

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

Minutes

A regular meeting of the Public Works & Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **March 4, 2003**.

Members Present:

Legislator Joseph Caracappa - Chairman
Legislator Brian Foley - Vice-Chair
Legislator Andrew Crecca
Legislator Fred Towle
Legislator George Guldi

Members Not Present:

Legislator William Lindsay - Excused

Also in Attendance:

Paul Sabatino - Counsel to the Legislature
Phyllis McAlevey - Aide to Legislator Caracappa
Bryan Galgano - Aide to Presiding Officer Postal
Tom Donovan - Aide to Legislator Guldi
Jim Spero - Deputy Director/Budget Review Office
John Ortiz - Budget Analyst/Budget Review Office
Nicole DeAngelo - Intergovernmental Relations/County Executive Office
Charles Bartha - Commissioner/Department of Public Works
Richard LaValle - Chief Deputy Commissioner/Department of Public Works
Leslie Mitchell - Deputy Commissioner/Department of Public Works
Ben Wright - Director/Sanitation Division/DPW
Bob Shinnick - Director/Transportation Division/DPW
Bill Shannon - Director/Highway Division/DPW
Lorraine Hickey - Highway Maintenance/DPW
Theresa Lollo - Budget Office
All Other Interested Parties

Minutes Taken By:

Alison Mahoney - Court Stenographer

(*The meeting was called to order at 3:39 P.M. *)

CHAIRMAN CARACAPPA:

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

Salutation

Thank you. If Budget Review can hear my voice, could you please come in because there's going to be some questions. Commissioner, why don't you come up as well, take a seat at the table. Is there anyone here from the public that would like to address the Legislature on any issue? We have no cards. Okay, great. I guess they're afraid to talk to this committee. You know, look at my members, I've got Legislator Foley, he's a mean guy; I've got Legislator Towle, he's a mean guy.

LEG. FOLEY:

He's the mean one today, he's on a roll.

LEG. TOWLE:

Not I.

LEG. FOLEY:

Perhaps he wants to reprise his effort from this morning. Mr. Godek is here again, you know, so.

LEG. TOWLE:

No. I'm going to buy him dinner, we'll work it out together.

LEG. CARACAPPA:

Have someone taste the food first, Tedd.

LEG. TOWLE:

He can pick the restaurant, I'll be paying, it will be under \$3 million.

LEG. CRECCA:

I'm the mild mannered, sweet Legislator.

LEG. TOWLE:

Not really.

LEG. FOLEY:

Mr. Chairman, while you're waiting for the Budget Review Office, perhaps we could -- just for the record, I know Lorraine Hickey is here who is the Division Director of Highway Maintenance and I think we should for the record mention the splendid job that the Highway Division had done during the blizzard of '03.

CHAIRMAN CARACAPPA:

Yes.

LEG. FOLEY:

This was a particularly difficult month and I think we all can say that of any of the roads extant through the County, that it was the County roads that were in the best shape through the blizzard as well

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as afterwards. So please extend from this Legislator my thanks for a job well done within the 7th District and when I did ride outside that as well.

(*Legislator Guldi entered the meeting at 3:41 P.M.*)

CHAIRMAN CARACAPPA:

Yes. And in fact, we're going to start our questioning today to the Commissioner about the storm and the cost related to it.

Commissioner, I know preliminary numbers that I had heard were somewhere around a million dollars to the County to handle the Blizzard of '03, the President's Day Blizzard; is that an accurate number?

COMMISSIONER BARTHA:

That's correct.

CHAIRMAN CARACAPPA:

Now, it's a high number but we can understand due to the magnitude of the storm. But Nassau County, according to their numbers, did it for less than half that; is that correct?

COMMISSIONER BARTHA:

That's correct what they are saying, yes.

CHAIRMAN CARACAPPA:

Okay. Well, what do you attribute that to?

COMMISSIONER BARTHA:

A number of items. We maintain a dialogue with Nassau County throughout the year in, you know, different areas. In this area in particular, as soon as I heard the Nassau County Executive that Monday relating the cost per hour knowing it didn't match where we were at -- and they have slightly more, they have 500 more lane miles, we have 1,500 lane miles, they have 2,000 -- I called the Commissioner there that Tuesday and spoke to some of his staff and Lorraine Hickey did considerable follow-up on that. What we established is that they -- besides the fact they're a more consolidated County which facilitates the dispensing of salts to the roads, they also have considerably more equipment than we have. When it comes to dump trucks for plowing snow, they have 120 trucks where we have 45; we have 55 vehicle operators and they have 117. Where the biggest cost is for us is the rental of equipment, it costs us approximately \$80 an hour when we

rent equipment. The overtime of the County employees is certainly a significant number but it's nowhere rental, and that's where a big amount of it is. Because we had -- in this particular storm we had over 100 pieces of heavy trucks that we brought in on the storm.

The storm also ended earlier in Nassau County than it did in Nassau (sic); they were able to send their people home Monday at midnight whereas we had to keep our people throughout Monday night, into the day Tuesday. When they work continuously like that, they -- our employees received overtime for the regular shift on Tuesday, which is part of the contract and it's something working those enormous hours I believe they're clearly entitled to.

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CHAIRMAN CARACAPPA:

I agree.

COMMISSIONER BARTHA:

The other big difference is they don't have as many parking lots to do as we do. They have a number of parking garages to serve the County facilities and those parking garages run as concession operations, so the Public Works Department doesn't clear the parking lots. The Public Works Department doesn't clear the Police Precinct parking lots. And overall, we have more parking lots, park and ride lots, they don't do any park and ride lots, we do four park and ride lots, four large lots and one small one actually. So there is a certain difference there but the biggest single item is the equipment and the number of operators, and obviously there's a significant cost to changing the direction that we go with that.

CHAIRMAN CARACAPPA:

Any other questions relating to this by committee members? Charlie, what -- oh, go ahead.

LEG. CRECCA:

Just on the -- where are we looking at with the snow removal budget for 2003, how are we doing?

COMMISSIONER BARTHA:

Well, I believe we have surpassed the budget at this point, and I say I believe because there's a number of things that it's difficult to put your finger on. When I say what the total cost of the storm is, that's based on the hours worked. Sometimes people take compensatory time rather than actually take pay for it, we don't have all the bills from all the vendors yet, but we are working with the County Executive's Budget Office to try to identify areas in the budgets where transfers can be made in order to accommodate.

LEG. CRECCA:

Can you give us -- and I know it's a guesstimate at best at this point and no one is going to hold you to it -- just give us an idea of the numbers. I don't know what was in off the top of my head or if you know what was in the 2003 Operating Budget for snow removal.

COMMISSIONER BARTHA:

It was about a million and a half dollars. I believe we could be looking for in the fashion you have requested it, I'm not guaranteeing it --

LEG. CRECCA:

Right.

COMMISSIONER BARTHA:

-- a half of million dollars.

LEG. CRECCA:

So you think we may have blown the 1.5 --

COMMISSIONER BARTHA:

Yes.

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LEG. CRECCA:

-- already and we may be up around two million already.

COMMISSIONER BARTHA:

Right.

LEG. CRECCA:

And that's assuming there will be no more snow storms between now and --

CHAIRMAN CARACAPPA:

January 1st.

COMMISSIONER BARTHA:

January 1st, that's right, because we could have November and December too.

COMMISSIONER BARTHA:

I would also like to point out on the snow removal costs -- I have lost my train of thought here but I'll hold it.

CHAIRMAN CARACAPPA:

And I just did myself. With relation to the end of the year, last year some of my colleagues wanted to cannibalize the snow removal budget because we got into spring and they thought it was all said and done because they were getting suntans and they said no more snow, but

lo and behold, in November and December this year we were hit with some storms; not this year, of '02. Though it's passed and it's behind us, were we prepared with relation to snow removal budget to handle those early storms, Charlie, based on some of that money being used as offsets in the spring and the early summer?

COMMISSIONER BARTHA:

Yeah, I believe we were able to handle everything budget wise closing out the year. Because our salt stores were already full, we had some overtime associated with it certainly and some rental costs, but we were able to handle that.

CHAIRMAN CARACAPPA:

Okay. All right, I guess we'll move on. Any committee members have any questions for the Commissioner with relation to projects going on in their districts? Legislator Foley.

LEG. FOLEY:

No.

CHAIRMAN CARACAPPA:

Everyone's good? Okay, I guess -- any other discussion? We're going to go right to the agenda.

Tabled Resolutions

1039-03 (P) - Approving extension of License for Sayville Ferry Service, Inc., for Cross Bay Service between Sayville, New York and the Fire Island Communities of Fire Island Pines, Cherry Grove and Water Island (Presiding Officer Postal). Actually, Legislator Towle,

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if you're within the sound of my voice, could you please come back in, we're voting. Budget review, on 1039, the Sayville Ferry, have you done your report on this?

MR. SPERO:

We just received the opinion and the financial information, we're still -- so we're just beginning the study for Sayville Ferry.

CHAIRMAN CARACAPPA:

So you have 30 days?

MR. SPERO:

Forty-five days.

CHAIRMAN CARACAPPA:

Forty-five days. And they've requested a rate increase?

MR. SPERO:

They have.

CHAIRMAN CARACAPPA:

They have. We have not had the public hearings on this, I believe, right? Okay, so I will make a motion to table.

LEG. FOLEY:

Didn't we have -- I thought we did have the hearing. This is a tabled resolution.

CHAIRMAN CARACAPPA:

Right.

LEG. FOLEY:

So we must have had the public hearing, it was held --

CHAIRMAN CARACAPPA:

I don't think it was.

LEG. FOLEY:

-- at our last General Meeting because it's tabled. Yeah, it had to be held at the last meeting, the last General meeting; is that not correct?

CHAIRMAN CARACAPPA:

Well, it was approving the public hearing at the last meeting, we voted to approve the public hearing.

LEG. FOLEY:

Excuse me, excuse me, March 11th is the public hearing, okay. I stand corrected. Thank you.

CHAIRMAN CARACAPPA:

So this will have to be tabled once again. Tabled (VOTE: 5-0-0-0).

And I think there's one other caveat with relation to this. Their license runs out mid March, right? So if the hearing is closed on Tuesday evening, it might be prudent to make a motion, if it's met all

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the standards and has the approval of the Legislature, to move that motion that evening.

MR. SPERO:

Typically we don't do a report when a ferry company just requests a continuation of their license, only when they request a rate increase.

CHAIRMAN CARACAPPA:

Uh-huh.

MR. SPERO:

So you could bifurcate the resolutions and approve the license extension and we'll -- the Legislature can address the rates at a later date.

LEG. CRECCA:

Do we need to draft a resolution to do that, to bifurcate it?

MR. SPERO:

That should be done already.

CHAIRMAN CARACAPPA:

Okay, very good. So 1039, motion and a second by myself and Legislator Crecca. All in favor? Opposed? It's tabled (VOTE: 5-0-0-1 Not Present: Legislator Lindsay).

1083-03 (P) - Amending the 2003 Capital Program & Budget and appropriating funds for improvements to Commack Road, CR 4 (CP 5051.312) (Binder). I had the opportunity to meet and speak with Legislator Binder and his staff relating to this, they have changed the offset; it is no longer downtown revitalization money, it is another Capital Project, Environmental Storm Drains, Basins. This is a clean offset; correct, Jim? Well, go ahead.

MR. SPERO:

The offsets are recharge basins and median improvements. I defer to the Commissioner for whatever plans that the department might otherwise have for those projects this year.

CHAIRMAN CARACAPPA:

Commissioner?

COMMISSIONER BARTHA:

Well, we support Legislator Binder's resolution.

CHAIRMAN CARACAPPA:

Whoa, did you just say what I think you said; Did you actually say you support Legislator Binder?

COMMISSIONER BARTHA:

And he's not even here.

CHAIRMAN CARACAPPA:

Wow. We'll send him a tape.

LEG. GULDI:

It was really hard for you to say it, though.

LEG. CRECCA:

We'll have Alison just keep playing the tape over and over.

COMMISSIONER BARTHA:

Okay, good. What I waste, making that statement when he's not here. But one that we would have some concern about is the median improvements on various County roads. We may have a project later in the year on the north end of Nicoll's Road that if we're able to progress it to the point where we'll be ready for bid we'll come to you looking for another offset at the end of the year because it's easy to identify offsets.

LEG. FOLEY:

And if I may, Mr. Chairman. Also on County Road 19, just south of the service -- LIE service roads, there's a median in that area that I know I've been speaking with Mr. Shannon about as has Legislator Lindsay in the Holbrook Chamber of Commerce to make some improvements to that particular grass median. And to take monies out of the -- let's say median budget line of the Capital Program, does it empty that particular fund or are there monies left over?

COMMISSIONER BARTHA:

It empties that fund.

LEG. FOLEY:

Yeah, and I just have a concern about that. And plus, while the Commissioner, Mr. Chairman, supports the resolution, you know, we do have a Capital Program in place. When would this road improvement have otherwise -- where is it otherwise included within the Capital Program and Budget?

COMMISSIONER BARTHA:

It wasn't contemplated in the Capital Program for several years. We had a much -- we have a much larger project in the Capital Program a couple of years out. What this is driven by is community concern over some of the trucking in the area and what this would do would be done in coordination with a LIPA Beautification Project where LIPA will landscape the area adjacent to the road. So we would be doing curb, sidewalk -- curb and drainage improvements in the median area.

CHAIRMAN CARACAPPA:

We should have -- I'm sorry.

LEG. FOLEY:

Could you submit to the committee a detailed plan of the project with the landscaping plan, what's being -- what LIPA will be doing and what we'll be doing within the project?

COMMISSIONER BARTHA:

I can't potentially right now, but I --

LEG. FOLEY:

No, of course, but if you could submit it, that would be helpful. How

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much money is being transferred from the center median budget line?

COMMISSIONER BARTHA:

Two hundred and fifty thousand from that project.

LEG. FOLEY:

Okay. And the other project is what?

COMMISSIONER BARTHA:

The improvement to environmental recharge basins.

LEG. FOLEY:

And how much is coming out of there?

COMMISSIONER BARTHA:

A hundred and fifty.

LEG. FOLEY:

Because that's a priority, obviously that's a priority of the department and that's a priority of the Chair of the Environmental Committee and of many of us who have been working to mitigate storm water runoff. So what will happen with that particular program by transferring the monies out of that line item?

COMMISSIONER BARTHA:

We won't be able to advance the full program, there still will be a \$100,000 left in that program, we can start working on some of the recharge basins.

LEG. FOLEY:

Mr. Chairman, I would like to see some more backup to 1083. When were you expecting to do the work for this project?

COMMISSIONER BARTHA:

We would anticipate doing it in the late summer/fall which would allow the LIPA project to be done in the fall planting season.

LEG. FOLEY:

And you have copies of what the LIPA landscaping plan is?

COMMISSIONER BARTHA:

I don't have it yet but --

LEG. FOLEY:

Well, not you but it's not fully developed yet?

COMMISSIONER BARTHA:

I haven't reviewed it yet.

LEG. FOLEY:

Okay.

COMMISSIONER BARTHA:

They're working with some of our staff

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CHAIRMAN CARACAPPA:

LIPA originally was going to do the plantings as soon as the weather broke this spring.

LEG. FOLEY:

Right.

CHAIRMAN CARACAPPA:

After meeting with them they informed me it's quite extensive plantings, I think it's like \$10,000 worth of plantings or something along those lines, it's excessive. But they were concerned with this project as well so that they didn't go in and did the plantings this spring and then DPW came in in August and September and dug it all up to do the project that's being requested by the community there through Legislator Binder's office. So I think everyone is on the same page with relation to timing now so that no prior work would be disturbed so that there's no duplication. Four hundred thousand dollars, Commissioner, for curbing; how many linear feet are we talking about here?

COMMISSIONER BARTHA:

I don't have those figures. Maybe Bill Shannon has those figures?

CHAIRMAN CARACAPPA:

That's a lot of curbing.

COMMISSIONER BARTHA:

There's drainage involved also because we want this to be permanent work that we don't have to replace it when the larger project goes through the area.

LEG. FOLEY:

And just through the Chair, if you could also answer the question why not wait for the larger project, why is there this need to leapfrog ahead of the other major projects?

COMMISSIONER BARTHA:

That would best be answered by Legislator Binder.

MR. SHANNON:

To answer the curb question, it's approximately 2,300 feet in linear distance totaling about 4,600 linear feet of curb. Additionally, once you install a curb then the consideration comes on how are you going to handle the storm water discharge which is now contained by the curb. So additionally we'll be adding a series of leaching basins to handle that storm water run-off.

The final piece of the puzzle will be a resurfacing and restriping of that roadway in the area from the south service road to Polo Street and that completes the project. So that's where the total 400,000 comes from. And I believe the LIPA budget for that planting is between 75 and \$100,000.

CHAIRMAN CARACAPPA:

Oh.

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MR. SHANNON:

It's considerably more than 10,000.

CHAIRMAN CARACAPPA:

Sorry; I knew there was a bunch of zeros. Legislator Crecca?

LEG. CRECCA:

Yeah, on the project, I'm looking at the diagram. Apparently I guess they're going to be planting -- putting major plantings on both sides of the road to sort of -- to buffer -- to create a buffer between the roadway and the residences; is that correct?

MR. SHANNON:

That's correct.

LEG. CRECCA:

Okay. But there's not going to be an actual widening at this point; is that right?

MR. SHANNON:

The roadway will be -- when we position the curb, it will be sufficient to allow one lane in each direction and a center median. So that will -- hook-up would be a future project that will come in subsequent years.

LEG. CRECCA:

So you won't need to widen the road after this, just make revisions to

the existing width of the road.

MR. SHANNON:

That's correct. In the original description of the project, I didn't mention that some of the right turn lanes that we would need for deceleration to go into the adjoining neighborhoods will also be extended adding to that 400,000.

LEG. CRECCA:

Okay. So in other words, the road is going to be widened somewhat as a result of this project.

MR. SHANNON:

That's correct.

LEG. CRECCA:

Okay. Actually, this does certainly jive and I'm aware of the problem down there with the civics and the groups, they've been very active with not only the County but also with the town board there and I think this might be a good resolution. And if the civics are willing to accept that, certainly it would be to our benefit on this County Road it is heavily used by industrial, you know, vehicles.

CHAIRMAN CARACAPPA:

I know the community and the civic there is fully in support of this concept. Legislator Foley.

LEG. FOLEY:

Yeah, Mr. Chairman, it's a very worthy project, I just have to

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respectfully disagree with the offsets. I mean, there are a number of areas particularly along the southern portions of the County and in payments throughout the County that part of the offset would be used to mitigate storm water run-off. And, you know, this is a -- let's say a fully articulated policy of this committee as well as the department to move forward with mitigating storm water run-off and one of the offsets is going to pretty much take most of the money out of that particular account.

Secondly, I would like to ask Mr. Shannon, if this takes all the money out of center median improvements, how would we this year address some of the issues raised by the Holbrook Chamber of Commerce that wanted some landscaped improvements made in the center median just south of the Expressway?

MR. SHANNON:

Well, the intent of that project was not to use it for landscaping, that was -- the intent of that project was to provide left-turn lanes

or raised medians where we might be necessary. One thing that I would take the opportunity, when the Commissioner indicated that it would zero out our funds, it would zero out funds that are available for this year. However, we have residual funding from previous appropriations that will give us flexibility should something come up during the year that we want to use, that type of thing, within the medians itself.

LEG. FOLEY:

Okay. And how much money is left from prior years?

MR. SHANNON:

There is 250,000 in that budget.

LEG. FOLEY:

There's a quarter of a million left.

MR. SHANNON:

That's right.

LEG. FOLEY:

Rolled over from last year.

MR. SHANNON:

Correct.

LEG. FOLEY:

I will be talking to you soon then.

CHAIRMAN CARACAPPA:

I was going to say, you shouldn't say that around here.

MR. SHANNON:

I'll be glad to take your call.

LEG. FOLEY:

That's okay. But still, Mr. Chairman, to address the issue of storm

water run-off mitigation, they still are taking a lot of money from that particular account; how would you address that, Mr. Shannon?

MR. SHANNON:

Well, the account, as I understand it, is to be used to do some maintenance in existing recharge basins. It's areas where we may have lost the fencing, the vines have taken the fencing down. In some cases there are -- there's plant growth in the bottom of the recharge basin that may be affecting its ability to leach the water out. Those are the types of functions that we plan for that -- for those basins,

so that would be delayed.

LEG. FOLEY:

All right. So it doesn't really impact the storm water run-off remediation pro --

MR. SHANNON:

That's correct.

LEG. FOLEY:

So it doesn't affect it at all.

COMMISSIONER BARTHA:

No, it's a separate program.

CHAIRMAN CARACAPPA:

It's for maintenance.

COMMISSIONER BARTHA:

It's basically recharge basins that are overgrown --

LEG. FOLEY:

Okay.

COMMISSIONER BARTHA:

-- that have become forests.

MR. SHANNON:

Maintenance of recharge basins.

CHAIRMAN CARACAPPA:

Maintenance.

LEG. FOLEY:

All right.

CHAIRMAN CARACAPPA:

Okay?

LEG. FOLEY:

Thank you for your answers.

CHAIRMAN CARACAPPA:

I'll make a motion to approve, second by Legislator Crecca. All in favor? Opposed? Abstentions?

LEG. CRECCA:

I'd ask the Clerk to list me as a cosponsor on this bill.

CHAIRMAN CARACAPPA:

1083 is approved (VOTE: 5-0-0-1 Not Present: Legislator Lindsay).

1090-03 (P) - Approving Cross Bay Ferry License for Bay Shore Ferry Inc. (Presiding Officer Postal).

MR. SABATINO:

Public hearing is coming up, Mr. Chairman.

CHAIRMAN CARACAPPA:

Yes. Motion to table by myself, second by Legislator Guldi. All in favor? Opposed? Bay Shore just recently sent you the information that you needed, correct, and you're going to start working --

MR. SPERO:

Their initial application was incomplete.

CHAIRMAN CARACAPPA:

Incomplete, right.

MR. SPERO:

Was not acceptable, so Kevin Duffy has requested additional information from the company.

CHAIRMAN CARACAPPA:

And that's because they didn't send the proper financial statement?

MR. SPERO:

That's correct.

CHAIRMAN CARACAPPA:

Okay, very good. And they have submitted that?

MR. SPERO:

I believe they have submitted some material and Kevin is reviewing it now.

CHAIRMAN CARACAPPA:

Okay. And it's not a similar situation as with Sayville Ferry whereas their license does not run out.

MR. SPERO:

Yeah. Well, Sayville Ferry, as you know, has been in operation for many years.

CHAIRMAN CARACAPPA:

Yes. I'm just making the point so that my colleagues don't want to try and move this resolution after the public hearings are closed on Tuesday; it's not necessary.

MR. SPERO:

At this point I would recommend this stay tabled.

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CHAIRMAN CARACAPPA:

Yeah, absolutely. So there's a motion and a second to table. All in favor? Opposed? It's tabled (VOTE: 5-0-0-1 Not Present: Legislator Lindsay).

1092-03 (P) - Authorization of rates for Bay Shore Ferry, Inc. (Presiding Officer Postal). Motion to table by myself, second by Legislator Foley. All in favor? Opposed? It's tabled (VOTE: 5-0-0-1 Not Present: Legislator Lindsay).

Introductory Resolutions

1125-03 (P) - Amending the 2003 Capital Budget & Program and appropriating funds in connection with the construction of sidewalks on various County Roads (CP 5497) (County Executive).

LEG. FOLEY:

Explanation.

CHAIRMAN CARACAPPA:

Paul, explanation?

MR. SABATINO:

Sure. This is increase the Capital Budget from zero to \$60,000 for sidewalk construction with the offset coming from the construction portion of that same account. So it's basically planning money being authorized in exchange for construction money.

CHAIRMAN CARACAPPA:

This is County Road 85, Montauk Highway and County Road 65, Miller Road in Sayville.

LEG. FOLEY:

I will make the motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Foley, seconded by myself. All in favor? Opposed? It's approved (VOTE: 5-0-0-1 Not Present: Legislator Lindsay).

1131-03 (P) - Approving Federal Aid and authorizing participation in the Non-Federal Share of the cost of painting CR 101, Patchogue-Yaphank Road over NYS Rt 27, Sunrise Highway (CP 5815-413) (County Executive).

LEG. FOLEY:

Motion.

CHAIRMAN CARACAPPA:

Motion by Legislator Foley, second by myself.

LEG. CRECCA:

Hold on.

CHAIRMAN CARACAPPA:

It's Federal aid.

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LEG. CRECCA:

Yeah, I know. I was going to say, let's put it on the --

CHAIRMAN CARACAPPA:

They can't.

LEG. CRECCA:

Okay, that's what I thought.

CHAIRMAN CARACAPPA:

All in favor? Opposed? Abstention? It's approved
(VOTE: 5-0-0-1 Not Present: Legislator Lindsay).

1132-03 (P) - A resolution making certain finds and determination upon a proposal to form Suffolk County Sewer District No. 4 - Smithtown Galleria in the Town of Smithtown (County Executive). Legislator Crecca, what's your pleasure?

LEG. CRECCA:

Charlie. Can you give us some comment on this?

COMMISSIONER BARTHA:

This is an existing sewage facility that's been in operation a number of years. There was a petition for us to take it over, we had a report prepared and presented it to the Sewer Agency. It will be less costly to the residents with County operation and we always believe County operation is more reliable.

CHAIRMAN CARACAPPA:

What's the capacity, Charlie?

COMMISSIONER BARTHA:

Ben, do you know the capacity of this treatment plant?

MR. WRIGHT:

A hundred and seventy-eight thousand gallons a day.

LEG. FOLEY:
Who does it serve?

CHAIRMAN CARACAPPA:
Who does it serve?

LEG. CRECCA:
Ben, can you come up? Does it just serve the Galleria?

MR. WRIGHT:
Yes, it does. It's three different service areas, apartments, townhouses and single family homes, but it's all within the boundaries of that area.

CHAIRMAN CARACAPPA:
How much flow is going in there now per day?

MR. WRIGHT:
About 140,000.

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LEG. CRECCA:
And there's no expected additional hook-ups to this site at this point?

MR. WRIGHT:
No, on paper with the Health Department's standards for flows, there's really no room for anything else right now.

LEG. CRECCA:
And why would we want to add -- I'm sorry, go ahead.

CHAIRMAN CARACAPPA:
No, go ahead.

LEG. CRECCA:
Why would we want to add this to the County Sewer District? Charlie, you started to say that, too, it's a cost savings to the residents?

COMMISSIONER BARTHA:
Right, we can operate it less costly. We believe we provide more reliable operation than the private sector and there was a petition for the County to take it over and there has been a public hearing.

MR. WRIGHT:
Yeah, it's in accordance with the Sewer Agency contract that it can be offered for dedication at no cost to the County.

LEG. CRECCA:

Okay.

CHAIRMAN CARACAPPA:

Legislator Foley.

LEG. FOLEY:

Who formally owned the sewer treatment plant?

COMMISSIONER BARTHA:

Dicanio.

LEG. FOLEY:

Pardon?

COMMISSIONER BARTHA:

Dicanio, I think it's Thomas DiCanio.

MS. MAHONEY:

Can you spell that?

COMMISSIONER BARTHA:

It's D-I-C-A-N-I-O.

LEG. FOLEY:

And why are they -- have they walked away from the sewer --

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MR. WRIGHT:

No, it's still being operated. It meets limits, you know, construction is complete. The contract that we have, our Sewer Agency contract is DiCanio Residential Community, Smithtown Galleria Corporation and Galleria Environmental Corporation.

LEG. FOLEY:

How old is the plant?

MR. WRIGHT:

1990 is when it was initiated.

LEG. FOLEY:

Well, initiated, when was the plan?

MR. WRIGHT:

A couple of years later, I think '93 is when it went into operation.

LEG. FOLEY:

So it's at most ten years old.

MR. WRIGHT:

It's in better shape than most.

LEG. FOLEY:

So why do we want to take -- why would we want to take it over and have it included within our overall system? Because we're not only talking about operating costs, but then the capital costs would also be incurred by the County.

MR. WRIGHT:

Usually the sewer districts pay their way, whether it's operating or capital.

LEG. FOLEY:

Well, that's why we have sewer stabilization money, sometimes they move from district to district, though; is that not correct? Depending on the expense related thereto?

MR. WRIGHT:

Well, the Stabilization Fund is available to stabilize the costs in all the sewer districts.

LEG. FOLEY:

But by adding new sewer districts, we're then going to be --

MR. WRIGHT:

It's possible that in the future that would happen but --

LEG. FOLEY:

-- spreading out the wealth, so to speak, of the Stabilization Fund.

MR. WRIGHT:

That's possible. I know the general approach is that you look for a couple of years of trends with the sewer districts to see if they're going to meet the criteria for utilizing the fund.

LEG. FOLEY:

What would the sewer aid be?

MR. WRIGHT:

Four hundred and seventy dollars for a single family equivalent.

LEG. FOLEY:

And how does that -- is that self-sufficient does, that carry the cost of operating the facility or is there a subsidy?

MR. WRIGHT:

We do a budget based on our inspection of the facility and how it compares with other facilities.

LEG. FOLEY:

Is there a subsidy from the County involved with that?

MR. WRIGHT:

No.

LEG. FOLEY:

Okay. That covers the whole cost.

MR. WRIGHT:

Yes.

LEG. FOLEY:

What was the charge that the County always charged -- what was the charge by DiCanio to the homeowners in the area?

MR. WRIGHT:

It was \$750 per year.

LEG. FOLEY:

So why was there -- why is there such a big difference?

MR. WRIGHT:

We're not sure. The community had complained to him and had written to us indicating their support for us to take it over because it was less costly. We don't have all the records to audit, you know, what the charges were.

LEG. FOLEY:

We don't normally audit those charges before we make a decision on taking over --

MR. WRIGHT:

No, there's a lot of factors.

LEG. FOLEY:

You see, I've known in the past when I was on the Sewer Agency that if a developer walked away from a plant or if it was not working up to par and the capital improvements were not made to it to keep it -- you know, work in operating order, that then we would -- go in and so-call take over that operation because it was a substandard operation. This

particular treatment plant wasn't suffering from those deficiencies, correct?

MR. WRIGHT:

No, but we've found that developers don't ordinarily like to be in the sewer business.

COMMISSIONER BARTHA:

We would prefer to take over a plant before it deteriorates and while it still is in good condition to maintain it that way.

LEG. FOLEY:

Is there any nearby larger sewage treatment facility?

MR. WRIGHT:

No, there isn't.

LEG. FOLEY:

There isn't. And just to ask the question again that a Legislator had asked, is there room for expansion with this particular treatment plant?

MR. WRIGHT:

Very little; I couldn't tell you what percentage but there is some room for expansion.

LEG. CRECCA:

What I can tell you too, Brian, is that area is about as developed as it's going to be now, too. So there probably wouldn't be anything from an economic point of view to hook-up there. I'm not saying definitely but, you know, that area on 347 is sort of peaked out development wise with Avalon and now DiCanio's Galleria. So I can't even imagine anyone else wanting to hook-up to it or being able to hook up to it at this point; certainly the gallonage won't support it. But you should know, too, that the residents are generally in favor of this because it will reduce their cost on this.

CHAIRMAN CARACAPPA:

Any future expansion, as you know, Brian, would now be subject to Sewer Agency approval.

LEG. FOLEY:

Okay, thank you.

LEG. CRECCA:

I'll make a motion to approve.

CHAIRMAN CARACAPPA:

Motion by Legislator Crecca, seconded by myself. All in favor? Opposed? It's approved (VOTE: 5-0-0-1 Not Present: Legislator Lindsay).

Sense Resolutions

Sense No. 7-2003 - Memorializing Sense Resolution requesting
Metropolitan Transportation Authority (MTA) to keep Long Island

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Railroad (LIRR) separate (Carpenter).

LEG. FOLEY:
Motion.

CHAIRMAN CARACAPPA:
On separate tracks, right?

LEG. FOLEY:
Separate tracks. Motion.

CHAIRMAN CARACAPPA:
Motion by Legislator Foley, second by Legislator Guldi. All in favor?
Opposed? Abstentions? Approved (VOTE: 5-0-0-1 Not Present:
Legislator Lindsay).

Any other business to come before the committee?

LEG. FOLEY:
Mr. Chairman?

CHAIRMAN CARACAPPA:
Legislator Foley.

LEG. FOLEY:
Not for today but if we could ask Mr. Godek to give us a presentation
at the next meeting on the old Infirmary building, where things stand
with the building. And I know there were issues with landscaping with
that building and additional parking, I just would like to know if we
can get an update on that, please.

CHAIRMAN CARACAPPA:
Absolutely.

LEG. FOLEY:
Okay, thank you.

CHAIRMAN CARACAPPA:
Please note that Legislator Towle is here and include him with the
majority on all the committee votes, especially the one putting that
new sewer scavenger waste facility in Yaphank.

LEG. GULDI:
Right next to the power plant.

CHAIRMAN CARACAPPA:

And the prison.

LEG. CRECCA:

No, right next to the juvenile detention center.

LEG. TOWLE:

Let's go back over the agenda.

CHAIRMAN CARACAPPA:

We're just kidding, Fred. Okay, we stand adjourned.

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(*The meeting was adjourned at 4:13 P.M.*)

Legislator Joseph Caracappa, Chairman
Public Works & Transportation Committee

{ } - Denotes Spelled Phonetically

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