

**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, October 2, 2007.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

Ian Barry - Counsel to the Legislature
Kevin Duffy - Budget Review Office
Gilbert Anderson - Commissioner - DPW
Tom Laguardi - Chief Deputy Commissioner - DPW
Renee Ortiz - Chief Deputy Clerk - SC Legislature
Catherine Stark - Aide to Chairman Schneiderman
Bob Martinez, Legislative Aide to Legislator Montano
Ben Zwirn - County Exec's Office
Roz Gazes - Budget Review Office
Joe Schroeder - Budget Review Office
Debra Alloncius - AME
Eugene Wishod - DiCanio Residential Community
John Dello-Iacono - Windcrest Homeowners Association
Bill Hillman - Chief Engineer - DPW
Ben Wright - DPW
All Other Interested Parties

MINUTES TAKEN BY:

Donna Catalano - Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary

(*THE MEETING WAS CALLED TO ORDER AT 2:14 P.M.*)

CHAIRMAN SCHNEIDERMAN:

Good afternoon. I'd like to call the meeting of the Public Works and Transportation Committee to order this second day of October, 2007. If you would all please rise and join us for the Pledge of Allegiance led by Legislator Stern.

SALUTATION

If you all will remain standing for a brief moment of silence. I know we read a lot about the war in Iraq, in Afghanistan, and sometimes it might not seem as real in the news, but certainly to those who wear the uniform of our Armed Services or Armed Forces and their families, it's extremely rare, particularly when we hear about the loss of life and limb. So if we could take a moment to pray for all those in harms way who are fighting for our freedom. I'd ask you to join with me.

MOMENT OF SILENCE

Thank you. I'd like to start today with public portion. I have two cards. If you wish to address the committee and have not already done so, please fill out a yellow card, available at the front desk. Our first speaker is Eugene Wishod. Mr. Wishod, I know you are speaking on two resolutions, but I will ask you to keep your comments to three minutes.

MR. WISHOD:

This is my fourth time before the committee on these two competing resolutions and I'm not going to bore the committee with my same arguments. I would only plead with the committee to adopt one of the two resolutions, or if they don't want to vote on it, discharge it to the Legislature.

My client has had very valuable land sterilized for over two years. It can't be desterilized until the Galleria Sewer District is either activated or dissolved. The dissolution or the activation has been held up for over a year by a small group of homeowners in the Windcrest Condominium.

The Windcrest Condominium itself, all 187 units, comprise less than one-third of the gallonage being serviced by the sewer plant. Why they are opposed so vigorously and so committed to delaying a public hearing so that the remainder of the units and residences being served by the sewage treatment plant I cannot fathom. But it is certainly fair to have a public hearing and let's see how everybody feels about it.

There has been meeting after meeting with new plan after new plan, every one rejected by the Budget Office. And each time it is tabled they come up with another plan. So whichever way you want to go, and I together with John Klein worked for well over a year to activate this sewer district until it was determined at the last minute that the rate would be \$1,020 rather than 450, at which time operated. We opted to cast our vote for a dissolution of the district so that the 312 apartment dwellers in Avalon would not jump from \$220 to \$1,020.

I don't want to make all the arguments. I would just urge you to go one way or the other. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, sir. The second speaker is John Dello-Iacono.

MR. DELLO-IACONO:

Good afternoon. My name is John Dello-Iacono. I'm here -- I'm an associate of Marc Schneider, PC. I'm here on behalf of the Windcrest residents. As Mr. Wishod said, there is 187 units within the Homeowners Association and we're here in connection with the two tabled resolutions.

And again, we'd just like to reiterate our position. We are in favor of the County taking over the sewer treatment plant and establishing the district. And meetings have been held with the County in order to try and to go ahead and create this district at a reasonable rate, which I know we have discussed in the past in front of the committee.

Again, we are hopeful that the County -- we are currently waiting for the County to get back to us with respect to some information about ideas that have been hatched at that meeting and we are hopefully going to have another meeting with them so that we can finalize the reasonable rate and go ahead with establishing the district.

CHAIRMAN SCHNEIDERMAN:

Does it appear that there may be a new rate established?

MR. DELLO-IACONO:

Well, again, you know, that's our end goal. Obviously the homeowners want the County to take it over and are willing to pay a reasonable amount. We're working with the County on, you know, trying to get there and I think that, you know, obviously I can't give you a definitive answer to whether it will happen or not, but we are hopeful that it will.

CHAIRMAN SCHNEIDERMAN:

What is the time frame for having an answer?

MR. DELLO-IACONO:

Again, the County is getting -- well, from my conversations with them there were some ideas thrown out and unfortunately I was not at the last meeting that they had, but they're getting -- putting figures together and hopefully it will get back to us and we'll see where it goes from there.

CHAIRMAN SCHNEIDERMAN:

Will we have information by next meeting do you believe?

MR. DELLO-IACONO:

I could -- hopefully we could set up a meeting in between then and have something by then. I would -- you know, I have to talk to Mr. Wright and the Commissioner of DPW and hopefully we can schedule a meeting so that we can, you know, have something for you by the next time. Again, the residents don't want it --

CHAIRMAN SCHNEIDERMAN:

We can't leave this hanging indefinitely, so.

MR. DELLO-IACONO:

Right. The residents don't -- obviously want the County to take it over as soon as possible as well. I mean, we don't want this thing held up either. It's just that they don't want to pay a ridiculous amount of money, which is what's been presented to them. So, you know, obviously negotiations have to take place and, you know, to the extent that the County, you know, agrees to make the price reasonable, then, you know, we want to go ahead. And these meetings, you know, they are -- they have been fruitful. I mean, there are new ideas being presented and things are being explored. It's not just we keep tabling it for the same exact reason and we're not getting anywhere.

CHAIRMAN SCHNEIDERMAN:

Thank you, sir. Is there anyone else who wishes to address the committee? At this point I'd ask Commissioner Anderson to step forward.

Although we have no presentations today, I think Commissioner Anderson wanted a moment before we start the agenda to address a particular issue, so, Commissioner.

COMMISSIONER ANDERSON:

Thank you and good afternoon. I just wanted to give the committee a heads up that the Department of Public Works will be submitting a C of N at the next Legislative meeting with regard to Capital Project 8126, which is for the Hauppauge Industrial Park extension and improvement.

Public hearings were held in 2005 for the project. The findings resolution was adopted at that time, and an application was submitted to the State Comptroller. The State Comptroller has indicated that the prior public notice was inadequate, and two public hearings are needed. One for the extension and one for financial aspects of the extension.

The need for the CN's relates to the Legislative schedule and the construction of the phase one facility, which is included in the adopted 2007 Capital Budget. Funds can't be authorized without a findings resolution and only with a CN can the adopted 2007 funds be authorized in 2007. You may recall the support of the project includes the County Executive, the Legislature, the Town of Smithtown, the Hauppauge Industrial Park, and the industrial park lot owners. Thank you.

CHAIRMAN SCHNEIDERMAN:

Any questions regarding that? Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. I apologize for arriving late. Though not a member of this committee, I have a couple of matters on the agenda today.

CHAIRMAN SCHNEIDERMAN:

Do you have questions particularly about --

LEG. KENNEDY:

Yeah. As a matter of fact, I'm going to get to it. Can you go through this again just very briefly, Gil, so that I understand it? This is in order to go ahead and continue with the Sewer District 18 build out?

COMMISSIONER ANDERSON:

Yes. The State Comptroller's Office has stated that we didn't hold adequate public hearings for the project and we have to basically hold the public hearings again in conformance to their requirements. To do that and to access the funds that we have in the Capital Project for 2007, because of the Legislative schedule, and we just found this out, we have to put this out as C of N's and at the next Legislative meeting.

LEG. KENNEDY:

We are going to see that on October 16th, then, on the General Meeting schedule?

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

And when is the hearing slated for?

COMMISSIONER ANDERSON:

I don't believe it's been scheduled yet because -- we have to pass the resolution. There's two resolutions. One is to hold another public hearing.

LEG. KENNEDY:

Yes.

COMMISSIONER ANDERSON:

And at that point -- the hearing will be scheduled at that point.

LEG. KENNEDY:

So all we have to do, then, is by res or in other words agree to go ahead and have the hearing and then administratively you'll put it out there as far as what the actual date is? Is that it? My recollection was that we actually contained right in the reso itself a specific date and location.

COMMISSIONER ANDERSON:

Usually, yeah, we pick the day. We haven't picked the date yet, that will part of the CN that comes through.

LEG. KENNEDY:

So on the 16th we'll give you the authorization to do it and then you'll let us know.

COMMISSIONER ANDERSON:

Yes. We'll have the date in there.

LEG. KENNEDY:

We'll have enough lead time, I guess, as far as --

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

Okay. All right. That's fine. Thank you.

CHAIRMAN SCHNEIDERMAN:

Do you have, Gil, do you have, before we move the agenda, do you have any information regarding the discussions that were referred to before between the County and Galleria? Is it making any progress or is the County changing the numbers that were presented here? Are we going to have any information by the next meeting?

COMMISSIONER ANDERSON:

We should have everything by next meeting. Our people have put together the -- you know, we went back to the drawing board to look at possible ways of reducing the cost for the project or for the unit fee. And we're just about finished with that. We should have that within the week, and then hopefully the next, you know, next cycle we should be able to do it.

CHAIRMAN SCHNEIDERMAN:

Okay. Legislator Kennedy.

LEG. KENNEDY:

Again, I guess we'll have an opportunity maybe to talk a little bit about that and see some of the methodology that's employed.

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

But then I'm hoping that what we'll do -- certainly it's my intention to make the recommendation that the resolution that I had sought for implementation be tabled today. Are you saying then that it's the administration's position to table the other one for dissolution today as well?

COMMISSIONER ANDERSON:

I -- yes.

LEG. KENNEDY:

Good, excellent. So that's two of the three I need to talk about. Thank you, Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:

There's a third?

LEG. KENNEDY:

Oh, yeah.

CHAIRMAN SCHNEIDERMAN:

Is it on the agenda?

LEG. KENNEDY:

Yes, it is.

COMMISSIONER ANDERSON:

If I could. There is going to be one more CN, I'm advised, coming up regarding the dredging of the Nissequogue River. Chief Engineer Hillman can speak on that.

MR. HILLMAN:

We've taken bids on the dredging of the Nissequogue. We broke it up into three phases, A, B, and C. (A) would remove 60,000 yards; (B) would remove 75,000 yards; (C) would remove 90,000 yards. We were really hoping to get the 90,000 yards project, be able to obtain that after the bids. Unfortunately, we were not. We were only able to fund the (A) job, which was 60,000 yards. However, we have put forward a resolution for an additional \$500,000 which will allow us to fund the larger job and mobilization is the most costly element of the project. It will allow us to do this job and not have to go back there as quickly, therefore saving the County -- ultimately saving the County money.

CHAIRMAN SCHNEIDERMAN:

Let me guess. Is this the third one? No?

LEG. KENNEDY:

You should be so lucky. No, it was just my day to be in the chair, I guess, as luck would have it, huh? Although the Nissequogue is not directly in my district, you know many of the tributaries feed it. I do have knowledge, I guess, of the Nissequogue.

I agree with you obviously. Getting the dredge up there is important. You want to get as much of it pulled out as you can. But -- so you are saying that what we already authorized -- we authorized what, a million dollars, I think, earlier in the year?

MR. HILLMAN:

One point five.

LEG. KENNEDY:

One point five mill is what the price for 60,000 yards is?

MR. HILLMAN:

Correct.

LEG. KENNEDY:

Okay. And we are going to authorize another five -- or we're being asked to authorize another 500,000 to get 90,000 yards?

MR. HILLMAN:

Correct.

LEG. KENNEDY:

Help me with the math.

CHAIRMAN SCHNEIDERMAN:

It's not quite that simple, because most of the cost is in dredge mobilization. You are going to pay that cost whether you are doing 60,000 or 100,000.

COMMISSIONER ANDERSON:

And also that was -- and correct me, Bill. I believe that was the way it was bid. It was bid in three different, you know, we received three different bids. So even if there is, I don't want to say an irregularity, but there is something different, you know, it doesn't add up mathematically, that the bid was received and that's what we're working off of.

LEG. KENNEDY:

One procedural question, and I won't torture the committee with the rest of this. Obviously you have your DEC and your Army Corp permits and consents in place. Do you also need at least concurrence with the Smithtown local LWRP, the waterfront revitalization plan? You have that all in place as well?

MR. HILLMAN:

That's all in place, yes.

LEG. KENNEDY:

Okay. And so all the area -- in other words, out of the shoot you plan to move 150,000 cubic yards and you have the spoil sight already identified?

MR. HILLMAN:

Right now with the present funding we plan to move 60,000 cubic years and we'd like to go up to 90,000.

CHAIRMAN SCHNEIDERMAN:

It's going to go up to 90,000. I never heard 150.

LEG. KENNEDY:

Oh, 60 to go to 90. I'm sorry. I thought you meant 60 and then an additional 90 for a combined 150.

MR. HILLMAN:

No, no, no. Sixty to 90.

LEG. KENNEDY:

Okay.

MR. HILLMAN:

And yes, we have sufficient disposals for all 90,000.

LEG. KENNEDY:

To accommodate 90,000.

MR. HILLMAN:

Correct.

LEG. KENNEDY:

Great. Okay. Thank you.

CHAIRMAN SCHNEIDERMAN:

And you have all the permits, US Fish and Wildlife, Army Corp, everybody.

COMMISSIONER ANDERSON:

Ready to go.

CHAIRMAN SCHNEIDERMAN:

God bless you.

MR. HILLMAN:

Just need the money.

CHAIRMAN SCHNEIDERMAN:

And the money. All right. So can we jump to the agenda now? I only have the Commissioner until three, so. Okay. Starting with tabled resolutions.

Tabled Resolutions

1556, Directing the Suffolk County Sewer Agency and Department of Public Works to finalize the creation of Sewer District No. 4 - Smithtown Galleria. (Kennedy). I'll make a motion to table.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Eddington. All in favor? Opposed? Abstentions? So tabled. **(Vote: 5-0-0-0).**

1575, Establishing a written notice policy for Suffolk County Accessible Transportation Services. (Schneiderman)

I'll make a motion to table.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Stern. All in favor? Opposed? Abstentions? So tabled. **(Vote: 5-0-0-0).**

1623, Adopting Local Law No. 2007, A Local Law to reduce the emission of pollutants from diesel-fueled motor vehicles operated by or on behalf of Suffolk County. (Cooper)

LEG. STERN:

Motion to table.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Stern, second by Legislator Eddington. All in favor? Opposed? Abstentions? Tabled. **(Vote: 5-0-0-0).**

1659, Directing a study on the feasibility of the use of propane to fuel the County fleet. (Romaine)

Same motion, same second, same vote. **(Vote: 5-0-0-0)**.

1697, A Resolution calling for a public hearing for the purpose of considering the dissolution of the proposed Sewer District No. 4 - Smithtown Galleria. (Co. Exec.)

I'll make the motion to table. Second by Legislator Eddington. All in favor? Opposed? Abstentions? 1697 is tabled. **(Vote: 5-0-0-0)**.

Skip the tabled subject to call and going to Introductory Prime.

Introductory Resolutions

1879, Creating a Suffolk County Sewer District Assessment Request for Proposal (RFP) Committee. (Pres. Off.)

LEG. EDDINGTON:

I'll make a motion to approve.

CHAIRMAN SCHNEIDERMAN:

There is a motion to approve.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

And a second. The motion was by Legislator Eddington, second by Legislator Stern. On the motion, Legislator Caracappa.

LEG. CARACAPPA:

Just explanation from Counsel or Commissioner.

COMMISSIONER ANDERSON:

Well, if I could I would request that this legislation be tabled for one cycle. I have a meeting this weekend with the sponsor and while we fully support the legislation, procedurally there are some issues we have with the methodology of obtaining the RFP and some other issues. I'd like a cycle to, you know.

LEG. CARACAPPA:

Motion to table.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

There's a motion to table by Legislator Caracappa. Second by Legislator Eddington. All in favor? Opposed? Abstentions? 1879 is tabled. **(Vote: 5-0-0-0)**.

1916, Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 6 - Kings Park with Flynn Subdivision (SM-1594). (Co. Exec.)

LEG. EDDINGTON:

I'll make a motion.

CHAIRMAN SCHNEIDERMAN:

There's a motion by Legislator Eddington. Any second?

LEG. MONTANO:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Montano. On the motion, Legislator Stern.

LEG. STERN:

Mr. Commissioner, what type of business is currently being conducted at the location?

COMMISSIONER ANDERSON:

This is a residential subdivision.

LEG. STERN:

Residential subdivision? Any idea how many homes?

COMMISSIONER ANDERSON:

I believe it's two lots. Two lots, yes.

CHAIRMAN SCHNEIDERMAN:

So this wouldn't be affected by the new housing requirement.

COMMISSIONER ANDERSON:

No.

CHAIRMAN SCHNEIDERMAN:

Okay. Any more discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0).**

1917, Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest with 55 Marcus Drive Building (HU-1588). (Co. Exec.)

CHAIRMAN SCHNEIDERMAN:

Is there a motion? Want to make same motion, same second?

LEG. KENNEDY:

On the motion, Mr. Chair.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Being the Legislator whose district this would be in -- we're on 1918, right?

CHAIRMAN SCHNEIDERMAN:

No, 1917.

LEG. KENNEDY:

Sorry.

CHAIRMAN SCHNEIDERMAN:

But Commissioner, if you want to --

LEG. STERN:

Same question for the Commissioner. What's currently being conducted at the site?

COMMISSIONER ANDERSON:

This is a medical office, 51,000 square foot on 3.98 acres currently.

LEG. CARACAPPA:

What is the additional gallonage?

COMMISSIONER ANDERSON:

The flow is going up to 5,190 gallons per day.

CHAIRMAN SCHNEIDERMAN:

Are they expanding the office building or changing the use?

COMMISSIONER ANDERSON:

It's applied to the agency for -- well, I'll let Ben speak on it.

MR. WRIGHT:

There was a change at the Sewer Agency and the resolution is correct where it is 2,264 gallons per day. At the Sewer Agency meeting the flow was changed whereas 2,264 gallons per day, which is what the existing building is allowed to discharge. They may come back to the Sewer Agency in the future, but they are just going to, because of the other approvals, they want to stay with that flow. So there was -- you know, some of the minutes may reflect the higher number, the 5,190, but the resolution is correct where it is 2,264 gallons per day.

CHAIRMAN SCHNEIDERMAN:

And that's their current --

MR. WRIGHT:

That's what they are allowed to discharge now to their current on-site system. They want to convert from that to a connection to the Sewer District.

CHAIRMAN SCHNEIDERMAN:

They have their own sewage treatment facility or they have a traditional septic system?

MR. WRIGHT:

It's a septic cesspool system.

CHAIRMAN SCHNEIDERMAN:

Okay. And they want to hook in. Okay. That's good. Sure. All right. We had a motion and a second, I believe. All in favor? Opposed? Abstentions? 1917 is approved. **(Vote: 5-0-0-0)**.

1918, Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 13 - Windwatch with Holiday Mid-Rise Tower (IS-1451). (Co. Exec.)

Why don't we take the same motion and same second for discussion. And is this the third item, Legislator Kennedy?

MR. KENNEDY:

Bingo. You're smart like that, Mr. Chair.

CHAIRMAN SCHNEIDERMAN:

How about that.

LEG. KENNEDY:

How about that. I would ask the committee to table this for one cycle, not to steal the thunder, I guess, of the department, and they will tell us a little bit about it, but this would facilitate the

expansion of an existing 200,000 gallon plant to 750,000 gallon capacity.

MR. WRIGHT:

It's 400,000.

LEG. KENNEDY:

Four-hundred thousand?

MR. WRIGHT:

Yes.

LEG. KENNEDY:

Is all 400,000 being used, though?

MR. WRIGHT:

The permitted flow for the plant is 400,000. We are treating about 200,000 now.

LEG. KENNEDY:

Okay. Ultimately it would take it up to 750,000; correct?

MR. WRIGHT:

Yes.

LEG. KENNEDY:

Okay. And this would then enable the construction of a 12 story tower adjacent to the Hyatt Windwatch. During the opportunity that I've just recently had to spend a tremendous amount of time in the communities in my legislative district, there are quite a few residents who have a lot of questions and concerns. I have reached out to Supervisor Nolan. I am waiting for his call back on this and I think there are some issues that would be important to ferret and that the committee should hear. So I'll ask for the committee's indulgence for tabling for one cycle.

CHAIRMAN SCHNEIDERMAN:

Okay. I got a list here. Legislator Caracappa, and then Legislator Stern.

LEG. CARACAPPA:

Well, it's directly but indirectly related. I'm looking 1918 and 1917 and in the whereas, one, two, three, four, five, where we talk about the connection fees, 1918 and 1917, why is the connection fees been double as opposed to one to the other, 15 and 30.

MR. WRIGHT:

The Mid-Rise has a contract -- well, let me go back a step further. Some time ago a resolution was adopted that allowed the consortium or the group that's going to expand the facility to do that. They entered into a contract with the County. They did not have all the other players yet, so they do have contracts with two existing sewage treatment plants that would be taken off line in order to go into this facility.

The Mid-Rise Tower is 50,000 gallons per day out of the 350,000 that the plant would be expanded by. But that contract goes back to a time before the increased connection fee. And the connection fee is not going to be paid to the district. It's going to be paid to the developer to expand the plant. They had received bids already and that bid resulted in a \$46 per gallon per day amount that's necessary. So in correspondence with Holiday Organization, they realized that the \$15 per gallon per day was the minimum bid paid, but now they are, you know, on line to pay a substantial amount higher.

LEG. CARACAPPA:

So you are saying Holiday -- the Mid-Rise Tower, the \$15 stated per gallon, that's incorrect?

MR. WRIGHT:

No, it's correct.

LEG. CARACAPPA:

It's correct.

MR. WRIGHT:

But it's really a minimum amount because they are really going to have to come up with \$46 per gallon in order to be -- to participate with the expansion.

LEG. CARACAPPA:

Now, should it accurately reflect a dollar amount in the resolution or?

MR. WRIGHT:

It's not coming to us. I mean, anything over the 15 by contract would go --

LEG. CARACAPPA:

Because it's flowing back to the development.

MR. WRIGHT:

Yeah, would go into that project.

LEG. CARACAPPA:

Okay. Thank you[.|.|.]

CHAIRMAN SCHNEIDERMAN:

What is this tower? Is it apartments or a hotel?

MR. WRIGHT:

It's 200 condominiums and I think it is 12 to 14 stories.

CHAIRMAN SCHNEIDERMAN:

It's condominium units.

MR. WRIGHT:

Yeah, and it is in the existing district boundaries. The only reason they need a contract with us is because the capacity isn't there.

CHAIRMAN SCHNEIDERMAN:

They got the zoning to build a 12 story building there, huh?
Legislator Stern.

LEG. STERN:

My question was for Legislator Kennedy, who is not here, so I'll yield.

CHAIRMAN SCHNEIDERMAN:

All right. Legislator Kennedy may be in a discussion with the Town Supervisor over there. Why don't we pass over it for a minute, if you don't mind. We'll let Legislator Kennedy return. Let's go to 1921. You know what, I'm sorry, I skipped something. I'm sorry. That was 1918. All right, so 1920.

1920, Amending the 2007 Capital Budget and Program and appropriating funds in connection with the rehabilitation of Smith Point Bridge, Town of Brookhaven (CP 5838). (Co. Exec.)

LEG. EDDINGTON:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to approve.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? 1920 is approved. **(Vote: 5-0-0-0).**

1921, Amending the 2007 Capital Budget and Program and appropriating funds in connection with dredging of Three Mile Harbor, Town of Southampton (CP 5200). (Co. Exec.)

I will make the motion.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0).**

Can I just actually ask one question, Commissioner? I don't know if you'll have the answer. The last time Three Mile Harbor was dredged we ran into a real problem with placing dredge spoils on an area that was -- the town had designated as a nature preserve. Then the town approved the plans to allow the dredge spoil to be placed there. It was a very large peninsula that ended up being extremely controversial. I just want to make sure that we've identified a dredge spoil sight for this. Does anybody know?

COMMISSIONER ANDERSON:

At this point no, it hasn't been identified. But we -- we're still pending --

CHAIRMAN SCHNEIDERMAN:

It will be part of the process obviously.

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN SCHNEIDERMAN:

So this is just putting the money in place to do the dredging which desperately needs to be done, so.

COMMISSIONER ANDERSON:

Right. This will allow us to hire an environmental consultant who will be able to, you know, help us establish that.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy -- we'll keep going and then we'll come back.

1922, Appropriating funds in connection with the rehabilitation of the Shinnecock Canal Bulkhead, Town of Southampton (CP 5348). (Co. Exec.)

I'll make the motion again.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Eddington. Any discussion? All in favor? Opposed? Abstentions? 1922 is approved. **(Vote: 5-0-0-0)**.

1923, Appropriating funds in connection with the purchase of dredge support equipment (CP 5201). (Co. Exec.)

I'll make the motion.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Eddington. Commissioner, if you can be more specific.

COMMISSIONER ANDERSON:

This 50,000 is to allow us to purchase an electric powered winch which will enable us to -- well, first of all, replace an outdated existing winch, but will allow us to do repairs to larger equipment in house without having to go out to contractors.

CHAIRMAN SCHNEIDERMAN:

That would be through bonding? Or this is -- the bonds are already --

COMMISSIONER ANDERSON:

It's through the, you know, the Capital Program.

CHAIRMAN SCHNEIDERMAN:

And it's 50,000? We don't have the money in the budget to do that?

COMMISSIONER ANDERSON:

No.

CHAIRMAN SCHNEIDERMAN:

Probably not, okay. All right. So there is a motion and a second. All in favor? Opposed? Abstentions? 1923 is approved. **(Vote: 5-0-0-0)**.

1943, Authorizing transfer of 1987 Ford van to Town of Shelter Island. (Co. Exec.)

I'll make the motion.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Stern. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**.

1947, Authorizing transfer of six (6) surplus County computers, six (6) surplus County monitors, two (2) surplus County printers, and one (1) surplus County keyboard to the Adaptive Aquatics Program at SUNY Stony Brook. (Kennedy)

Motion by Legislator Eddington. Second by Legislator Stern. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**.

1950, Authorizing transfer of ten (10) surplus County computers and three (3) surplus County printers to the Lighthouse Resource Center, Inc. (Montano)

LEG. MONTANO:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Montano. Second by?

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Stern. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**.

1960, 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. (Co. Exec.)

I'm going to need a little explanation, but let's get a motion. All right, I'll make the motion.

LEG. MONTANO:

Second.

CHAIRMAN SCHNEIDER:

Second by Legislator Montano. Commissioner or Counsel. This is the SUV Law.

MR. BARRY:

In order to purchase an SUV you need to give approval.

COMMISSIONER ANDERSON:

This is more than just SUV's. It's the purchase of hybrid sedans, full size sedans, mini van, cargo van, different types of -- well, pickups, off road electric work truck and some other vehicles.

CHAIRMAN SCHNEIDERMAN:

Okay. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**.

Okay. **Let's go back now to 1918.** Legislator Kennedy.

LEG. KENNEDY:

Yes, Mr. Chair. As a matter of fact, that was the Supervisor Nolan I was just on the phone with and he did say that, in fact, there were some questions he had. So again, all I am asking for with the committee at this point is just a one cycle tabling. I don't think it is inordinate or would work a hardship. I ask the committee for that based on a need to make certain that the, you know, large expansion of effluent isn't going to work a hardship on some of the areas just downhill from this. We're within a half mile of the whole Nissequogue River tributary north area where neighborhoods are flooded.

CHAIRMAN SCHNEIDERMAN:

I'm sorry. Did the Supervisor request that as well?

LEG. KENNEDY:

He did indicate, yeah. As a matter of fact, he indicated that, you know, he'd like to have some dialog with --

CHAIRMAN SCHNEIDERMAN:

All right. So is there a motion to table?

LEG. MONTANO:

I'll make a motion.

CHAIRMAN SCHNEIDERMAN:

There is a motion by Legislator Montano. Second by Legislator Caracappa. Any discussion? All in favor? Opposed? Abstentions?

(Vote: 5-0-0-0).

LEG. KENNEDY:

Thank you, Mr. Chair. I'll make the committee aware of what the outcome with the meeting with the Supervisor is. Thank you very much. I appreciate it.

CHAIRMAN SCHNEIDERMAN:

Is there any further business, Commissioner? Is there anything else? All right, then I'll make a motion to adjourn. We are adjourned.

MR. ZWIRN:

Did you vote on the dredging of Three Mile Harbor?

CHAIRMAN SCHNEIDERMAN:

Yes. I thought we did.

MR. ZWIRN:

There is a question of where the dredge goes.

CHAIRMAN SCHNEIDERMAN:

Do we have an answer? I believe we voted on it and then I asked -- after we had voted I actually asked if they --

MR. ZWIRN:

It says Town of Southampton. We know it's not the Town of Southampton.

CHAIRMAN SCHNEIDERMAN:

Oh, did it say Town of Southampton? It's Town of East Hampton. Thank you.

(*THE MEETING WAS ADJOURNED AT 2:48 P.M. *)