

**PUBLIC WORKS
AND
TRANSPORTATION COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE**

A regular meeting of the Public Works and Public Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Tuesday, March 13, 2007.

MEMBERS PRESENT:

Legislator Jay Schneiderman - Chairman
Legislator Steve Stern - Vice-Chairman
Legislator Jack Eddington
Legislator Joseph Caracappa
Legislator Rick Montano

ALSO IN ATTENDANCE:

George Nolan- Counsel to the Legislature
Kevin Duffy - Budget Review Office
Gil Anderson - Commissioner - DPW
Lou Calderone - Deputy Commissioner - DPW
Catherine Stark - Aide to Chairman Schneiderman
Tim Laube - Clerk - Legislature
Ben Zwirn - County Exec's Office
Gail Lolis - County Attorney's Office
Joseph Carabott
Rich Gallagher
All Other Interested Parties

MINUTES TAKEN BY:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 2:08 P.M.*)

CHAIRMAN SCHNEIDERMAN:

I'd like to call this meeting of the Public Works and Transportation Committee to order this 13th day of March 2007. If you all will rise and join us for the Pledge of Allegiance led by Legislator Montano.

SALUTATION

CHAIRMAN SCHNEIDERMAN:

Why don't we jump right into our public portion. We've only got two cards here. The first one is Rich Gallagher. Mr. Gallagher, if you will step forward? You have three minutes to make your comments.

MR. GALLAGHER:

My name is Rich Gallagher. I ride in Mastic on Somerset Avenue, the road in question. Surrey Circle -- Surrey Circle adjoins that road. I just want to say that we all know that the Mastic-Shirley area has grown dramatically along with the volume of traffic. Our complaint is not about the traffic, but about the ways in which the traffic is handled.

The proposed so-called traffic enhancements on to Surrey from County Road 46, William Floyd Parkway, will increase the level of traffic on an already congested and dangerous road we feel. We propose the use of the nearby and parallel Linden as a way of reducing -- Linden Avenue, I'm sorry -- as a way of reducing the traffic and enhancing safety.

Using Linden will allow the traffic burden to be split. And in so doing, will result in a safer situation of -- than just having all the traffic on the one road. A turn lane and light on William Floyd on to Linden Avenue can easily be installed we saw with what was done with the Home Depot nearby. Bottom line is we urge that Linden be used as an additional and alternative route to Surrey Circle, Floyd Road, Somerset.

That's it. I'd like to leave you with a copy of a letter I wrote to Kate Browning as well as just a little summary of what a neighbor has done here to help safety on these roads, a long list of things to be done. We are indebted to Joe Carabott sitting over right there. That's it. We're urging that Linden be used as an alternative and an additional eastbound route in addition to Surrey Circle.

CHAIRMAN SCHNEIDERMAN:

Thank you, sir.

CHAIRMAN SCHNEIDERMAN:

All right. You just referred to Mr. Carabott who is speaking on the same topic. I'll invite Mr. Carabott up to the podium. You have three minutes to make your comments.

MR. CARABOTT:

My name is Joseph Carabott. I reside at 135 VanBuren Street, Mastic. I speak on behalf of the residents along Floyd Road and Somerset Avenue. As Commissioner Charles Bartha once told me, because I had no engineering background, I had no business meddling with his Department of Public Works. Must one be a painter to recognize the need to paint a room? Must one be an electrician to recognize the need to change a light bulb or a circuit breaker? Must one be an arborist to recognize the need to uproot a dead plant? Must one be a painter (sic) to recognize the need fix a leaky faucet? Must one be a Legislator to see the need to be elected to such a position?

Likewise, we see the -- likewise, when we say that we need a left hand Linden Avenue, we see the need to get it installed. Mr. Bill Doyle, the ex-aide to Legislator Peter O'Leary in a fit of rage got up on his knees, banged his fists hard on the desk and in a very red face, in a very loud voice told me, "We will never put another traffic light at Linden Avenue -- at Surrey Circle." In the mean time, he was the chief advocate for the left-hand arrow into the Home Depot parking lot.

Both of them later came to our house to have a good understanding of the volume of traffic in our neighborhood. Mr. O'Leary told me that if they were to install a left-turn arrow into Linden Avenue, he would have a bigger problem on his hand. I asked him if that was due to there were more votes on Linden/Pawnee Avenue than there were on Floyd and Somerset. He finished by telling me that he would consult with the Department of Public Works.

Chief Engineer Bill Hillman told me that the left-lane arrow into Linden Avenue would be a waste of taxpayers' money. What would one call it when the same department who closed intersection 46 and Mastic Boulevard and now wants to open it again? What would one call when the -- when, for the Montauk Highway project, we had to choose between plan five and plan six? Meaning that prior to that, there was plan one, plan two, plan three and plan four. What would one call creating plan six when it was very clear that merchants, EMS and fire departments were dead set against roundabouts and raised circle, which plan six all about?

The office of the Supervisor constantly tells me, "We depend on the judgement of the Department of Public Works." It was this department that left the intersection of Linden Avenue and CR 46 without protection of a traffic light. The inevitable happened when someone lost one's life due to a traffic accident at this intersection. The residents demanded a traffic light, however, the Department of Works in their finite wisdom closed the intersection.

Since the intersection of Linden Avenue and CR 46 was closed, all traffic was left to one eastbound artery being Floyd and Somerset. According to traffic safety counts, between ten and 12,000 cars use our residential roads on a daily basis, while Linden Avenue's average is about 850 cars. This is way out of balance when the vehicle per capita is taken into account. Why should we depend on the judgement of the Department of Public Works? The department knew very well that the double eastbound lane on Montauk Highway east of CR 46 would be extended further east, and they would be merging. When the and lanes were extended, the merging signs were not installed. I had to call the department -- the Director of Traffic Safety, Mr. Robert Bornholdt, to remind him to install such signs. And that was about a month after the lanes were extended.

At a meeting on that took place on 6/15, in Legislator Kate Browning's office, Chief Engineer Bill Hillman told me that he could not find anything in what I say or in what I write. When I ask him why he would not install a left-hand arrow at Linden Avenue, the Director of Traffic Safety, again, Mr. Robert Bornholdt, answered that traffic lights are the major cause of rear-end accidents. This answer defies logic. Traffic lights do not cause accidents, as accidents are caused by people's inattention. Traffic lights are a safety enhancement, definitely not a safety impediment.

There have been many rear accidents on Sunrise Highway, Southern State, I-495 and Northern State, and there are no such traffic lights on these roads. I further ask what about all the traffic lights that you will be installing on Montauk Highway and CR 46 to do a way with some of the left turns at this intersection? I got the answer. Those traffic lights are to control traffic. Since when do other types of traffic lights not control traffic? A red light is red light.

CHAIRMAN SCHNEIDERMAN:

Sir, you are over time. If you could just --

MR. CARABOTT:

Well, give me time, because I'm sure I'm holding your interest in what I'm saying.

CHAIRMAN SCHNEIDERMAN:

You are, but we have a three minute rule. You're now at five minutes.

MR. CARABOTT:

Well, could you give me another two minutes?

CHAIRMAN SCHNEIDERMAN:

One more minute to finish up.

MR. CARABOTT:

There's nobody after us.

CHAIRMAN SCHNEIDERMAN:

I understand that. We have a long agenda. I'll give you one more minute, sir.

MR. CARABOTT:

After bragging that their model showed how well their plan would work, I asked them what I thought was a simple question, "Which lane would be longer?" They could not give me a straight answer before they discussed it among themselves. It was my understanding that the Surrey Circle Plan was displayed at a meeting at Shirley-Mastic Chamber of Commerce. I was told that the model on which this plan was drawn used incorrect data. Local residents including an engineer that just spoke, an oil delivery man all say that the idea of adding another lane to Surrey Circle is pure madness, crazy, more accident prone, who is kidding who, whose idea is this. I have no one telling me what a bright idea.

Peter, a local resident, commented, "Joe, I did not realize that traffic on this road is so heavy." I told him, "I am working very hard to have a level-turn arrow." He immediately replied, "That will get 50% of the traffic off this road." Peter was born on Pawnee Avenue 44 years ago and still resides there. Now that's a man who really knows the traffic better. Too much energy is being wasted because traffic is left with only one eastbound artery.

The owner of the car wash told me that idea of the left-hand arrow at Linden Avenue is a far much better idea than eastbound lane Surrey Circle. Others waiting for vehicles to be hand-dried expressed the same opinion. We urge you to abandon -- this is the rest of what I give you -- what I've given you before. I'm surprised nobody asked me any question. Where are these roads or anything else?

CHAIRMAN SCHNEIDERMAN:

Anybody have any questions for the presenter? Thank you, sir.

MR. CARABOTT:

Okay.

CHAIRMAN SCHNEIDERMAN:

I think our poor stenographer got a finger workout on that one. When DPW comes up, perhaps if there are questions specific to DPW. Okay. That concludes our public portion. We have no presentations scheduled, so I'd like to move on to the agenda. I will ask the Commissioner to step forward as well as anyone you wish to have join you from DPW. I have a couple of questions before we begin.

They all concern County Road 39, as you might have guessed. Maybe if you need Bill to join you as well. First, you had been looking into ways to get the cone program going in April. In light of the ongoing work at St. Andrew's Bridge and the road constrictions in that area, I wanted to know anything looks promising or how's that going in that regard? I know today the traffic was backed way up, way backed up as I was coming to Hauppauge and it's only going to get worse. It's only mid March now. So if you could comment.

COMMISSIONER ANDERSON:

Understood. We are still in discussion with the town about the feasibility of an alternate plan. So we're hoping to meet -- I believe we're meeting on the 22nd with them. And, you know, hopefully we can come to some decision on how to proceed with this. At the earliest, if it did -- you know, if it did -- was found to work, we would be starting after April 15th, so -- because of the time, you know,

the start of the day, you still have good chance of, you know, frost and what not. So that's where we're at right now. I'll have more information next week.

CHAIRMAN SCHNEIDERMAN:

You guys are now measuring volumes of traffic and trying to calculate what the impacts would be of some of the alternatives; is that right?

COMMISSIONER ANDERSON:

Pretty much, yep.

CHAIRMAN SCHNEIDERMAN:

Similar to the way that the cone program started, I suppose it would be possible to do a pilot program on a detour to see -- you know, rather than be married to it, you could try it out and see how it went and then base your decisions upon, you know, real-in-the-field data. So that's just a suggestion.

COMMISSIONER ANDERSON:

You know, we are talking about that as well. Our concern is to run the program and then find it doesn't work or there's some safety issue and we have to stop it, I don't want to be in the same situation like last fall when, you know, we had something that worked and then we tried it -- now we're in a different situation because of the road -- the bridge reconstruction. You know, there are certain impacts we have to look at. I just want to make sure it works before we --

CHAIRMAN SCHNEIDERMAN:

Well, testing the detour, that could be tested any time, I would think. It could be tested in advance of -- it could be tested in March, right, In advance of the cone program?

COMMISSIONER ANDERSON:

Right.

CHAIRMAN SCHNEIDERMAN:

Right now over the St. Andrew's Bridge there are three lanes; there are two westbound and one eastbound. Is that going to change? Is the road going to be more narrow than it currently is?

COMMISSIONER ANDERSON:

Yeah. Between having the jersey barriers, the concrete barriers in place, which will reduce the lane width, you will also have -- you know, on occasion you will have times when they will have to remove portions of the pavement just to do the bridge work, you know, the size of the bridge and stuff like that.

CHAIRMAN SCHNEIDERMAN:

Are you anticipating there will be times when there will be just two lanes in that section, just one east and one westbound lane?

COMMISSIONER ANDERSON:

There could be. I mean, it really depends. The barriers are there now, so it is going to, you know --

CHAIRMAN SCHNEIDERMAN:

The barriers are there now and there's still three lanes going over it.

COMMISSIONER ANDERSON:

They just came up. In fact, the under section, I believe, is -- the arch itself is going to begin being installed tomorrow.

CHAIRMAN SCHNEIDERMAN:

And the concern with the cone program is that you couldn't get the cones set up and still have the width for the three lanes?

COMMISSIONER ANDERSON:

Yeah. There's going to be instances where it's unsafe and you're not going to have enough --

CHAIRMAN SCHNEIDERMAN:

Well, I'm just talking about over that bridge section.

COMMISSIONER ANDERSON:

Understood. Understood.

CHAIRMAN SCHNEIDERMAN:

Are there alternatives to the cones? I know when I'm driving to Manhattan through the Midtown Tunnel, they have lanes separated with, not by cones, but these cylinders, maybe three or four inch cylinders, that stick up. I think they're anchored into the road.

COMMISSIONER ANDERSON:

Right.

CHAIRMAN SCHNEIDERMAN:

A lot narrower than a cone. You know, in that section of the cone program, could that be an alternative, maybe not using cones, but using --

COMMISSIONER ANDERSON:

Those physically have to be installed in the roadway, so it's not as though you can put them in and pull them out on a daily basis.

CHAIRMAN SCHNEIDERMAN:

There's no inserts that you could stick them in and take them out?

COMMISSIONER ANDERSON:

That would stand? No, I don't believe so.

CHAIRMAN SCHNEIDERMAN:

Okay. Maybe that could be investigated as another possible alternative. I don't know. I just know that it's already bad, and it's going to get worse. And all of our phones will be ringing soon.

COMMISSIONER ANDERSON:

It's always been bad. But, you know, we're being proactive. And right now, you know, we are making this project move so we'll be ready to do summer program, but also, you know --

CHAIRMAN SCHNEIDERMAN:

Sure. The detour idea, I think, is the simplest. And hopefully that will prove to work. You are also looking at the Friday night situation too with the hope of maybe on Memorial Day of this coming summer season to be able to provide some relief to the evening traffic as it heads out to the Hamptons. We had passed a resolution looking -- having you look at that feasibility. Do we have any indication in terms of that?

MR. ZWIRN:

If I might, Mr. Chairman, I spoke with Supervisor of Southampton, Skip Heaney. And he said he doesn't have the personnel to run an evening program. He said he just physically didn't have it. It wasn't a question of overtime money.

CHAIRMAN SCHNEIDERMAN:

I have spoken with him as well. That has been his position. He doesn't object to it per se, he just doesn't have the personnel to do it.

MR. ZWIRN:

Physically, they'll be exhausted, you know, after the morning cone program.

CHAIRMAN SCHNEIDERMAN:

Right.

MR. ZWIRN:

When that goes into effect, there's just no way he can do it.

CHAIRMAN SCHNEIDERMAN:

But he did not object to -- though he did object to having nonuniformed personnel out there directing traffic, like using a private company, he did not object to other uniformed police officers from other jurisdictions.

MR. ZWIRN:

I'm sure he didn't.

CHAIRMAN SCHNEIDERMAN:

That's important, Mr. Zwirn. I know you're laughing, but --

MR. ZWIRN:

But I'm sure, because it doesn't come out of his budget.

CHAIRMAN SCHNEIDERMAN:

Sure. In the past, we've had Sheriffs out there -- we have had -- excuse me. Let me finish, please.

MR. ZWIRN:

You had two Sheriffs.

CHAIRMAN SCHNEIDERMAN:

We had Southampton Village provide police officers. We even had the Town of East Hampton who contributed financially toward the project last time. Now, you know, the idea with the Friday evening program possibly that might be a cost incurred, is paying for additional police from other jurisdictions. But we can't determine how many police are necessary until we have a plan.

Once we have a plan of how that program would be set up, because there's some unique circumstances with a Friday evening operation, we would know how many police we would need, then we could go out and determine some costs and see if there were police services available through other towns or villages. And then we have to figure how we would pay for that. There have been some interesting ideas as how that might be paid for.

So there's possibilities of making this happen. And you are right in saying that Southampton does not have personnel to do it. But that is necessarily a deal breaker here. It's something that if we can't use Southampton Police, accept it. They might provide a few people he said, but he couldn't even promise that. So we need to go and look at other alternatives, and that's what we're doing. And I'm hopeful that maybe we can put the pieces together by Memorial Day.

MR. ZWIRN:

I'm curious, because I'm don't -- I'm not sure I follow you. You're talking about Deputy Sheriffs handling the entire --

CHAIRMAN SCHNEIDERMAN:

No. I'm talking about possibly offering to other jurisdictions like Riverhead or Southold or East

Hampton, some of the villages a request to use uniformed police officers and actually pay those towns for that service, to buy those services from those towns. To do so, we'd actually need to have some money. And there's been some ideas, including the idea of actually using private money to -- you know, "Tonight's extra lane sponsored by X Company, Y Company." There's been some interest in that. So there are possibilities to open up those Friday nights without it burdening the taxpayer at all. It's a little bit outside of the box.

MR. ZWIRN:

Has anybody approached the Town Supervisors in the areas where you expect to get these police officers?

CHAIRMAN SCHNEIDERMAN:

I have not yet. And I haven't yet because we don't have -- DPW has not said it's feasible yet. So there's no point to even doing that until we know it's feasible and what level of personnel we would need.

MR. ZWIRN:

And the Southampton PBA who came here because they were unhappy with Deputy Sheriff going out and checking on sex offenders east of the Shinnecock Canal. I can't imagine that they would be sitting silent and having police officers coming in from the Town of Riverhead and from other towns on the East End, Town of Southold or the Town of East Hampton to patrol -- short of an absolute emergency, to patrol their jurisdiction.

CHAIRMAN SCHNEIDERMAN:

There's many times when there's been that mutual cooperation for events where, you know, you need police from one jurisdiction to help in another jurisdiction. It's not unheard of. My conversation with the Supervisor, he certainly didn't rule that out. He seemed willing to look at that. Certainly with the County Road 39 cone project in the past, we had Southampton Village out --

MR. ZWIRN:

Well, because it runs through Southampton Village.

CHAIRMAN SCHNEIDERMAN:

And here. East Hampton is certainly affected by this as well. The whole Long Island -- you know, the whole East End is affected. A lot of the people who are stuck in that traffic, don't live on the East End, they live in other areas. The whole, I think, East End economy is affected by this, which affects all of the County.

MR. ZWIRN:

I just don't know where -- I just think what you are asking for -- I'll give you credit for trying, but there's a lot of homework that's going to have to go into trying to get permission from other jurisdictions to send police. Suffolk County Deputy Sheriffs, that -- I don't think anybody had any question with that, because they drive out there all the time. But even Suffolk County Police, there were no Suffolk County Police Officers involved in this -- on the County Road 39 project, because their jurisdiction generally ends at Riverhead.

CHAIRMAN SCHNEIDERMAN:

I think first we need to know it's feasible. Once we know it's feasible, we can determine the level of patrol. Not we, but I think that we have to go to Southampton and ask them to do -- to look at the plan and say what level they believe is necessary in terms of police patrol. Once we have that, then I've got to try to put together the police force and the funding for that police force. I'm not saying this is going to be easy. This is obviously a very difficult task.

But I can't even get started until DPW has said it's possible. There are some unique circumstances with the night program, such as setting it up at 6:00 or 6:30 in the evening; you know, would there

be any closures, would there be any detours involved in that, how is it going to affect the restaurants and shops in that area. I don't know. They're looking at all those issues. When I have those answers, then we can move on to the next -- the next step. So even if it is feasible, it may get hung up on not being able to provide adequate levels of traffic safety personnel. One step at that time. That's really why I'm asking Commissioner Anderson where they are in that process.

COMMISSIONER ANDERSON:

As directed, we are looking into the feasibility of it. We should have an answer for you, you know, pretty soon. I would say within the next month.

CHAIRMAN SCHNEIDERMAN:

What was the turn-around time on the resolution, 90 days, right

COMMISSIONER ANDERSON:

I think so,yeah.

CHAIRMAN SCHNEIDERMAN:

So we're pretty close.

COMMISSIONER ANDERSON:

Pretty close.

CHAIRMAN SCHNEIDERMAN:

Anyone else have any questions for the Commissioner before we get started? Thank you, Mr. Anderson. Starting with Tabled Resolutions.

2299-06, Adopting Local Law No. 2006, A Local Law to strengthen the policy for connections by premises outside of sewer districts.

The public hearing was closed. Is there a motion?

LEG. MONTANO:

I'll make a motion to table.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Montano, seconded by Legislator Eddington. On the motion? Legislator Montano.

LEG. MONTANO:

Ben, do you have any comments on this resolution from your perspective? Any position on this?

MR. ZWIRN:

We could ask -- Ben Wright is here.

LEG. MONTANO:

The Commissioner.

MR. ZWIRN:

I think Ben has testified that these issues were already taken into consideration by the Sewer district Agency.

MR. WRIGHT:

There's five factors, and three of them are considered by the agency; SEORA, capacity and the

funding for the district. The other two would have to develop a plan on how to get that information from the developers.

CHAIRMAN SCHNEIDERMAN:

So it sounds like there is some merit to this bill, because it would require that the committee look at those other two concerns.

MR. WRIGHT:

It would have to ask, you know, the jobs and, you know, whatever other benefits, financial, accrue to the County and affordable housing. But as you will probably come to 1079, it seems like there's some duplicity between affordable housing and that bill and this bill.

LEG. MONTANO:

Just so I am clear, you're saying that some of the factors that are enunciated in the bill are already considered and some are new?

MR. WRIGHT:

Yes. The Sewer Agency will not consider a formal approval until SEQRA process is complete. There has to be capacity in accordance with New York State DEC. And the connection fee is what is the financial benefit to the district along with the -- there's a 5% administrative charge on all out-of-district connections for the user fee. So there is a mechanism for reimbursing the district for the capacity and the use.

LEG. MONTANO:

Okay. Just so I'm clear, though. We're talking about numbers one through six in Subparagraph B, am I correct on that? You say that three of those factors are already considered in your process?

MR. WRIGHT:

Yes.

LEG. MONTANO:

Maybe you don't have the bill in front of you.

MR. WRIGHT:

I do. Five factors; first is the environmental impact, and that's the SEQRA process, has to be complete before it comes to the Sewer Agency.

LEG. MONTANO:

So that's already in place.

MR. WRIGHT:

Excuse me?

LEG. MONTANO:

That's already in place?

MR. WRIGHT:

Yes.

LEG. MONTANO:

Okay. The second one?

MR. WRIGHT:

There might be some interpretation necessary there, but the tax impact to the affected district is the connection fee and the use charge with a 5% administrative fee that's on top of the use charge. And with the addition of the connection fee be doubled, you know, in the past month or so, that

certainly brings equity to those connection.

LEG. MONTANO:

Just very quickly, the other four factors.

MR. WRIGHT:

The fourth one is also something that's in place where we have to have the capacity in the facility in order to recommend to the Sewer Agency that it be granted formal approval.

LEG. MONTANO:

So basically what you're saying, just so I understand this, one, two and three -- one, two and four are already in place.

MR. WRIGHT:

Yes.

LEG. MONTANO:

Okay. And the others are new?

MR. WRIGHT:

Yes.

LEG. MONTANO:

All right. Thank you very much.

COMMISSIONER ANDERSON:

Just briefly, on item five, with regard to setting priorities, that is -- I just want to reiterate with regard to item five, you know, setting the priorities would really have to be -- you know, that's the jurisdiction of the Legislature, not of us. So you would have to set up, you know, limits or priorities.

CHAIRMAN SCHNEIDERMAN:

Okay. The bill is somewhat vague in that regard, whereas 1079, which Mr. Wright mentioned a moment ago, my bill is quite specific in terms of housing. It says if housing -- over ten units of housing, it would have to be -- 20% of those units would have to be for -- have to meet the County's definition of affordable housing. There's no gray area there.

LEG. MONTANO:

I hear you on that. I just wanted to understand this better. There's a motion to table and a second.

CHAIRMAN SCHNEIDERMAN:

There's a motion to table and a second.

LEG. MONTANO:

I'll continue with that.

CHAIRMAN SCHNEIDERMAN:

Any more discussion? All in favor? Opposed?

LEG. CARACAPPA:

Opposed.

CHAIRMAN SCHNEIDERMAN:

I'll be opposed too. Abstentions? So myself and Legislator Caracappa are opposed. Tabling motion is **APPROVED (VOTE:3-2-0-0 - Opposed - Legis. Schneiderman and Caracappa)**

2431-06, 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. CARACAPPA:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

It's got to be tabled.

LEG. MONTANO:

Second.

CHAIRMAN SCHNEIDERMAN:

There's a motion by Legislator Caracappa to table, seconded by Legislator Montano. All in favor? Opposed? Abstentions? **TABLED (VOTE:5-0-0-0).**

2594-06, Directing the Department of Public Works to conduct a traffic study of County Road 111 from the Long Island Expressway to Sunrise Highway.

LEG CARACAPPA.

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator Caracappa, I'll second for the purpose of discussion. Mr. Anderson, can you update us on the status of the County Road 111 study?

COMMISSIONER ANDERSON:

I'm going to defer this to Bill, because he can give you the most up-to-date information on our study -- ongoing study.

MR. HILLMAN:

This resolution is actually -- is a duplicate. It directs the Department of Public Works to perform a study, which we're already doing.

CHAIRMAN SCHNEIDERMAN:

Bill, there's a little difference between this study and the one you're doing, right, in terms of the length of the study area?

MR. HILLMAN:

That's correct. Now, when we set the parameters for the study that we're presently doing, looked at the entire road and determines that the proper limits for the study were from Chapman Boulevard to the Long Island Expressway. From Chapman south to Sunrise Highway, there really are not many issues to be looked at. So it didn't make sense to include the whole road. But we did from a department -- from an internal department standpoint, we looked at the entire road when we set parameters. It's something we to do before every study. So the department does not feel that from Chapman south to Sunrise requires a traffic study.

LEG. MONTANO:

Motion to table.

LEG. EDDINGTON:

I'll second that.

CHAIRMAN SCHNEIDERMAN:

On the motion. Again, Mr. Hillman, can you give us the status of that study in terms of what stage you are at?

MR. HILLMAN:

Yes. The overall long term study, which some preliminary ideas for the -- solving this problem has been the development of an interchange. That has been put somewhat on hold to develop the early implementation projects, which are traffic signals at the North and South Service Road, which is progressing fine. We expect to have those up prior to Memorial Day.

In addition, shortly after Labor Day, we would be removing the center median, concrete median, over the bridge and installing a second left-turn lane. And that's moving along nicely too. So the overall study is somewhat on hold until those other things are complete. But also, we need to collect data during summer months to really kick that study off. But we are progressing with quite a bit of work.

CHAIRMAN SCHNEIDERMAN:

So the lights will be in for the summer season, but the concrete median won't be removed?

MR. HILLMAN:

That's correct. But we have worked out some traffic signal timing that will provide excellent capacity and safety improvements.

CHAIRMAN SCHNEIDERMAN:

Is that light -- the one on the south ramp coming off of the LIE -- you know, I'm just imagining traffic backing up onto the LIE, which it does sometimes now anyway. You will still be able to --

MR. ZWIRN:

It's not going to be a red light coming off the ramp. That's going to be a -- it's going to be a green right -- you'll be able to make the right turn the way you do now without -- without coming to a stop. But what it's going to do, it's going to stop traffic going across County Road 111 going east so that -- but it's not going to impact traffic -- it shouldn't impact traffic coming off.

MR. HILLMAN:

It's actually going to promote -- promote that movement, because right now, there's a stop sign, and that stop sign is for the through movement. And everybody gets confused, they think it's for the right turn movement. So that stop sign will be removed, and there will be a right turn green arrow that's green 100% of the time. So it will actually encourage the movement without stopping.

CHAIRMAN SCHNEIDERMAN:

That sounds good. And as you're turning -- if you're heading back west and you're going to turn left off of 111 on to the north ramp, there will be a light there with a green arrow, I guess.

MR. HILLMAN:

It will be a double left, and the right lane will be a left combination through. And the southbound approach will be operating on a separate phase for three or four months.

CHAIRMAN SCHNEIDERMAN:

That sounds logical. Okay. So there's a motion to table and a second All in favor? Opposed?

LEG. CARACAPPA:

Opposed.

CHAIRMAN SCHNEIDERMAN:

Legislator Caracappa is opposed to tabling. 2594 is **TABLED (VOTE:4-1-0-0 - Opposed - Legis Caracappa)**

1079, Adopting Local Law No. 2006, A Local Law to amend the County policy for sewer connections to promote affordable housing.

CHAIRMAN SCHNEIDERMAN:

The public hearing is closed. I'd like to make a motion to approve.

LEG. CARACAPPA:

I'll second for the purposes of discussion.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Caracappa. On the motion, Legislator Caracappa.

LEG. CARACAPPA:

This seems similar to the attempt that I put forward two years ago that was actually passed by the Legislature, vetoed and wasn't sustained. In your bill you say 10% of the units, anyone hooking up to the County Sewer Agency?

CHAIRMAN SCHNEIDERMAN:

Twenty.

LEG. CARACAPPA:

Twenty. So mine was ten, I believe, anyone that was to get authorization through the Sewer Agency, which this, in turn, obviously would be the same -- same affect seeing that you hook up to any sewer connection you eventually -- prior you have go to the Sewer Agency.

CHAIRMAN SCHNEIDERMAN:

I think actually in Brookhaven, in your district, the town zoning has a 20% requirement on large complexes already. So it wouldn't --

LEG. CARACAPPA:

That's as it relates to a site plan and to density, but when it comes to hooking up to -- the reason I ask is I asked the County Executive and the Public Works who opposed my efforts back with half of the capacity that's stated in this bill. Where are you guys now seeing that you've vetoed my attempt on this a couple of years back?

MR. ZWIRN:

I don't -- I don't -- we haven't had any formal comments from Commissioner Morgo yet. I know he indicated in the -- - initially that he --

CHAIRMAN SCHNEIDERMAN:

He spoke in support of the bill.

MR. ZWIRN:

His initial reaction was that he is supportive. I'm trying to recall the debate with your resolution, why --

LEG. CARACAPPA:

My bill was to -- 10% of any future development that needed to go to the Sewer Agency -- that for approval of Sewer Agency, needed 10% affordable units within that new development. This seems to be very similar, and it's asking for 20%. I'm just curious in the shift of the policy by way of the County Executive.

MR. ZWIRN:

It's not our bill.

LEG. CARACAPPA:

It wasn't your bill, it was my bill.

MR. ZWIRN:

I understand. So it's not as if -- we may not have shifted with respect to policy. I said we haven't had a formal comment from Commissioner Morgo. His initial reaction was positive, but we're waiting to hear from him.

LEG. CARACAPPA:

I certainly support this, Mr. Chairman. It's just -- I'm just perplexed over the fact that two years ago it was half that capacity and now it's double. Okay.

CHAIRMAN SCHNEIDERMAN:

I have no crystal ball to say what the future holds for the bill, but I think it's -- you know, it's a major issue for the County. I think it makes sense to tie the privilege of hooking up into our sewer systems.

LEG. CARACAPPA:

It makes perfect sense. And seeing that we don't have housing abilities aside from doing, you know, a simple 72-H here and there and things of that have nature, to really promote affordable housing and, of course, our affordable plan to buy properties to, again, transfer to townships for that purpose. You know, we look for any possibly avenue on the County level within our jurisdiction to promote affordable housing. Using the Sewer Agency and hooking into sewer districts is absolutely one of those available tools for us to promote affordable housing especially when it comes to new development. It's something we've tried in the past, it's something that has been vetoed in the past and hasn't sustained -- hasn't survived a veto override. So, again, I was just very curious. Something I still support seeing that I put it forward a couple of years ago. And hopefully, this will make it though the whole process.

CHAIRMAN SCHNEIDERMAN:

This will potentially lead to thousands of units of affordably priced housing in Suffolk County.

LEG. CARACAPPA:

Agree.

LEG. MONTANO:

Mr. Chairman.

COMMISSIONER ANDERSON:

You know, public Works -- I mean, you know, we support the intent, you know, to promote and encourage affordable housing. There's a couple of things in the bill that it would probably be worth talking about. It doesn't recognize a conceptual approval stage.

CHAIRMAN SCHNEIDERMAN:

I'm sorry?

COMMISSIONER ANDERSON:

Your bill doesn't recognize the conceptual approval stage as part of the development, you know, through the Sewer Agency. Also --

CHAIRMAN SCHNEIDERMAN:

It doesn't exempt those projects with conceptual approval.

LEG. CARACAPPA:

You're saying it doesn't -- it doesn't exempt those projects that have received conceptual approval, is that what you're saying? It exempts those that have formal --

LEG. CARACAPPA:

He's saying those projects can go forward preliminarily. You don't put that statute -- that statute doesn't apply to anyone that's initially applying.

CHAIRMAN SCHNEIDERMAN:

I believe the bill exempts those that have received formal approval, but not those that have received conceptual approval, if that's correct.

COMMISSIONER ANDERSON:

As words in the legislation applies, the approval process automatically precedes to the contract stage, it doesn't. We actually start with conceptual approval, and then they get everything in order and then they come back for the final approval. Your legislation seems to leave that. It goes right to the contract stage. The other concern I have is there's -- if we do this, there's nothing in there really about penalties. Like, what if a developer decides to not follow the letter of the law? There doesn't seem to be anything in there that --

CHAIRMAN SCHNEIDERMAN:

I've had this discussion with Counsel. I'll defer to Counsel.

MR. BARRY:

As far as penalties go, it's a contract. So you have normal contract enforcement. You can't put a penalty provision in something like this, it doesn't work. But if you enter into a contract that says if we're going to hook you into the sewer, have to have X, if they don't do it, you can enforce it through normal contract.

LEG. CARACAPPA:

Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:

Legislator Stern.

LEG. STERN:

Through the Chair, a question for counsel. So if there's no penalty provision and it's a contractual dispute, what would be the damages? If it's limited to a contract action, how do you even remotely determine what the --

MR. BARRY:

The contract becomes null and void. Well, there's no provision for monetary damages within the -- within the resolution. You know, if they're in violation of the contract, typically you can disconnect, although that's probably not feasible. But it's not -- it's not feasible to write in a penalties clause in something like this, because you're not actually violating a law, you're violating the contract. You know, all of these sewer connections are contracts now. So I'm mean, all the provisions that they have to go through now are normal contracts. So, I mean, how does the department enforce those?

MR. HILLMAN:

I'd have to defer that one to Ben.

MR. WRIGHT:

There's no financial implications in the contracts that we have, but there is disconnect language that we could exercise if we had to.

LEG. MONTANO:

Mr. Chairman.

MR. BARRY:

So then that would hold for this too.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

Yeah. This sounds, you know, good. And my predisposition is to support something like this. I vaguely recall the issue with Legislator Caracappa on that bill and the veto and why the -- the veto was issued. I'd like to go back to my records and, you know, get a little more in on this. What I'm hearing now makes me -- I'm going to make a motion to table. What I'd like to get, though, is some of the expressions that you put out here today. I'd like to get something in writing, you know, giving some kind of guidance. I don't know if it comes from your office. I really don't care where it comes from. At least it allows me to better understand and research the implications of what we're doing.

Certainly the goal is good, whether it's ten, 20, 30%. I don't think it's going to hurt us, but I would like to know a little more about that. I'm going to make a motion to table today, but, you know, with -- it's not part of the motion, but I would like to get something through the Chair to, you know, myself, which would, you know, analyze this and, you know, discuss the issues that I could look at before making a determination if that's okay with the Chair.

CHAIRMAN SCHNEIDERMAN:

Well, I prefer we release it to the full Legislature and have that information ready at the Legislature.

LEG. MONTANO:

I'd rather deal with it in committee, which I think is the appropriate way. I'd rather, you know, be more prepared to discuss it, that's why I made the motion to table, but I don't have a second yet.

CHAIRMAN SCHNEIDERMAN:

There's motion to table, is there a second?

LEG. STERN:

I'll second the motion. I agree with Legislator Montano. And I think for me any way until I can explore it just a little bit further, I mean, the issue for me is there is, I would think, a significant difference between a disconnect with a commercial property for violating whatever the terms of the contract is. And here we're talking about holding possibly a homeowner responsible for the developer not following through with their contract on hooking up to the system. I would like to get some more information on how that would work and how if this is going to be enforceable, that ultimately it's enforced to the detriment of the resulting homeowner in a community.

CHAIRMAN SCHNEIDERMAN:

Okay. So it's the enforcement issue that's your concern, not -- the principle of the bill you support, but you want -- all right. So there is a motion and a second to table. We'll take a vote on the tabling. All in favor? Opposed? Abstentions.

LEG. CARACAPPA:

Abstain on the tabling.

CHAIRMAN SCHNEIDERMAN:

I'm going to abstain on the tabling myself. **TABLED (VOTE:3-0-2-0 - Abstentions - Legis. Schneiderman and Caracappa)**

1103, Directing the Department of Public Works to expand the 7D Bus Route.

CHAIRMAN SCHNEIDERMAN:

I'll make a motion to approve. Is there a second?

LEG. CARACAPPA:

Second.

CHAIRMAN SCHNEIDERMAN:

There is a second on the motion. On the motion, any discussion? The motion is to approve 1103. We'll defer to the Commissioner on this.

MR. ZWIRN:

I can jump in here, because this goes back even before, I think, Commissioner Anderson was here -- there is no money in the budget for this. The study was completed, the study has said that it can be done. There's no money do to. And they're trying to -- DPW, Bob Shinnick, is trying to work out a plan to find out how much it's going to cost.

LEG. MONTANO:

If I may, Mr. Chair.

MR. ZWIRN:

So it's just a little premature.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

That's what I was going to ask. What are the cost factors, and what's the mechanism to expand the bus route fiscally?

COMMISSIONER ANDERSON:

Well, one of the first things we have to do is meet with the manufacturers, the companies within that industrial park and they determine -- you know, right now, yeah, it's feasible to basically -- it's feasible to have the bus stop at the entrance to the industrial park, but then does it become usable, you know, to the people who would be taking this bus to this park. We are in the process of doing now is to discuss with the individual companies and whatnot their need and assess how many buses we have to provide and, you know, the numbers and what the cost would be.

LEG. MONTANO:

And once we determine that, they would -- how would we -- you know, the mechanism to fund that, would it be in the budget? So it really should go through a budgetary process along with the other items, I would imagine.

MR. ZWIRN:

Correct, yes.

CHAIRMAN SCHNEIDERMAN:

Isn't there money in the budget for some flexibility? I mean, we were able -- on the S-92 Route, we were able to get some more runs in there without modifying the budget. Isn't there some money within the budget? This seems like a limited -- it would be a limited amount of additional, you know, new bus service.

MR. ZWIRN:

I think Bob Shinnick indicated it adds about four miles to the present -- the present route, and they have to go on the Expressway -- part of the Service Road of the Expressway or the Expressway as part of this. There was a little bit of a safety issue. And they just don't know exactly what it's going to cost yet. So they don't know -- it's just a little premature.

CHAIRMAN SCHNEIDERMAN:

Right. Really my question gets down to whether the way the budget was approved, whether there's enough flexibility in it to cover something like this.

MR. ZWIRN:

Everything's priorities. I think this year's, certainly the Operating Budget, I think it's going to be awfully tight finding offsets for anything, because your revenues aren't coming in. No matter what you budgeted, the money is not there. Even though you may have surplus in an account that you're not spending doesn't mean the cash is going to be there.

CHAIRMAN SCHNEIDERMAN:

If I could quote you on another matter, I think you said, "If it's the right thing to do, we will find the money."

MR. ZWIRN:

That was for veterans. This is for a bus stop. There's a difference.

CHAIRMAN SCHNEIDERMAN:

Legislator Caracappa.

LEG. CARACAPPA:

A bus stop that veterans ride.

MR. ZWIRN:

If this were a veterans' bus stop, then --

CHAIRMAN SCHNEIDERMAN:

That actually pertains to comments on the cone program for County Road 39 last year and trying to add additional money to the budget. And you had said, "We found the money in the past, we'll find it again." Something to that affect.

LEG. CARACAPPA:

Thank you. Now, a feasibility study has been concluded, correct, Gil?

COMMISSIONER ANDERSON:

Yes.

LEG. CARACAPPA:

My notes here, it's the feelings of the Department of Public Works that this is -- you know, should move forward. It has the need to go forward. And, you know, having expanded bus routes myself in my district over the years, I know there's a little bit of work that goes into it by way of doing some questioning to potential riders, going into certain businesses, doing questionnaires, things of that nature. Has that started based on the fact that you have come out as a department saying, "Yes, this is feasible and necessary"? Has that process started, and if not, when? When can we look forward to that process being ended up so that we can start to work towards an offset or the Legislators in question can start working towards an offset to make this happen? Because we do know it needs an offset. It's not a cheap -- any expansion of bus service on any line is not a cheap process -- the prospects of it aren't cheap. But towards the end, it kind of works out based on the fare box stuff. But where are you on this?

COMMISSIONER ANDERSON:

I believe the discussions have started with some of the companies. I would have to defer to Bob. Unfortunately Bob Shinnick had to bring wife to the doctor. But I can get you that information.

LEG. CARACAPPA:

So you don't have a preliminary or any sort of timetable in mind?

COMMISSIONER ANDERSON:

No.

LEG. CARACAPPA:

What you are saying is this bill shouldn't be defeated, it should be just held for a little while longer until the leg work is done and then the offsets are put in place and all the information is, you know, readily available to make sure that the bus route is properly run and expanded properly as well?

COMMISSIONER ANDERSON:

Yes.

LEG. CARACAPPA:

So you are not talking about defeating this bill whatsoever.

COMMISSIONER ANDERSON:

No. We just want to fine tune the actual pick-up locations. We don't want to just go in there and just drop one spot. You know, we need to know where the key places are going to be.

LEG. CARACAPPA:

I certainly appreciate that. But if you could, through the Chair, get us a preliminary timetable ASAP so that we know what we can do by way of working with the sponsor to make where resources available, to make this new change put in place before the summer months come. Hopefully, we'll have it in place by then. So that's my concern.

LEG. MONTANO:

Mr. Chairman.

MR. ZWIRN:

If I might. Let me just say, because Legislator Caracappa wasn't on this committee last year. Legislator Romaine and Legislator Browning asked for this study to be done, and it was done. I mean, they asked for it, it was approved, and the study was done. We're just trying to find out, I think, how much it's going to cost and what physically has to be done. We're not trying to put a barrier up to it, it's just a little bit premature so far.

LEG. MONTANO:

If I may.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

This is to BRO, is there a financial impact attached to this bill? Is one required? Because I think what I'm looking for in terms of information when you talk about the dollars and cents, what's it going to cost? So do we have a financial impact statement?

MR. REINHEIMER:

Yes. One was done February 7th. And it's based on the study, which came out said it's a nominal cost for putting in an extra stop or putting in a stop at the start of the workday and possibly stopping at the end of the workday at the beginning of the park. But I guess according to the Public Works Commissioner, they're looking for expanded service past just dropping off at the beginning of the park. And we don't know the financial impact of that.

LEG. MONTANO:

I don't have the financial impact. Does that jibe with your looking at the situation, your exploring something beyond what BRO just said in terms of this one additional stop or two additional stops?

COMMISSIONER ANDERSON:

Yes. We want to see what the ridership needs are going to be. We just don't want to drop them at 6:30 and pick them up -- you know, we're trying to access, you know, what the riderships' needs will be. And once we have that further detailed --

LEG. MONTANO:

I'm going to move to make a motion to table. And you will get us that information?

COMMISSIONER ANDERSON:

Yes.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Montano to table, seconded by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? I'll abstain from the tabling. **TABLED (VOTE:4-0-1-0 - Abstentions - Legis. Schneiderman).**

1178, Appropriating funds in connection with the reconstruction of culverts (CP 5371).

Is there a motion?

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator Stern.

LEG. MONTANO:

I'll second that. On the motion, that's in the budget, right?

COMMISSIONER ANDERSON:

Yes, it is.

LEG. MONTANO:

All these appropriating are within the Capital Budget?

COMMISSIONER ANDERSON:

Yes, they are.

LEG. MONTANO:

Thank you.

CHAIRMAN SCHNEIDERMAN:

There was a motion by, I think, Legislator Stern, seconded by Legislator Montano. All in favor? Opposed? Abstentions? 1178 is **APPROVED (VOTE:5-0-0-0).**

1179, Appropriating funds in connection with the reconstruction of drainage systems on various County roads (CP 5024).

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

There is a motion by Legislator Stern, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

LEG. MONTANO:

List me as cosponsor, please.

1180, appropriating funds in connection with strengthening and improving County roads (CP 5014).

I can provide some details. It's 5.5 million. Horseblock Road, Carleton Avenue, Riverhead-Westhampton Road, William Floyd Parkway, Middle Road, Montauk Highway, North Ocean Avenue, Frowein, etcetera. Motion to approve by Legislator Eddington, seconded by Legislator Stern. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

LEG. MONTANO:

Cosponsor, please.

CHAIRMAN SCHNEIDERMAN:

1181, Authorizing public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of the intersection at CR 19 Patchogue-Holbrook Road and CR 90, Furrows Road, Town of Islip, Suffolk County, New York (CP 5128).

LEG. MONTANO:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Montano.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

1182, Approving determinations and findings made pursuant to Section 204 of the Eminent Domain Procedure Law, and directing the Commissioner of Suffolk County Department of Public Works to prepare and file with the Clerk of the Suffolk County Legislature acquisition maps in accordance with the selected alternative for the acquisition of lands in connection with the acquisition of properties for the reconstruction of CR 16, Portion Road from the vicinity of Ronkonkoma Avenue to the vicinity of CR 97, Nicolls Road, Town of Brookhaven, Suffolk County, New York (CP 5511 Phase I, PIN 0755.98).

There's a motion to approve by Legislator Caracappa, seconded by Legislator Eddington. All those in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

1183, Authorizing public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of CR 7, Wicks Road, from CR 13, Crooked Hill Road to Blue Jay Drive, Town of Islip, Suffolk County, New York (CP 5539, Phase 2).

LEG. MONTANO:

Motion to approve and cosponsor, please.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Montano.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0)**.

LEG. MONTANO:

Please. Half that street is in my district, the other is not. I'll cosponsor that half in my district.

CHAIRMAN SCHNEIDERMAN:

1194, Appropriating funds in connection with the rehabilitation of various bridges and embankments (CP 5850).

There's about 450,000 previously appropriate for CR 97, Nichols Road, County Road 19. Is there a motion? Motion by Legislator Caracappa, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? 1194 is **APPROVED (VOTE:5-0-0-0)**.

1195, Amending the 2007 Capital Budget and Program and appropriating funds in connection with the application and removal of lane markings (CP 5037).

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

This is just a change in financing from G to B, I believe; is that correct?

MR. REINHEIMER:

That's correct.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Stern, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0)**.

1196, Amending the 2007 Capital Budget and Program and appropriating funds in connection with the County share for participation in a Transportation Planning Study of the Hauppauge Industrial Park (CP 5653).

LEG MONTANO.

Motion.

CHAIRMAN SCHNEIDERMAN:

There is a motion by Legislator Caracappa -- I'm sorry, by Legislator Montano.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Eddington. All in favor?

LEG. CARACAPPA:

Hold on. What's the offset?

MR. REINHEIMER:

This is appropriating Federal funds, so it's more than a 50% match. So there is no offset. It's \$206,000 in Federal and 51,000 in bonds.

LEG. CARACAPPA:

Why does it say amending the budget?

MR. REINHEIMER:

It says amending in the title. It's amending by appropriating Federal funds that were not scheduled Capital Program. But it's not -- there's no offset because it's more than 50%.

LEG. CARACAPPA:

Thank you.

CHAIRMAN SCHNEIDERMAN:

All tight. There was a motion and a second. All in favor? Opposed? Abstentions? 1196 is **APPROVED (VOTE:5-0-0-0)**.

1197, Authorizing an intermunicipal agreement with the Town of Huntington for the maintenance of CR 35, Mill Dam Road, Town of Huntington.

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator Stern.

CHAIRMAN SCHNEIDERMAN:

There's a motion to approve.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Stern made the motion to approve, Eddington with the second. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0)**.

1198, Authorizing the purchase of up to thirty paratransit vans including spare parts, radios, other related equipment for Suffolk County Transit and accepting and appropriating Federal Aid (80%) State Aid (10%) and County funds (10%) in connection with this purchase (CP 5658).

Motion to approve by Legislator Eddington.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0)**.

1199, Amending the 2007 Capital Budget and Program and appropriating funds in connection with the County share for participation in reconstruction of CR 16, Portion Road, from the vicinity of Ronkonkoma Avenue to CR 97, Nicolls Road, Town of Brookhaven (CP 5511).

LEG. CARACAPPA:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator Caracappa, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0)**.

1202, Amending the Adopted 2007 Operating Budget, amending the 2007 Capital Budget and Program and accepting Federal Aid and transferring Operating Funds in connection with the County share for participation in the Pedestrian Enhancement Traffic Signal Improvement Program (CP 5406).

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Stern.

LEG. EDDINGTON:

I'll second that.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Eddington. Any discussion? All in favor? Opposed? Abstentions?

APPROVED (VOTE:5-0-0-0).

1203, Amending the Adopted 2007 Operating Budget, amending the 2007 Capital Budget and Program and accepting Federal Aid and transferring Operating Funds in connection with the County share for participation in the pedestrian mobility improvements on CR 97, Nicolls Road, at Purick Street, Town of Brookhaven (CP 5407).

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Stern, seconded by Legislator Eddington. All in favor? Opposed? Abstentions?

1203 is **APPROVED (VOTE:5-0-0-0).**

1204, Amending the Adopted 2007 Operating Budget, amending the 2007 Capital Budget and Program and accepting Federal Aid and transferring Operating Funds in connection with the County share for participation in the installation of sidewalks on CR 58, Old Country Road, from the Long Island Expressway to CR 73, Roanoke Avenue, Town of Riverhead (CP 5408).

I'll make the motion.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

1225, Amending the 2007 Capital Budget and Program, accepting a gift of five (5) modular office buildings from the Sachem School District and appropriating funds in connection with the relocation and installation of these modular buildings on County property.

LEG. EDDINGTON:

Motion to approve.

LEG. CARACAPPA:

On the motion.

CHAIRMAN SCHNEIDERMAN:

There is a motion to approve by Legislator Eddington, is there a second?

LEG. MONTANO:

I'll second that.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Montano. On the motion, Legislator Caracappa.

LEG. CARACAPPA:

The used of the modulars are to be used for?

MR. CALDERONE:

Actually, through the Presiding Officer, we had found out that Sachem was donating or trying to get rid of their modular classrooms. We plan on using three for the jail project instead of renting modular offices for the transaction team, construction guys, DPW. We'll save money there. We plan on storing two for storage, as I think everyone is aware, we are always hurting for storage space. And just to let you know, they're more than storage; they're completely finished, fire alarm system, they're heated, air conditioned. It just makes a lot of sense. Actually for what we're -- what it's going to cost us to move them, Sachem, six, seven years ago, they -- for each one, they paid the same amount of money.

LEG. CARACAPPA:

I appreciate that, Mr. Calderone. I need to ask due to the fact that there's been some talk about certain policies as it relates to using certain trailers for other pending issues in the County of Suffolk. So I had to ask.

LEG. MONTANO:

I have a question.

CHAIRMAN SCHNEIDERMAN:

How big are these things?

MR. CALDERONE:

They're 1800 square feet each.

CHAIRMAN SCHNEIDERMAN:

They can't be used to store voting machines, can they? Legislator Montano.

LEG. MONTANO:

I'm just curious. In terms of what the intended use for three of them is, this is going to replace the other modulars that the County was contemplating, is that what you said?

MR. CALDERONE:

No. The three are to be used for the new jail project. So instead of renting --

LEG. MONTANO:

Exactly. Instead of renting modulars, these now are donated. But these are the same quality --

MR. CALDERONE:

Actually, better.

LEG. MONTANO:

They're better. Okay. Because it's one thing to hold kids in class, the other one is holding prisoners in a modular.

COMMISSIONER ANDERSON:

No. This isn't for prisoners.

MR. CALDERONE:

This is for the contractors, the architects, for the construction crew, transition team, etcetera.

LEG. MONTANO:

Now I have it. Okay.

CHAIRMAN SCHNEIDERMAN:

So I think we have a motion and a second. All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

1226, Appropriating funds in connection with the purchase of highway maintenance equipment (CP 5047).

LEG. EDDINGTON:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

There's about \$1.2 million in highway maintenance, it's all budgeted. There's a motion to approve by Legislator Eddington, seconded by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE:5-0-0-0).**

That concludes our agenda. If there's no other business, we are adjourned.

(*THE MEETING WAS ADJOURNED AT 3:10 P.M. *)

{ } DENOTES BEING SPELLED PHONETICALLY