

**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, June 20, 2006.

MEMBERS PRESENT:

Legislator Jay Schneiderman • Chairman
Legislator Wayne Horsley • Vice•Chairman
Legislator Kate Browning
Legislator Edward Romaine
Legislator Ricardo Montano
Legislator John Kennedy
Legislator Louis D'Amaro

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 1:50 P.M. *)

CHAIRMAN SCHNEIDERMAN:

Good afternoon, everyone. I'd like to call this meeting to order, the Public Works and Transportation Committee, this 20th day of June, 2006. If you all will rise and join us for the Pledge of Allegiance led by Legislator Wayne Horsley.

SALUTATION

CHAIRMAN SCHNEIDERMAN:

You may be seated. We are going to take the public portion first. I have before me about four cards. If you have not filled out a yellow card and wish to approach the committee, you need to do so and they are available up at the front table. We will start the first card on my pile Edwin Schwen, representing the Southampton Chamber of Commercial and the Southampton Business Alliance on the County Road 39 issue.

MR. SCHWENK:

Thank you very much. It's a pleasure to be here today as I was a week ago professing the same thing. I'll try not to be as loud this week as I was last week.

CHAIRMAN SCHNEIDERMAN:

It woke us all up. Do it again.

MR. SCHWENK:

Anyway, we are in certainly support of Jay Schneiderman's bill as introduced here today. I know it's a late starter with respect to the season already being on us in Southampton, but, you know, we don't need the summer season out there any more to be backed up with traffic. We can do that 12 months a year, and that's what's going on out there.

It's gotten to the point where it's affected our school system. We can't get school teachers from west of the Shinnecock Canal, we cannot get automobile mechanics from west of the Shinnecock Canal to work at automobile row on County Road 39, we can't get nurses to come into the hospitals, because they're not going to add an extra hour, hour and a half to their work. Average time now, like on last Friday when we had a press conference out there, from Hampton Bays to Southampton Village is an hour and 20 minutes. Something has to be done.

On top of that, we have a safety factor. And I believe everybody in their oath the office gets into the health and welfare of the citizenry of your constituency and take care of that in every way possible. Well, over the last two years there's been over 400 automobile accidents on that five and a half mile stretch. There have been 61 people injured to the extent of ending up in the hospital, and we have had five deaths take place on that five and a half mile stretch.

And talk about progress, the last time that anything really happened on County Road 39 was in the Year 1952 when we bypassed the Village of Southampton from the 7•Eleven store to the Princess Diner. That's a long time ago. We were going to have the 50th Anniversary ribbon cutting out there two years ago, three years ago, with that respect, but we were talked out of it by some of the politicians who said we're studying the problem, we have consultants, we're going to have a new at this thing to tell you how we are going to fix it. Well, you know

what? We've been through about seven of those. And we've gotten to the point where desperation has set in.

We have to do something, whether it's the folks going to Montauk, which is a tourism place, going to East Hampton or coming to Southampton, whatever, that bottleneck has been severe to the extent that it's hurting business at this point in time and has been hurting it. And something just has to be done. We believe that Jay Schneiderman's bill for a temporary fix, temporary would mean again, by taking that turn lane out of there and allowing two lanes heading eastward between 5:30 in the morning and nine o'clock is a giant step in the right direction. That's not the end all to fix it forever. We need \$70 million to do that. That's the latest number that I've heard. But be that as it may, this is a giant step in the right direction.

And if it could be implemented prior to Fourth of July, it would be a God send also for all of the business community, also, again, for the hospitals, for the mechanics, for anybody getting to Southampton. Believe me, the price of bread, the price of hamburger meat and everything is affected by that bottleneck, because somebody's got to pay for it, got to pay for the time it's taking to get there. We have people in the pool cleaning business trying to go from Southampton to Watermill, and the price is \$3 more in Watermill than it is in Southampton in order to get started out on the highway and get going.

So it behooves us, the Southampton Chamber of Commerce, the Southampton Business Alliance to ask that this distinguished body here approve Jay Schneiderman's bill, 1808, and let it go to the full Legislature next week. And then we'll be back again asking them to also prevail and pass this bill so we can get it going. Again, it's not the answer for the long haul, but in the immediacy, you will be doing all of the East End from the Shinnecock Canal to Montauk Point a tremendous favor. And it's something that is sorely needed. It's the number one issue on the agenda out there as problem. And this distinguished group can help solve that along with the full County Legislature and certainly with our distinguished County Executive, Mr. Steve Levy. Thank you very much. If there's any questions as to

some more problems out there, I can tell you, because I hear them all the time. However, I think I've taken up the time allotted.

CHAIRMAN SCHNEIDERMAN:

Actually, before you sit down, Buzz, you had put forth •• even before this proposal •• another proposal. It was slightly different. And it's causing •• because there are two proposals, people aren't sure which •• who is commenting on what. And I appreciate that you're supporting this. And I think quite simple, the idea of basically taking some of the capacity that already exists, we have two westbound lanes that in early mornings are seeing almost no traffic, we have the center turning lane, which nobody is really making left turns early in the morning, most of the stores aren't even open, and then we have one eastbound lane that's backed up for five or six miles.

And this would basically just take one of that •• you know, extra lanes and using road cones allow that traffic to move. So it would match the two lanes that exist on Route 27, at least down to the 7•Eleven. You had an idea that •• it was a little bit different •• making 27, I think, a one way •• 39 a one way in one direction and using Montauk highway a parallel road. Are you •• are we all getting behind the one plan, is that what I'm hearing at this point?

MR. SCHWENK:

Jay, time being of the essence, the only bill at hand is your bill. I think they confused the issue at this point by indicating that I thought that County Road 39 being one•way easterly from 5:00 in the morning to 10:00 in the morning and perhaps Old Montauk Highway, which is a state road, by the way, be one •way west or that it could handle both east and west on Old Montauk Highway, that could be an alternative, but my reading of this matter is that we have one bill in front of us. We have one that will be a solution that would be welcomes and would do a lot of good out there.

And thank the Lord that we've gotten this far at this point, because this problem has just generated and generated and

generated over the years. And therefore, I think the impetus of the possibility with the help of the Public Works Department, certainly the County Executive and the County Legislature to alleviate this problem to a great deal here prior to Fourth of July weekend, I think that we can focus on that. And that is an admirable thing, and we just hope it can be accomplished.

CHAIRMAN SCHNEIDERMAN:

You know, one other thing I was going to say, you had mentioned school teachers and how difficult it is to get to work. When we were setting up for that press conference before you actually got there, there was a •• maybe you were there at the time •• there was a school bus completely filled with kids I guess heading up to the Tuckahoe School there, and they sit in that traffic every day for an hour, school kids. And when they went by and saw the signs about fixing County Road 39, they were all applauding from the school bus seeing that we were trying to do something. That was a touching moment.

MR. SCHWENK:

That's true. As I say, I am sure most of you here have been caught in that one time or another, and I think that speaks for itself. To have to every day on your way to work, it's a good way •• not only that, folks coming out for the weekend, when they get out to Watermill or Bridgehampton, wherever they're going, they're pretty well wound up because of having to wait to get there. And so then they get relaxed a little bit, and then Sunday night they turn around to go back, and by the time they back to the City, they are all wound up again.

So this has got to happen, because it is affecting the East End, there's no question about it. And it's a dangerous road at best at this juncture. And I realize there could be some problems perhaps in changing at this moment, but that's up to engineers. But if somebody could tell me that that's going to make the traffic more dangerous and there's going to be more accidents, I don't believe that. As I say, two •• I'm sorry, 400 accidents in two years, 61 people in the hospital, five deaths on the five and a half mile strip.

CHAIRMAN SCHNEIDERMAN:

I think DPW has done some preliminary analysis. I'm sure you'll stay. I think they're going present that in a little while. Thank you, Buzz.

MR. SCHWENK:

Thank you. Thank you very much.

CHAIRMAN SCHNEIDERMAN:

Next speaker Michael Abertangelo.

MR. ABERTANGELO:

Good afternoon. I'm here today as an official representative of the Suffolk County Working Families Party. The Working Families Party of Suffolk endorses and supports IR 1808•06. And we feel that it is not only good legislation, we feel it is necessary legislation that would be a great benefit to the workers, the residents and vacationers on the East End. So we are very much in favor, to say the least, of this legislation.

I as a Southampton Town resident am also very supportive of this from a safety standpoint. I'm a retired New York City Police Officer and former traffic accident investigator. I'd like to echo Mr. Schwenk's words regarding the accidents and the safety conditions involved. I'd like to take it a step further and actually discuss a particular intersection, the intersection of Shrubland Road and County Road 39, which is considered in my professional opinion the most dangerous intersection on County Road 39.

I would specifically like to address the westbound traffic issue at that location. That has nothing to do with this eastbound traffic resolution that we are 100% supportive of. This is being separate and a completely separate issue. I have been in numerous correspondence and contacts with Suffolk County officials and the Suffolk Engineers' Office regarding this intersection over the past two years. At the intersection of Shrubland Road and County Road 39, there have been 47 vehicles involved in accidents over the last three years, 12 of them resulting in serious injuries and two fatalities just prior and

after this intersection, just east and west of it. These numbers do not include the State Police accidents investigated at this intersection. It actually substantially increases these numbers.

Now again, I have been in contact numerous times with the Engineer's Office, and I found that we meet six out of ten warrants that justify a traffic signal at a location, again regarding westbound traffic and only westbound traffic. By law, and I believe everybody may know this, we only need to meet one of those ten warrants for a traffic signal. I feel that the Engineers Office has been malfeasant and negligent in dealing with this danger intersection by adhering to its arbitrary and capricious decisions with regard to the intersection of Shrubland road and County Road 39, thereby risking people's lives and placing the County in a libelous position.

It is of my professional opinion that this is a textbook life and death situation that needs to be dealt with immediately. Thank you. I'd also like to submit these letters to the Engineers, to town officials and their responses for the record. I'd like this entered into today's minutes of the meeting. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you. Our next speaker is Michele Peykar, Tulipwood Community, representing Tulipwood Community on Resolution 1787.

MS. PEYKAR:

Good afternoon. The reason I'm here today is I'm here on behalf of my community, the Tulipwood Community, in regards to Resolution 1787. It is to amend the Capital Budget to appropriate funds for the public health and safety improvement fence wall off of Motor Parkway.

I am a member of the community, I have lived for six years. I would urge you to support this particular resolution. It is a matter of quality of life. Those of us in the community •• I have two young children myself and there are a number of young children in the community. We had an accident two months ago in which a car went through the back of someone's yard. Thank

God it hit the tree that was there, otherwise it would have hit the child. We have people that are speeding constantly down Motor Parkway. There's a lot of trucking from the industrial park as well as some of the other industry in the area.

And there's noise quality of life issue for those of us who want to just go out and sit in backyards, and we have to contend with this. It's a great community. I love it, and a lot of other people do. We would like to stay and, you know, this is why we moved out to Suffolk County. This is why we live here. And just to keep it short and sweet, I just hope that you would consider this, because I believe that the plan that we have gone through a number of meetings with would be something that would work for our community. We have had public meetings with the community as a whole, and they are in support of what has been proposed. So I just wanted take a moment. I just ask you to consider that. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you. Carolyn Miller, same issue.

MS. MILLER:

Hi. My name is Carolyn Miller, and I don't want to repeat everything that Ms. Peykar has said, but I've been Co•Chair, and I live in the Tulipwood Community for 13 years. We do have a serious safety noise issue there. We did have public meetings with the Tulipwood Community, and they are fully •• they have full support of Resolution 1787.

We did that child almost hit by that car, which was very upsetting and made the community go up in arms. We lose a lot of neighbors due to the safety issue and noise issue, not because of bad school or drugs, but because of safety issue. So if you would please support this resolution, my community and myself would greatly pressure that. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you. Before you sit down, Legislator Montano has a question.

LEG. MONTANO:

I just wanted to know where exactly is this in terms of some of the other streets, it's on Motor Parkway? Where on Motor Parkway?

MS. MILLER:

It's between •• well, the closest main road is Harned Road and Motor Parkway. The next block over is Redleaf, and it would continue down to {Mellwood} Drive, which is one block away from the industrial area in Hauppauge.

LEG. MONTANO:

So this is actually east of Harned Road.

MS. MILLER:

Correct. That neighborhood •• that community right is affected by that County Road.

LEG. MONTANO:

All right. Thank you very much.

MS. MILLER:

Any other questions?

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Mr. Chair, if I can, I would just like to further fill out the record for the purposes of Legislator Montano's question. This area, in fact, is the area that I had sponsored a resolution for funding for a sound wall study. As a matter of fact, my predecessor had done the original work. This goes back some three and a half years. I commend Ms. Miller and Ms. Peykar for all the time, all of the effort and all of the work they have done both with my office and now with the County Executive's Office.

As I have come to learn in my short tenure life in the Legislature, life can be very mystifying. There was no \$144,000 for a sound study, but I'm pleased to see there is 2 million in

order to remedy what is dangerous and ongoing and pressing matter in a community that up to this point apparently was not heard. I'm going to have some questions when we debate the resolution in total for Mr. Zwirn, because I am hoping the Administration prioritizes this resolution, when, in fact, the sound wall study was behind \$390 million worth of capital authorized projects. So I will happy to support this, I'll even cosponsor it, but I want it on the record that's it's a priority. Thank you.

MS. MILLER:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Just for the record, you know, it's great to see the County responding to a group of residents who are in need. The bill that was spoken of before is a similar situation, not asking for \$2 million, but simply trying to work within DPW's budget, money already budgeted. I'm hoping we have the same enthusiasm in responding to the needs of the entire South Fork community as we do •• and I certainly will support the initiative that will help you, but I'm looking for the support obviously for my district as well, the entirety of it.

LEG. ROMAINE:

The East End forever.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

This is •• now that you mentioned the sound wall study, it kind of clicked. We actually passed a resolution last year to put a replacement fence on Motor Parkway a little further east. So this is in conjunction with that to take care of that general section.

LEG. KENNEDY:

Actually, through the Chair.

LEG. MONTANO:

I will support this.

LEG. KENNEDY:

Thank you, Legislator Montano. Yes, as a matter of fact, what happens is this is just a little bit west of where that fencing was. That fencing resolution, as a matter of fact, I believe, was for the south side of Motor Parkway. This would go just a little bit further west beyond the industrial park on north side starting at {Mellwood}, running the curve over to Mapleleaf.

And it is •• actually, I've seen the proposal. And DPW is to be commended as well. As I said, there was extensive negotiations, and I applaud the Administration for taking the time and putting the effort in. Again, as I've said, I am mystified, but then I am mystified by many things in my tenure here. So at the end of the day, the fact that residents are getting their needs met is what counts.

LEG. MONTANO:

I told you to take the fence originally, remember? Thank you very much ma'am.

MS. MILLER:

Thank you. And I would like to see this as a priority also.

CHAIRMAN SCHNEIDERMAN:

Why don't we move to take certain things out of order so we can let those people who have come a long way for this meeting more on, then we can have our presentation and we will go back to the regular agenda. 1787, I'd make a motion to take it out of order, seconded by Legislator Montano. All in favor? Opposed? All right. It's before us.

1787, (Amending the 2006 Capital Budget and Program and appropriating funds in connection with public health and safety improvements fence/wall on CR 67 Motor Parkway from Redleaf Lane to Melwood Drive (CP 5558)). Commissioner Bartha, if there's any questions you may want to come up for this discussion. Legislator Kennedy, you want to

make a motion.

CHAIRMAN SCHNEIDERMAN:

I've modified the agenda. 1787 is before us.

LEG. KENNEDY:

Thank you. Yes. As a matter of fact, I would like to go ahead and make a motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Kennedy, seconded by Legislator Montano.

LEG. KENNEDY:

On the motion.

CHAIRMAN SCHNEIDERMAN:

On the motion, any comments before we vote, Commissioner Bartha?

COMMISSIONER BARTHA:

No. This is a project we worked with the County Executive's Office and Legislator Kennedy to come up with a compromise, and we think it's a good compromise.

CHAIRMAN SCHNEIDERMAN:

It appears that Mr. Zwirn for the County Executive's Office also would like to be heard.

MR. ZWIRN:

We would like to thank the community for working with the County Executive's Office. There were meetings that lasted several months where we have had designs, it's gone back to community suggestions and changes. They were very constructive and positive meetings. I also want to thank Public Works, because the reason the County Executive was against the south wall study to begin with, he's afraid that sound walls, which are extremely expensive will be sprouting up all over the County.

Also we felt that the sound wall study could be done in-house,

which this was done in-house. Public Works did the sound wall study inside as opposed to sending it out to a contractor to be done by a consultant. So that's saved the \$140,000 that will now will go toward the building of the berm, the fence, the plantings that will go down there, the guardrail that's going to go in to provide some safety to the people who live along this street.

I tell you, it was government at its best. As the process goes forward, this is a priority, they're going to try to get this done as quickly as Public Works can. And we've explained to the community that very little in government works that quickly, but we've tried to give them a time table of how fast we can get this done, and we found the money, and we plan to go ahead.

CHAIRMAN SCHNEIDERMAN:

Can I ask you, because the argument was made against sound walls because they might proliferate, what about berms? I actually happen to have a group of residents now who are asking along a County Road for some noise mitigation, and plantings and berms are something they would look at.

MR. ZWIRN:

I think we would look at on a case by case basis. This case called out for help. We knew that from the beginning. But the sound walls themselves aside from being relatively unsightly are just very expensive and could not even be built everywhere. This area would be very difficult, because some of the parts of this road between the backyards and the street are very narrow. And in those cases, we would be building a fence as opposed to doing the berm and the fence, and they'll do plantings as well.

So everything I think will be done on a case by case basis. We'll take a look at it and Public Works will take a look at it. Again, it's •• you know, it's something that maybe at some point that the Legislature, because of all the traffic out on Long Island today, they may wind up •• I think Legislator Caracappa has suggested at one time that maybe it should be a Capital Budget item, at some point to start thinking about building some of

these things. So that's a possibility.

CHAIRMAN SCHNEIDERMAN:

Right. In your neck of the woods •• actually and because of the problems with 39, roads have become highways, other than 39, seeking to get out of that traffic, and one of them is that road that goes through Sag Harbor, that Noyack Road, which the County owns.

MR. ZWIRN:

I know it very well.

CHAIRMAN SCHNEIDERMAN:

A tremendous amount of traffic. And it's that •• those residents along Noyack Road that have been asking.

MR. ZWIRN:

But the Town of Southampton has actually restricted traffic through some residential neighborhoods, and that's added to the problems on County Road 39. You used to be able to make a turn at that Shrubland intersection there, you cannot do that any more.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

Quick question, Commissioner. The fence on the more eastern part of Motor Parkway that's in my district, my understanding is that that's gone out for bid and it should be •• could be up within the next couple of months. I drove by there the other day, and the fence is basically down. And the second part of the question is will this fence go •• be constructed in conjunction with the one on Motor Parkway?

COMMISSIONER BARTHA:

No. It would two separate projects.

LEG. MONTANO:

Thomas Street is the one I'm talking about.

COMMISSIONER BARTHA:

Right. The project on the stretch of Motor Parkway where the resolution was passed earlier, will be advertised for bids the first week of July.

LEG. MONTANO:

All right. Thank you very much.

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Thank you. Again, as I have said before, I know that DPW did quite a bit of work on this, I've seen some final drawings. And I guess what I want to do is just make sure that we kind confirm on the record in essence what the {DICKA} was. There is a five foot berm that is going to be placed along one segment where the right-of-way will accommodate the berm.

MR. ZWIRN:

There's going to be a berm and a fence where we can do that, and there will be plantings along with that.

LEG. KENNEDY:

What's the height of the fence?

MR. ZWIRN:

It's ten feet on top of the berm. And in the section where there will be berm, it's 12 feet.

LEG. KENNEDY:

Okay. The combination, again, is something that the community has expressed the willingness to support. In my research on this, the standard sound wall height is 14 feet, and that is in order to accommodate diesel stacks and truck traffic, which there is quite a propensity on Motor Parkway, particularly

coming in and out of the industrial park. Nevertheless, the community feels that 12 foot will significantly address, you know, a majority of the sounds. So again, I want to make sure the community is getting what it's bargained for and what it's aware of.

I just then wanted to go ahead and correct the record too, and perhaps maybe there's a difference in philosophy. Certainly we all know there's a Charter and a difference in branches of government. The resolution that I sponsored that passed last year and that Legislator Crecca had originally sponsored some two and a half years ago was to fund a sound study, that was it. There was nothing in there as far as wall, berm or anything else. I'm aware that, in fact, there was in-house work done that confirms that the sound thrown off that roadway during peak traffic hours exceeds Federal Highway Standards for mitigation work.

So I applaud the Administration for embracing an obligation that, I guess, clearly is there by virtue of Federal Highway authority and under statutory authority. The other thing that I would point to is •• which is something I was consistent with all along •• if, in fact, there was a sound study done by an outside contractor, the opportunity or the effort to try to go ahead and work with State and Federal Government to identify the majority of the source. However, we come to the point where we have an acceptable project, we have an acceptable proposal. And the fact that there will be guardrails that will address safety issues along the continuing of this, I believe is also something that not only is a health and safety issue, but it goes to the quality of life as well.

Give me if you can your best estimate as far as time for completion as to when this wall will be in.

MR. HILLMAN:

I'll have to get back to you on that. We need to go before CEQ for a project of this nature. And depending on the results of that presentation to CEQ, that will dictate how quickly we can proceed.

LEG. KENNEDY:

My opinion, and I've got some familiarity with SEQRA, is that the lion's share of what's being done here should not have any significant environmental consequences. It should be either Type II or a neg•dec'd action.

MR. ZWIRN:

We're hoping that's the case. The only wrinkle is that we're taking down trees and we're going to clear it before we replant most of it. Once you start taking down trees, CEQ usually really wants to know what's going on. We don't expect there will be a problem. But we know because of the nature of the fact that we're going to be taking things down, vegetation down, before we plant new vegetation, we just want to make sure we get through it with them without any problem.

LEG. KENNEDY:

One other thought occurs to me in the plans that I've seen, and some of the trees that are being put in are fairly substantial, they're eight or ten foot high, correct?

COMMISSIONER BARTHA:

Correct.

LEG. KENNEDY:

Do we ever do anything like tree maintenance or tree watering or tree care when we first plant something of this magnitude? These will have a value themselves, I would imagine, of several hundred dollars or upwards of a thousand dollars. We put them in the ground, do we do anything to make sure they take?

MR. ZWIRN:

The answer is yes. And the community, I think, has also agreed to help water them and keep it ••

LEG. KENNEDY:

So we are going to do something to go ahead and make sure that it becomes established?

MR. ZWIRN:

And also in addition to that, the trees are guaranteed for a certain period of time. So if they don't take or there's a tree that dies, we'll be able to get a replacement at no extra charge. But we maintain •• once we do this, we intend for it to work and be a showcase as opposed to something that we just do it and it disappears.

CHAIRMAN SCHNEIDERMAN:

Ben is going to water them personally.

LEG. KENNEDY:

The walls themselves, is this preassembled or prefabricated walls or fence or what have you, or is this actually going to be raw built?

MR. HILLMAN:

We will be investigating the most cost effective wall to achieve the goals of the project. We don't have that design quite yet.

LEG. KENNEDY:

Now I'm thoroughly confused, because I saw a plan yesterday that showed two alternatives ••

CHAIRMAN SCHNEIDERMAN:

Can I ask you, Legislator Kennedy, in the interest of time, because I do want to move the meeting along, if this is not going to stop you from supporting this and if we could get this bill passed the committee and then if you want to call DPW and get all the detailed questions ••

LEG. KENNEDY:

Okay.

CHAIRMAN SCHNEIDERMAN:

I do have people who came an awful long way on the next resolution too, and I'd like to give them the opportunity to beat the traffic home.

LEG. KENNEDY:

In deference to the committee, I'll take this up with the department. Thank you.

CHAIRMAN SCHNEIDERMAN:

Okay. There is a motion and a second. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

I'll make a motion to take 1808 out of order.

LEG. ROMAINE:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Romaine. All in favor? Opposed?

1808, (To take emergency measures to mitigate traffic congestion on County Road 39 in the Town of Southampton.

I would like to make a motion to approve, seconded by Legislator Romaine. What this bill does is just simply asks the Department of Public Works who are here today to take emergency action to develop •• using road cones, electric signs, available equipment and staff so that they can get that traffic flowing from 5:30 in the morning to 9:00 a.m. in the morning, Monday through Friday, with the exception that Friday the hours would continue into the evening when we have both •• we also have the rush of second homeowners and tourists who are coming out. Hopefully, you know, this will happen as soon as possible. I'd like to see it in place for this summer. And at this point, let's allow the Commissioner to respond, because I know he has had a chance to analyze this a little bit.

COMMISSIONER BARTHA:

Yes, we've taken a look at this. It is very similar to what we've done during the US Open. At the US Open, though, I do point out that there was considerable police support. I've spoken with Chairman Schneiderman who will seek that support from the Town of Southampton. We will require •• we will have to assign ten employees to this project. The overtime per week is

approximately \$10,000. I've spoken to the County Executive's Office about this. They have asked us to look at the initiative along with Legislator Schneiderman and are prepared to support a pilot program here of a week and then we could evaluate the efficacy of the project.

CHAIRMAN SCHNEIDERMAN:

So it would be about \$10,000 for that one week. And you have that within your budget?

COMMISSIONER BARTHA:

Ten thousand dollars we can handle. Let me just also say that we •• since we have the County Executive's support on this as well as your support, this is not something that we actually need a resolution to go ahead on. I would suggest that the time frames be expanded. The 6:00 a.m. is a little bit late for us to actually be starting the cones.

CHAIRMAN SCHNEIDERMAN:

The amended copy is actually 5:30. I had spoken with Captain (Tanaglia) from the Southampton Police Department in trying to refine these times. The current version also doesn't have any of the westbound changes, they're only eastbound from 5:30 in the morning until 9:00 a.m. in the morning Monday through Thursday. I've taken away •• the original version had some provisions on Sunday to get people out, but I'm being told that that flows, I guess, because it's not at all one time and because there's typically two westbound lanes for most of Sunday, it's okay. So I amended it 5:30 in the morning, Monday through Thursday and then Friday, 5:30 in the morning until, I think 10:00 p.m. at night to get some of that tourist traffic through as well.

COMMISSIONER BARTHA:

That will reduce the cost by about a third, so that's good.

CHAIRMAN SCHNEIDERMAN:

Okay. On the motion Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Are you saying that this is something that doesn't necessarily have come through the Legislature, this is something that DPW is already looking at and looking to implement? Just expand a little bit on the pilot.

COMMISSIONER BARTHA:

We're looking at it as a result of Legislator Schneiderman's resolution and the County Executive's interest in addressing the situation out there as much as practicable.

LEG. D'AMARO:

But you mentioned a pilot program.

COMMISSIONER BARTHA:

A pilot program is something we're prepared to proceed with and have sufficient funding within our budget. We don't have sufficient funding go throughout the summer or throughout the year with this program.

CHAIRMAN SCHNEIDERMAN:

If it's extended through the summer it would go from 10 •• well, you're saying it wouldn't be •• about 7000 a week, so we're talking maybe for ten weeks, 70,000. You don't have 70,000 in your salary lines?

COMMISSIONER BARTHA:

I'm not sure what we have in our salary lines any more.

CHAIRMAN SCHNEIDERMAN:

You don't have to answer that now.

LEG. D'AMARO:

So what we're saying •• on a weekly basis you're talking about ten employees, roughly 10,000 a week to implement the hours that are in the bill?

COMMISSIONER BARTHA:

Seven thousand a week.

LEG. D'AMARO:

Seven thousand per week. But you are saying also is that perhaps we should do this as a pilot program before we mandate through this legislation to make sure that it's the right solution as well?

COMMISSIONER BARTHA:

Yes. We're confident that this will work, because it is very similar to what we've done during the US Open. It's a longer stretch than what we did before, but with the cooperation of the Town Police and the commitment to spending 7000 a week, we think we would make this work. But, you know, right now, as I said, we're not budgeted to do this, certainly not in our overtime budgets ••

MR. ZWIRN:

I think the County Executive would like to have a chance to do this administratively before it's codified, just give us a chance to do the pilot program, see what the impact is on the side streets, see what the impact is even on the Town of Southampton with respect to overtime for police officers, because when we did the US Open, and I speak anecdotally, because nobody, nobody, I can almost say that without fear of being contradicted, travels County Road 39 more than I do, which is seven days a week in both directions. Fortunately, I am going against traffic both ways. So I see it in the morning, I see every day. There's a huge problem at the bottleneck, because there's so much traffic going out there and so many trades people going out to do work on the East End.

I think if they could do •• if you give DPW an opportunity •• because one of the things I noticed when I would come through in the morning when the US Open was going on was that there was an enormous, and I mean, a huge police presence. There were Deputy Sheriffs, Suffolk County Police, which you don't see out there on a normal basis, Town Police, State Police. You had so many different uniformed presences out there that traffic •• everybody, you know, cooperated and traveled in the right lanes, you will not have this kind of police presence when you do this project. I don't know how many people that the Town of Southampton is going to commit to it or the State Police will

commit to it, but you are going to need some traffic enforcement to make sure everybody understands the rules.

So there's going to be overtime probably involved, because normally you don't have that many police officers. So if we could just have the opportunity, and the County Executive has given his commitment to get this thing done, he's had Public Works already start the ball rolling and getting it done, just give it a little time, let's see how it goes. And then if it works, and everybody •• the Town of Southampton is happy with it, then I think we can go ahead with Legislator Schneiderman's bill. The County Exec says, just give me a chance before we have to get locked in.

CHAIRMAN SCHNEIDERMAN:

When would you start?

MR. ZWIRN:

I think that Charlie said that the target date would be the middle of July.

CHAIRMAN SCHNEIDERMAN:

We believe that if the Town of Southampton passes the appropriate ordinances and cooperates with respect to the police presence, that we would be able to start by July 17th. What if Southampton moves very quickly? Like, you know, the supervisor was at the press conference that was held, the police captain was there, I've spoken a little bit with the Highway Superintendent. They're on board. They want to see something happen here. And I think that they will bend over backwards to help the County on this. So the 15th or 17th, that's a lot of weeks away. And we have to go through July 4th. It's going to set a bad tone for the beginning of the summer. Is there any way that could be moved forward?

COMMISSIONER BARTHA:

We could make every effort to try to do it sooner. I don't think we would want to try starting it on the Fourth of July weekend. While it would have a great benefit, the other side is if we're not ready to do it right, it would, you know, blow up in our faces.

The following week, July 10th, I think we could •• if everyone cooperates, I think we could be ready by July 10th. And, you know, the other thing to point out too is that this will take ten of our employees.

CHAIRMAN SCHNEIDERMAN:

You might have to higher some people.

MR. ZWIRN:

We're not going to have any revenue to hire any people, because we're going to be giving all the back. So this is one of those things where if you want to do something right, you have to have the money to pay for the overtime and everything else.

CHAIRMAN SCHNEIDERMAN:

He'll come up with 7000, I'm confident.

MR. ZWIRN:

That's the pilot program, but you're talking about every week thereafter. And until the project is built, I don't think you are going to want •• you're going to want to do it •• you're not going to want to stop it at some point, if it works, you're going to want to keep it going on a year•round basis.

CHAIRMAN SCHNEIDERMAN:

You're going to have a hard time convincing me that we couldn't come up with \$70,000. I mean, just the sales tax revenue that's generated in the Hamptons alone during the summertime. People aren't spending money when they're sitting in their cars. There's got to be a way for the County to come up with 70,000. If the program works for that week, I know we can work together to come up with that amount of money.

MR. ZWIRN:

You don't want to run this all year round? You don't want a 52 week program? If you get it started and it works, I assume that you ••

CHAIRMAN SCHNEIDERMAN:

I don't know that we need it year round. I know we needed it over that last three or four months. It's been just terrible out there as you know. And we certainly need it during the summer, we may need it in the fall. Ultimately, we need to widen the road.

MR. ZWIRN:

It's an all year round •• I mean, it's an all year round problem. I think what happens is if you start it and you're successful then you stop it, I think you're going to make a lot of people very angry. That's why I'm saying when you talk about budgeting, you may need it for longer.

CHAIRMAN SCHNEIDERMAN:

That's fine. But at least for the peak season it needs to be in place, and the peak season is upon us now. You know, schools are letting out and the summer season is beginning.

MR. ZWIRN:

If you give the give County Executive and DPW just a chance to try this pilot project, if it works, then I think everything would go from there. If it doesn't work, we may have to come up with another plan. We're also going to have to get the Town of Southampton on board, because it's one thing to get them to pass ordinances, it's another thing for them to come up with money for overtime for police officers, if they feel it's necessary. That's a budgetary issue that they might want to address, you know, just take a look at it before they say okay, Because that's when everything starts to grind to a halt.

LEG. HORSLEY:

Ben, the pilot is one week?

COMMISSIONER BARTHA:

That's what we're suggesting. And I also say that our costs are really absolutely predicated on the Police Department putting the cones back up, because what happens is these cones get knocked down continuously, it's extremely dangerous for our people to try to put those cones back up. We would need more people and more safety equipment out there.

LEG. D'AMARO:

Could I just finish my question.

CHAIRMAN SCHNEIDERMAN:

We will go back to Legislator D'Amaro.

LEG. D'AMARO:

Just very quickly, whether or not we pass this bill or you try to do something administratively, it's not going to change the timing to implement. I mean, I think we all want to see relief there, but whether it's through this legislation or whether it's by administration, it's not going to change your timeline; is that correct?

COMMISSIONER BARTHA:

That's correct, because the County Executive is behind it as is the Chairman of Public Works.

LEG. D'AMARO:

And before we go ahead and mandate program by binding legislation, maybe we should do the pilot program just make sure that it's the right way to go, that it's cost effective, that the town will cooperate, that the safety of the employees can be considered, and that budgetary considerations are met was well.

COMMISSIONER BARTHA:

If this was the middle of September, I would suggest tabling the bill so we could come back next time, but in this case, we're committed to go ahead with a pilot program.

LEG. D'AMARO:

Right. Understood. Thank you.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

My question is more technical. I'm looking at the Second and the Third Resolved Clause. The Second one says the Department of Public Works shall utilize all existing personnel and equipment to implement this resolution. Are we saying that you've analyzed this and the existing personnel and equipment is going to run us \$7000 a week, or is there a possibility that there's more staff needed to implement that?

COMMISSIONER BARTHA:

The overtime for the existing personnel would about \$7000.

LEG. MONTANO:

And that should cover •• that should cover what is being asked for in the resolution?

COMMISSIONER BARTHA:

Yeah.

LEG. MONTANO:

Then the Third Resolved Clause is that the County Executive is hereby requested to fill any vacant positions, what does that really mean?

CHAIRMAN SCHNEIDERMAN:

As the author of the bill, that's if they needed additional staff, then this would ask that those positions be filled to do that. If they're going to do it just strictly with overtime, they don't need additional people. They're going to use existing staff. It just makes •• it just allows for additional staff to be hired on a temporary basis.

LEG. MONTANO:

It's merely a request, it's not a directive. All right. That answers the question.

COMMISSIONER BARTHA:

Understand ••

LEG. MONTANO:

It's not a directive to fill any vacant positions. It has no teeth

essentially, that section of the •• that Resolved Clause really is •
•

MR. ZWIRN:

The County Exec is the Chief Budget Officer of the County. So that's his roll to fill positions as he sees fit.

LEG. MONTANO:

And we've had this debate before as to whether or not we can direct a position to be filled.

MR. ZWIRN:

There have been court cases. When Pat Halpin was the County Executive, he was sued by the Legislature for not filling certain positions, and he was upheld as the Chief Budget Officer. That's his role.

LEG. MONTANO:

But in those cases, he was directed to fill. This is merely a request, which from a legal perspective has no binding affect.

CHAIRMAN SCHNEIDERMAN:

My aide just spoke on the phone with the County Executive, and the indication that the County Executive made was they're 100% on board, which is exactly what you are saying too. My reluctance to table this as some of my colleagues are asking is only because, you know, I want to keep alive, Riverhead is next week, I have people coming down to speak on behalf and keep the pressure on. It sounds like the County Executive though is responding in the way that I would have hoped. Obviously, I'd like to see it go all summer, but I have the confidence that once it's tried for a week, it will work. And it will be very hard to take it away once it's in place because it will work. And we'll work together to make sure that there's funding in place to continue •
•

MR. ZWIRN:

But as you know as a former Town Supervisor, you may be solving one problem and the people that are going to be affected, you have not even imagined yet, will be coming out

and saying, what have you done.

CHAIRMAN SCHNEIDERMAN:

Let me continue with the list. Legislator Browning wanted to speak and then Legislator Romaine.

LEG. BROWNING:

Okay. I actually am receiving complaints from constituents in my district. I know, I mentioned yesterday I talked to you, I have a business owner who lives on my block, has two businesses out east. I can name three people who live on my block who drive out there. There's also •• the one business owner has people work for him living in Centereach, and he has a hard time keeping employees, because of the drive out east. So I definitely urge you to do something with this mess, because, you know, it's not affecting the people on the East End, it's affecting business owners and people that have to drive out there to work.

MR. ZWIRN:

I'll give you quick example, Legislator Schneiderman, and he knows this, because the Parks Department is rebuilding Third House out in Montauk. In order to save money and to get construction people out there, they're now living in the cabins that were once used to house the Shakespeare Festival actors during the summer, which was very popular event out at the Third House, and know they have no place to go, because the construction workers who were working there couldn't make the trip every day to come out there to work on it. They blew so much time. So they're actually living on the site as they work on the project, and those are the ramifications for other people out there as well.

CHAIRMAN SCHNEIDERMAN:

Legislator Romaine, you are next on the list.

LEG. ROMAINE:

I know not what the cost of your other colleagues would be, I would strongly urge Legislator Schneiderman not to table this resolution. Instead, what I would do is you have to until

tomorrow to amend, put an amended copy on the table. Maybe you should allow the study that the Executive now pledges to go forward, allow that to go forward and then allow an evaluation date and draft Legislative language to the affect that if the study proves worthy that this will then kick in.

What I'm afraid of, and I'll say it right on the record, I'm afraid they'll do a study, they'll evaluate that study, and the rest of the summer will go by and the •• it just won't happen in the sense that your legislation contemplates. I'd rather see you move this out and plan and work with the Executive, which I'm sure his intentions are only sincere and pure, but work with the Executive and amend your bill to allow the study to go forward and then at a date certain, once the study is evaluated, to allow your bill to kick in for the remainder of the summer. I think that would be far more beneficial. And as far as money is concerned, I think you may want to amend it to include additional funding, look for offsets for additional funding for DPW to continue this throughout the summer if that's a concern.

CHAIRMAN SCHNEIDERMAN:

Legislator Romaine, if I may, I appreciate your comments. As the author of bill and somebody who's been lobbying very hard to see this get out of committee and to the floor to keep the pressure on, I'm actually support the tabling. And I'll tell you why. The County Executive has given me his word through my aide, as well as through Ben Zwirn as well as through the Commissioner. I think in good faith •• this really is an Administrative function. My bill has served its purpose, to bring this issue to the front. If the Administration is willing to do it their way, I have no problem with that. I know it's going to work. And I'm going to support a tabling and put my faith in the County Executive that he will act in good faith and take care of this problem.

MR. ZWIRN:

The County Executive made that commitment to me, and I pass on to the Legislature, and we hope it does work. As I've said, I've been around long enough to know that when you fix one problem, all of a sudden it's going to come from somewhere

else. Maybe this won't be the case.

CHAIRMAN SCHNEIDERMAN:

I just ask that we move that timeline up as quick as possibly, July 10th, the latest, providing we have cooperation with the town, which I know we will have.

COMMISSIONER BARTHA:

We will speak to you before the General Meeting and let, you know, how much forward we can accelerate the project.

CHAIRMAN SCHNEIDERMAN:

Any one else who wants to be heard? Legislator Horsley.

LEG. HORSLEY:

Just quickly in the spirit Kumbaya, I concur with Legislator Schneiderman, this should be tabled, because simply it is an administrative function. And I feel that for all your pains and angst and concerns, what's going to happen is that this will be a rousing success. And you better looking for the money now, Mr. Zwirn, for the rest of the summer, because, obviously, we are going to need it.

MR. ZWIRN:

We'll have to see how things progress. We've got a bill up in Albany to try raise some money through a filing fee. If that doesn't happen, there's a \$20 million hole. If we do a gas cap tax and the offsets are real, then we're okay, but otherwise we're looking at a \$20 million hole in revenue there.

LEG. HORSLEY:

But if you fix the problem for a week, you know it's going to happen.

MR. ZWIRN:

Two million dollars for a wall that's going to go up. You know, there's money •• it's easy to try to solve problems. Our problem is also going to be at the other end, raising the revenue to provide the services that the people of this County have come to expect.

CHAIRMAN SCHNEIDERMAN:

You know, I think •• you know we talked earlier in an earlier meeting of Budget and Finance about things that have stimulatory affects on our economy, this is one. You know, more people may come, people will get less discouraged. People who are sitting in traffic aren't spending money. The businesses are crying out for this, because they know it will help their revenues, and that means more sales tax for the County. It will not only pay for itself, but it will, I think, have a tremendous stimulatory affect on Suffolk County's economy, far exceeding •• dwarfing the cost of this \$7000 a week.

MR. ZWIRN:

County Executive Suozzi weighed in and said maybe a toll booth there at County Road 39.

LEG. KENNEDY:

Mr. Chair, I would just to weigh in. I make a recommendation to go ahead and discharge without recommendation. Again, I'm going to defer to the sponsor of the bill, yourself. The only other thing I'd like to add to all of this, and it might be some place that the department might want to look at it or investigate it when it comes to funding is as everybody knows we are an ozone non attainment area. And I think of nothing that goes towards degradation of the air quality and the environment then idling vehicles. And kind of monitoring at that site at this point would go well off the Richter scale as far as your tailpipe emissions and your O2. And quite honestly, I'm surprised. We hear a lot about the economic stimulus, the quality of life stimulus. I think that environmental groups would come out on this, just as they do on many other initiatives.

CHAIRMAN SCHNEIDERMAN:

You know, next Tuesday is our last meeting, it's our last chance, we break for July, this is our one opportunity next Tuesday. But, you know, County Executive, he has gone on the record saying he is going to do it.

LEG. KENNEDY:

You are the sponsor.

CHAIRMAN SCHNEIDERMAN:

In the spirit of trust, I think the right thing to do at this point •• and look, if he doesn't do it, he has an awful lot of people that he's going to have to answer to.

MR. ZWIRN:

He has a lot of people to answer to every day.

LEG. HORSLEY:

Motion to table.

LEG. D'AMARO:

Second.

LEG. HORSLEY:

Motion to table •• actually, there was a motion to discharge without recommendation, but the motion to table takes precedence, and there's been a second on the motion to table. All in favor? Opposed to tabling? Abstentions? All right.

TABLED (VOTE:7•0•0•0).

Ben, we are counting on you. Don't let us down.

MR. SCHWENK:

Thank you very much.

CHAIRMAN SCHNEIDERMAN:

Thank you, Buzz. We're looking forward to it. And we will work with the Town of Southampton, believe me, including the police, the Supervisor. They're going to have to step up to the plate and do their share. That's up to us to get into that too, and we will.

CHAIRMAN SCHNEIDERMAN:

Thank you, Buzz. We're going back to the agenda. And at this point, I'd like to Cliff Hymowitz who is here to make a brief presentation before us, and then we'll move back to our numbered resolutions. Cliff, can I ask you, not to cut you short,

but how long do we anticipate the presentation?

MR. HYMOWITZ:

I'll speak as fast as I can.

CHAIRMAN SCHNEIDERMAN:

Three minutes, five minutes, ten minutes? Whatever it takes. All right.

MR. HYMOWITZ:

You have all before you a copy of the minutes of our last meeting on the 24th. So since you have it in front of you, I'll go through it real fast. There's a couple of outstanding issues that we're waiting for action from this committee. One is on the jurisdiction of the Public Works and Transportation Committee. I understand that this is something that has to go Presiding Officer, but we want to just maintain that we feel the necessity to expand the jurisdiction to make sure that includes human service transportation.

The next is the board funding. This was something that was brought to light when we wanted to get the stenographers for the public hearing, and we found out that even though the legislation said there was \$2000, that it was actually said that it was \$2000 to be found. There was no guarantee of the 2000, so we had to go to the Presiding Officer to fund the expense of the stenographer. So we hope that this committee will address this. I was told by Legislator Schneiderman's Office that it is anticipated that this would become a budget that would go directly through the Legislature through the Operating Budget cycle. So we hope and maintain that we hope this will happen.

The Long Island Regional Planning Board. Today they had a meeting. We maintain getting updates every month to report to the Transportation Board so we can stay on top of the issues that are brought up there. One particular request that we have made to Tom Isles is help us to understand how the Regional Planning Board is funded in which they operate. And after reading today's paper, I guess that wasn't a good question, because that's something that's up for review right now,

because there's questions about how they were operating in the past. But that's something we're looking at.

The Yaphank Project. I was fortunate enough to attend the last meeting of the Yaphank Review Board and heard all the presentations of the people with the proposed projects. I would like to assure you that as the Transportation Advisory Board, we will be making specific comments to each of the people about how they •• what they see as assessability and to ensure that they use existing resources and not bring in new resources, in other words, contract out with private companies to do the bus, when Suffolk County Transit has their own bus.

The Suffolk County Planning Commission. We're keeping an eye very closely on the SEEDs Program, and there was a meeting on June 7th that we'll be getting an update from. The next is the Gabreski Airport. There was a Citizens Advisory Board meeting on that. And this is something that the board remains very interested in, because we haven't seen in any way any guarantee that they will be incorporating public transportation into this plan. There's talk of the Hampton Jitney and also Long Island Railroad, but nothing about preventing it from becoming another Ronkonkoma where people drive and Gabreski Airport turns into a big parking lot. We want to try to do something to encourage ahead of time people to use public transportation to get there.

The next thing is shelters on the Suffolk County bus routes. The County is •• we're waiting for an update probably by the next meeting, about an RFP that is put out for the maintenance of existing bus shelters, which have been identified as being the responsibility of the County. I hope everybody received their packet where I notified each Legislator about what routes were in their district as well as which shelters were into their district and also about if there any shelters in their district that have not been designated, who is responsible for it.

The public meeting was a tremendous success. I'll be meeting today with Eric from Legislator Schneiderman's Office and Terry Pearsall from the Presiding Officer's Office to review the

transcripts. I think you will find when we come up with report that a lot of the recommendations that the board has been making are going to be supported by the comments in the public hearings. The S•92. I had put in a request on behalf of the board to Legislator Schneiderman asking him to check with DPW on how they came up with the determination that only one additional bus was needed on the S•92. So I'm waiting to hear back from that.

CHAIRMAN SCHNEIDERMAN:

Cliff, on that issue, I guess it depends on how you define it, but there was an additional morning bus, a route in both directions, and then an additional afternoon bus, a route in both directions, and then I think that they also are monitoring overflow as well. You know, if people are left behind, I think they are taking care of that as well too. I know Bob Shinnick is here. There might be other things he wants to comment on, but on that issue, I really want to commend the County Executive and, you know, Mr. Shinnick for actually responding to that. We had a terrible situation, and everything seems to indicate it's better. I think people were surprised that even with the additional bus it was still so crowded or packed to capacity.

MR. HYMOWITZ:

Our concern is that last year when they addressed the issue, they didn't fully address it, and it remained. This year, they're doing a small, you know, modification again. Our certain is that it should be something that should be identified and addressed and resolved.

CHAIRMAN SCHNEIDERMAN:

I may agree that it's been slow in terms of response, but I don't agree that it wasn't addressed. This is a moving target. That •• the occupancy or the ridership of that bus has been growing so quickly because of various social economic factors that, you know, nobody anticipated the volume to increase at the rate it did.

MR. HYMOWITZ:

But that's what planning is for. You know what I mean?

CHAIRMAN SCHNEIDERMAN:

Even the best plans, I don't think, would have predicted the rapid rise in the use of bus.

MR. HYMOWITZ:

All I know is that when I spoke to Sunrise Coach last year when the one bus was added, she had told me that there were two other buses in the morning that were leaving people behind. So the operator of the bus service, she knew that there were two buses. We added one. So even if it remained constant to what it was last year, there's at least one additional bus that's required that are leaving people behind.

CHAIRMAN SCHNEIDERMAN:

Well, I'll ask Mr. Shinnick.

MR. HYMOWITZ:

And also we would like to be able to monitor it to see if it's paying for itself, how many is the fair box revenue covering and things like that. The next thing. The Smithtown •• Smithaven Mall update. I had asked Legislator Kennedy to please make a call to Simon properties to make they're still on board and that they're going to make •• do what their commitment was.

The next is the County mandated contract with Long Island Railroad. The board is working with Assemblyman Alessi to address the \$26,000 that's the County mandated fee for Long Island Railroad. It's listed in the budget that way, but I was told that a portion of that is the required match that the County makes for state operating assistance. I don't know why they choose not to list them as two separate items, but it's only one item. And also, I was told that the increase we got in state operating assistance this year was considered an offset to this money that we are paying. So again, I'll say it, basically we're paying for 1991 service at a 2006 rate. Mr. Alessi, being on the Transportation Committee and also having previous experience with the Comptroller's Office, we hope will be a good advocate for the residents of Suffolk County.

Next is the North County Complex signage project. I don't understand why •• I've sent out numerous written requests to have this plan spelled out to us. We've also wrote to them and told them that •• I don't know how many people noticed the sign that was put up, but you need a magnifying glass. And there's not even a place to pull over. I had a meeting ••

CHAIRMAN SCHNEIDERMAN:

Outside here?

MR. HYMOWITZ:

At every entrance into the North County Complex.

CHAIRMAN SCHNEIDERMAN:

This is the North County Complex.

MR. HYMOWITZ:

Yeah, right. There's an aerial view of the complex on a sign, but you can't tell what the details are.

CHAIRMAN SCHNEIDERMAN:

I hate to contradict you, Cliff, I like you and I think you do a great job, but every time I've pulled in somebody has been pulled over there looking at that sign. It's working. I mean, yes, it's small, you can't see it as you drive by, but I would say every •• and I come to this building a lot •• every time I've pulled in there's been a car stopped there with somebody looking at it. I know it was through your efforts largely that the sign got there, and that's terrific, but I think it is working.

MR. HYMOWITZ:

I'll tell you, I had a meeting with the Office of Mental Health, Community Mental Health Services before I came here, and they are still having problems with people finding their building, okay? And we're not saying it wasn't a good effort, but we felt that there were other ways that it could have been done more effectively. And also the issues •• the fact that they neglect to respond to our correspondence is really a primary issue.

LEG. KENNEDY:

Mr. Chair, on that one item. Cliff, if I can just also add to what Chairman Schneiderman has said, specifically with the signage. We have had this conversation before about the North Complex. I've also been contacted by constituents. And the department has done some of the items that we've asked for, one in particular was the absence of the police signs indicating access to the Fourth Precinct. I do observe now that as a matter of fact we do have police signs right here at the right •hand turn off and over at Old Willets. So perhaps maybe the complete package has not been done yet, and certainly the Commissioner will talk to us, I guess, as far as what the progress is there, but they have done some of the elements that we have asked for.

CHAIRMAN SCHNEIDERMAN:

I just want to make sure •• you know, a lot of people are working hard to do these things, I want to make sure that there's, you know, the appreciation for it. It may not be perfect, but, you know, my observation is it's working well.

MR. HYMOWITZ:

Well, I think after you see the results of our public hearing, you'll see how many people •• the bus drivers didn't even know that this is the William H. Rogers Building. There's a brown sign outside that says that this is the County Legislative Office in here. There's no reason why it couldn't have said William H. Rogers Building, okay. I'm not suggesting that it wasn't a good hearted effort, but I just •• what I'm bringing to your point, I guess you're missing it, is the lack of cooperation with the Transportation Advisory Board in order to have some input, I think is what really is the issue I'm addressing. I'm not addressing the commitment.

CHAIRMAN SCHNEIDERMAN:

I'm sorry you feel that way, but I know that •• you know, I've talked to several people within DPW and that division, and you know, everybody I know is available to you and reaching out to you.

MR. HYMOWITZ:

If you want to ask miss •• the woman who works on that project. Ask her how many letters I've sent to her that she hasn't responded to me, okay?

CHAIRMAN SCHNEIDERMAN:

I will.

MR. HYMOWITZ:

Not a problem. And that's our job, to be the watchdog, okay? We're not here to yes you. And, you know, we're here to tell you the input that we're getting, particularly people with disabilities who aren't driving who are in SCAT buses when the people can't find where they have to go.

CHAIRMAN SCHNEIDERMAN:

I just •• again, I feel like we're moving in the right direction. I see some very positive signs.

MR. HYMOWITZ:

Obviously it meets the need of the yourself and other people, but my job is to represent the people that ••

CHAIRMAN SCHNEIDERMAN:

I understand.

MR. HYMOWITZ:

•• you know, have other issues, okay? So I wouldn't be doing my job if I didn't raise those issues, okay? The next outstanding issues is the computers to be available for people providing transit information from Suffolk County Transit. I was told by your office •• I explained to them that I was told that there was money in the '06 Budget for hardware •• or improvements for the telephones. And when your aide looked through it, he couldn't find it in the budget. And the point is that it still doesn't answer if you change the phone system, the fact that the women are relying on paper copies to give bus information. I mean, they don't even have access to the limit resources that are on the department's website. I mean, we give away computers all of the time as donations, it just seems that this has no shoes. So we feel that's a very important issue.

The next thing is •• the next thing is the comprehensive bus route analysis. We have been being updated by Kevin Darcey, who is a member •• he sits on the Transportation Advisory Board. We hope that this board •• that this committee will receive a more detailed report on what the scope of work is and that you are kept apprised as the project goes along. And we are looking forward to being asked to have a representative from the Transportation Advisory Board involved in that project, because I think that there's a lot of subliminal •• that's not the right word, but impacts that this study will have other than the fact of looking at where the bus stops are located and how routes are, you know, functioning.

Again, I want to bring up about the shelters on the County bus routes. I hope that this committee does stay on top of that and does get a chance to review whatever RFP goes out there. I had the opportunity to attend a conference on transportation. And there's been a lot of modifications and enhancements to bus shelters to make them easier to maintain, and we hope that those will be taken into consideration. Okay.

The next thing is the Suffolk Community College survey. We are in the process of working with Suffolk Community College to take the data that they did on Suffolk County •• on the students. One of things that I'd like to bring to your attention, which I found to be utterly amazing, is that I took their data by zip code and I broke it down by towns, and so the second •• the people who filled out the survey, okay, that attend the Brentwood Campus, where do you think, other than Brentwood, Islip, where do you think the second town was? Southampton. Okay. There's a tremendous amount of people from Southampton that are commuting to Brentwood Campus because of the curriculum they provide. Okay.

So I think there's a lot of really good information in that survey that would shed light and hope that it will used in the comprehensive bus route analysis. Again, we're waiting for this committee to take action on the transfer policy. I think you will see once we give you the results of the transcript, there are a

lot of people whose trips when they make two transfers is over two hours. And you are talking about the people on the East End. There are workers that do take trains •• the bus out there, okay, and it will make more than two transfers. And so we're hoping that this committee hasn't forgot and will be looking at •

- to review the existing transfer policy.

CHAIRMAN SCHNEIDERMAN:

You're looking for a three hour transfer?

MR. HYMOWITZ:

Minimum, yeah. You had mentioned you wanted to think about an all•day thing, but we need to at least do something ••

CHAIRMAN SCHNEIDERMAN:

You get on the system •• like the New York Subway, you ought to be able to stay on the system until you are done.

MR. HYMOWITZ:

We agree.

CHAIRMAN SCHNEIDERMAN:

I haven't bounced that off of Mr. Shinnick. You know, maybe today I'll bring that up, that issue of either the three hour or the single rate.

You know, I have a similar issue with SCAT, because there's a certain distance •• SCAT only has provided to the people who live within a certain distance of a fixed route for the bus, and there's about 100 people who get left out that don't qualify.

MR. HYMOWITZ:

I think you will find that once we go over the transcripts •• I had sent a letter Legislator Mystal and to Legislator Stern and the people on the Health and Human Service Committee, because I felt that it was in their purview. What you are going to find is that people are not educated, okay? And the Office of Handicapped Services has that responsibility. They're the gate keeper of the names of people that use paratransit. And even though they claim to be protecting their privacy, we are going to get petitions signed by people saying that they don't think it's

an abuse of their privacy to let them know what their password is or if there's a change in policy. So a lot of that you will see is due to lack of education.

CHAIRMAN SCHNEIDERMAN:

Cliff, again, I want to thank you. I didn't mean to be critical. I think that the riders of public transportation in Suffolk County, particularly the needs of the disabled riders, I think they have a very strong advocate in you. And I appreciate all the time you've spent volunteering to advocate on their behalf. Why don't we bring Mr. Shinnick forward and Commissioner Bartha. Maybe we can get some of the answers and then we can move on to the agenda.

CHAIRMAN SCHNEIDERMAN:

All right. Thank you, Commissioner. Mr. Shinnick, do you want me to bring up specifics or do you want to just address some of the items that were contained in the presentation?

COMMISSIONER BARTHA:

I'll let Bob address some of the specifics. I just want to say that I'm very disappointed. With all the time that we attending to Cliff's continuous letters and e-mails and all the work he has done to represent certain communities and all the things that we have done for that community, that he is doing them a disservice in not accepting the things that we do. Unfortunately, he's one of these people that if you don't do exactly what he asks, he is not satisfied. Thank you.

CHAIRMAN SCHNEIDERMAN:

Mr. Shinnick.

MR. SHINNICK:

With that said, I think to start out and talk about the S•92, that's been a very important project to us. We first expanded service on the 92 in 2001. And that created a link between the Riverhead area and the South Fork that began a large number of people using the bus to the South Fork. By 2004, not last year, but 2004, we added several trips in the morning and in the afternoon to accommodate a growing demand. We now found

ourselves this year once again having the same problem, a lot of people showing up, more than the buses could actually handle.

We were able to expand service, but before we did that, it wasn't just done willy•nilly. We did it in consultation with bus carrier who is our link to the drivers. We have over 250 drivers in the system. And we do from time to time interview drivers about the service they provide, but we rely heavily on the bus company to talk to their own employees and gather the information that we need.

But what we did was two•fold. We first had to address the larger number of people showing up to use the buses every day, as well as looking at designing a schedule for the long term for the South Fork residents. You know, we've heard constantly, and rightfully so, that people want earlier service, they want later service in the evening, they want more frequent service so they have the opportunity of choice and not be restricted to a bus once an hour. The standard that was given to us was a half hour service. And to the extent that it makes sense and we could afford it, we definitely agree with that. So the schedule that we designed and put in place does both things.

We did look at the trips that were most heavily used. And in the case of the morning, we started the service at 5:15. Prior to that, the service was 5:45. That trip down to the South Fork from the North Fork has been very heavily received. We have a lot of riders on it, anywhere between 50 and 65 people a day use that one trip. One day since it started, and this service has only been in place two weeks now, a little over two weeks, one day we had 85 people on the trip. But the intent was to provide more choice. And what did happen some of the other trips that were very heavily utilized began to see some people shift to this new bus. That gave us the opportunity to return a trip to the North Fork, specifically to Riverhead.

We've had over the years requests for something earlier than had been provided. So with this schedule, we were able to provide a seven o'clock arrival •• or eight o'clock, excuse me, arrival in the Riverhead area that make sense to the people who

have spoken to us •• actually my staff dealing with those people as well as out to the North Fork.

In the afternoon, we did provide a 4:10 service, 4:10 trip from East Hampton back to Riverhead in the North Fork. That 4:10 trip was between two existing trips, the 3:40 and the 4:40, and I know it's kind of boring listening to somebody read and talk about bus schedules. But what happened here was the 3:40 trip from East Hampton is very heavily utilized. As a matter of fact, in the last few days, that trip was filled before it got to the Riverhead area and had to pass people. This is with the new service in place. The trip after that, the 4:40, which is now solidly in the work period where people are starting to go home, that trip is also a heavily traveled trip.

So what we're able to do is create a 4:10 right in the middle, a half hour between those two buses hoping that people would begin to shift off of one bus. The people in the 3:40 who couldn't get the bus, which happened the other day, were able to pick up the 4:10 as it came through, and people who could choose and had the ability to choose to go earlier, would be able to have another bus to choose from. And that bus is carrying a significant number of riders.

Now, on its way home from Greenport, because what it does is that trip ends up in Greenport, it turns around and comes back to the South Fork providing effectively a 6:30 bus out of the North Fork. Prior to that schedule change, the latest bus in the evening was four o'clock. Now, Suffolk County Transit has constantly been criticized for not running late enough to the evening. And in those we're told 7:00, 7:30 and eight o'clock is too early to shut the service. We had a four o'clock trip of the North Fork, so we're giving a 6:30 trip back to the South Fork.

Now, one last thing that we did was to provide an extra section. In bus terminology what that means is we put an extra bus where we're having heavy loading, too many people travel on the bus for the bus to carry them. And we positioned the bus so that it leaves 6:15 out of Southampton to bring people home from the South Fork to Riverhead and the North Fork. The

intent was to accommodate the riders who could no longer get on the filled buses that were coming through.

CHAIRMAN SCHNEIDERMAN:

Bob, I know that's not a scheduled route. You are seeing a lot of riders on that?

MR. SHINNICK:

About 20 •• 20 people would have been left behind and had to wait for the next bus.

CHAIRMAN SCHNEIDERMAN:

Can we begin to make that scheduled route at this point? Twenty people is significant. And you're starting it in Southampton. If you started it, let's say, in Bridgehampton or East Hampton and moved it along, it's got to be full. There's obviously the capacity for it.

MR. SHINNICK:

We've also added, effective tomorrow, the last bus that comes through the area, at 6:45 we're adding a section to that too. What we're doing is accommodating getting the people home. And as •• the service has only been in place for two weeks. So what we're going to have is time shifting among the passengers. They're going to learn about the other buses. And there will be buses that will stay filled. When we have a good handle on what's staying filled and we have them fixed, I think that's where we can begin making decisions.

CHAIRMAN SCHNEIDERMAN:

I really want to commend you for this.

MR. SHINNICK:

I thank you.

CHAIRMAN SCHNEIDERMAN:

I know it's too often that we •• you know, we work hard, I know you guys put in a lot of hours and you have very limited resources, it's not very often that someone pats you on the back

and says job well done. I want to make sure that the message is clear that we appreciate what you've been doing here to relieve some of this overcrowded ridership on the S•92 line. Thank you.

MR. SHINNICK:

Thank you very much. I will bring that back to the staff.

LEG. ROMAINE:

I just want to add to Legislator Schneiderman's remarks. Anything you can do maybe about starting a Bridgehampton or even East Hampton a later bus that would run down the South Fork and then other to the North Fork, I think it would be very helpful, because I keep on getting stories of people being left •• you know, finishing work and being left behind.

The other thing that may be helpful is let people know, either in a flier, of the times of the new buses so that leave that on the bus, it might be good. It might also be good, and I say this without any •• without trying to start a war •• that maybe it would be good to put some of that language not only in English, but possibly in Spanish, because a lot of your ridership does speak Spanish. And I think it would just be helpful to give them the bus schedule so that they would know.

CHAIRMAN SCHNEIDERMAN:

As Legislator Romaine says that, I sat and spent a couple of hours one day in Southampton just watching people load on to the bus. I do notice that they race to that door to get on, because they know people are going to be left behind. And then I watch the bus fill. You know every inch of that aisle is filled, you know, until the bus reaches the capacity and it cannot take any more people. That does make me worry a little bit about, you know, if there were an accident or if people had to get out of the bus. And it did seem by observation that, you know, listening to the people getting on, most of them •• none of them were not speaking English, though some of them may have been able to.

I think Legislator Romaine raises an important in the sense of

we do need to communicate somehow with these individuals. They ought to know the routines, the emergency exits, those kinds of things. And maybe even once in a while, pass something around that's written in Spanish so if, God forbid, there ever was an incident, they'll know the routines.

MR. SHINNICK:

We've been introducing Spanish to some of our literature. It's a good for this particular application. One aside but on the same topic, the people who do not speak English that use the service, they knew exactly how to read the times on the schedules and the dollar amounts and things like that. But what we do need to convey to them is the fact that there will be an extra bus where other buses are filled.

CHAIRMAN SCHNEIDERMAN:

I think that's important. Can I ask you, on two other issues came up during Mr. Hymowitz's presentation, one is this transfer. And we have just recently amended the transfer policy. But what is your recommendation? Can we go to three hours or can we go to a single one fee pay to be able to transfer within the system all day?

MR. SHINNICK:

There are a lot of options that we can implement in terms of fair policy. I would recommend that we basically stay the course in terms of this plan that we're hiring the consultant to do. We're in the process now of developing the contract for them. Part of their job will be to help us develop a current and forward thinking fair policy for the system.

One of objectives would be to maximize •• or optimize is probably the better word •• the revenues that we derive from the riders, because you don't want it heavily subsidized when people can pay what's called a fair fare for the ride and service they get. But there are a lot of options other transit systems are implementing. And I would respectfully ask that that question of time, etcetera, on the transfer be deferred to that analysis so that we can come back with some options.

CHAIRMAN SCHNEIDERMAN:

So that is something to look at. What •• on the SCAT issue, the paratransit, I know there's some individuals that don't meet the criteria for qualifying. I'm not sure all the Legislators are familiar with the SCAT service, but you know, for those people with disabilities that aren't able to drive, we do, you know, by law, provide an on•demand van. You make your reservation typically about a week in advance •• that's something we can talk about at another point •• and a service at a very limited cost, if not free?

MR. SHINNICK:

Three dollars.

CHAIRMAN SCHNEIDERMAN:

Three dollars. And we will provide that service and take them where they need to go. But I believe based upon •• it has to be a certain distance, as I understand it, from a fixed route? You would know that distance. And there's about 100 people who don't qualify in Suffolk County.

MR. SHINNICK:

The interesting thing about this service is it's very flexible and it's available to people with serious disabilities. However, the federal guidelines, they're actually regulations, they're more than guidelines, are very specific in terms of what we have to meet as a County in terms of our obligation to provide a transportation to people. And the three•quarter mile distance is a basic dimension around a bus line where we have to either take people from or to, as long as they're in that zone, which when it translates from either side of the bus, it's about a mile and a half.

That's one of the criteria that we have to meet. Where I'm going with this is the federal regulations also indicate that once we fully are compliant with the federal requirements, and they're very demanding, we can spend money on other things that they don't require. If we fall short of doing exactly •• this is a Civil Rights Lawsuit •• if we fall short of doing exactly what the minimum is that we're required to do, they're going to first

the look at any excesses we're spending money on redirect it ••

CHAIRMAN SCHNEIDERMAN:

Assuming we are meeting those things and knowing this to be a compassionate County, I want to look at ways to see if we can take care of those people who fall through the cracks, whether it's through a grant or whatever we can do that •• if there's a hundred people, you know, who are severely disabled and really need that service but don't qualify, if we can work together as a County to close that loophole, I think we should.

MR. SHINNICK:

We would be happy to work on that.

CHAIRMAN SCHNEIDERMAN:

We've got to go back to the agenda. Is there anything else from the presentation that you want to respond to? Legislator Kennedy.

LEG. KENNEDY:

You may have mentioned this before, I apologize if I didn't hear it, but one of the things that Cliff spoke about was the computer use or access, I guess, that our actually County personnel have that are fielding phone questions concerning schedule.

MR. SHINNICK:

The telephone operators are •• they're not using computer assisted information right now. They're using the plain old paper bus schedules, the way most systems had for years and years. In this year's Operating Budget we have a line item to acquire a system, a sophisticated system, that would allow the schedule information to be housed in the software so that the telephone operator can access that data. This Legislature passed a resolution authorizing us to file a grant application with the federal people to get that system funded 80% federal and 10% state monies out of a federal grant. We're in the process of doing that right now.

LEG. KENNEDY:

Bob, give me •• we run 40 or 50 buses, I guess, maybe

throughout the County.

MR. SHINNICK:

One hundred and sixty.

LEG. KENNEDY:

Okay, 160 buses. Each one of them maybe has 10 stops, 15 stops, 20 stops with times associated with each. Maybe there's a couple of thousand different increments associated with each bus and each stop.

MR. SHINNICK:

That's right.

LEG. KENNEDY:

I imagine that the ability to go ahead and get something that allows for query under a variety of this different things, like bus number, street location and things like that would be optimal in what we would prefer. But we sit here constantly, and we hear about, you know, loss of funding, difficulties with constraints, this, that and the other thing.

My thought is that we must have somebody in-house similar to the way DPW just accommodated 144 grand with a sound item, IT has programmers there, and somebody with half a brain could probably sit with a simple program and ramp up a query in the space of a half day. I mean, is that something that you have spoken to the County Executive's Office about? Is Mr. Zwirn here?

MR. ZWIRN:

I'm here.

LEG. KENNEDY:

Hey, Ben. I've got a question.

MR. SHINNICK:

We're very familiar with the business. And it's not something that's that common. These are GPS-based programs that require an awful lot of data input. They're actually custom built

for the transit industry and they interface ••

LEG. KENNEDY:

I'm not disputing what you are saying nor disagreeing nor pretending to have a clue about transportation. But having supervised a crew of keyers, 21 keyers, who put in tremendous amounts of data on a daily basis for land record instruments, I know a little bit about compiling a system that you can populate and then query. So in the interim, while we contemplate or go through the grant ap process or any of those other thing, has anybody from IT looked at this, Ben, about trying to do a simple interim fix so ladies aren't dealing with paper schedules?

MR. ZWIRN:

I don't know. I honestly don't know.

LEG. KENNEDY:

Okay. Honestly, could somebody ask and see?

MR. ZWIRN:

Sure.

LEG. KENNEDY:

Okay. Thank you.

CHAIRMAN SCHNEIDERMAN:

All right.

LEG. ROMAINE:

To the agenda.

CHAIRMAN SCHNEIDERMAN:

To the agenda. Commissioner, if you want to step forward. Thank you, Mr. Shinnick. Let's try to move as quickly as we can from here on in.

1030 (To authorize a request for proposal to re•establish the Bay Shore Health Center).

Legislator Alden has asked that to be recognized in connection

with this bill. Why don't we make a motion and a second for the purpose of discussing, and then we can vote on it.

LEG. ROMAINE:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Romaine, seconded by myself. 1030 is before us. I will recognize Legislator Alden.

LEG. ALDEN:

I have been working with the County Executive on this for quite awhile. There's a very large catchment area, Bay Shore, North Bay Shore, Islip, West Islip that has not been served in a number of years since the Bay Shore Health Center was closed. And it was closed for probably a good cause. There was an air quality problem in there. We have tried to do it a couple of different ways through the Health Department, and, I guess, a search for properties and things of that nature, I think that it's time that we just throw this out to the community, the builders, the developers and see if they can come up with a proposal where they can assemble the property, they can build the property for us, then we can rent. That's probably the best way for us to go with this health center anyway. The rent is reimbursable. So I would ask that you approve it or discharge without recommendation, get it on out on the floor, we can discuss it a little bit. And I think that this is probably, you know, another avenue to go to try to reopen the Bay Shore Health Center.

CHAIRMAN SCHNEIDERMAN:

There is a motion to approve and a second.

MR. ZWIRN:

If I might, Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:

Mr. Zwirn?

MR. ZWIRN:

What Legislator Alden says is true. He has worked with the County Executive's Office. Space Management, they have a site that they like, and they have been in negotiations with the landlord, the owner of this site. And there's a disagreement over rent over in the area. And I think DPW is checking out a few things about the site. And if it is •• if it gets to the floor, the County Executive will ask at that time •• I mean, it may not be the worst thing to get it to the floor, but we would like to ask that it be tabled on the floor while we continue to try to work out the site that we have in mind. And Legislator Alden knows which site that is. It's been tedious, there's no question. It's taken a long time, but they're still in negotiations trying to get this thing done.

LEG. MONTANO:

Jay?

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

Ben, as I understand the resolution, this doesn't make the County do anything, because this is simply putting a request out there; am I correct?

MR. ZWIRN:

Well the course ••

LEG. MONTANO:

Besides from the manpower in terms of putting the RFP in and reviewing it.

MR. ZWIRN:

Right.

LEG. MONTANO:

And with respect to the lease, it really doesn't interfere with the lease negotiations. As a matter of fact, now that I'm hearing you say that, it might actually put pressure on the landlord to say, you know what, maybe I can get this done otherwise it's

going to go in a different direction. And that's something that just came up as you spoke, is that something that you've considered?

MR. ZWIRN:

That's why I say if it got to the floor, it's not necessarily the worst thing. It may move the process along some.

LEG. ROMAINE:

Call the question.

MR. ZWIRN:

We think that we can get this done. The County Executive is hopeful that it would work. And we would like to get some pressure on the landlord to try to move forward on it.

CHAIRMAN SCHNEIDERMAN:

There is a motion to approve and a second. All in favor? Any Opposed? Abstentions?

LEG. D'AMARO:

Hold on. I'm opposed to that.

CHAIRMAN SCHNEIDERMAN:

One opposed.

LEG. HORSLEY:

Two opposed.

CHAIRMAN SCHNEIDERMAN:

We have Legislator D'Amaro and Legislator Horsley opposed and the Kennedy, Browning, myself, Montano and Romaine approve. So it does have the votes. **APPROVED (VOTE:5 • 2 • 0 • 0).**

1164, establishing a County policy to require hybrid or alternative fuel buses in the Suffolk county Transit system.

Is there a motion?

LEG. D'AMARO:

Motion to table.

LEG. MONTANO:

Yeah, second.

CHAIRMAN SCHNEIDERMAN:

There's a motion by Legislator D'Amaro to table, seconded by Legislator Montano to table. All in favor? Any opposed? Abstention? **Tabled (VOTE:7•0•0•0).**

1492, (Adopting Local Law No. 2006, A Local Law requiring prior approval from the Suffolk Sewer Agency for the establishment, improvement, or expansion of County Sewer Districts).

LEG. ROMAINE:

Motion to table.

LEG. HORSLEY:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Everyone wants to table it. Good. I won't have to make a speech on this one.

LEG. HORSLEY:

I will second it now.

CHAIRMAN SCHNEIDERMAN:

Is it •• the one thing I will say on the tabling motion is I would rather just see this simply defeated. Is there support to just defeat this at this point?

LEG. ROMAINE:

We will have debate on it.

CHAIRMAN SCHNEIDERMAN:

Oh, all right. There's a motion to table •• I'm sorry. Who made

the motion? Legislator Horsley, seconded by Legislator Romaine. All in favor of tabling? Opposed? Abstention? 1492 is **tabled (VOTE:7•0•0•0)**.

1545, (Establishing an Environmentally Sound E•Waste Policy for Suffolk County).

LEG. D'AMARO:
Motion to table.

LEG. ROMAINE:
Second.

CHAIRMAN SCHNEIDERMAN:
Motion by Legislator D'Amaro, seconded by Legislator Montano. On the motion? Nothing on the motion. All in favor? Opposed? Abstentions? 1545 is **tabled (VOTE:7•0•0•0)**.

1592, (Appropriating funds in connection with improvements to lighting and paving on CR 100, Suffolk Avenue, Brentwood, Town of Islip (CP 5185)).

LEG. MONTANO:
Motion to approve.

CHAIRMAN SCHNEIDERMAN:
Legislator Montano made a motion to approve.

LEG. KENNEDY:
I will second.

CHAIRMAN SCHNEIDERMAN:
Seconded by Legislator D'Amaro.

LEG. KENNEDY:
No. Kennedy.

CHAIRMAN SCHNEIDERMAN:
I'm sorry, seconded by Legislator Kennedy. Can the sponsor explain what this is?

LEG. MONTANO:

Yeah. This was a •• yes. This was an amount that was put in last year's Capital Budget •• or this year's Capital Budget to allocate \$200,000 to continue with the paving on Suffolk County between Washington Avenue and Fifth Avenue. There have been discussions with the town in terms of the project that's being done. There's already acquisition going on, and there is some work that the town has been doing, putting in the brick paving on the sidewalks and the fancy lighting. I think there are may be a couple of issues that need to be resolved with the town in terms of their involvement financially. What I'm going to do is ask that the bill be discharged •• be approved from committee while we wrap up some of these issues with the town before we appropriate the money. But it was in the Capital Budget last year, it's not an offset. This was a project that we envisioned when we passed the Capital Budget.

CHAIRMAN SCHNEIDERMAN:

All in favor? Any opposed? 1592 is **approved (VOTE:7•0•0•0•0)**.

1645, (Adopting Local Law No. 2006, A Local Law to reduce the emission of pollutants from diesel•fueled motor vehicles operated by or on behalf of Suffolk County).

LEG. ROMAINE:

Has to be tabled.

CHAIRMAN SCHNEIDERMAN:

Motion to table by myself, seconded by Legislator Romaine. All those in favor? Opposed? **Tabled (VOTE:7•0•0•0•0)**.

1660, (Amending the 2006 Capital Budget and Program and appropriating funds in connection with traffic signal installation at CR 35, Park Avenue, Town of Huntington (CP 5054)

LEG. D'AMARO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by the sponsor.

LEG. ROMAINE:

I will second that.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Romaine.

LEG. ROMAINE:

I'm sure I'll have traffic signals that will be coming forward, and I want to support my colleagues.

CHAIRMAN SCHNEIDERMAN:

All in favor? Any opposed?

LEG. HORSLEY:

I'll do it without the thing.

LEG. D'AMARO:

Motion to table. I'm getting nervous now.

LEG. ROMAINE:

I voted for everyone of your resolutions.

LEG. D'AMARO:

I know you have. Thank you very much. Thank you.

CHAIRMAN SCHNEIDERMAN:

1660 is **APPROVED (VOTE:7•0•0•0)**.

1684, (Amending the 2006 Capital Budget and Program and appropriating funds in connection with strengthening and improving County roads (CP 5014).

MR. ZWIRN:

Mr. Chairman, if I might on this one. There's two bills, there's

1684 and IR 1715, which is coming up in just a short while. What the •• the first one the Presiding Officer has has \$10 million plus for roadwork and the other one is six and a half million dollars right now to do roadwork going from G to B in the budget. When the waiver takes affect, the 5•25•5, \$4 million that Presiding Officer Lindsay has in his bill would then become eligible to be voted on. As we would ask at this time to table 1684 in favor of 1715, only because of the amount of money and then another bill can be introduced when the waiver is in affect for the additional \$4 million. But the Budget Office identified six and a half million dollars worth of projects, which is more than just road resurfacing, which you can justify to do bonded work for. The other is more pot hole oriented, just a surfacing, which would be more of a pay•go type of situation. So that's why there's two bills, and they covered pretty much the same projects, only the first one has more money, which you cannot spend yet.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. I noticed that 1715 had that reduction. And I recall vividly in the Capital Budget discussions last year that the Presiding Officer led the effort to go ahead and double the amount of paving funds, because the paving program has been so woefully inadequate for such a long time. I also recall the Commissioner talking about, I guess, some of the difficulties associated with keeping 1200 miles worth of County highway in good and operable condition. So while I hear what the County Exec's Budget Office is identifying, I guess, I want to hear from the Commissioner. What does this mean to you, Charlie, as far as the ability to go ahead and work in what seems to be an ever narrowing window based on the asphalt litigation issues going on?

COMMISSIONER BARTHA:

First, we're anxious to get underway with a paving program. About half the season will be lost by the time the funds are appropriated. We had submitted a list of projects that would be

included with the \$10.5 million worth of work as well as a list of resolutions that would be included on the \$6.5 million resolution. It's really a policy decision as to which to go ahead with. We believe all the projects are good projects.

LEG. KENNEDY:

So then it sounds like at this time right now there are \$10 million worth of actual bona fide legitimate highway resurfacing initiatives that could be undertaken assuming that the funding is made available; is that correct?

COMMISSIONER BARTHA:

That's correct.

LEG. KENNEDY:

And do we now have anybody who is qualified to do this work, or are they still under indictment or what have you?

COMMISSIONER BARTHA:

We have concluded that process. We have taken bids, we have held hearings on contractors that we questioned their responsibility. We have moved beyond them. We've found them •• that we would not award contracts to them. So we have identified low bidders in each of these zones, in each of these categories and are in the process of awarding those contracts now. So it would be timely to provide the money.

CHAIRMAN SCHNEIDERMAN:

Can I make a recommendation, partly in the interest of time, that 1684 and 1715, we discharge them both without recommendation, get them to the floor and we resolve them on the floor next Tuesday?

LEG. KENNEDY:

I would, you know, like to see it move forward. I was going to make a motion to approve, but certainly I'll defer to the Chair assuming that both will go out. Absolutely.

CHAIRMAN SCHNEIDERMAN:

So I'll make a motion on 1684 to discharge without

recommendation, is there a second?

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator D'Amaro. All those in favor? Opposed?
1684 is **discharged (VOTE:7•0•0•0)**.

1713 (Amending Resolution No. 1065•2003 for participation in engineering in connection with the reconstruction/widening of CR 3, Wellwood Avenue bridge over the Southern State Parkway, Town of Babylon (CP 5851)).

Motion by Legislator Horsley, seconded by Legislator D'Amaro. All in favor? Opposed? 1713 is **approved (VOTE:7•0•0•0)**.

1715 (Amending the 2006 Capital Budget and Program, transferring Holding Account Funds to the Capital Fund and appropriating these funds in connection with various road projects within the Capital Program).

I'll make a motion to discharge without recommendation, is there a second?

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator D'Amaro. All in favor? Opposed? 1715 is **discharged (VOTE:7•0•0•0)**.

1716, (Appropriating funds in connection with the reconstruction of CR 13, Fifth Avenue, from NYS 27A, Montauk Highway to Spur Drive North, Town of Islip (CP 5538)).

Is there a motion?

LEG. BROWNING:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Browning, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

1717, (Authorizing an intermunicipal agreement with the Town of Huntington for use of a Town recharge basin at the intersection of CR 67, Motor Parkway and Vandercrest Court, Town of Huntington).

Is there a motion?

LEG. BROWNING:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Browning, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

1718, (Appropriating funds in connection with the reconstruction of highway maintenance facilities (CP 5048)).

I'm not sure which they are, but I trust they're in proper order. Is a motion?

LEG. D'AMARO:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator D'Amaro. Is there a second?

LEG. BROWNING:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Browning. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

1720, (Authorizing the execution of an agreement of the Administrative Head of Suffolk County Sewer District No. 3 • Southwest with Ferrante Industrial Building (HU •1523)).

Is there a motion? Motion by Legislator D'Amaro, seconded by myself. On the motion, I will recognize •• although he is not on the committee, I will recognize Legislator Alden who has been waiting patiently through this meeting for these.

LEG. ALDEN:

Actually, it was just for the first one. I wanted to make sure the Bay Shore Health Center had a good chance of reopening. But on these next •• you have five resolutions, 1720 through 24. They deal with out of the Southwest Sewer District hook•ups. A number of years ago, Maxine Postal and I had sponsored legislation that looked at the hook•up fees. Since that legislation was passed, and it increased substantially the amount of money that people had to pay as far as a hook•up fee, since that legislation has passed, the taxes have gone on on a double •digit increase, the user fee has gone up double digits. And a sense of fairness has to be looked at, and I think that we have never established a County policy on out of the Southwest Sewer District hook•ups.

I don't know, and I am a not even going to get to the problem of maybe there's capacity for these, maybe there isn't. But the last time that I had a report on it, we were at just about full capacity when you took into consideration what was going to happen over at Pilgrim State. So I would seriously, you know, ask this committee to either table these, look at establishing a policy for out of district hook•ups, reconsider the amount of money that the hook•ups are actually charged for, taking into consideration that some people in the Southwest Sewer District have paid property tax to support the Southwest Sewer District construction for 40 years, and these people are coming on with

a one•shot deal. I don't know if it reflects the fairness. I would ask that we take another look at it.

If I might be allowed one other just indulgence from the committee. I was saddened to see, you know •• I guess it's a couple of weeks ago now •• a newspaper article about some County employees that are going to be leaving. And I just want to mention, because the three of them are here today, Rich LaValle, Leslie Mitchel, Charlie Bartha. They have served this County for a number of years, they have gone out of their way for the constituents. They've served with honor, and they really have establish something that's going to be hard for anybody coming behind them to fill their shoes and to live up to the standards that they have set.

And I just want to thank you on behalf of the people of Suffolk County. All three of them have come out to my district to face major problems and have given the people the time and really consideration that went way above and beyond what you are being paid for. So on behalf of me, my constituents, and I hope the entire Legislative body, we really thank you. And thank you, Mr. Chairman for indulging me.

APPLAUSE

COMMISSIONER BARTHA:

Thank you very much, Legislator Alden.

CHAIRMAN SCHNEIDERMAN:

You weren't here at the last meeting. Several of us also offered similar comments. We're all sad to see them go. It's a loss for Suffolk County. And obviously we wish them all the best and know that they will be in the County working, I guess, in the private sector or whatever they land. The County will be at a loss.

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Thank you. I just want to raise, I guess, one other comment, kind of in line with Legislator Alden's questions, I guess, about these next five resolutions. As I read them when I was going through the packet, in total we probably have close to 100,000, maybe in excess of 100,000 gallons worth of additional capacity that's being contemplated. And I am concerned both with the existing planned capacity, and also, I wonder what that does to the issues that we have underlying associated with the disposal of sludge. We've come to an impasse as far as what we will do regarding a burn plant, but nevertheless it seems that we entertain ever greater demands on this plant. And I would also say that in my opinion, I would want to support a tabling on this until we come to a remedy of how this whole process is going to work, not just the front end, but the back end needs to be resolved as well.

LEG. ROMAINE:

I'll second Legislator Kennedy's motion to table.

CHAIRMAN SCHNEIDERMAN:

There's a motion to table and a second. On the tabling motion, there's a bunch of these resolutions, obviously, and they're all commercial in nature. It looks like a lot of industrial type. And, you know, I look in Hauppauge and see several empty buildings in the Hauppauge Industrial Park, I see that Suffolk County is •• our sales tax revenues are growing at a very slow rate, below where they had been, you know, historically, and, you know, I'm concerned, I see so many young people leaving this area. And, you know, I think we're in •• at a time where we need to attract businesses to Suffolk County and do everything we can to boost sales tax revenues by helping to grow our economy. And I don't want to throw any wrenches into that, but I also hear what you are saying, particularly what Cameron Alden is saying. It's his district, and there is an impact to the taxpayers there, but I don't want to wait. I want to see these things move forward.

I'd like those things addressed. Maybe the Commission could answer some of the questions about the economies. But maybe we can discharge them without recommendation. But I know how hard it is to get these Health Department approvals, to get all the town approvals to move forward. And it's, I think, part of the reason why people aren't doing business in Suffolk County, and I don't want to be part of the thing that's holding it up. Maybe, Commissioner, maybe you can give us more information on what these things are and particularly if they are being charged adequate connection fees.

LEG. HORSLEY:

Particularly the capacity issue. Legislator Alden mentioned that there's a question as to the capacity to hold this. Please address it, because that's not my understanding.

COMMISSIONER BARTHA:

The district has more than adequate capacity to handle these. It's one of the prerequisites before we bring something to the Sewer Agency and before the Sewer Agency approves it. What we are using is the State DEC requires us to set aside 5% of the capacity in lieu of an expansion plan. Since we are proceeding with an expansion plan to the satisfaction of the DEC as approved by the Legislature, an expansion of five million gallons a day for the treatment plant, we are •• we do have the ability to contract out this flow. And contracting out •• if we contracted all of that 5% safety factor DEC is requiring us to have, we still would be within the permit design capacity of 30.5 million gallons at Bergen Point.

As far as the connection fee, it's presently \$15 per gallon. It's a charge upfront, a one•time connection fee. After that, they pay the same as if they're in the district plus a 5% administrative fee. It's really a business and policy decision as to how the •• what the level of that connection fee is set at. Depending on the size of a treatment plant, it can cost a developer anywhere from 25 to \$50 per gallon to build a treatment facility. So this is the really alternative to them. So the fact that it's \$15, it is below the market value. You run the risk if you increase it that

you are being anti •• being perceived as being anti •development.

CHAIRMAN SCHNEIDERMAN:

Commissioner, what is going on? Is it covering the cost of •• you know, that is born by the district? It seems like as more people hook•up there should be no increases in the taxes that the district is paying or they ought to be going down. What Cameron Alden •• Legislator Alden seems to be indicating is that not only are they going up, that it seems to imply that the people within that district are absorbing the cost, the differential between what it actually costs to handle that ceptic effluent and what these companies are paying to hook in. And that truly is unfair. There's something wrong there.

COMMISSIONER BARTHA:

But that's not the case. They are paying the same as if they were properties within the district. Once they're connected, they pay the same as if they were properties within the district, plus 5%.

CHAIRMAN SCHNEIDERMAN:

Why are taxes going up in the district?

COMMISSIONER BARTHA:

Taxes are going up in the district because of •• it's very power sensitive, they are tremendous power users, the sewage treatment facility, hauling sludge is an expensive operation as is chemicals. Those are three most sensitive items in the budget.

LEG. ALDEN:

Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:

I'm not 100% •• it just seems •• maybe you can't do this, but it seems that those people who live •• who are outside the district and hook•in ought to carry, you know, obviously those costs as well, maybe even above the other proportion because they're not from within that district so that you can ease the burden of

those who live within the district who have reside near the facility that is processing.

COMMISSIONER BARTHA:

And over the years we've collected over \$7 million of connection fees, which has allowed us to make a tremendous amount of capital improvements at the district that the people have not been taxed for.

CHAIRMAN SCHNEIDERMAN:

But those improvements are directly related to people outside ••

COMMISSIONER BARTHA:

No. No.

CHAIRMAN SCHNEIDERMAN:

Legislator Alden.

LEG. ALDEN:

I wanted to clarify a little bit my position. Charlie and the staff have done a great job running the sewer districts and •• as far as the hook•ups and things like that. We have to look at the policy as far as how much we're going to charge to hook up, because as I said before, there's a little bit of a fairness•type of argument that can be made. If I'm in the district and I've paid for 40 years taxes towards the establishment, the construction, repair of that district, and somebody comes in at the last minute and pays even under what it would cost them to establish a waste treatment plant up on 110 or wherever else it is, that's one argument.

There's a border argument also. If we had the capacity years ago when this was being designed, there was a thought that it would be extended, and Maxine Postal's district was pretty much the coverage area, that it would be extended to that district, or it would be extended to other districts like Hauppauge or different areas where we could establish a commercial site where the County could actually, you know, centralize its growth of jobs and economic activity. So that argument •• not argument, but that policy has never been, you know, flushed out

by the Legislature.

I do state, though, and I firmly believe this, it was about four or five years ago that Maxine and I brought forth the legislation to change the hook•up fee, I think it's time at that again and have a debate on it. I'm not saying that this should be a lot higher or it should be the same. I'm just saying that that's a policy decision that, you know, we should make up here. And where we go with that capacity, that's a policy decision.

This is helter skelter, and it's not Charles fault. It's actually our fault, because we've never defined a policy that, oh, we want to do the 110 corridor. Well, if you're going to do the 110 corridor, then there's certain things that we should do to make it fair; taxes and things like that, bring them into the Southwest Sewer District and let them be part of it, if that's the way we want to go. Or if it's some place else that we want to develop and bring down, those are policy decisions that we have to make. So that's all I was bringing up that we should really start talking about it.

CHAIRMAN SCHNEIDERMAN:

I think you are right. I think we should develop that policy. And you know and I know that's going to take months to get a policy like that in place.

LEG. ALDEN:

It's actually taken nine years to get it to this.

CHAIRMAN SCHNEIDERMAN:

Right. But to create basically what is effectively a moratorium on hook•ups outside the district, while we do that, doesn't make sense either. And I hate to see these seven people or however many it is on the agenda not be able to move forward. So if you want to do them without recommendation.

LEG. ALDEN:

I'm not on the committee.

CHAIRMAN SCHNEIDERMAN:

You know, I could support that. I think you've made your point, I think it's a good point. I just don't think that people should be held up while, you know, we wrestle with this.

LEG. ALDEN:

I've heard that argument for a number of years, though.

CHAIRMAN SCHNEIDERMAN:

I know. Was there a motion to table? Who made the motion to table.

MS. ORTIZ:

Legislator Kennedy and Legislator Romaine seconded it.

CHAIRMAN SCHNEIDERMAN:

We'll take that first. All in favor of tabling? Opposed?

LEG. MONTANO:

Opposed.

LEG. HORSLEY:

Opposed.

LEG. BROWNING:

Opposed.

LEG. D'AMARO:

Opposed.

CHAIRMAN SCHNEIDERMAN:

I'll abstain on that. So the tabling motion fails.

LEG. D'AMARO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

I'm going to make a motion to discharge without recommendation.

LEG. ROMAINE:

For all five.

CHAIRMAN SCHNEIDERMAN:

The effect is the same. It will be on the floor, but we can ••
Legislator Alden can bring the issue up again, and we can
maybe move toward a point where we do have a policy in
place. Okay? So was there a second on the motion to
discharge without recommendation?

LEG. ROMAINE:

I'll second for the purpose of discussion.

CHAIRMAN SCHNEIDERMAN:

I don't know what there is to discuss. Let's take a vote. 1720,
motion to discharge without recommendation. All in favor?
Opposed?

LEG. HORSLEY:

Opposed.

LEG. BROWNING:

Opposed.

LEG. D'AMARO:

Opposed.

LEG. MONTANO:

Abstention.

LEG. HORSLEY:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

The motion to discharge without recommendation fails. Okay.
Now to discharge with recommendation.

LEG. D'AMARO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

There's a motion to approve by Legislator D'Amaro, seconded by Legislator Horsley. All those in favor? Opposed?

LEG. KENNEDY:

Opposed.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy opposes and the rest are all in favor.

(VOTE:6•1•0•0 • Opposed, Legis. Kennedy).

1721, (Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 • Southwest with 1860 Walt Whitman Road Building (HU•1534).

CHAIRMAN SCHNEIDERMAN:

Same motion, same second. All those in favor?

LEG. KENNEDY:

On the motion.

CHAIRMAN SCHNEIDERMAN:

On the motion, Legislator Kennedy.

LEG. KENNEDY:

On this one, I believe, reading it, not to take issue with you, Mr. Chairman, before as far as some of your desires to go ahead and promote economic development and affordable housing and all the other wonderful things, this is for conversion of the Walt Whitman Mall for restaurants. This is clearly well outside of the district, it would generate in excess of 39,000 worth of waste on a daily basis. And again, I'm going to restate what I said before. We are connecting and we are going along blindly promoting economic development, and we are doing nothing but ensuring that taxes will increase by driving up the sludge amount that we have to truck out island. I'm opposed.

CHAIRMAN SCHNEIDERMAN:

Can I ask of the Commissioner a clearer description of what is going on in 1721. They're not closing Walt Whitman Mall and

converting it to giant restaurant? They're expanding What Whitman Mall or they're converting a department store to a restaurant?

COMMISSIONER BARTHA:

They're going to wind up with more restaurants.

CHAIRMAN SCHNEIDERMAN:

Than they currently have.

COMMISSIONER BARTHA:

Yes. Changing retail to restaurant.

CHAIRMAN SCHNEIDERMAN:

Is there more?

COMMISSIONER BARTHA:

Well, simply that it's a separate sewer district that is connected to the Southwest Sewer District. Walt Whitman Mall is considered Sewer District 17.

LEG. ROMAINE:

Through the Chair. We're connecting Sewer District 17 to Sewer District 3.

COMMISSIONER BARTHA:

It already is.

LEG. ROMAINE:

It is? And the sludge removal occurs there?

COMMISSIONER BARTHA:

We take the sewage from there.

LEG. ROMAINE:

And then the sludge ••

COMMISSIONER BARTHA:

Part of separate treatment, you wind up •• you separate •• you go through a treatment process and then you separate sludge.

And that sludge would be separated at Bergen Point.

LEG. ROMAINE:

More sludge? Okay.

CHAIRMAN SCHNEIDERMAN:

Which then gets transported to somewhere. I think to Georgia at this point. Same motion, same second. All in favor?

Opposed?

LEG. KENNEDY:

Opposed.

CHAIRMAN SCHNEIDERMAN:

APPROVED (VOTE:6 • 1 • 0 • 0 • Opposed, Legis. Kennedy)

1722, (Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 • Southwest with Walt Whitman Road Mall • The Retail Property Trust (HU • 1002).

Commissioner, is this a •• do we have a similar proposal on this next one with Walt Whitman where it's a related proposal? I understand that these have all been approved by the committee.

LEG. HORSLEY:

While the Commissioner is looking it up, I just wanted to let you know guys know that the 110 corridor is now the highest job producing area in Nassau and Suffolk County according to Pearl Kamer. I think we're up to, like, 160,000 jobs, and the 100 corridor has been economic engine of our area. So to work against that is something that I certainly wouldn't be for.

CHAIRMAN SCHNEIDERMAN:

Same motion, same second. All in favor? Opposed?

LEG. KENNEDY:

Opposed.

**CHAIRMAN SCHNEIDERMAN:
APPROVED (VOTE:6•1•0•0 • Opposed, Legis. Kennedy)**

1723, (Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 • Southwest with Comax Industrial Building (HU •1524).

Same motion, same second. All in favor? Opposed?

**LEG. KENNEDY:
Opposed.**

**CHAIRMAN SCHNEIDERMAN:
APPROVED (VOTE:6•1•0•0 • Opposed, Legis. Kennedy)**

1724, (Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 • Southwest with 324 South Service Road (HU•1412).

Same motion, same second. All in favor? Opposed?

**LEG. KENNEDY:
Opposed.**

**CHAIRMAN SCHNEIDERMAN:
APPROVED (VOTE:6•1•0•0 • Opposed, Legis. Kennedy).**

1725, (Amending the 2006 Capital Budget and Program and appropriating funds in connection with the rehabilitation of various bridges and embankments (CP 5850).

**LEG. D'AMARO:
Motion to approve.**

**CHAIRMAN SCHNEIDERMAN:
Motion by Legislator D'Amaro, I'll second. Any discussion? All in favor? Opposed? **Approved. (VOTE:7•0•0•0)****

1726, (Amending the 2006 Capital Budget and Program and appropriating funds in connection with installation of guide rail and safety upgrades at various locations (CP 5180)).

LEG. D'AMARO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator D'Amaro, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0•0).**

1727, (Amending the 2006 Capital Budget and Program and appropriating funds in connection with the roof replacement on various County buildings (CP 1623)).

Same motion, same second. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0•0).**

1729, (Amending the 2006 Capital Budget and Program and appropriating funds in connection with the elevator safety upgrading at various County facilities (CP 1760)).

Same motion, same second. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0•0).**

1732, (Adopting Local Law No. 2006, A Local Law to update the County vehicle standard and to promote the use of alternative fuels).

LEG. D'AMARO:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

There's a motion to table.

LEG. D'AMARO:

I think it needs a public hearing.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator D'Amaro, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **Tabled (VOTE:7•0•0•0).**

1733, (Appropriating funds in connection with median improvements on various County roads (CP 5001)).

LEG. D'AMARO:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator D'Amaro, seconded by Legislator Montano. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

1735, (Authorizing public hearing for authorization of extension of license for Sayville Ferry Service, Inc., for cross bay service between Sayville, New York, and the Fire Island Communities of Fire Island Pines, Cherry Grove, Water Island and Sailors Haven).

LEG. D'AMARO:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator D'Amaro, seconded by Legislator Montano. All in favor? Opposed? **Approved (VOTE:7•0•0•0).**

1736, (Approving extension of license for Sayville Ferry Service, Inc for cross bay service between Sayville, New York, and the Fire Island Communities of Fire Island Pines, Cherry Grove, Water Island and Sailors Haven).

1736 we're going to need to table, because we can't vote until after the public hearings occurs. So is there a motion on 1736 to table?

LEG. BROWNING:

I'll make the motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Browning, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **TABLED (VOTE:7•0•0•0).**

1743, (Appropriating funds in connection with safety improvements on CR 46, William Floyd Parkway from Smith Point Bridge to CR 80, Montauk Highway (CP 5021)).

LEG. BROWNING:

Motion.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by the sponsor, Legislator Browning, second by Legislator D'Amaro. All in favor? Opposed? Abstentions? **APPROVED (VOTE:7•0•0•0).**

1752, (Authorizing public hearing for authorization approval to alter rates for North Ferry Co., Inc.).

Motion by Legislator Romaine, seconded by myself. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

1753, (Authorization of alteration of rates for North Ferry Co., Inc.).

Motion to table by myself, seconded by Legislator Horsley. All those in favor? Opposed? **TABLED (VOTE:7•0•0•0).**

1766, (Amending the 2006 Capital Budget and Program and appropriating funds in connection with strengthening and improving County roads (CP 5014)).

LEG. BROWNING:

Motion.

LEG. D'AMARO:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Browning, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

1767, (Amending the 2006 Capital Budget and Program and appropriating funds in connection with dredging of County waters (CP 5200)).

Motion by Legislator Browning, seconded by Legislator Montano. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

1774, (A resolution making certain findings and determinations in relation to a proposal to increase and improve facilities for Sewer District No. 3 • Southwest).

LEG. D'AMARO:

Motion to approve.

LEG. BROWNING:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator D'Amaro to approve, seconded by Legislator Browning. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0) .**

1775, (A resolution making certain findings and determinations in relation to a proposal to increase and improve facilities for Sewer District No. 23 • Coventry Manor (CP 8149)).

Same motion, same second. All in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

1776, (A resolution making certain findings and determinations in relation to a proposal to increase and improve facilities for Sewer District No. 9 • College Park (CP 8163)).

MR. NOLAN:

Can I just ask a question? Commissioner, the public hearing took place June 13th.

COMMISSIONER BARTHA:

Ben, was it closed?

MR. WRIGHT:

Yes, it was closed.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator D'Amaro, seconded by Legislator Browning. All those in favor? Opposed? Abstentions?

Approved (VOTE:7•0•0•0).

1794, (Adopting Local Law No. 2006, A Local Law to modify exemption on purchase of sports utility vehicles (SUV) by Suffolk County).

This needs a public hearing, so motion by Legislator Horsley to table, seconded by myself. All in favor? Opposed? Abstentions? **Tabled (VOTE:7•0•0•0).**

1796, (Approving the purchase of vehicles in accordance with Section 186•2(B)(6) of the Suffolk County Code and in accordance with the County vehicle standard).

Counsel, any background on this one?

MR. NOLAN:

It's to authorize a purchase of 118 replacement vehicles for various departments. When they make a purchase like this, it has to come to the County Legislature.

CHAIRMAN SCHNEIDERMAN:

Charlie, this is all •• this what the department requesting, right?

COMMISSIONER BARTHA:

Yes, that's correct.

CHAIRMAN SCHNEIDERMAN:

All right. Motion by myself, seconded by Legislator Browning. All in favor? Opposed? Abstentions? **APPROVED (VOTE:7•0•0•0).**

1800 (Approving the extension of the license and franchise of Davis Park Ferry Co., Inc., for cross bay service between Patchogue, New York, and Fire Island Communities of Davis Park and Watch Hill).

Motion to table by myself, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **Tabled (VOTE:7•0•0•0).**

1801 (Establishing a policy to name and rename County roads in honor of deceased veterans who perished in a war zone).

LEG. D'AMARO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator D'Amaro, seconded by Legislator Browning. Counsel, just a little bit more detail. Which County Roads and which veterans?

MR. NOLAN:

It's all veterans who have lost their lives in a combat war zone, in combat. It authorizes •• it establishes a policy that the County is going to rename County Roads in honor of those people, it authorizes the Commissioner of Public Works to recommend to the Legislature the naming or renaming of County Roads for deceased Suffolk County Veterans, that to the extent possible, the individuals honored by such naming should be closely connected to the community in which the roadway is

located or the portion of the roadway that is renamed, that any renaming has to come back here to the County Legislature by resolution, and the policy will not preclude the naming or renaming of County roads for other worthy individuals.

LEG. ROMAINE:

Counsel, would this act •• resolution also impact County•owned parks, like regional parks, like Smith Point or Southaven Park or Cupsogue or something of that nature or West Hills?

MR. NOLAN:

This is strictly roadways.

LEG. ROMAINE:

It nothing to do with parks?

MR. NOLAN:

No.

LEG. ROMAINE:

Thank you.

CHAIRMAN SCHNEIDERMAN:

There's been a motion and a second. If there's no further discussion, all in favor? Opposed? Abstentions? **Approved (VOTE:7•0•0•0).**

That concludes our agenda. We are adjourned.

(* THE MEETING WAS ADJOURNED AT 4:08 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY