

PUBLIC WORKS

AND

PUBLIC TRANSPORTATION COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

A regular meeting of the Public Works and Public 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 Tuesday, March 7, 2006.

MEMBERS PRESENT:

Legislator Jay Schneiderman • Chairman

Legislator Wayne Horsley • Vice•Chairman

Legislator Edward Romaine

Legislator Ricardo Montano

Legislator John Kennedy

Legislator Louis D'Amaro

MEMBER NOT PRESENT:

Legislator Kate Browning • Excused Absence

ALSO IN ATTENDANCE:

George Nolan• Counsel to the Legislature

Kevin Duffy • Budget Review Office

Charles Bartha • Commissioner • DPW

Richard LaValle • Chief Deputy Commissioner • DPW

Leslie Mitchel • Deputy Commissioner • DPW

Renee Ortiz • Chief Deputy Clerk • Legislature

Ben Zwirn • County Exec's Office

Gail Lolis • County Attorney's Office

Legislator Kennedy

All Other Interested Parties

MINUTES TAKEN BY:

Donna Catalano • Court Stenographer

(* THE MEETING WAS CALLED TO ORDER AT 1:45 P.M. *)

CHAIRMAN SCHNEIDERMAN:

I'd like to call this meeting to order of the Public Works and Transportation Committee. If you all rise and join for the Pledge of Allegiance led by our Counsel George Nolan.

SALUTATION

CHAIRMAN SCHNEIDERMAN:

I only have one card for the public portion. Anyone else interested in speaking, please fill out a yellow card. We do have a couple of presentations today too. So why don't we started with the public portion. Clifford •• since there's only two cards •• Clifford Hymowitz, if you'll come up to the podium here, you have three minutes. You can sit at the table too, whatever you are more comfortable with.

MR. HYMOWITZ:

My three minutes starts now. Hello. My name is Cliff Hymowitz, H•y•m•o•w•i•t•z. I'm the Chairperson of the Transportation Advisory Board. There's three issues quickly I'd like to address. One is a request that Introductory Resolution 1180•06, authorizing the execution of agreement between the County and New York State DOT for 100% federal and state aid for funding of the continuation of HOV bus service on the Long Island Expressway. It's my request that the committee table this resolution and give the Transportation Advisory Board an opportunity to review the agreement.

The second thing is that the Transportation Advisory Board has put in written requests to two members of the Department of Public Works for •• number one is traffic impact analysis update. They haven't even recognized even receiving the requests. And the other one is I put in writing a request for an update on the North County Complex signage project update. So I'm hoping that maybe sometime during the committee today you can introduce that in the discussion. And tomorrow the board meets and maybe they could be

encouraged to supply something to us in writing for me to present to the board tomorrow.

CHAIRMAN SCHNEIDERMAN:

Cliff, give me those again. The traffic impact ••

MR. HYMOWITZ:

The traffic impact analysis update which has been done in the Brentwood •Huntington•Smithtown area, the impact of the super stores.

CHAIRMAN SCHNEIDERMAN:

Okay. What was the other one?

MR. HYMOWITZ:

The other one is the North County Complex signage project. As you've probably noticed, it's very hard to identify where the builds are located, so they are putting up •• I made recommendations on the project, and I haven't heard anything back about where the project stands.

CHAIRMAN SCHNEIDERMAN:

Now what's it called?

MR. HYMOWITZ:

North County Complex signage project.

CHAIRMAN SCHNEIDERMAN:

That's an official County project?

MR. HYMOWITZ:

Yes, it is. Both of them are.

CHAIRMAN SCHNEIDERMAN:

And both of those letters went out to Public Works?

MR. HYMOWITZ:

To the people that are directly responsible for those projects.

CHAIRMAN SCHNEIDERMAN:

All right. When the Commissioner comes up, I can ask him about that.

MR. HYMOWITZ:

Thank you very much.

CHAIRMAN SCHNEIDERMAN:

Before you sit down, I had a question. You had asked on Resolution 1180 for a tabling, this is to authorize the execution of an agreement, it's a 100% grant. This particular HOV bus service, can you describe what it does?

MR. HYMOWITZ:

Yeah. This bus service is intended to get cars off the road. It starts at Exit 63 on the Expressway and runs up the 110 Corridor. Presently the service runs at 20% capacity. So I'd like to see in the agreement whether there's any accountability to increasing ridership.

The second thing is that it's been recommended that maybe one of the runs start in Riverhead. Why would somebody on the East End drive to Exit 63 on the Expressway and wait for a bus? While they're in their car, they might as well just drive to 110. So I need to see in the agreement what is the •• you know, does the agreement call for. I contacted New York State DOT, they told me it's a boiler•plate agreement, so they couldn't give me any details.

CHAIRMAN SCHNEIDERMAN:

All right. Thank you, Cliff.

MR. HYMOWITZ:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Ken Stein.

MR. STEIN:

Hi. My name is Ken Stein, III. I'm the President of Sayville Ferry Service. I'm pleased to say that Sayville Ferry Service has submitted all the appropriate information regarding our rate increase to Mr. Duffy at the Budget Review Office. I know the report has been out, and I'm just here to field any questions if anybody has any.

CHAIRMAN SCHNEIDERMAN:

I'm not sure we've all had a chance to review the report. If you want to maybe stay at the front table, maybe I can ask Mr. Duffy if he can give us a presentation on the Sayville Ferry rate increases.

MR. DUFFY:

I'll make this fairly quick. The Legislature has had a long history in dealing with Sayville Ferry. They have always been cooperative, and we've never really had a large problems with them. Five to seven years ago, Sayville Ferry had installed a new cash control system, which for the ferries, it's the

best one that they have. We've done a review of their rates request, and they are seeking an approximate 12% increase, which will provide approximately \$315,000.

2005 was a perfect summer, and with a perfect summer their income was only \$3000. Sayville Ferry •• all the other ferries were in here last year except for Sayville. They were last here in 2003 for the 2004 year. What has happened is that we all know the price of fuel had gone way up, their expenses have increased, they rely a lot on labor, and the labor is based upon minimum wage, and the minimum wage has increased quite a bit over the last several years.

The only disagreement that we had with Sayville Ferry was that they are requesting an increase in the senior citizens fair and the round trip for the senior citizens fare of 38% for the one •• way, a 50% for the round trip. The reason the percentage is so large is that there had been an error in 2003 where it was •• inadvertently, they increased the fair when they shouldn't have, and we rolled it back to four fifty in 2003. What happened was a number of the people who were buying commutation tickets migrated to the senior citizens because their per ride cost turned out to be lower than the commutation tickets.

The other two concerns we had, we still have some concern about their intercompany rents. They are approximately 17% of revenue. What we have suggested in our report is that they freeze them. The other concern we have is that their professional fees appear a bit high, over \$100,000. We have expressed concern on this before. The attorney and the accountants supplied us with affidavits.

And the final point I just want to make is that an amendment to the petition was received, which I discussed yesterday with Counsel. We will be issuing a supplemental report on that amendment. What it did is it seeks to establish multi-trip tickets for Water Island, which is a very small part of the their business, it's only approximately \$20,000 worth of revenue. Our report should be going out either tomorrow or today. What is in place is that for the General Meeting if the Legislature wishes our will have aged 15 days, and you then have the ability to close the hearing if you wish to do that on Tuesday.

CHAIRMAN SCHNEIDERMAN:

The hearing is not closed?

MR. DUFFY:

No. The hearing can't be closed until 15 days after our report has been issued. And once that will be •• that's why the hearing has been recessed. What has to happen here today is you can't vote on this resolution because the public hearing is not closed yet. If the Legislature wished, what you could consider is that if you felt that there were no adverse comments in the public hearing, you could close and what they would do •• last year, the Legislature or the committee might seek a discharge petition, but that's your decision.

CHAIRMAN SCHNEIDERMAN:

On the rates, the senior rates are going up, but it still will be lower than the regular rate; is that correct?

MR. DUFFY:

It will still be lower than the regular rate. What had happened is that ••

CHAIRMAN SCHNEIDERMAN:

That's okay. Sayville Ferry is a passenger•only ferry?

MR. DUFFY:

Yes, passenger•only.

CHAIRMAN SCHNEIDERMAN:

When you said before the income was 3000, you meant the ••

MR. DUFFY:

Net income.

CHAIRMAN SCHNEIDERMAN:

The net.

MR. DUFFY:

Yes.

CHAIRMAN SCHNEIDERMAN:

Right. Okay.

MR. DUFFY:

And that was with a perfect summer where there were no ••

CHAIRMAN SCHNEIDERMAN:

How high were there salaries for their principals?

MR. DUFFY:

The salary for the principal is roughly \$100,000, which is similar to what other ferry company presidents are paid.

CHAIRMAN SCHNEIDERMAN:

How many principals are there?

MR. DUFFY:

There's two. There's Ms. Stein, that's Ken's mother, and Ken Stein is the president.

CHAIRMAN SCHNEIDERMAN:

Okay.

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Kevin, can you just •• you touched on some of the different components as far as the report goes, you mentioned there was a question associated with the professional fees a \$100,000, what does professional fees represent?

MR. DUFFY:

Well, it's the fees for the attorney and the accountants. Normally, we usually seek professional fees somewhere in the \$50,000 range. What I know has happened and why we asked for an affidavit last year is that there was, I guess, a purchase of a new boat, and there was a refinancing of existing loans, which had then incur professional fees. And what we did is we had the accountant and the attorneys submit affidavits because we were concerned at that time, which the affidavit said they did no work because Ken Stein's

father had passed away, and we just wanted to be certain that all of the work that was being billed for related to ferry operations and had nothing to do with his estate.

LEG. KENNEDY:

So the affidavits did attest to that ••

MR. DUFFY:

Yes.

LEG. KENNEDY:

•• that the services rendered were in conjunction with ••

MR. DUFFY:

They satisfied us, yes.

LEG. KENNEDY:

Okay.

CHAIRMAN SCHNEIDERMAN:

Any other questions? Okay. Thank you, both.

MR. DUFFY:

Thank you.

CHAIRMAN SCHNEIDERMAN:

I also want to state for the record that Legislator Browning, who isn't here yet because I believe she is at a funeral, she may join us, but she certainly has an excused absence unless she arrives. So we have covered both of our speaker cards. Later on our agenda we have 1173, which is an appointment to the Suffolk County Traffic Safety Board, (Robert J. Behrle).

I think Mr. Behrle is here, so at this point if I can bring Mr. Behrle forward so that he can introduce himself if we have any questions. This is a new appointment. Some of the other things on the agenda are reappointments, and we don't typically ask those people to come forward. Since Mr. Behrle will be a new Behrle will be a new appointment •• if you can just introduce yourself, tell us maybe why you're interested in serving in this capacity and then if the •• any Legislators have questions, you can answer those.

MR. BEHRLE:

Good morning. My name is Robert J. Behrle, I'm a Deputy Sheriff Sergeant with the Sheriff's Office. I was asked by Sheriff DeMarco to be our representative on the Traffic Safety Board.

CHAIRMAN SCHNEIDERMAN:

Any questions? Legislator Kennedy.

LEG. KENNEDY:

Just a question for Counsel. I'm not familiar with the appointments on the board, is there a specific appointment for the Sheriff?

MR. NOLAN:

Let me bring up the Charter.

CHAIRMAN SCHNEIDERMAN:

As we look, any other questions while that gets looked up? Legislator Kennedy.

LEG. KENNEDY:

I guess I would just ask the Sergeant obviously, I mean, you bring a particular expertise associated with law enforcement, the Sheriff is involved certain police duties for the East End and certainly where you travel. What would you see as far as, you know, the different perspective that you might bring on behalf of the Sheriff as far as the Traffic Safety Board? Do you have particular areas that you would like to see focused on, recommendations as far as ways to improve safety issues that you see associated with, you know, the traveling public here in Suffolk County, anything in particular?

MR. BEHRLE:

I believe the Sheriff's Office should be a little bit more involved in the enforcement aspect of •• in our agency, we have a lot more to do with the correctional facilities than we do enforcement, and I believe we should begin further enforcement. That's just my personal opinion.

LEG. KENNEDY:

Okay, which I appreciate you sharing, but when you talk about that, in other words, you're talking about general enforcement of the VTL and things such as that, in other words, ticket writing or patrol•types of function, highway patrol, these types of things?

MR. BEHRLE:

More along the lines of general traffic enforcement increase in our agency as well as driving while intoxicated. A majority of our Deputy Sheriffs work the daytime, and we don't have that many people working at night, which I would like to see us increase.

LEG. KENNEDY:

Does the Sheriff's Office engage in •• you know, from time to time we see the Suffolk County Police Department will do general types of •• I don't know how you refer to them, they are registrations, inspections and vehicle inspections where you will have a natural point where traffic slows, and they'll, you know, officers will be just checking to make sure that vehicles are, you know, currently registered, properly registered, that they're

inspected, things like that. Does the Sheriff's Office do a function like that from time to time?

MR. BEHRLE:

Not generally, no. I would also like to see •• years ago, we had participated in a lot of state•wide operations like driving while intoxicated enforcement, seatbelt enforcement, and over the last few years that has ceased. I would like to see that start again as well.

LEG. KENNEDY:

So in other words, when we come up to summer holidays, let's say, Fourth of July or Labor Day or Memorial Day, from time to time, we'll hear about an enhanced presence as far as DWI stops and things like that. The Sheriff's Office at this point doesn't engage in these types of activities?

MR. BEHRLE:

That's correct.

LEG. KENNEDY:

Let's see. When a Sheriff is actually traveling, as a peace officer, you do retain the authority to go ahead and stop a vehicle, issue summonses if there's problems or illegal operations; is that correct?

MR. BEHRLE:

Yes, that's correct.

LEG. KENNEDY:

Okay. But routinely you only have personnel on the road during whatever it would be, an 8 to 4, a 9 to 5, or currently a day shift, you don't necessarily maintain a presence 24/7 on the highways?

MR. BEHRLE:

On the midnight tour we're •• there's very few deputies working.

LEG. KENNEDY:

And this is just basically associated with the way the Sheriff deploys staff at this point to deal with the other functions associated with the department.

MR. BEHRLE:

Correct.

LEG. KENNEDY:

Okay. Counsel.

CHAIRMAN SCHNEIDERMAN:

We have an answer.

MR. NOLAN:

There's no Sheriff's designated appointment. It says •• the Charter says that the board shall be composed of members interested in traffic safety and traffic problems appointed by the County Legislature.

LEG. KENNEDY:

The thought occurs to me then, do we have any other law enforcement personnel currently sitting on the board?

MR. NOLAN:

I don't know, but •• I don't know.

MR. DEATH:

Douglas Death, Chair of the Suffolk County Traffic Safety Board. Good afternoon. I just wanted to, if I may with the Chairman's permission, if I may help you out with some of these answers.

LEG. KENNEDY:

Certainly. Suffer the Chair's indulgence, absolutely.

CHAIRMAN SCHNEIDERMAN:

Go ahead. I'm reading the Charter section too.

MR. DEATH:

Currently, New York State requires Suffolk County to have a Traffic Safety Board in order to receive certain funding, GTSC Grants, etcetera. New York State has defined the breakout of who should be members, not limit to, but must •• must included a certain list. It doesn't specifically say law enforcement as the Suffolk County Charter was rewritten last May, it was updated to include these items specifically. It used to be the County Executive or designee, the Sheriff or designee, and now it's a much broader group of people. It now says enforcement, adjudication, prosecution, etcetera. And right now on the board, the Suffolk County Police Department is represented, East Hampton Village Police Department and the Southampton Town Police Department as well as Suffolk County Sheriffs. The importance of the Sheriff having a representative on the board is, especially with repeat offenders, 511s, 511 I, II and IIIs, an extreme problem in Suffolk County. We have •• I think we have approximately 16,000 thousand of those coming through the system ••

LEG. KENNEDY:

511 is operating without a license; is that correct?

MR. DEATH:

Correct. As compared to Nassau County where there's only about 4000 coming through.

LEG. KENNEDY:

I understand as a matter of fact there's over 25,000 being processed by the courts at this point. That's what I was most recently told.

MR. DEATH:

Those numbers •• people are going through the Sheriff's Department. So those offenders through education in the Sheriff's Department, different things, speaking to them, they have literally a captive audience. They can be used for education. They also are becoming involved in child passenger safety grants, in different enforcement, for example, they're interested in setting up a child passenger safety car seat fitting station and education program right on the grounds in Riverhead so that possibly on the weekends when people are coming to visit incarcerated persons, that car seats can be given out and people can be instructed on how to use them. They also do a significant number of enforcement programs in their parking lot or right outside.

LEG. KENNEDY:

Tell me little bit about the board in general, though. You say that in other words, that the board in place, I guess, basically it's been the will of this Legislature to go ahead and have this board created, but we're also fulfilling some requirement vis a vis New York State Law?

MR. DEATH:

That's correct. I don't know the exact year, but going back to the late '60s, possibly even the early '60s is when the Traffic Safety Boards in all counties were •• legislation was passed requiring every county to have a Traffic Safety Board. And it's •• you know, the County can opt not to have the board, however, there will funding that will not available. Currently, just in the Governor's Traffic Safety Grants we bring in approximately \$900,000 to the County, not specifically the General Fund, but to County programs including town, villages and other not•for•profits that are coming in for anything from enforcement to education.

LEG. KENNEDY:

Does the board do an annual plan or make recommendations as far as this broad topic of traffic safety?

MR. DEATH:

As far as the board itself, in fact, it was only last year board where members were appointed. Prior to that, I think it was approximately nine years that the board went without appointments, they were just operating, you know, basically continuing their operation as normal. However, like I said, there weren't even appointments to the board. Just last year, we began reorganizing the board, getting new members, increasing the input. We do put together a grant package. We send that up to Albany. That goes up in June, and that would be for the 2006•7 fiscal year. These were federal •• the GTSC are federal pass•through monies coming out of the Transportation Bill. And that's why that comes.

As far as the other work of the board, the main issue is networking of various

•• we have engineers from towns and villages and the County, we have education programs. When you do the reappointments, Suffolk Safe Kids is represented, we have engineering, not only towns and villages, but we have consultants, we have the head of Sachem Transportation Department, Sachem High School Transportation Department. So while, you know, no one member has a broad range of expertise, as a whole, it's probably the most knowledgeable traffic safety group that you're going to find in the County.

And one of the things we have been trying to do and it's just taking some time now that we've reorganized in the middle of last year, is to become a sounding board and a resource for the Legislature, the County Executive or various other agencies as well, and also coordinating efforts so that programs don't overlap, there's no duplication of services and that the entire County including the East End and other •• all the towns of Suffolk County get equal services throughout, because believe it or not, the East End actually is overrepresented in the number of child passenger safety •• the amount of child passenger safety money they're getting. So it's just a matter of •• and that's actually a rarity, but we won't bring that up. It's one of the few things at the last meeting, we were talking about the East End maybe missing some services. They have great child passenger programs and education programs out on the East end, and we're looking to use the East End as a model for the rest the County to get everything out here.

LEG. KENNEDY:

I appreciate the information as far as that goes, and I guess I have no further questions.

CHAIRMAN SCHNEIDERMAN:

You might want to join the committee. Is it a full committee at this point, do

you have 20 members?

MR. DEATH:

Upon the reappointments, yes.

CHAIRMAN SCHNEIDERMAN:

And there's one vacancy?

MR. DEATH:

Yes. The Sheriff's Department, again, you know, a Deputy Sheriff or a Sergeant •• Deputy Sheriff Sergeant Jeff Noss, due to his other work schedule, is unable to continue. So I asked the Sheriff to bring another name so that we would have continuity in the representation.

CHAIRMAN SCHNEIDERMAN:

So he's not pushing someone out? The other person is voluntarily leaving?

MR. DEATH:

Correct.

CHAIRMAN SCHNEIDERMAN:

Okay. All right. You know what? Why don't we take this out of order. Let's go right to the resolution. I make a motion to take **1173** out of order, **appointing to the Traffic Safety Board, Robert Behrle**. Is there a second?

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Second. Okay. All in favor? Opposed? It's in front of us. Motion to approve by Legislator Kennedy?

LEG. KENNEDY:

Absolutely.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator D'Amaro. All in favor? Opposed? Congratulations. **Approved (VOTE:6•0•0•1 • Not present; Legis. Browning)**.

You don't need to appear before the full Legislature. This will go next week in

front of the full Legislature. I don't anticipate any problems.

MR. BEHRLE:

Thank you.

CHAIRMAN SCHNEIDERMAN:

At this point, I'd like to bring Commissioner Bartha forward. If any of your cohorts over there, Leslie or Richard LaValle, I don't know if they want to come forward. Also, is Bob Shinnick here too? If he'll come forward, because I know specifically we have questions on public transportation. Commissioner, I'll give you the opportunity first if there's any items on your agenda or on our Legislative agenda today that you want to speak of. Other than that, we will go to some questions. We will give you the first shot.

COMMISSIONER BARTHA:

There are a couple of resolutions I'd like to comment on. Do you want me to do it at the time you consider the resolution or now?

CHAIRMAN SCHNEIDERMAN:

We'll do it now, at least briefly, and if we need additional comment when it comes up in the discussion, we'll call on you.

COMMISSIONER BARTHA:

IR 1157 provides that we promote fuel efficiency by purchasing hybrid vehicles for Legislative use. The hybrids •• we are very much in support of purchasing hybrid vehicles, but they cost \$10,000 more per unit, and this resolution does not provide for additional funds for that purpose.

CHAIRMAN SCHNEIDERMAN:

Can I ask, on this resolution, are getting rid of the ones we currently have, are we waiting until the cars retire, then we're going to gradually replace them with new hybrids? Is there any •• is it something that's even affecting this year or is it affecting next year or subsequent years?

COMMISSIONER BARTHA:

This is Legislator Cooper's resolution. I'm not sure what he had in mind.

CHAIRMAN SCHNEIDERMAN:

Jim, you look like you are ready to comment.

MR. SCHROEDER:

The resolution requires the Public Works Department to purchase vehicles as needed, that's all it says.

CHAIRMAN SCHNEIDERMAN:

Okay. So I guess the question then would be, do we need any right now? I could use a new one myself.

COMMISSIONER BARTHA:

The replacement standard is 110,000 miles. At that point, we will replace it. And the Legislature did put money in this year's Operating Budget, I believe \$450,000 with which the County •• we will be purchasing •• it was intended to purchase 30 hybrid vehicles. I expect it won't be enough to purchase, maybe about 25, but that is what we will be proceeding with.

CHAIRMAN SCHNEIDERMAN:

So it is possible that it could be done this year then if there was one or two cars that needed to be replaced that hit 110,000?

COMMISSIONER BARTHA:

We could make that assignment to the Legislature, yes, based on other vehicles we are already purchasing, which would mean this resolution is not necessary.

LEG. MONTANO:

Question.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

Commissioner, how are you? Commissioner, in just looking at the fiscal impact statement attached to the bill, it says the incremental costs of hybrid electric vehicles over conventional models is typically is 3000 to 4000 per vehicle. I thought I just heard you say that it's a \$10,000 increase per vehicle.

COMMISSIONER BARTHA:

That's correct. For the sedans that the County purchases it's a \$10,000 difference. SUVs, it's actually a little bit less. It's three to 4000. We purchased four SUVs last year as part of a pilot program to evaluate the efficiency of them, and we are •• we've had them in operation for about three months now without any noticeable problems.

LEG. MONTANO:

But the SUV •• the difference in the SUV hybrid is 3000, but is that a more expensive car or is that a less expensive car?

COMMISSIONER BARTHA:

That's a more expensive car.

LEG. MONTANO:

All right. But for our cost, this bill would be 10,000 per vehicle as opposed to three or 4000?

COMMISSIONER BARTHA:

Approximately, yes.

LEG. MONTANO:

And how much •• how long would it take to recoup that cost in terms of the usage of the •• if at all, or is this strictly environmental?

COMMISSIONER BARTHA:

I don't have that handy. I could certainly have it evaluated. If you would like for the next meeting, I would be able to report to you what vehicles we were anticipating replacing in the Legislature and what the payback period for savings on mileage would be.

CHAIRMAN SCHNEIDERMAN:

Your fleet mechanics, are they familiar with the hybrid vehicle?

COMMISSIONER BARTHA:

They are the easiest •• there's very little difference with the hybrid versus

traditional engines, because you have a traditional engine supplemented by an electric battery operated motor. So our mechanics, we don't expect any difficulty there.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY,

Charlie, I'm just curious with the •• with the examples that are used in this resolution. There's a whole variety of things that go into, I guess, the specs associated with purchasing vehicles. We've talked about it back and forth, you know, for departments, for different types of needs, is there that anything that you look at as far as safety aspects associated with the vehicle; crash testing, different things like that? What other factors go into, you know, vehicle acquisition in addition to the fuel efficiency? And how then would one of these hybrid models stand up with •• most of the vehicle here, I believe, are Tauruses, Ford Tauruses when I look around.

COMMISSIONER BARTHA:

For the Legislature, yes. But if you are talking about the fleet in general, what we look at is the type of usage and cost. The preponderance of the County fleet are law enforcement vehicles; marked and unmarked, and that includes besides the Police, the sheriff, District Attorney, Probation, and they need a vehicle typically big enough that they can put a prisoner in the back seat, and that really is basically the Crown Victorias vehicles that have been satisfactory. Then on the other vehicles, we look at •• we look at size and the cost of them. We do not look at crash test results.

LEG. KENNEDY:

So we don't have that in there as far as the factor •• as far as safety goes? I mean, the other thing that I'm thinking about is that, you know, we have case managers in the Department of Social Services who are transporting, you know, citizens, sometimes children with •• you know, the Child Protective Services, this that and the other thing. I'm just wondering if there's any kind of that aspect that factors into this. Obviously everybody wants to go ahead and save fuel. I mean, it makes sense, there's no two ways about it, and clearly the hybrids would take us in that direction. But in addition to the fuel efficiency, I'm wondering if you have any of these other aspects as far as service requirements, reliability, crash testing, and any of those other factors that go in, that's all.

COMMISSIONER BARTHA:

We have •• last year we worked on a spread sheet which took into account the service costs. That is something we have considered, and I can gather that information for the next meeting if you'd like.

LEG. KENNEDY:

Well, only to the fact that it's important, I think, to take a look at this data, to gather it and apply it as we're looking to go ahead and go towards this goal. Ultimately, as I said, fuel efficiency makes sense, but at the end of the day, I think we want to be able to support a policy that's going to be prudent so it gets us a vehicle whatever it is. And I think there's a very limited range of hybrids out there at this point. You know, I think those factors would be important to bare too as we ultimately make the selections and the choices. For what it's worth.

CHAIRMAN SCHNEIDERMAN:

I think that's a valid question, you know, particularly for the Legislature. Most of us, you know, we can drive a small car. There are more fuel efficient cars than we're driving than those Ford Tau ruses. The question might be then is it better to go with more efficient •• fuel efficient small car then it is to go with the hybrids. I think that's an important ••

LEG. HORSLEY:

Commissioner, are they on state contract?

COMMISSIONER BARTHA:

Excuse me.

LEG. HORSLEY:

Are they on state contract?

COMMISSIONER BARTHA:

I don't know whether there's a contract available right now, I'd have to check that.

LEG. HORSLEY:

If it isn't, we would have to go out and specially bid?

COMMISSIONER BARTHA:

Typically we would prefer to put out a separate bid in order to employ the Local Preference Law that the County adopted a number of years ago.

CHAIRMAN SCHNEIDERMAN:

You know what? I'm going to go back to our old way of doing this where you comment as we get to them, I think, because this may •• by the time we get to these things, we're going to be asking the same questions again I fear. So before we hit the agenda, is there anything else?

I know Legislator Romaine had a question for the Commissioner on the County Center in Riverhead, I believe. Legislator Montano may have a question. You want to start with you, Ed?

MR. ROMAINE:

Yes. At the last meeting, the Commissioner could not stay and I withdrew my question, but essentially it was a very simple question. In 2003 we were presented with a plan for renovating the County Center in Riverhead. How is the current plan, the 2006 plan, different from the 2003 plan? Again, you may not be prepared for this, and I may be putting you on the spot, but if you could briefly tell us about that, that would be helpful. If you would rather correspond with all the committee members in writing detailing the differences between the two plans, that would be fine as well, sir.

COMMISSIONER BARTHA:

Okay. Thank you for that •• those options. I am certainly familiar with the project and prepared to address it, hopefully to your satisfaction. Because of budget concerns, the cost of construction has increased dramatically the last several years. We have brought the scope back on that project where we are basically doing energy efficient measures, the installation in the building, the windows in the building, the building envelope, including the roof, new HVAC system and lighting systems. So one of the big problems, as you know in that building, was the temperature and humidity control, it was impossible. So we will be addressing all of that. There will be new ceilings, wall and floor finishes will be replaced or renewed, there will be a new Legislative auditorium horseshoe and seating, sound system, the lobby escalator Will be removed and an elevator will be installed.

MR. ROMAINE:

Now, that's what you are proposing to do. What did you propose to do in 2003 that you're not doing now?

COMMISSIONER BARTHA:

In 2003 what we had anticipated is making changes in the layout of the office space and work space to make it suit the user groups that are present.

MR. ROMAINE:

And that plan has gone by the way side?

COMMISSIONER BARTHA:

Right, that plan is ••

MR. ROMAINE:

How much is this project costing us at this moment in time, even with the scaled backs that you've done?

COMMISSIONER BARTHA:

Approximately \$30 million.

MR. ROMAINE:

Thirty million dollars. I would recommend to the Chairman of this Committee and to the members that we may set maybe our April or May meeting aside to spend more time looking in detail at a \$30 million project, because for \$30 million it seems as if •• and this is scaled back •• that the original intent •• and I know the Commissioner just brushed over it •• that much more was proposed in the reconstruction of this building.

Now, when I first got to the Legislature in 1986, they were talking about how they were going to renovate the County Center. Several times during my 16 year tenure at the County Clerk's Office, I was told to start packing, that we would be moving out of the building, because they were going to renovate the County Center. And now finally after being postponed for multiple years, we are told, "Well, we have to scale the project back." And now, it's going to cost \$30 million. At one point, it was costing 26 or 27 million, and now it's

costing 30 million, and it's a only scaled back version. So I think this would be a subject because of the price tag of \$30 million, that we might spend ten or 15 minutes either at our April or May meeting and ask with more specificity, and I know that you have •• you can probably do a power point demonstration of what was proposed and now is canceled, and we can have a better understanding of this project.

CHAIRMAN SCHNEIDERMAN:

Ed, I'm just a little concerned. This project has already been authorized and about to commence, I think, right; is that correct?

COMMISSIONER BARTHA:

The first phase is about to commence, yes.

CHAIRMAN SCHNEIDERMAN:

And how much •• what are the two phases?

COMMISSIONER BARTHA:

The first phase is the record storage addition in the County Clerk area and the renovation of the south wing where the Health Department is.

CHAIRMAN SCHNEIDERMAN:

And how much is that?

COMMISSIONER BARTHA:

The cost for that portion is approximately \$7.2 million. The balance of the project we are prepared to bid at the end of this year, at the end of 2006.

MR. ROMAINE:

The storage component was never a part of this project originally. But when I was informed as County Clerk that they were going spend over \$800,000 on temporary trailers, I said, "Why would you do that, why don't you spend the money on extending the record storage facility and using that as swing space as you did the construction, because it's highly unlikely that you are going to be able to move, particularly the books and everyone, and they're very costly?" And I tried to do cost savings that could be put into a more permanent structure as opposed to paying for temporary trailers.

I know this project has been authorized, but what I'm very interested in is what did this Legislature authorize, and is this the same project that they authorized, or was it the original project that was presented to me as County Clerk in the Spring of 2003. And if it's scaled back, does that authorization still stand? So those are questions that certainly, you know, pop to mind with a \$30 million project.

CHAIRMAN SCHNEIDERMAN:

I think those are important, I just •• I don't want to stall •• we're finally getting the project going, I don't want to •• at least portions of the project, I don't ••

MR. ROMAINE:

No. I don't want to have any stalling of the project at this point, and I'm not in the building.

CHAIRMAN SCHNEIDERMAN:

As far as I know, in two weeks, construction is going to begin in that section, right?

COMMISSIONER BARTHA:

That's what we anticipate, yes.

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN SCHNEIDERMAN:

Maybe we can schedule some time in April to discuss the full project. I think the types of changes that the Legislature is probably looking for, you know the visible changes that the public will see, it sounds like that's not going to actually happen until 2007.

COMMISSIONER BARTHA:

That's correct.

CHAIRMAN SCHNEIDERMAN:

Okay. The HVAC, that's ••

COMMISSIONER BARTHA:

That's phase two. That work will start in 2007, the heating, lighting. For the people that are in the building, it will be like a new building and it will operate, from a Public Works perspective, like a new building; energy efficient, building management systems.

CHAIRMAN SCHNEIDERMAN:

Could you •• for \$30 million, could you build a new building? It seems like a high price tag.

COMMISSIONER BARTHA:

Not of that size. But renovating an existing is always very difficult, because you always find things you don't anticipate.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Yeah. Can we talk a little bit about the sequence here, Charlie, the time sequence? Construction to start within two weeks on the \$7 million record storage center additional space and the renovation associated with the health clinic. What's going to happen with the operations of the health clinic during these renovations? It sounds like it's fairly extensive and not something that would be able to allow the clinic to continue to function. That's a heavily utilized clinic, so there must be some recommendation as far as where they are going to continue to go.

COMMISSIONER BARTHA:

I will defer to the abled County architect, Tedd Godek.

LEG. KENNEDY:

Mr. Godek, how are you?

MR. GODEK:

Good, sir. Actually the renovation work that is occurring in the south wing is primarily focused on the second floor of that wing, that is above the Health Services area. And it's •• it was occupied by Health Department divisions that have, for the most part, moved over to the old home and infirmary in Yaphank.

LEG. KENNEDY:

So that space up there now is vacant?

MR. GODEK:

There's a good portion of it that's vacant, yes.

LEG. KENNEDY:

Vito Minei's group was up there.

MR. GODEK:

True, yes.

LEG. KENNEDY:

Well and ceptic system was up there. All of that is just, for all intent and purposes, empty, and so you're doing what in there now, interior renovation or is it going to go to the •• some of the stuff that Charlie talked about; the HVAC and the whole nine.

MR. GODEK:

We will doing primarily interior renovation up there and incorporating, to the extent that we could phase it, some of the HVAC work now, which at this

point in time will be limited. Most of that HVAC work will be occurring during phase two.

LEG. KENNEDY:

All right. So primarily with phase one, we're talking about physical addition of X number of square feet for the record storage center and some interior •• whatever it's going to be, paint, panels, carpet, this, that and the other thing. What, if anything, then is the intention for that first floor area where the health clinic is now? And then I'd like to talk a little more about the timing sequence associated with phase two. Is the health clinic part of phase two?

MR. GODEK:

The health clinic will be part of phase two to the extent that we'll changing out the exterior walls, that is the exterior window panels, not the exterior walls themselves, the glazing systems, and making some modifications to the HVAC system. Yes, we will have to phase the work, we will have to do the work on off hours, and, yes, we will be striving to our best to keep that health center in operation and working.

LEG. KENNEDY:

So your plan now •• okay. Again phase two is like a lifetime away as I've come to find here.

MR. GODEK:

Well, again, that work will be occurring in phase two. We are working with a consultant to phase this project appropriately. We are aware of the fact that the building has got to maintain in operation.

LEG. KENNEDY:

Right. But phase two, as we just talked about with Charlie, and saying that, you know, the intention is to let at the end of '06, and then a three to six month process at the minimum as far as bidding goes, the earliest we'll be looking at something is third or fourth quarter in '07, so in this business, that's a lifetime away.

My concern though is •• is having been in that building for quite sometime, it being a 50 year old building, I'm concerned about some of the, you know, contaminants and things like that that may be within the walls in the system there. Is there any asbestos that remains around in the building area, and will that be addressed, you know, as far as the phases go here?

MR. GODEK:

I am not familiar with the extent of what may be in the building at this point in time, but whatever we do have to deal with will be dealt with during the course of the project.

LEG. KENNEDY:

Well, that's good to know. You know, I usually figure that those things will happen during the course of a project. However, having been in County service for many years and having gone through other renovation projects,

that same philosophy was adopted with the renovation associated with the Dennison Building, particularly when it came to asbestos remediation and things like that. That lasted for all of about one week before personnel were vacated because it just was not compatible with doing operations and undergoing the kind of removal and other stuff associated with friable and ambient asbestos. So, I guess, I would ask, you know, it's good to talk about a philosophy of we'll deal with it when we deal with it, however in this case, I don't think that's something that's viable.

COMMISSIONER BARTHA:

The Dennison Building was unique in that it had spray-on fire proofing that was asbestos. That's why that building basically had to be vacated to get that off and have new fire proofing put on. That's not the situation in the Riverhead County Center project. There is •• there may be asbestos with pipe installation for that type, but it is not a general spray-on fire proof installation, is that correct, Tedd? But again, once we open up the ceilings and get into the building, that's one of the things that makes renovating an existing building difficult, you're not sure what you are going to find.

LEG. KENNEDY:

My colleagues have been very indulgent ••

CHAIRMAN SCHNEIDERMAN:

I'm going to ask that we can cut this •• we have suffered, no? We do have •
• we can •• it's not in front of us today, do have a lot of things that are in front of us that I'd like to get to, and we can continue this conversation about the County Center at the next meeting.

LEG. KENNEDY:

There's one aspect that is in front of us, though, Mr. Chair, and as a matter of fact, I'll shift gears if I can for a second to the financial component of this. This capital project at this point has been •• and I'll mangle my language, I'm sure •• has it been authorized for the full 30 million associated with this project? May be BRO can answer that and/or the Chair.

MS. GAZES:

The 2006•2008 Adopted Capital Program has a total estimated cost on the project of 33,320,000. All that funding, with the exception of 400,000, has been appropriated, 400,000 is sitting in 2006.

LEG. KENNEDY:

Four hundred thousand in 2006, and the balance in when, in '07 and '08?

MS. GAZES:

No. All the funding has been appropriated that's in here.

LEG. KENNEDY:

Oh, so the full 33 million has been ••

MS. GAZES:

Thirty two million nine hundred and twenty thousand.

LEG. KENNEDY:

So even though we have all that funding in place at this point, we're talking about the lion's share of that not being committed or expended until sometime in 2007 or 2008; is that correct?

CHAIRMAN SCHNEIDERMAN:

Well, they're going to go out to bid in the end of '06, right?

COMMISSIONER BARTHA:

We'll go out to bid the end of '06, and we would award in the first part, first quarter of '07.

LEG. KENNEDY:

A 90 day bid? Optimistic. Okay. Thank you, Mr. Chair.

CHAIRMAN SCHNEIDERMAN:

I'm sorry, Legislator Romaine, Legislator Montano was next.

LEG. MONTANO:

Did you have a comment on the discussion with we had with the hybrid vehicle? I just wanted to follow up on that, because I know you were nodding. If you had anything to add, I would just ask you to put it on the record.

MR. SCHROEDER:

The incremental cost on hybrid electric vehicles is in part being driven upward due to the fact that there's a limited quantity being produced. And with sustained high gasoline prices, there's a higher demand for them. I haven't quite heard \$10,000, but, you know, at this point, anything is possible.

LEG. MONTANO:

These cars perform basically at the same level, do they not?

MR. SCHROEDER:

There is some dispute over the benefit in terms of improved mileage on these vehicles as opposed to high efficiency conventionally fueled vehicles. There are individuals reporting a significant increase in mileage per gallon. And I spoke with the coordinator of the Clean Cities Coalition the other day who said that they're getting mixed reviews on them. A lot of it has to do with driving habits. Much of it is influenced by idle time, because one of the benefits of the hybrid electrics is that they're not consuming gasoline during idle periods. A municipal fleet tends to have a lot more •• a higher rate of idle time than a conventional vehicle. I'm not sure how that applies to the

Legislative fleet.

LEG. MONTANO:

All right.

CHAIRMAN SCHNEIDERMAN:

Legislator Romaine. Let's see if we can pick up the pace here.

MR. ROMAINE:

Very quickly. All of the money, all the 33 million except for 400,000, had been appropriated for the County Center. I know we are going to deal with this, so I'll just leave it at this. The longer we delay in starting this project, the more costs are going to rise. And I think we will find out when we exam this at the April meeting that this project has been severely scaled back due to rising costs because it wasn't grasped and done when it was supposed to be done. And the longer we put this off, the less and less we are going to do.

I also have concerns about this project taking place with staff in place in the County Center where we have several hundred employees that work. I know when they did the south wing where the Health Department was many, many years ago, they moved the people while the work was done, and I think the current plan, as part of the scaling back, is to do this project with people in the building as they do this project. I won't say any more, because I know we're short on time, but we should come back. This is a \$33 million project that has been scaled back significantly from what this Legislature originally

authorized. We should come back and just examine this if only as a lesson to us in what happens to Public Works projects that are delayed too long. Thank you.

CHAIRMAN SCHNEIDERMAN:

Okay. Thank you. Any other questions, items not on the agenda for the Commissioner. Let me ask questions that came up earlier that Mr. Hymowitz asked. There was something about a traffic impact analysis update in the Brentwood area, and there was also the North County Complex signage project. Okay. Any comments on those?

COMMISSIONER BARTHA:

Yes. I believe what Mr. Hymowitz is referring to with respect to the traffic impact study relates to the area in the vicinity of the proposed Tanger Mall, the Heartland Town Square project, the PJ Ventures project. And we have engaged an engineer to do a coordinated review of the different plans we received from the developers. Developers are required to do the traffic impact analysis and the traffic mitigation measures.

By having a consultant work for us, we would be able to fully study these in a coordinated fashion. It's something the County Executive has made a commitment to. In addition, the Town of Huntington has contributed \$50,000 towards the study. So we will have \$150,000 •• I shouldn't call it a study, it's a review of the other studies toward developed coordinated mitigation measures, and the contract is presently being executed.

CHAIRMAN SCHNEIDERMAN:

The signage project.

COMMISSIONER BARTHA:

The signage is a long delayed project. It's a project we're in-house to improve signage and directions around this North Complex. We expect it to be in place this Spring. And finally, Mr. Hymowitz ••

CHAIRMAN SCHNEIDERMAN:

That's around this complex right here?

COMMISSIONER BARTHA:

Correct. And finally, Mr. Hymowitz spoke about the resolution to accept a grant for the HOV bus •• this is a bus service that's started in 1995. The state had it linked their creation of the HOV lane, and this is a service that is 100% funded by the state. Since 1995, the County has not funded it at all.

CHAIRMAN SCHNEIDERMAN:

Is it something that •• Mr. Hymowitz had mentioned maybe having some of the buses run a little further east to pick up people instead of Exit 63, maybe somewhere in Riverhead. Is this something that can be modified, or is it something that's locked in?

COMMISSIONER BARTHA:

I'll let Bob address that, but I believe Exit 63 is the eastern most Park and Ride that is available.

MR. SHINNICK:

That's correct. The contract is for •• is to reimburse the County for the operation of the service as it exists today through the Year 2006. There's always the possibility of modifying the service one way or the another, but actively, we're not considering any modifications right now. But, you know, as a general planning issue, we're always looking at opportunities to improve things.

CHAIRMAN SCHNEIDERMAN:

Okay. That would •• really the changes would be in 2007 if there's a renewal of this type of contract? This is the last year you're saying.

MR. SHINNICK:

This funding is for this year that's contained in this agreement. We'd have to have the contract likely modified before we were change the service.

CHAIRMAN SCHNEIDERMAN:

Can that be done?

MR. SHINNICK:

Yes, it can.

CHAIRMAN SCHNEIDERMAN:

It can be. For this year or for subsequent years?

MR. SHINNICK:

In all likelihood, this year, though we don't have a proposal yet. We don't have any basis to go to the state to them that we're looking to do something different.

CHAIRMAN SCHNEIDERMAN:

So either way, we would have to pass the resolution just so you can go to the bargaining table?

MR. SHINNICK:

No. This is simply to accept money from the State of New York to reimburse the County for operating the service. It's a grant. This allows that County Executive to enter into the contract agreement.

CHAIRMAN SCHNEIDERMAN:

So passing this wouldn't preclude us from trying to extend that service further east?

MR. SHINNICK:

That's correct.

CHAIRMAN SCHNEIDERMAN:

Okay. While I have you, can I also ask you about the RFP study of the Blue Bus System? Has that been sent out, that RFP, has there been a response? Maybe we should let the Committee know also what the RFP is trying to do, which is basically to study the ridership of the Blue Bus, the potential for additional routes, additional buses, additional services. So can you speak to that?

MR. SHINNICK:

The RFP is for consulting services to do a system-wide analysis of the Suffolk County Transit Bus Route Network to look at the configuration primarily of the bus lines in the context of demographic changes that have occurred over the years as well as the land use development that's both occurred and is part of the general planning for the future.

It's basically to look at where buses are, what they are doing, and is it right in the context of what people really need the bus system to do. For years we've relied on older plans, Long Island Bus Study, which was concluded in the Year 2002, as well as a report issued by the Joint Legislative and County Executive Task Force back in 2001 in terms of desired next steps to improve the bus system. Because of the time that's gone on, we are really going to come back and do a fresh look at the overall bus system itself and see, you know, how it can be better serving the needs of Suffolk County today.

CHAIRMAN SCHNEIDERMAN:

Has the RFP issued?

MR. SHINNICK:

The RFP has been issued, we've received proposals from consultants. Currently a selection committee is reviewing those proposals. We have not yet made a determination as to who to recommend, but the process is well underway. It's hopefully possibly that within the next month we'll make a recommendation on a consultant, and in the next few months, the consultant may be in place to do the study.

CHAIRMAN SCHNEIDERMAN:

I would like you to move swiftly. It was actually at the end of last year when I tried to get funding in place for a Sunday bus, and I was told by the other Legislators, oh, we're going to study the system first, let's make sure there's the need, etcetera. Now I happen to know there's a need in my area, because of so much of the force, you know, on the weekends and using that Blue Bus.

So, you know, the summer is coming, and I want to make sure •• I know there's a need for later routes, I know there's a need for a Sunday bus. I'd like it to be place for the summer so we don't have to go through another season like last summer. So I would just hope that you move as swiftly as possibly with this, because it really is •• a lot of people are depending upon increases in that Blue Bus System.

MR. SHINNICK:

Quite frankly, we'd really like to be well on our way and through this whole planning process. It's something that's important because the County Transit System is •• everybody knows, it's far from complete, and it's far from what it should be, although it is substantial in its own right. But before we do things in a large scale, if it's even to happen, we really do need to layout a plan. So, yes, we will try to move this as quickly as possible.

CHAIRMAN SCHNEIDERMAN:

If we are to add services, from a budgeting perspective, are we precluded from doing it this year, is it something we have to budget for next year?

MR. SHINNICK:

Our current budget really relates to what we are doing now. And, of course, bus services are relatively expensive. And anything that's done on a significant basis will require additional funding.

CHAIRMAN SCHNEIDERMAN:

Is any of it self sustaining?

MR. SHINNICK:

No. Public transportation typically required a subsidy. It's one of those things that as it becomes more and more successful, just as the buses get filled, and we do have filled buses, what happens is you need to put out another bus to accommodate the additional demand or the slowing of the buses because they're stopping so often for the riders. And what does happen is as your revenues increase, you find yourself having to add costs to accommodate the additional demand. I think we have some questions on this topic as well. Let's start with Legislator Romaine, then Legislator Montano to follow.

MR. ROMAINE:

Quick question. I read somewhere there was a study that was done of public transportation and the very high cost, and you talked about subsidizing, they said it would actually be cheaper for the government to pay for taxi cab rides for everyone as opposed to having a public bus system, that on a cost benefit analysis, it would actually be cheaper. Now, I don't know •• that wasn't obviously Suffolk County, I believe it was the City of New York at one point when they had to install for handicapped, that they figured out it would have actually been cheaper to do •• I think it was limousines at the time, but it could have been taxi cabs. Have we done cost benefit analysis to determine if buses are the best way to move the public?

MR. SHINNICK:

The answer is yes in terms of •• we didn't do any comparatives to taxis or the like, but in terms of ••

MR. ROMAINE:

Which is a very personalized service. You know, it obviously gets people

going where they want to go much quicker.

MR. SHINNICK:

It's very possible. There are people who think in that direction. I can say this: Several years ago, the Department of Social Services very heavily relied on the use of taxi cabs to move methadone clients and other clients that they had, and it was a very, very large budget they had in place. They moved to put the people •• the ones they could •• on to the County Bus System, and there was a substantial savings. So I'm sure there's arguments on both sides.

MR. ROMAINE:

Right. I wanted to just point that out because I understand it's very expensive for public transportation. I'm wondering if we've explored all the alternatives to move people who don't have vehicles from one place to another within the County.

MR. SHINNICK:

We obviously have not explored all the alternatives. One of the things we can say, though, is the model we used dealing with private bus carriers as proven when compared to other transit systems in the area, to be significantly more economic to do it that way. It doesn't mean it's the cheapest way, but we are much cheaper than other systems.

MR. ROMAINE:

Are you familiar at all with Assemblyman Theile's proposal for a Peconic Bay Transportation Authority and some of the advocacy he has done in terms of light rail and small buses that would actually, like fingers, extend out on both forks and be able to hit just about every street in those communities as disparate and far apart as they are?

MR. SHINNICK:

I've only recently seen that legislation. It's state legislation that's pending.

MR. ROMAINE:

Is there a possibility that you could discuss that with his office, and perhaps, Mr. Chairman, appear at another time? Because that may be a model that might even be far more successful in the west end where it's more densely populated, but it's a model that intrigued me when Assemblyman Theile unveiled it, and we've had discussions about that.

MR. SHINNICK:

The legislation as I know it •• and I'm not all that familiar with it •• Lays out among other things a mandate to consider things. I don't think it's drawn any final conclusions yet. It's calling for studies.

MR. ROMAINE:

Right.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

Yes. Commissioner, with respect to that traffic impact analysis that you're going to be hiring a consultant to do, is that what I understand?

COMMISSIONER BARTHA:

That's correct.

LEG. MONTANO:

And part of that is the Heartland project, which were the other two?

COMMISSIONER BARTHA:

PJ Ventures, that's the WalMart project.

LEG. MONTANO:

Okay.

COMMISSIONER BARTHA:

And Tanger.

LEG. MONTANO:

Now, which one is that, Tanger?

COMMISSIONER BARTHA:

Tanger is down off of Commack Road.

LEG. MONTANO:

That the one near CSEA?

COMMISSIONER BARTHA:

I'm not sure.

LEG. MONTANO:

All find out. But you know what? The question I have is ••

COMMISSIONER BARTHA:

It's the old Airborne Property.

LEG. MONTANO:

The question is when will that report be ready, and could I get a copy? It's to •• a compound question. I'm talking about a study here, traffic analysis study.

COMMISSIONER BARTHA:

It depends on when the developers do their work. The Wolcott report is not in hand yet, we do not have the Wolcott report to review. We do have reports from Tanger that will be reviewed as well as the PJ Ventures project. So it's ••

COMMISSIONER BARTHA:

So we're probably looking a year away or something?

COMMISSIONER BARTHA:

I would say from the date that we receive the reports, it will take four months to do the review.

LEG. MONTANO:

Okay.

LEG. KENNEDY:

Mr. Chair.

COMMISSIONER BARTHA:

There's one other project, if I could. The state has a project for the trucks, intermodal facility that will impact traffic the same way.

LEG. MONTANO:

The Brentwood rail whatever.

COMMISSIONER BARTHA:

That's right. Our consultant will look at the impacts of that as well.

LEG. KENNEDY:

There's yet another project in that area as well.

LEG. MONTANO:

Which project is that?

LEG. KENNEDY:

Mr. Chair, just in response to kind of add to Legislator Montano's query. I have an interest in that as well as, because certainly a segment of that is in my Legislative District as you know with the PJ Ventures project. The movie theater that is immediately adjacent to that as well, as you know, has a request into the Town of Smithtown to do a substantial, I guess, renovation as far as new construction of a theater.

Ironically, I guess, the number of seats that's proposed for the new theater may be less than the existing one. However, there's an additional component of the proposal to add several restaurants into that complex as well. So from a traffic perspective, I would think that that might also factor in as far as getting an aggregate as far as influx, you know, and outflux, ingress and egress. Are you aware of that?

COMMISSIONER BARTHA:

Yes, I have heard that. We'll use the same consultant to analyze this information so that we can make recommendations to the town as to what items they should include as well as to the extent that we have authority with respect to issuing County Road permits.

LEG. KENNEDY:

Significantly, Charlie, we have Crooked Hill Road there, which is a County Road. And to a certain extent that was in play with PJ Ventures and some of the concessions that the department sought as far as the developer's proposal there, correct?

COMMISSIONER BARTHA:

Correct.

LEG. KENNEDY:

That goes south of the Expressway as well and may or may not have some impact with Wolcuff's project and the intermodel as well, correct?

COMMISSIONER BARTHA:

That's correct.

LEG. KENNEDY:

So the recommendations that will be forthcoming from the consultant will speak to some of that use or recommendation associated with Crooked Hill as well as the overall road traffic?

COMMISSIONER BARTHA:

The impacts that the different developments in that area have is something that this consultant will be analyzing for us so that we can make recommendations and require mitigation measures by the developers.

LEG. KENNEDY:

Right. But you speak specifically to an important component of this here, I think, as well. You mentioned it in passing curb cuts, Commack road as well is a County Road, and obviously we have sole authority as far as issuing those cuts necessary for those developers as they lay out their site plans, correct?

COMMISSIONER BARTHA:

Certainly. Curb cuts are a big part of it, but it goes beyond curb cuts, of course, because you have impact on intersections of •• in the vicinity. And those are recommendations that we make to the town, and if the town adopts, they become permit requirements in permits that we issue.

LEG. KENNEDY:

The service roads to the Expressway there, I'm led •• I'm told that there is kind of a hodge•podge scheme as far as who's got responsibility for maintenance an authorization and things like that. When it comes to the configuration of those service roads, do we control or does the state control?

COMMISSIONER BARTHA:

In that vicinity, I'm not sure. We do.

LEG. KENNEDY:

We control?

COMMISSIONER BARTHA:

Yes.

LEG. KENNEDY:

All right. So the consultants report is going to speak to any kind of alteration with those as well?

COMMISSIONER BARTHA:

The consultants report is going to review what the developers submit and make recommendations as to what mitigation measures are warranted. This is not a study. This is not something that you would classify as a study or a preliminary design where we are coming up with a concept. This is something we are reviewing that's the developer's obligation to develop the mitigation impacts. The concern of the community and the County Executive is that there is this hodge•podge of developments proposed, and there's concern that the local municipalities are not viewing them in a concerted fashion, not reviewing what is being submitted in a concerted fashion. That's the role that we have agreed to step into. And Huntington has agreed to contribute \$50,000 to that effort. And the Legislature appropriated the other \$100,000 towards this project in two separate actions last year.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano, then D'Amaro, then, John, if you have a follow up.

LEG. KENNEDY:

Okay. I'll yield.

LEG. MONTANO:

Commissioner, I just want to be clear. This study that's going to deal with the analysis for mitigation components, is that for your internal use, or is that something that's going to be public? Because I'm gathering from what I'm hearing that it's for your internal use to go back and have them make design modifications. What I'm asking is will I have access to the traffic impact analysis when you get it, or do I have to wait until after these things are negotiated?

COMMISSIONER BARTHA:

No. You have access to it.

LEG. MONTANO:

Okay. That's all I want, access to it once it's done.

CHAIRMAN SCHNEIDERMAN:

Legislator D'Amaro.

LEG. D'AMARO:

Yes, thank you. You're studying the developers projects for discussion about mitigation measures is basically what you're undertaking to do, it's not an actual study of the different projects as proposed or just really looking at the submissions from the developers, reviewing them and maybe brainstorming on some mitigation measures, is that accurate?

COMMISSIONER BARTHA:

That's correct. I would call it an evaluation of the developers' proposed mitigation measures.

LEG. D'AMARO:

So by definition, do the mitigation measures need to be made part of the development or can they be implemented after the development goes on line?

COMMISSIONER BARTHA:

Typically we're required to be as part of the development.

LEG. D'AMARO:

Will the County be requiring the implementation of these mitigation measures, and if so, how can we do that?

COMMISSIONER BARTHA:

We need the cooperation of the towns to do that, and without knowing what they are, I can't say that.

LEG. D'AMARO:

So, you know, I mean, as we all know, the real site plan approval, planning approval, zoning approvals all lie within the town. So we're conducting this review, but then we're not sure if we have a way to mandate the mitigation measures.

CHAIRMAN SCHNEIDERMAN:

These are recommendations.

COMMISSIONER BARTHA:

Some of them we certainly would have the ability to the extent it impacts County roads, but we certainly need the towns' cooperation with this. And the towns always solicit our opinions during the SEQRA process, and that's what this is intended to do. There's so much intense development in this area, that our staff would be overwhelmed in reviewing this. And we feel it needs a detailed review, which is why we first suggested that •• specifically for the Wolcott Project, we had suggested at Public Works, and then the County Executive, when everything started to come together with respect to PJ Ventures, suggested that we do a broader evaluation of the impacts.

LEG. D'AMARO:

Yes. And I think that's a very positive step, and I think it should be taken.

But will the individual developers abide by the County timeline? You had mentioned four months just to get through the review.

COMMISSIONER BARTHA:

I can't speak to that.

LEG. D'AMARO:

You know, I mean why go through the exercise if the project are already half built is exactly my point. You know, do you see that a problem or a concern or a possibility?

COMMISSIONER BARTHA:

Ideally we would have this contract in place before these projects came to be. You know, we're in the situation of playing catch•up, but the biggest project is certainly the Wolcuff Project, and that's yet to happen so.

LEG. D'AMARO:

Right. And mitigation measures, of course, you would like to see them implemented while a project is built, but there's a possibility they could come after the fact as well?

COMMISSIONER BARTHA:

Yes. At which point it would up being a County obligation on County roads.

LEG. D'AMARO:

Okay. Thank you.

CHAIRMAN SCHNEIDERMAN:

Okay. You okay, John?

LEG. HORSLEY:

It's too big a discussion. This is huge.

CHAIRMAN SCHNEIDERMAN:

This is to be continued.

LEG. KENNEDY:

If I could just shift off of this for one ••

CHAIRMAN SCHNEIDERMAN:

Briefly.

LEG. KENNEDY:

You know, we have a potpourri here. You spoke before about the signage project that Mr. Hymowitz had talked about in the North Complex here in particular. I've got some requests, as a matter of fact, from constituents associated with signage from the Fourth Precinct. So in all of the various signage that's going to be redone, do you know that there'll be some signs in there specifically giving, you know, location and direction for the Fourth Precinct?

COMMISSIONER BARTHA:

We'll absolutely make sure. Certainly the Fourth Precinct and the Labor Department are places that people who are not familiar with the complex go to frequently. I'll personally check and make sure we get them to the Fourth Precinct.

LEG. KENNEDY:

All right. And in tune with the Fourth Precinct, as we know, we've got that renovation or that new construction that's under way, but it's still going to be here in the North Complex, so signage would seem to still be appropriate as far as wherever it's going to directing traffic.

COMMISSIONER BARTHA:

Sure.

LEG. KENNEDY:

And since I've seemed to have monopolized so much of the time this afternoon, I guess I'll give you a pass on the jail, even though you know that I so much wanted to ask you about the current costs, since I've heard that it's dropped now 55 to 60 million based on some of what the current Sheriff has proposed in his latest revisions.

CHAIRMAN SCHNEIDERMAN:

That's not exactly accurate. We won't even go there at this point.

LEG. MONTANO:

Not now. Privately.

CHAIRMAN SCHNEIDERMAN:

There's all kinds of changes.

LEG. KENNEDY:

Is there really?

CHAIRMAN SCHNEIDERMAN:

At some point we have to have a sit down and •• at least being proposed.

But the ultimate number, I don't think, is lower, but some of Phase II would be incorporated into Phase I, and we get more cells and some cost savings. But we're opening up a huge discussion, which I think maybe ••

LEG. KENNEDY:

Well, the only thing I would say to the Chair, and I appreciate this, yes, you're right, I mean, obviously, many of us have invested quite amount of time as far as the jail goes. But the COC has drawn a line in the sand for July of this Year; is that correct?

COMMISSIONER BARTHA:

July of this Year, they have signed contracts in place for the prefabricated cells and for us to submit the initial plans. The final plans are due to the COC in December, and construction contracts signed July of •• or groundbreaking in July of next year, July of '07.

LEG. KENNEDY:

July of '07. Right, as I suspected.

COMMISSIONER BARTHA:

And we anticipate being able to meet that. The very short story of what we're talking be here is 204 more cells •• not cells, 204 more housing units, beds, for an increase of eight to \$9 million in Phase I. But what that does is reduce the cost of Phase II significantly, and Phase II, those beds would have

to be cells, which are much more expensive. They're at least three to four times more expensive than dormitory style housing, which is what we plan to do to gain these 200 units, is to renovate some of the existing dormitories in the first phase.

LEG. KENNEDY:

How many prefabs are you going to construct in Phase I?

COMMISSIONER BARTHA:

Three hundred and sixty.

LEG. KENNEDY:

Still 360.

COMMISSIONER BARTHA:

Yes.

LEG. KENNEDY:

Do you have the adopted schematic yet?

COMMISSIONER BARTHA:

Yes.

LEG. KENNEDY:

You do? So that has been approved and finalized •• I'll have this conversation off line.

CHAIRMAN SCHNEIDERMAN:

All right. I think we can move to the agenda. All right. So we're going to start with Resolution **1005**.

We have to table this pending the closing of public hearings, so I'll make a motion to table. Is there a second?

LEG. MONTANO:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Montano. All in favor any opposed? 1005 is **tabled**.
(VOTE:6•0•0•1 • Not present • Legis. Browning).

1030. To authorize a request for proposal to reestablish the Bay Shore Health Center.

LEG. ROMAINE:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion to approve.

LEG. KENNEDY:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator Romaine, seconded by Legislator Kennedy. There's a motion to table by Legislator Montano, seconded by Legislator D'Amaro. The tabling motion takes precedence.

LEG. ROMAINE:

Can I just ask, why are we tabling it?

CHAIRMAN SCHNEIDERMAN:

On the tabling motion, Legislator Romaine.

LEG. ROMAINE:

Why would we table? If one of the gentlemen that are proposing the tabling of this could offer a rationale for tabling it, I'm all ears.

LEG. MONTANO:

We don't have a site for this yet. This is something that's an ongoing discussion with the County Exec's Office. We all recognize the need to have a Bay Shore Health Center. We're moving forward with that. I think it's a little premature at this time to pass the resolution. I ask that it be tabled. It was tabled at the last hearing. Commissioner, do you have any information on whether or not the rink that we were looking at was available or whether or not we're moving towards a purchase of that?

COMMISSIONER BARTHA:

The staff of the space management •• Space Management Steering Committee is actually negotiating on a build to suit lease on a site on the Sunrise Highway South Service Road.

LEG. ROMAINE:

The roller rink?

LEG. MONTANO:

The old roller rink, yeah.

COMMISSIONER BARTHA:

Yes.

CHAIRMAN SCHNEIDERMAN:

Specifically this resolution 1030, it's for an RFP ••

LEG. MONTANO:

This is for an RFP.

CHAIRMAN SCHNEIDERMAN:

It's for an RFP. Can you do the RFP now that you have a building, at least you believe you have a building, or is it premature?

COMMISSIONER BARTHA:

It's typically not the way lease space is handled. The properties are identified, leases negotiated, presented to the Space Steering Committee, Space Steering Committee approves them, it goes to the Legislature for

approval.

LEG. MONTANO:

We're in the process of negotiating a lease, is that what we're saying?

COMMISSIONER BARTHA:

That's correct.

LEG. MONTANO:

Okay. And this resolution would be for an RFP to construct the building?

COMMISSIONER BARTHA:

Let me just refresh myself, I'll take a look at it.

CHAIRMAN SCHNEIDERMAN:

Counsel or Legislator Montano, either one.

MR. NOLAN:

Well, it's to issue an RFP to secure the construction with a building of adequate size and configuration to replace the Bay Shore Health Center.

However, it does go to it say which building would be leased to the County of Suffolk. It would be constructed in the nearby vicinity of the former Bay Shore Health Center, which is, I think, contradictory.

CHAIRMAN SCHNEIDERMAN:

Does passing this bill, does it interfere in any way with your process? It doesn't sound like it. At some point, you're going to have to do an RFP for it, right, or no?

COMMISSIONER BARTHA:

No. I wouldn't anticipate an RFP.

LEG. MONTANO:

No. If we're going to lease a building, we're going to lease a building, am I correct on that?

COMMISSIONER BARTHA:

That's correct.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Charlie, would this be analogous to the Department of Social Services Building that was constructed, I guess, the term is called lease to suit or build to suit?

CHIEF DEPUTY COMMISSIONER LAVALLE:

Yeah. The Space Management and Steering Committee has a number of options. When we solicit for sites, it could be a build to suit site or it could be a site that's existing and on would only require the building to be renovated.

LEG. KENNEDY:

Richard, what's your experience so far? I know, I guess, we've only done a couple of these. Former Deputy Jones was here, I think, at our last cycle and spoke about some of the experiences with the Department of Social Services. The building ultimately when it's turned in, you know, how does it factor compared to leasing and having a build out of existing space like what we're doing with 200 Wireless as opposed to a build to suit and where the cost comes?

CHIEF DEPUTY COMMISSIONER LAVALLE:

Well, in the case of 200 Wireless, we did have sites that were build to suit, as well as the existing buildings to lease, so it's a comparison, you just analyze the cost, which staff does, and we look at those cost comparisons, and quite

often the most economical building or build to suit or whatever, is the way the committee might go, but that's up to the committee.

LEG. KENNEDY:

But for the purposes of the Space Committee, then it seems to me that this resolution would introduce an alternative that you would then be able to •• I mean is the Space Committee contemplating that now, build to suit?

CHIEF DEPUTY COMMISSIONER LAVALLE:

No. Right now, the site has a building on it, but most likely, the building has to be torn down and a new one constructed. But the committee has already gotten •• that's the purpose of the committee. The committee solicits sites, analyzes them, and we have conducted the •• for example, the process with regard to 200 Wireless was basically an RFP process.

LEG. KENNEDY:

It was?

CHIEF DEPUTY COMMISSIONER LAVALLE:

So this really, there isn't any need this particular resolution. The committee has been involved •• that's the function of the committee that this Legislature created. So why introduce another aspect to it, which isn't really necessary?

CHAIRMAN SCHNEIDERMAN:

Any other discussion? All right. There's a motion to table, all in favor?

LEG. MONTANO:

To table, yes.

CHAIRMAN SCHNEIDERMAN:

Any opposed? Abstentions? Okay. It's **tabled (VOTE:6•0•0•1 • Not present • Legis. Browning)**.

CHAIRMAN SCHNEIDERMAN:

Okay. Moving onto Introductory Prime.

1157. To promote fuel efficiency by requiring the purchase of hybrid vehicles for Legislative use.

This is the one we discussed earlier. Is there is a motion to approve.

LEG. D'AMARO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

There's a motion to approve by Legislator D'Amaro.

LEG. HORSLEY:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Horsley. On the motion?

LEG. KENNEDY:

On the motion.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Again, we spoke about this to a certain extent before. I would think that since this resolution speaks specifically just to vehicles for the Legislature, I would ask that we look to see if we can include at least some additional factors for the department to take a look at as far as not only fuel efficiency, but also, you know, safety and reliability, maintenance cost and other factors.

As I said before, obviously, fuel efficiency is a very laudable goal. And I think Legislator Cooper is on the right track, but I think the department needs at least some ability to look into some additional parameters as far as purchase goes. I would make a motion to table contemplating, you know, some amending language that will bring those other factors into place. Absent that, it seems to me the only factor driving the choice at this point is fuel efficiency; is that correct, Counsel?

MR. NOLAN:

I'm sorry, what was the question?

LEG. KENNEDY:

Is the department able to go into other parameters at this point besides the plain language in the resolution?

MR. NOLAN:

The resolution says to purchase the most fuel efficient hybrid vehicles, it doesn't list any other criteria that can be used.

LEG. KENNEDY:

So it's theoretically possible we could have something with the highest fuel efficiency, but the lousiest reliability?

MR. NOLAN:

Theoretically.

LEG. KENNEDY:

Okay. Fine. Then I would make a motion to table to modify the language.

CHAIRMAN SCHNEIDERMAN:

Is there a second on the tabling motion?

LEG. KENNEDY:

I'll withdraw the tabling motion.

CHAIRMAN SCHNEIDERMAN:

Is that a second?

LEG. ROMAINE:

I'll second.

LEG. D'AMARO:

On the motion.

CHAIRMAN SCHNEIDERMAN:

There's a motion to table by Legislator Kennedy, seconded by Legislator Romaine. So we're now discussing the tabling motion.

LEG. D'AMARO:

Right. I would be against tabling. I think Legislator Kennedy raises concerns that we should have, but I think they're all meted out by the auto industry, the private testing companies. I think at some point, you know, we can study something ad nauseam. The car companies are going to put vehicles out that are marketable that are •• they're trying to sell a product and make a profit.

You know, another study or, you know, all of these criteria kind of is contrary to what the aim of this bill is. The aim of this bill is saying that the technology has arrived where these vehicles have been tested. I think 100,000 hybrid vehicles were purchased in the United States last year.

Consumers are purchasing them. And frankly, it's about time that the Legislature and governments get on board. You know, it's about oil dependency, it's about the environment, and I think those are legitimate considerations, but I think they're already factored into the purpose of the timing of this bill at this point.

CHAIRMAN SCHNEIDERMAN:

There's a technical problem with the bill. Maybe we can overcome that, which is that there's no money attached to it, yet there's a fiscal impact of an additional \$10,000 per car. Can somebody, either BRO or maybe Commissioner Bartha, how do we overcome that if this bill is passed?

LEG. ROMAINE:

Could I ask a point of information? My understanding, if you bought a Ford Escape, you bought a Ford Escape Hybrid, the difference is about two or \$3,000 between the two. It's not ten thousand dollars. That's why I question where that number came from.

COMMISSIONER BARTHA:

The Ford Escape, if I'm not mistaken, is an SUV-type of vehicle, which I indicated was a three to \$4000 difference?

LEG. ROMAINE:

Right. It's much less than \$10,000.

COMMISSIONER BARTHA:

Right. We're not talking SUVs here, we're talking sedans.

LEG. ROMAINE:

Right. I mean, the reason to do this bill is besides fuel efficiency, it's cleaner air. We're under a federal mandate in this County, and there's a lot of things we have to do with the Federal Government every year to kind of convince them to give us transportation aid by showing that we're cleaning up the air. This isn't a lot for the County Legislature. Actually it would be a much more significant bill if half of our fleet moved to hybrid over the next five years, it certainly would be beneficial.

I'm in support of the bill. I tabled it, because I think Legislator Kennedy had legitimate concerns. But it's not \$10,000 a car. I think we can probably get a hybrid car off a state bid list at no more than two or \$3,000 of a non hybrid, particularly the Ford Escape, which is American made. I guess, they're all American made now though.

CHAIRMAN SCHNEIDERMAN:

Joe, you have more information on this?

MR. SCHROEDER:

I just wanted to comment that I haven't seen a \$10,000 incremental price for a hybrid electric vehicle in my research.

LEG. D'AMARO:

And, you know, also, this is really almost a pilot program in the sense of limiting it to the Legislature, so, you know, we'll be the guinea pigs, I guess, whoever has a car. I don't see why we would want to implement it on a larger scale. Maybe we should test it here in the Legislature and find out a little more about reliability.

CHAIRMAN SCHNEIDERMAN:

And is there enough money in your fleet budget for new cars that would absorb if it's only a few thousand dollar difference?

COMMISSIONER BARTHA:

I would say no. You would not be the guinea pigs so to speak, because we •• the Legislature included enough money to buy approximately 25 hybrid vehicles in last year's budget, which is approximately half of the non law enforcement sedans that the •• the County has in its fleet •• that are scheduled to be replaced in its fleet this year. So that's a •• that's a big step forward in the hybrid move, so.

LEG. HORSLEY:

So then what we're saying then is that any new car for the Legislature would be •• which maybe there will be a couple, would be a hybrid, that's what this will do?

COMMISSIONER BARTHA:

That's what this would do. And I mean, the practical answer to where the additional money comes from, whether it's 6,000 or 10,000, is we would be able to buy less vehicles.

CHAIRMAN SCHNEIDERMAN:

So you're basically saying that this isn't going to increase the number of hybrid vehicles in the County. It would only •• it would shift them from elsewhere to the Legislature, because ••

COMMISSIONER BARTHA:

No.

CHAIRMAN SCHNEIDERMAN:

No?

COMMISSIONER BARTHA:

I took this to be additional for the Legislature separate from the other.

CHAIRMAN SCHNEIDERMAN:

The money we budgeted for hybrid vehicles, were they headed towards the

Legislature or no, they were heading elsewhere?

COMMISSIONER BARTHA:

It wasn't identified ••

CHAIRMAN SCHNEIDERMAN:

It wasn't identified, okay. So then the short answer is, yes, the money is in place, so we could pass this without having to do an offset?

COMMISSIONER BARTHA:

I believe so.

CHAIRMAN SCHNEIDERMAN:

Okay.

LEG. KENNEDY:

Mr. Chair, look, it's not my position to try to oppose, you know, moving towards a more laudable environment goal. Certainly Legislator Romaine raises good points as does Legislator D'Amaro. I'll withdraw the motion to table. I just, I guess, I would ask then that the department, you know, in trying to implement this, take a look at those other factors that I've talked about as far as, you know, history as far as reliability and things such as that, and, you know, service requirements and safety.

COMMISSIONER BARTHA:

The service requirements we do consider. When we investigated last year at Legislator Binder's request, there was, I believe, we found that Insurance and Risk Management did not have statistics with respect to the added insurance costs of different types of vehicles for us to use. And Legislator D'Amaro makes a very good point with respect to the •• this is •• the Federal Government determines the threshold for safety for vehicles. I mean, and they have resources well beyond what we have in Public Works and their expertise.

LEG. KENNEDY:

Yeah, they did with the Pintos too, thanks.

COMMISSIONER BARTHA:

And we were also at the forefront of safety with the Crown Victoria problem and gasoline tanks. Suffolk County was one of the first to change out or protect the gas tanks on the law enforcement vehicles.

CHAIRMAN SCHNEIDERMAN:

Okay. All right. So the motion to table has been withdrawn. So let's have a motion to approve on 1164, Legislator D'Amaro is moving to approve, seconded •• I'm sorry, 1157 •• seconded by Legislator Horsley.

All those in favor? Opposed? 1157 is **approved (VOTE:6•0•0•1 • Not**

present • Legis. Browning). There's two that say hybrid.

1164. Establishing County policy to require hybrid or alternative fuel in buses in the Suffolk County Transit system.

Any comments commissioner?

COMMISSIONER BARTHA:

Reluctantly, yes. Last year the Legislature approved a grant request, and we are proceeding a pilot program with four hybrid buses. We expect to fully execute that grant with the Federal Government this spring, order the buses and have the buses in the early part of 2007. That was passed as a pilot program and it fully grant funded. I would urge that we go through with the pilot program before we go further. There has been much more information available on hybrid card rather than hybrid buses. And the additional cost is \$200,000 per bus for hybrid bus. The average typical bus costs \$300,000, a hybrid bus \$500,000. We strongly urge that we go ahead with the pilot program before we get into this.

LEG. MONTANO:

Question.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

Is there a motion on this?

CHAIRMAN SCHNEIDERMAN:

There's no motion. I was going to make a motion to table.

LEG. MONTANO:

I have a question for Counsel. I'm looking at the Resolved Clause, it says •• First Resolved, pending a positive disposition of the ongoing pilot hybrid electric bus program. What does this really mean? I mean, we have a pilot program, and this says pending a positive disposition. Does that presuppose the question?

CHAIRMAN SCHNEIDERMAN:

We have a long time. In other words, we're not in a hurry on this one. I'll make a motion to table.

LEG. MONTANO:

I'll second.

MR. NOLAN:

The policy wouldn't go into effect until the pilot program is completed.

CHAIRMAN SCHNEIDERMAN:

Motion to table, seconded by Legislator Montano. All those in favor? Opposed? 1164 is **TABLED (VOTE:6•0•0•1 • Not present; Legis. Browning)**.

1174. Reappointing members to the Suffolk County Traffic Safety Board (Micheal J. Salatti, Sergeant Richard H. Schneider, Stephen Shadbolt, Susan Katz, Frank Pearson, Stephen Miller).

I'll take a motion by Legislator Horsley to approve, seconded by Legislator D'Amaro. All in favor? Opposed? **Approved (VOTE:6•0•0•1 • Not present; Legis. Browning)**

1180. Authorizing the execution of an agreement between the County and the New York State Department of Transportation for 100% Federal and State Aid funding for the continuation of the HOV Bus Service on the Long Island Expressway for 2006.

Can I have a motion to approve and place on the Consent Calender?

LEG. D'AMARO:

Move to approve.

CHAIRMAN SCHNEIDERMAN:

A motion to approve and place on the Consent Calender by Legislator D'Amaro, seconded by Legislator Horsley. Any discussion? All in favor? Opposed? **Approved. (VOTE:6•0•0•1 • Not present; Legis. Browning).**

1195. Authorizing the execution of agreement by the Administrative Head of Suffolk County Sewer Agency District No. 13 • Windwatch with the Whitson's Food Service.

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN SCHNEIDERMAN:

Let's get a motion first and a second.

LEG. KENNEDY:

I'll make a motion to approve, but on the motion, I'm going to ask ••

CHAIRMAN SCHNEIDERMAN:

I'll second. There's a motion by Legislator Kennedy, seconded by myself. On the motion.

LEG. KENNEDY:

Right. I'm going to ask the Commissioner and/or Mr. Wright, can you speak to us just a little bit about what this project is and what impact it's going to have as far as the all the ultimate capacity within the sewer district there.

COMMISSIONER BARTHA:

Ben can up. In the mean time, I'll start to answer the question. This is an existing facility adjacent to the district. They already have been approved for 2000 gallons. This is additional an 1500 gallons. The connection fee at \$15 per gallon amounts to \$23,000, which goes to the district. Ben.

MR. ZWIRN:

No, with this small flow, there's certainly sufficient capacity in the treatment to treat it. They have been connected for some time under a different building owner. And they basically take in various types of frozen and cooled foods and redistribute them and package them; Meals on Wheels and other such things.

LEG. KENNEDY:

I see it talks about the existing industrial or office building. Is this something that is •• I don't know if it makes much of a difference or not •• is this a

contractee or is this actually ••

MR. WRIGHT:

It's a contractee.

LEG. KENNEDY:

This is a contractee? So they do not physically sit within the parameters of the district itself?

MR. WRIGHT:

Correct.

COMMISSIONER BARTHA:

Any property within the boundaries of a district doesn't come to the Legislature for approval in any sewer district.

LEG. KENNEDY:

Which I appreciate. Thank you very much. Okay. Fine.

CHAIRMAN SCHNEIDERMAN:

Legislator D'Amaro.

LEG. D'AMARO:

Just as we hear Commissioner Bartha •• as are resolutions are presented for sewer connection approval, I just want to know the criteria used for determining whether to recommend approval. Is that about the overall project? Are there mandated parameters? Or is it just about is there capacity? Just for my own education very quickly.

COMMISSIONER BARTHA:

It's basically about is there capacity. The Sewer Agency has to approve connection to the County Sewer Districts before it comes to the Legislature. The state DEC also has to approve it. We have had problems many years ago, Ben and I are familiar with it, where several Sewer District were overcommitted with respect to capacity. That's something we are particularly careful with both in our internal review and with the Sewer Agency and certainly when we come to Legislature with it.

The Sewer Agency, they are charged by law with the responsibility to determine the means of sewage disposal for communal disposal on new developments. And it's the preference of the Sewer Agency not to have a proliferation of treatment plants. For regulatory and environmental reasons, we believe it's better that they go to certain centralized locations. And that's the driving force. When a site •• when a treatment plant is at its capacity and can't take any more, we will authorize the developer to expand that facility as long as the site can still handle the expansion in order to consolidate the treatment, sewage treatment.

LEG. D'AMARO:

Okay. Is it •• when the Sewer Agency recommends approval to the Legislature, is the Sewer Agency ever considering projects that may or may not be built down the line?

COMMISSIONER BARTHA:

Typically not, but at times, yes.

LEG. D'AMARO:

I just wanted to know what the past practices have been.

COMMISSIONER BARTHA:

The Sewer Agency doesn't really know what is envisioned outside the area.

LEG. D'AMARO:

Right. It would be speculative, sure.

COMMISSIONER BARTHA:

We've also viewed it as, and I'm one of seven people on the Sewer Agency, but we also view it as if a project is ready to go ahead today, it's tough to say, well, you can't connect because we want to know what's going to happen

to this in ten years. If you have something that's being developed at the same time and we're aware of it, and that's where it's useful, because the different members of the agency besides myself and several Legislators including yourself, but we have the Director of the Planning and the Health Commissioner represented by Vito Minea typically. So you have a good perspective of what projects are coming up in an area.

LEG. D'AMARO:

Of course, if other projects do come on line there's the option that you spoke of earlier, that the developer may be asked to contribute towards expansion or capacity, you know, that kind of thing.

COMMISSIONER BARTHA:

Correct. We have •• I think the kind of global view that you're asking about was demonstrated best with the Southwest Sewer District as we started to approach the point of reaching the capacity, and we're still approximately a million and a half gallons below the capacity of that plant as far as our commitment. We looked at the Wolcoff project and the other projects up in that area as to their sewage needs and looked at how they would all be handled. And the Sewer Agency sees projects early on, because the towns during their SEQRA review, want to know how sewage will be disposed of. The Sewer Agency can't take an action and approve of something until the town completes SEQRA. So we resolved that issue a number of years ago by agreeing to provide what we call conceptual certification to the towns as to what the Sewer Agency's inclination is for the disposal of sewage. So we have become aware of projects typically a couple of years •• certainly on a large project, a couple of years before they get to construction.

LEG. D'AMARO:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

Yes. Commissioner, quick question. I'm looking at the backup here, and it says •• on one of the pages, it says due an oversight •• well, let me back up. Apparently this was approved by Sewer Agency Resolution 39•2005 at a meeting on 10/17/05. It says here, due to an oversight, the required gallonage was understated and they are requesting additional 1126 for a combined total of 3,568 gallons per day. And this request is for the approval additional 1126 over the previously approval 242 gallons per day. I would imagine that's a math error. That's 2000.

MR. WRIGHT:

Originally, they has 2000.

LEG. MONTANO:

2442. I just want you to comment on the oversight. What's the oversight? How did it become an oversight?

MR. WRIGHT:

Well, the first 2000 gallons per day was allocated back in the 1980s when the facility was built. They came to the Sewer Agency for 442 per day, but they forget the kitchen waste, and the kitchen waste is what the 1126 gallons per day is that they came back for a couple of months later.

CHAIRMAN SCHNEIDERMAN:

I'll call the vote. All those in favor? Opposed? **Approved (VOTE:6•0•0•1 • Not present; Legis. Browning).**

1196. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 7 • Medford with Island Builders.

CHAIRMAN SCHNEIDERMAN:

I'll make a motion.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator D'Amaro. All in favor? Opposed? **Approved (VOTE:6•0•0•1 • Not present; Legis. Browning).**

1197. Appropriating funds in connection with the rehabilitation of CR 51, Moriches • Riverhead Road, from CR 80, Montauk Highway to the Riverhead County Center, Town of Southampton.

Motion by Legislator Romaine, seconded by myself. All in favor? Opposed?
Approved (VOTE:6•0•0•1 • Not present; Legis. Browning).

1198. Appropriating funds in connection with the replacement of dredge support equipment.

Is there a motion? Motion by Legislator Montano, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? 1198 is **approved (VOTE:6•0•0•1 • Not present; Legis. Browning).**

1199. Amending the 2006 Capital Budget and Program and appropriating funds in connection with the County share for participation in the reconstruction of CR 57, Bay Shore Road, Towns of Babylon and Islip.

Motion by Legislator Horsley, seconded Legislator D'Amaro. All in favor? Opposed? 1199 is **approved (VOTE:6•0•0•1 • Not present; Legis. Browning).**

1200. Appropriating funds in connection with the County share for

participation in the reconstruction of CR 16, Horseblock Road, Town of Brookhaven.

Motion?

LEG. KENNEDY:

I make the motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Kennedy, second by Legislator D'Amaro.

LEG. KENNEDY:

On the motion.

CHAIRMAN SCHNEIDERMAN:

On the motion, Legislator Kennedy.

LEG. KENNEDY:

Charlie, 300,000, what is this going to do? This is the widening of County Road 16, I guess, through Lake Ronkonkoma.

COMMISSIONER BARTHA:

No. This is more limited. It's in the area from Woodside Avenue to Peconic Avenue. And really what this will do is design the •• what we're going for is early implementation projects rather than try to do the global projects, which tend to get mired down in community opposition. We're trying to make some improvements to make that road safer and resolve some drainage problems in the area. It's 80% federally funded.

LEG. KENNEDY:

Well, then I guess the next question is Lake Ronkonkoma Civic Organization and the Chamber of Commerce worked extensively with your shop, with Mr. Hillman, in particular, and some other staff, how does this comport with what the overall agreement was amongst the community groups and the department as far as the ultimate design concept and agreement for the ••

COMMISSIONER BARTHA:

It's a separate project. It's not even an adjoining project. We are looking forward, because we do believe we now have consensus in that community to go forward. I believe we are going to be scheduling a public hearing in the spring at some point in order to be able to proceed with that project.

LEG. KENNEDY:

Okay. Then I apologize. But then where is Woodside? Is this on •• closer to the lake or is it further out?

COMMISSIONER BARTHA:

Closer to us, closer to DPW Office and further east.

MR. ROMAINE:

By the Suffolk County Credit Union.

LEG. KENNEDY:

And it's clearly beyond, I guess, where the community organizations had concerns?

COMMISSIONER BARTHA:

Yes.

LEG. KENNEDY:

Fine. I'll let it stand.

CHAIRMAN SCHNEIDERMAN:

We have a motion and a second. All in favor? Opposed? Abstentions?
Approved (VOTE:6•0•0•1 • Not present; Legis. Browning).

1201. Appropriating funds in connection with the construction of fire vehicle storage/pump house facility.

Is there a motion?

LEG. HORSLEY:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Horsley.

LEG. D'AMARO:

Second.

LEG. MONTANO:

Question.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator •• myself. Legislator Montano, on the motion.

LEG. MONTANO:

Charlie, just very quickly. I'm looking at the information. Where is this being built? It doesn't seem to jump out at me.

COMMISSIONER BARTHA:

That's the Fire Training Center in Yaphank.

LEG. MONTANO:

Okay.

CHAIRMAN SCHNEIDERMAN:

Okay. On 1201 we had a motion and a second. All in favor? Opposed? Abstentions? 1201 is **approved. (VOTE:6•0•0•1 • Not present; Legis. Browning).**

1217. To evaluate the feasibility of establishing co•generation for County facilities in Yaphank and the North County Complex.

CHAIRMAN SCHNEIDERMAN:

Let's get a motion and a second. I'll make a motion, seconded by Legislator Kennedy.

COMMISSIONER BARTHA:

I would like the opportunity to discuss this with the sponsor. I believe once we tell the sponsor what we have on the way already, we have identified one building as a good candidate for cogeneration. Cogeneration, as you may know, you need pretty much a 24 hour base load to make cogeneration pay. What we have identified with our electrical engineer primarily, the Skilled Nursing Facility in Yaphank, and we're working with NYPA •• NYPA, consistent with a Legislative Resolution we're working with NYPA, and they are doing a detailed feasibility analysis to determine if cogeneration is cost effective for us at that location.

CHAIRMAN SCHNEIDERMAN:

So it's already being done. Again, does this resolution hurt in any way.

COMMISSIONER BARTHA:

It does hurt, because it requires us to issue an RFEI. By the time we developed an issued an RFEI, it would take several months. And we have to evaluate it, enter into a contract, there's no funding provided for that.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Montano, seconded by Legislator Horsley. On

the tabling motion, Legislator Kennedy.

LEG. KENNEDY:

Charlie, I mean, the thought occurs to me that a 24 hour operation is important, but certainly here in the North Complex we do have other facilities that operate in similar fashion; the Fourth Precinct, and particularly where we are in the midst of doing the design now, I would imagine cogen has some specific requirements as far as how, you know, a plant might be constructed or a facility outfitted?

COMMISSIONER BARTHA:

Typically you need a heavy load. And while Police Precincts are 24 hours and the Medical Examiner's building has a certain amount of heavy load ••

MR. ROMAINE:

IT building.

COMMISSIONER BARTHA:

When our electrical engineer evaluated the buildings in this complex, that was not one that was a prime candidate. The County jumped into cogeneration in the 1980s and the two cogeneration facilities were pretty quickly abandoned. I think it's important that we go into this carefully. As I said, we have NYPA doing this evaluation right now. And we will work our way around different County complexes to look at opportunity.

LEG. KENNEDY:

You will reach out to the sponsor?

COMMISSIONER BARTHA:

Yes.

LEG. KENNEDY:

Okay.

CHAIRMAN SCHNEIDERMAN:

Motion and a second to table. All in favor? Opposed? Abstentions? **Tabled (VOTE:6•0•0•1 • Not present; Legis. Browning).**

1218. Authorizing transfer of five surplus County computers to Long Island Head Start.

LEG. MONTANO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator Montano, seconded by Legislator D'Amaro. All those in favor? Opposed? **Approved (VOTE:6•0•0•1 • Not present; Legis. Browning).**

1221. Adopting a Local Law to promote energy Efficient Environmentally Friendly Dredge Projects.

This has to be tabled for a public hearing. I make a motion to table, second by Legislator Horsley. All in favor? Opposed? **Tabled (VOTE:6•0•0•1 • Not present; Legis. Browning).**

1244 was reassigned to Ways and Means. That concludes our agenda. Motion to adjourn. All in favor? Opposed? Thank you.

(* THE MEETING WAS ADJOURNED AT 3:45 P.M. *)

_ _ **DENOTES BEING SPELLED PHONETICALLY**