Legislator Crecca. Though this is -- this resolution would have us bonding this where previously we would use operating dollars to do it under pay-as-you-go. Even if we were to delay this, I'm sure a resolution would come back just paying for it out of the Capital Project and not doing it through the amending the 5-25 statute; correct, Paul, wouldn't you assume that's the case?

MR. SABATINO:

Yes. Well, the next issue coming up is in the next packet you're going to be voting on whether you want to extend this moratorium on 5-25-5 for one more year; if you don't extend then moratorium then you'd have to wait a whole additional year. So that's going to be the issue in front of you in two weeks.

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LEG. CRECCA:

How much is in 5-25-5 for 2003?

LEG. CARPENTER:

Eight five.

LEG. CRECCA:

Eight point eight million? Eight hundred and eighty five thousand?

MR. SABATINO:

No, we're just short of a million because we had transferred during the course of the stand-alone budget amendments, but I don't -- I mean, one of them got vetoed and I think we wound up with a little eight hundred thousand.

MR. SPERO:

It's I think just under 900,000. We needed about 15 million to really fully fund the pay-as-you-go.

LEG. CARPENTER:

We're a little short.

LEG. CRECCA:

Yeah, I was going to say --

MR. SPERO:

Four and a half million of that --

LEG. CRECCA:

Eight point eight million, that's not too bad, you know, we could make that work somehow.

CHAIRMAN CARACAPPA:

There is a motion and a second. I do have problem with it coming -- being budgeted through this -- even through it is a Capital expenditure, either way you look at, I'd rather wait and see what we do with the 5-25-5 moratorium before I take action.

LEG. CARPENTER:

Why don't we table this?

LEG. CRECCA:

Is there a problem if we table it one cycle? No, right?

COMMISSIONER BARTHA:

That's not a problem with us.

LEG. CRECCA:

Okay.

CHAIRMAN CARACAPPA:

So the motion has been withdrawn to approve. There's a motion to table by myself, second by Legislator Bishop. All in favor? Opposed? Tabled (VOTE: 5-0-0-0).

19

LEG. BISHOP:

Great progress, very good.

CHAIRMAN CARACAPPA:

2226-02 (P) - Authorizing County to enter into an Inter-Municipal Agreement with the Town of Riverhead for the maintenance of parking regulations signs, bus stop location signs and bus passenger shelters (County Executive).

LEG. FOLEY:

Explanation.

CHAIRMAN CARACAPPA:

Commissioner?

COMMISSIONER BARTHA:

We have been working with Riverhead for awhile with respect to bus

stops and shelters and this would -- they would be doing the maintenance on the shelters.

LEG. FOLEY:
Very good.

CHAIRMAN CARACAPPA:
They're currently doing it now, right?

COMMISSIONER BARTHA:
It's actually putting up new shelters in the area and they may be already, in the last couple of weeks this happened. We would not be paying for this.

LEG. CARPENTER:
Hopefully you won't have any problem getting the agreements back and forth and signed because they do seem to have a problem with that.

LEG. CRECCA:
If you have a problem just contact the Clerk, he'll be happy to send a letter on your behalf.

COMMISSIONER BARTHA:
I heard that.

LEG. BISHOP:
With the court project in Riverhead, are they constructing a garage which was part of -- they're not, right?

COMMISSIONER BARTHA:
They are providing 600 parking spots, not by way of a garage, but --

LEG. BISHOP:
But at one time, didn't we envision a garage?

COMMISSIONER BARTHA:
We did talk about a garage.

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LEG. BISHOP:
And what happened?

COMMISSIONER BARTHA:
A garage is very expensive.

LEG. BISHOP:
They were going to build a garage, right?

COMMISSIONER BARTHA:

They talked about it. It's difficult --

LEG. BISHOP:

It had to do with -- if you recall -- I don't, maybe you don't as well -- but it had to do with the construction of a sewer plant? There was a package of benefits going back and forth, I guess they were going to hook our court system into their sewer district?

COMMISSIONER BARTHA:

Well, the courts are connected to the sewer district. The Riverhead County Center itself is not in the sewer district so they're contractees. The Griffing Avenue Court is within the Riverhead Sewer District.

LEG. BISHOP:

It had nothing to do with this.

COMMISSIONER BARTHA:

I don't think so.

LEG. BISHOP:

But they did try to induce the County to an expansion of the courthouse with I thought it was -- part of our package was a promise of a garage.

COMMISSIONER BARTHA:

Well, it was a promise of parking, absolutely a promise of parking, and they are --

LEG. BISHOP:

{Quadrinad}, or is it the same number of spaces?

COMMISSIONER BARTHA:

Yes.

LEG. BISHOP:

So we're getting 600 spaces --

COMMISSIONER BARTHA:

We're getting 600 spaces.

LEG. BISHOP:

-- whether it's in a garage setting or --

COMMISSIONER BARTHA:

Myself and Judge Oshrin meet periodically with the Supervisor there to

acquisitions and condemnations.

LEG. BISHOP:

Very good. Thank you.

LEG. FOLEY:

Mr. Chairman? Commissioner, would you consider this kind of Inter-Municipal agreement the kind of agreement that could also be implemented by other townships throughout the County, or is it one that's particular to small eastern Suffolk County township? Because I know over the years we've had difficulties with a variety of towns, either maintaining shelters or even wanting shelters. Would you consider this agreement -- I won't call it state of the art, but this kind of agreement could be one utilized by other townships of villages?

COMMISSIONER BARTHA:

We would like to see that, yes.

LEG. FOLEY:

Okay, thank you.

CHAIRMAN CARACAPPA:

I have one question, Commissioner. This is a ten year agreement and I am inclined to support it, it just says that the agreement should start June 1st, 2002; why are we voting on it now five months later?

COMMISSIONER BARTHA:

We have been going back and forth with the County Attorney's Office to get this done, so we started it quite a bit earlier this year. It's not actually in effect yet.

CHAIRMAN CARACAPPA:

Okay. So I guess that will be amended, the term of agreement, the start date?

COMMISSIONER BARTHA:

Yes.

CHAIRMAN CARACAPPA:

Okay.

LEG. FOLEY:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Foley, second by myself. All in favor? Opposed? 2226 is approved (VOTE: 5-0-0-0).

2230-02 (P) - Authorizing execution of an agreement by the

Administrative Head of Suffolk County Sewer District No. 3 - Southwest with the developer of New York Power Authority Brentwood Facility (County Executive). Legislator Carpenter.

22

LEG. BISHOP:

I will make a motion.

LEG. CARPENTER:

I would like to table this for -- since we're meeting again on the 17th, I just have some questions.

LEG. FOLEY:

Second the motion.

CHAIRMAN CARACAPPA:

There's a motion and a second to table. All in favor? Opposed? 2230 is tabled (VOTE: 5-0-0-0).

Charlie, what was the name of that agency that came before us, sewer agency that was another outside connection for Southwest; what was the name of that facility?

COMMISSIONER BARTHA:

This week's meeting you're referring to, right?

CHAIRMAN CARACAPPA:

Yes. It's escaping me as well. Just get it. No, I have it at the office, so no problem, I just wanted to ask.

2238-02 (P) - Amending the 2002 Capital Program and Budget and appropriating start-up funds in connection with the acquisition of properties for the County share for the reconstruction of CR 16, Portion/Horseblock Road from the vicinity of Ronkonkoma Avenue to the vicinity of CR 97, Nicolls Road, Town of Brookhaven (CP 5511 Phase 1) (County Executive). We are not prime, it's prime in Ways and Means. The question I had, and I discussed with you the other day, Commissioner, this is first instance funding, it's budgeted for this year so basically we just want to get a hold of the money. We will not be rushing this until well after the public hearing; correct?

COMMISSIONER BARTHA:

That's correct.

CHAIRMAN CARACAPPA:

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

2239-02 (P) - Authorizing public hearings pursuant to Article 2 of the

Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of CR 16, Portion Road, from the vicinity of Ronkonkoma Avenue to the vicinity of CR 97, Nicolls Road, Town of Brookhaven (CP 5511 Phase 1)(County Executive).

COMMISSIONER BARTHA:

Same comments, Commissioner, and same question, same answer?

COMMISSIONER BARTHA:

That's correct.

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CHAIRMAN CARACAPPA:

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

2240-02 (P) - Amending the 2002 Capital Program and Budget and appropriating funds in connection with emergency dredging of Napeague Harbor (CP 5200) (County Executive). Is there a motion?

LEG. FOLEY:

Motion for the purposes of discussion.

CHAIRMAN CARACAPPA:

There's a motion. Is there a second?

LEG. CRECCA:

Second.

CHAIRMAN CARACAPPA:

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

LEG. FOLEY:

Yeah, if we could hear from -- it's an emergency that went from 40,000 to 400; so what's the --

COMMISSIONER BARTHA:

This is Legislator Guldi's resolution.

LEG. FOLEY:

Is there a perfect storm we didn't know about out east somewhere?

COMMISSIONER BARTHA:

This is Legislator Guldi's resolution, it's not a County Exec resolution. We did provide the cost figures to Legislator Guldi and Bill can address that.

LEG. FOLEY:
What's the offset?

COMMISSIONER BARTHA:
The offset is --

LEG. FOLEY:
So we still have a dredging --

MR. SPERO:
There's no offset.

CHAIRMAN CARACAPPA:
It's a straight add.

LEG. FOLEY:
How can we do a straight add?

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MR. SPERO:
There's sufficient funds in the Capital Budget for the dredging project which haven't been used yet.

LEG. FOLEY:
Okay. Well, on the floor I have a resolution where there's a series of smaller projects through a number of Legislative Districts in about 200 to 225,000 that I had tabled twice because I know there was a project that Legislator Bishop was looking to have included, whether or not it will be ready by the time of the 5th, I want to move on that one on the 5th. So my question is the one that I've tabled for about 200, 225,000, if you add that -- if you add this resolution to that, is there still enough money in dredging?

MR. SPERO:
I believe so. I'm going to double check, but --

LEG. FOLEY:
If you could, please. Now, how do we -- just tell us about the project, this proposed project, please.

MR. SHANNON:
This is the dredging of Napeague Harbor. The Town of East Hampton has been working on preparation for permits for that area. The original intent was to change the location of the channel, however, they decided to place the channel in its original location so it's a maintenance dredging type of situation. They have pursued the permits, they now have the DEC permit, they're waiting for the Fish and Wildlife permit as we speak, they expect to have that shortly.

In the area of the harbor, as you exit the harbor there's a boat ramp and a series of buildings right along the shoreline that are in danger due to erosion and they're anxious to move forward on this project.

LEG. FOLEY:

Mr. Chairman, I would just like to have it tabled for one committee cycle so I can speak to the sponsor of the bill.

LEG. CRECCA:

I will second.

CHAIRMAN CARACAPPA:

There's a motion to table, second. We have a problem with the environmental window if we do that, Mr. Shannon?

COMMISSIONER BARTHA:

No.

CHAIRMAN CARACAPPA:

No, it doesn't affect it whatsoever? Okay. All in favor? Opposed? It is tabled (VOTE: 5-0-0-0).

And any other business to come before the committee at this point in time?

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LEG. CRECCA:

I would like to make a motion to adjourn.

CHAIRMAN CARACAPPA:

There is a motion to adjourn, second by myself. All in favor? Opposed? We are adjourned.

LEG. CARPENTER:

I just want to thank Bill Shannon for all of his outstanding efforts, I know that you've been pulled in 18 different directions. And I know I've got two big projects in the district, Bay Shore Road and Wicks Road, and they're requiring public hearings and just trying to get all of that coordinated has been less than a joyful experience and I know that you've put a lot of effort into it. So thank you very much.

CHAIRMAN CARACAPPA:

The same holds true for Legislator Foley and myself on your work on County Road 16 --

MR. SHANNON:

Thank you.

CHAIRMAN CARACAPPA:

-- and the Nicolls Road corridor study that's going on. It's on your office and the people who work in your office have done an incredible job and we appreciate it.

MR. SHANNON:

Thank you. It's nice to hear that. I appreciate that.

(*The meeting was adjourned at 12:17 P.M.*)

Legislator Joseph Caracappa, Chairman
Public Works & Transportation Committee

{ } - Denotes Spelled Phonetically