

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, November 13, 2007.

MEMBERS PRESENT:

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

MEMBER NOT PRESENT:

Legislator Joseph Caracappa - Excused Absence

ALSO IN ATTENDANCE:

George Nolan- Counsel to the Legislature
Kevin Duffy - Budget Review Office
Gil Anderson - Commissioner - DPW
Tom Laguardi - Chief Deputy Commissioner - DPW
Catherine Stark - Aide to Chairman Schneiderman
Renee Ortiz - Chief Deputy Clerk - SC Legislature
Ben Zwirn - County Exec's Office
Gail Lolis - County Attorney's Office
Clifford Hymowitz - Suffolk County TAB
Eugene Wishod - DiCanio Residential Community
Frank Belsito - American Legion
James Moran
Tony Cuzzocoli
All Other Interested Parties

MINUTES TAKEN BY:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 2:23 PM.*)

CHAIRMAN SCHNEIDERMAN:

I'd like to call this meeting of the Public Works and Transportation Committee Meeting to order. If you all will rise and join us for the Pledge of Allegiance led by Legislator Stern.

SALUTATION

CHAIRMAN SCHNEIDERMAN:

Please remain standing. I'd like to ask that you join me for a brief moment of silence combining two thoughts; one, is the memory of my father who passed away this past Wednesday, a Veteran of World War II, that great generation that -- but dwindling, great but dwindling generation of men and women that brought an end to Adolf Hitler's evil regime. He also served in Korea, in the Korean Conflict and as an educator here on Long Island and businessman. I'll miss him dearly.

Also, to keep in our hearts and minds all those brave men and women who have worn or continue to wear the uniform of this great nation who find themselves in harm's or ultimately give the -- make the ultimate sacrifice for our freedom. So if we can pause and send our thoughts and prayers to all of them as well.

MOMENT OF SILENCE

CHAIRMAN SCHNEIDERMAN:

Thank you. All right. For the record, Legislator Caracappa has an excused absence from today's meeting. And we'll begin with public portion. During this public portion, I ask that you keep your comments brief. I do have a timer. Three minutes is the time being allotted for comments. If you have not already filled out a yellow card, please do so. They are available here in the front.

All right. Our first speaker is Clifford Hymowitz speaking on Resolutions 1575 and 2520. Mr. Hymowitz. Mr. Hymowitz will be followed by James Moran speaking on general public works and transportation issues.

MR. HYMOWITZ:

Hello. My name is Cliff Hymowitz, and I'm speaking as Chairman of the Suffolk County Legislative Transportation Advisory Board. For those of you who are members of the Seniors Committee, I ask that you remember the conversation of outreach and how the director of the department showed willingness to want to do outreach. So on that note, I will bring up Resolution 1575. Did everybody get a copy?

I'm asking for a modification of 1575 to change the Second and Third Resolved. The Second Resolved should state that the Department of Public Works Transportation Division shall ensure that the Suffolk County Office of Handicapped Services be kept informed of any changes in service or policy involving SCAT. And be it further resolved that the Suffolk County Office of Handicapped Services shall be responsible to ensure that the information provided by the Transportation Division is disseminated to the active participants, those riders with up-to-date eligibility of SCAT and shall present a proposed implementation plan to this body for this policy within 60 days of effective date of resolution.

I'll make it real fast, okay? In here, I quote the mission statement of that department. And you'll notice highlighted is, "Provide information and referrals for County residents with disabilities." Okay? So here it is, right in his mission. Okay? It's my opinion -- and you can read on about what suggestions I have for how it could be implemented -- but I don't believe it's the role or the responsibility of this body to ensure that a department is funded to meet its mission statement.

It's the responsibility of the Director of that Department to work it out with County Executive who's

department and leisure he serves to make sure he has his money to do his mission statement, which he gets held responsible by the County Executive. So I don't see any reason why this body should be responsible for the funding of it. That's their responsibility. It's your responsibility to ensure that people are kept up with the information. It creates chaos and it creates hysteria when things change and people are not notified.

So basically what I recommended is that the Department of Public Works division of Information gives the information to Handicapped Services. Handicapped Services provides the data base of eligible riders to the Suffolk County Department of Civil Service Public Info along with the information to be distributed. Suffolk County Office of Handicapped Services as part of the eligibility process along with the renewal of certification, including each of the applications, a question asking if the applicant has an e-mail address to where they would like changes to be notified.

The Suffolk County Department of Public Information will e-mail the eligible riders as a data base of e-mail addresses accumulates. The Suffolk County Department of Civil Services Public Info will coordinate with the Red Cross Community Service Program, which happens to be administered in the immediate vicinity of both offices to prepare the mailing to those eligible riders that have or chose not to have updates e-mailed to them using the labels and information provided by the Suffolk County Department of Civil Service Public Info. As I said, the funding for this information is not the responsibility of the Legislature. It's the responsibility of the department head to get it from the County Executive. So I please ask that this not be tabled again, and that, you know --

CHAIRMAN SCHNEIDERMAN:

Well, it would have to be tabled if you're asking to make changes to it.

MR. HYMOWITZ:

Oh, okay. I'd like for it to ensure that it doesn't have to go on to another year's, you know, new body. So that's what I ask. Okay?

Now, let's go on to the second one about 2025. I'm not going to bore you with all the details, but I ensure -- I wanted to ensure you that I document everything that I'm going to tell you right now. Okay? It's a Federal mandate that each State come up with a Human Service Public Transportation Coordination Plan. New York State being a Home Rule State has decided that any municipality, any urbanized area with over 200,000 people, must through their MPO, develop a plan. For those under, the State must develop the plan. Okay?

Our MPO is NYMTEC. As a member of their Steering Committee, we decided that since NYMTEC is such a varied region since it includes New York City, Dutchess, Rockland, Westchester, parts of Connecticut, parts of New Jersey, that it should be done on a local level. Okay? And so in order for things to happen, they recognize that their needs to be coordination of departments.

The amount of money that this County receives towards transportation, the least amount is the amount received by the Division of Public Transportation. If you take the money received by the Labor Department and all the other departments that I asked to be represented on the TAB, that's where the bulk of the money is. And the County has no -- no situation where they can get together and coordinate with each other so they don't duplicate the services and that we use the resources we have effectively.

And there is precedent for having County representatives give two hours -- County Employees to give two hours of their time monthly. The Suffolk County Disabilities Advisory Board has County employees give two hours monthly. I don't think that's too much to ask when -- what you have to benefit from it, which is better use of existing resources and not duplicating services. So please accept and adopt Resolution 2025. Any questions?

CHAIRMAN SCHNEIDERMAN:

No, but I have a note from the sponsor of that bill that he's asking for it to be tabled a cycle, so.

MR. HYMOWITZ:

Joe?

CHAIRMAN SCHNEIDERMAN:

Yeah. And typically, if a sponsor is asking for that, we wouldn't move it.

MR. HYMOWITZ:

Because I got an e-mail from Kelly, she just told me that Joe was out sick.

CHAIRMAN SCHNEIDERMAN:

I just got a note from Legislator Caracappa's Office asking for 2025 to be tabled a cycle.

MR. HYMOWITZ:

Does that mean it won't be able to get passed this -- during this Legislative session?

CHAIRMAN SCHNEIDERMAN:

I can't say. We still have meetings in December. But it's probably unlikely that it would be voted into law this calendar year.

MR. HYMOWITZ:

Okay. I'm going to step outside. I know my portion is done, but I would just like to confirm that that's Joe's wishes, because that's not what he told me.

CHAIRMAN SCHNEIDERMAN:

Thank you. I would like to next invite up James Moran. On deck is Tony Cuzzucoli. Mr. Moran, you have three minutes.

MR. MORAN:

Thank you, Members of the Legislature. My name is James Moran, I'm a resident of Hauppauge. And I'm here because I'm concerned about the proposed construction of the Windwatch Condominium Towers and sewage treatment plant in Islandia. I live in a flood zone, which is north of the Windwatch where right now, the sumps are almost full and a number of people are pumping water out of their basements.

A new development just north of Windwatch is being built, and this will be affected by the runoff from the sewage treatment plant. There is an existing water tower and well on Mac Arthur Boulevard south of Vets Highway, which may also be affected by runoff from the sewage treatment plant.

I'm also concerned about possible contamination or pollution of groundwater in the surrounding areas and possible damage to the hills in this particular area due to erosion from the runoff of the sewage treatment plant. We have already had problems in the Windwatch area with erosion of the hills in the developments in that area in the past due to construction in that area. Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you, sir. Okay. Tony Cuzzucoli followed by Eugene Wishod.

MR. CUZZUCOLI:

Good afternoon, Mr. Chairman, Members of the Committee. First, my condolences to you for your loss. I recently lost my father-in-law who was also in the Pacific Campaign. And I think I can sense that loss.

CHAIRMAN SCHNEIDERMAN:

Thank you.

MR. CUZZUCOLI :

And I want to thank you for perhaps giving me a moment or two beyond on this to speak on behalf of hundreds of groundwater flood families in the northeast branch. I'm here to comment on the submission of the Hyatt Windwatch Sewer Treatment Plant expansion. Should this committee consent to the application at some future date, the negative consequences of your action to residential homes in the outlying areas will dwarf the state at 16 million in the project costs.

There's several central questions and comments that I wish to enumerate in the interest of time that we would expect the committee to have focused on when reviewing this submission. I believe we're talking about 99 leaching pools situated on high ground in a 37,000 square foot area. That's rather huge. Just for perspective, if we're talking about commercial pools, and we are, my guess is that they hold about 17,000 gallons of water in each pool. Residential pools in front of our homes only hold between 1500 and 2000 gallons. Translating the volume on this hill, we're talking about 700 homes or -- somewhat more than that all concentrated in close proximity to each other in one small area.

As residents being governed by Suffolk County Health guidelines, we're not allowed to do this, and yet, we're being asked to accept an interesting exception to this case. The authors of this submission know that we all deal with cubic measurements in our everyday lives. But for the one person who doesn't understand cubic formulas, allow me to translate that out to a total capacity. This field would have a total capacity of 1,700,000 gallons of water. Is this committee going to join with the applicants in certifying that 750,000 of water will percolate into the substrata each day ready for another round of similar volume the next day and the next day after.

Another issue I do not see in the plans, they plan to generate 750,000 gallons of water per day for daily showers, toilet use and other domestic use. I did not see supply wells on the plan site. Where are they? If they're going to use 750,000 gallons a day, then it must be replenished in the system. Where is the water coming from? In a perfect world, treated water would percolate straight down into our aquifer. But I have been taught that this is an imperfect world. The authors of this submission are relying heavily on nature to perform this task without fail. Where is the percolation data that should accompany the plans? Where are the test borings?

We're talking about an underground lagoon. And if the system shuts down, I would imagine the system couldn't support its function for more than a week. If we divide 1,700,000 gallons by 750,000 gallons, we're talking about a system capacity of only 2.3 days. If this system were to shut down or max out, people will not commit to the cessation of all biological and domestic functions. I didn't see anything in the plans for a complex of johnies in the back of the Windwatch.

There are number of sink holes in the plans that must be excavated. Are the sink holes collapsed rings? They suggest a partial collapse in the very system that is being proposed in the current submission. The applicant is prepared to submit the very same system and repeat the error and perhaps double or triple the original planning error. The plan shows impervious materials to surround each leaching pool. If they hold with impermeable soil below and impermeable siding, the leachates can only percolate up and saturate the surrounding surface area. Is it possible that the impervious siding is being used because they worry about the sides blowing out, thus creating more sink holes?

The lateral pressure in each pool will be tremendous, it will be enormous.

The system towers 152 feet over Townline Road, which I believe is at 30 feet median sea level. Hydrologists will tell you that topography overwhelmingly determines groundwater flow. The system will sit on a hill on top of six feet of fill and berms. No matter how they have concentrated the site, a close look at the site plan shows the groundwater will flow north towards the northeast branch because of topography. All surrounding sites are lower to the northeast.

I'm told the hamlet to east, all 500 families, is against this proposal because of road traffic concerns. They have a new concern to consider today. It's water traffic possibly headed their way as well as

towards the northeast branch to the north. If the committee believes the application -- the applicant, will you publically assure us that you can guarantee that the groundwater does not flow north? If this system is valid, why did the applicant decide to put impervious siding in to begin with?

On September 18th, during a meeting with the USGS, I asked where the groundwater divide is at this point in time with the intent of updating an old study. I have in my possession -- the USGS informed me that they could not give me a definitive answer. In a conversation with another USGS official last Thursday, as a follow up to my initial request, he informed me that they were waiting for Federal funding in order to satisfy my request. No later than 11 o'clock this morning, the USGS informed me that the issue is one yet to be determined, closed quote.

If Suffolk County officials or the applicant have knowledge of the location of the groundwater divide, I did not see it in the proposed plans or in their literature. If it is available, that documentation should have been made available to the general public, and it should have been peer reviewed. I repeat, it should have been peer reviewed. I'm assuming that if the committee is prepared to vote this submission out of committee at some point in time, they're prepared to show this documentation. It will prove interesting to me, my community, and certainly to the USGS.

In closing, I would state to the committee that you should not assume the burden of midwife for a proposal that has raised an alarm bell in the night for many of us. Hundreds of homes are at stake over the ethicacy of this document. And of course, we will hold you to your convictions if you believe this is an ordinary plan having little impact on the quality of life in this region. We see startling geologic and engineering omissions, and we need your validation that this proposal will cause no harm. We do not drink from the cup of hysteria. We are sober in our judgments, but passionate in the defense of our homes.

Twenty-four hours from now, this audience and many more families will listen to an engineering proxy regarding how FEMA will assist them should there be another high groundwater event in this region, and there will be. And this coming Friday, the Army Corps of Engineers, the USGS, at least three County departments, I believe four, the New York State DEC and four town engineers will meet for a third time to discuss extraordinary groundwater levels in this region.

We respectfully ask that the committee not deliver a consent at some point in time that hinders the progress that has been made on this issue over a period of the last 21 months. That would prove a burden of high consequence for you as well as for our respective communities. And I do appreciate your patience and your forbearance. I would only end with the question, is there any idea, Mr. Chairman, when this proposal will be reintroduced so that far many, many more people, interested parties, may be able to attend this session and perhaps share in the exchange? And I thank you so much for your patience and your courtesy .

CHAIRMAN SCHNEIDERMAN:

Thank you, sir. My condolences to you as well. You know, I can't say when there will be action on this matter. Assuming it isn't acted on today and it goes to the next meeting, there will be another public session. Is there a public hearing involved in this, a formal public hearing?

MR. PERILLIE:

No. No.

CHAIRMAN SCHNEIDERMAN:

John, have there been public hearings on this?

LEG. KENNEDY:

I don't think there have, but I don't think there needs to be. I was unaware that we had a requirement for a separate public hearing on this.

CHAIRMAN SCHNEIDERMAN:

No. If it's just an approval through the Sewer Agency --

LEG. KENNEDY:

That's all this is. This is confirmation, I guess, of a Sewer Agency determination from last September authorizing the expansion of an existing sewer district. Expansion in capacity, not expansion in perimeter or physical geography.

CHAIRMAN SCHNEIDERMAN:

It doesn't sound like there's a need for public hearing on it.

LEG. KENNEDY:

I don't think there is. I don't think there was a requirement for a separate public hearing.

CHAIRMAN SCHNEIDERMAN:

So it's just this body and then the full Legislature. There's also public comment at the full Legislature as well.

MR. CUZZUCOLI:

That's most important to know, sir, because the fundamental and underlying issue as I continue to see it is volume, volume, volume and where will that excess volume of water go. And we have every indication in the past and currently that that groundwater will travel north into an already oversaturated region. And it presents horrible consequences if that should occur. So it's something that I would hope all of you would reconsider -- or would consider, please, excuse me. You did say if not acted on today, is it a possibility that a vote to extract from committee might occur today?

CHAIRMAN SCHNEIDERMAN:

I can't say.

MR. CUZZUCOLI:

I see. So I will have to tell Mrs. Cuzzucoli --

CHAIRMAN SCHNEIDERMAN:

What's the resolution number?

MR. CUZZUCOLI:

1918.

CHAIRMAN SCHNEIDERMAN:

1918.

LEG. KENNEDY:

Mr. Chair, if I can add to the dialog.

CHAIRMAN SCHNEIDERMAN:

Oh, it's on the Tabled Resolutions.

LEG. KENNEDY:

Though I'm not a member of the committee, Mr. Chair, I'm here today basically to ask this committee to go ahead and entertain a motion to table. Actually, perhaps, maybe the committee might want to entertain a motion to take it out of order. But nevertheless, based on such an elemental question as to where the groundwater divide lies -- I can tell you I spent the better part of two hours last night at Stony Brook University in their Engineering Library seeking answers to that same question. And I also can confirm what Mr. Cuzzucoli has said, that as of right now, USGS cannot dispositively say where the groundwater divide is.

CHAIRMAN SCHNEIDERMAN:

This is a good question for Dr. Koppelman, but you may want to look at the 208 Study from the 1970s.

LEG. KENNEDY:

Mr. Chair, you are just full of wisdom, because as a matter of fact, my employee, Mr. Junor, brought that for me today. I stumbled upon it last night, both volumes.

CHAIRMAN SCHNEIDERMAN:

Because there's nothing that's happened between -- as far as I know -- between the 1970s and now. These are things -- changes in geological time, so I doubt there's been anything that would have changed the groundwater divide between now and then. It's really a computation done on hydrostatic pressure -- based on hydrostatic pressures, and it relates to the topography above. And it's unlikely, unless something major is pulling water in a particular direction, that the determination that was made in the '70s would not be applicable. It should be applicable.

LEG. KENNEDY:

Agreed. Except the only other thing that I would add to this dialog is after having had the opportunity to do a site inspection of SD 13 yesterday morning and getting a Sewering 101, it is interesting the way the physical plant lies, but more importantly, directly to the north of this plant is a newly authorized subdivision that apparently Islip Town has approved for construction; ten -- ten to 12 new homes, I believe, that sit somewhere in the neighborhood of about 30 to 40 foot below the grade of where the pool clusters will be located. In my mind, it raises some concerns as to what we're talking about right now with Bishops Lane where -- I don't know if we have groundwater so much as we may have some engineering debacle. But nevertheless, I think in any case, it warrants some reexamination.

CHAIRMAN SCHNEIDERMAN:

I would just say, let's debate the merits of the bill when we get there. We'll allow this gentleman to sit, get through our public portion, and we'll be able to hear testimony from our Public Works Department as well.

MR. CUZZUCOLI:

Mr. Schneiderman, if I may just interject for a moment with due respect.

CHAIRMAN SCHNEIDERMAN:

Very briefly.

MR. CUZZUCOLI:

It will be most brief. You just said momentarily -- just a moment or two ago, you is cited 1971 Study. I do recall the 1971 Suffolk County Water Authority report that showed where the groundwater divide was. I have in my possession, as many of you have, I introduced it to you last year in session, the 1980 H2N report, which shows groundwater divide to be substantially different, quite, quite a large distance between the '71 and the 1980 groundwater divide locations.

And I would add with all due respect that in my conversation last Thursday Ron {Bussalitano}, who I'm sure you are familiar with out at USGS, leading hydrologist out there, he had made it quite clear to me that they didn't know where the groundwater divide was at this point in time, because time and water level do change the groundwater divide. So with all due respect, I wanted to put that on the record that indeed if the USGS does not have certainty at this moment in time about where it is, then I think we should all walk very carefully regarding what we say about it.

And last but not least, I am prepared to bring in a hydrologist or more than one hydrologist who will tell you that in terms of water flowing north in our particular instance that -- and in all cases, that topography overwhelmingly plays a role in the direction of groundwater flow and that the groundwater divide, of course, is an important factor. So the request I made in the middle of September was an anticipation that this proposal would be coming up at some point in time.

And as you know, having been involved in this issue for 21 months, I felt the importance of having to at least try to anticipate and get an honest answer, a current answer, out of USGS. And they have made it clear they have no idea. They have funding in, by the way, with Congressman Bishop's Office and Senator Clinton's Office in order to proceed with my -- my request and to try to begin to locate the groundwater divide. But in this case, from monitoring wells that will help begin -- excuse me -- will help to establish a baseline, and then they would need far more money beyond that in order to absolutely and specifically located the groundwater divide. So that is an issue onto itself. And I appreciate your allowing me to speak to that matter. But it is not a topic to be taken lightly. And I'm afraid, because I didn't --

CHAIRMAN SCHNEIDERMAN:

I'm not sure who's taking it lightly.

MR. CUZZUCOLI:

Well, I have access to a transcript of the recent Suffolk County Sewer Agency transcripts and the exchanges. And I got the feeling from the exchanges, one of the colloquies, that this wasn't an issue. And it is an issue. But I still defer to the hydrologists who will say above and beyond that, it is still topography. So this may not be a moot point. It's an important point. But both points should not be lost in the process of our exchange. So I want to get that on the record.

CHAIRMAN SCHNEIDERMAN:

I don't think any of us take groundwater issues lightly.

MR. CUZZUCOLI:

I understand that. And I appreciate your courtesy.

CHAIRMAN SCHNEIDERMAN:

Thank you, sir.

MR. CUZZUCOLI:

Thank you so much.

CHAIRMAN SCHNEIDERMAN:

Okay. Next is Gene Wishod.

MR. WISHOD:

Mr. Chairman, my co-counsel John Klein wrote a letter on these two competing resolutions to each member of the committee. I just wanted to be sure it was received. John Klein's client, Avalon Bay Communities, built -- this is a 178,000 gallon plant. Avalon built the first 80,000. My client, DiCanio Residential Communities, built the remaining 85, 90,000 gallons. John wrote a letter on this. Couldn't be here today. He's in Virginia. I just wanted to make sure it was received.

LEG. MONTANO:

I haven't seen it.

CHAIRMAN SCHNEIDERMAN:

I haven't seen it either, but Catherine's been out of my office, and I've been away with my father's funeral. So it's possible --

MR. WISHOD:

I made a lot of extra copies.

CHAIRMAN SCHNEIDERMAN:

Pass them around.

MR. WISHOD:

I understand the County Executive has asked that this be tabled once again for the sixth or seventh time. Since I'm here to support, and since I've supported the last six times I've been here, the County Executive's and DPW's resolution to dissolve the Galleria Sewer District, I'm not really in a position to object, although I'm very, very unhappy with it. I don't know how long this can go on.

With the Chairman's permission, may I give you two minutes of background on another matter, 1918, which I had no idea was coming up today? I represent Motor Parkway Associates as its engaged in a 17 million gallon expansion of the Windwatch Sewage Treatment Plant. That expansion was approved by the Suffolk County Sewer Agency, by this committee and by the Suffolk County Legislature. It's gone to contract, and the amount of the contract is \$17 million.

The Holiday Organization, whose agreement -- proposed agreement is before you today, is one of the key elements, one of key connectees, who will finance that expansion. The only reason they get formal approval is it slipped through the cracks. So I don't know -- I kind of sense that this project may somehow be viewed from the beginning, but this is year's old with all the necessary approvals. It's an absolutely critical expansion of this district with about six connectees involved in this multi, multi million dollar expansion. That's the background of 1918.

CHAIRMAN SCHNEIDERMAN:

I'm sorry. You said it already has been approved by the Legislature?

MR. WISHOD:

Oh, yes.

CHAIRMAN SCHNEIDERMAN:

Then why is it in front of us now?

MR. WISHOD:

Only for an agreement.

CHAIRMAN SCHNEIDERMAN:

It's not an expansion of the approval?

MR. WISHOD:

The expansion was approved. The various connectees to the expansion has to come back to the Sewer Agency, to the committee and to the Legislature. Holiday is one of the connectees. They were a connectee from the beginning. The Sewer Agency granted then conceptual certification. Thereafter, as, you know, the plans and specs, it took years and years to get them approved. It's kind of slipped through the cracks that Holiday never came back to get formal approval. But the identity of the connectees always comes back this committee and before the Legislature, even though the underlying expansion has already been approved.

And that's what's before you today, is to authorize -- when you get formal approval, as you know, it's then that the administrative head of the district enters into a contract with the connectee. All the other connectees receive formal approval. Holiday, a critical part of this expansion, never did, because it slipped through the cracks. That's the background of that.

If Galleria is going to be expanding six or seven more times, I don't know what to say other than the fact that I'm here to support a resolution that the sponsor of the resolution has asked been -- has asked to be tabled once again. I don't think I really have standing, although I'm bitterly opposed to any further tabling. Thank you, Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:

All right. And our last speaker is Frank Belsito speaking on Pearl Harbor Memorial signs.

MR. BELSITO:

Mr. Chairman, other Legislators, a lot of you were here a little while ago with the prior committee meeting hearing that veterans usually do not ask for too much when they come back home. But I'm here today to talk about Resolution 2026. I believe you all have a copy of my remarks.

My name is Frank Belsito, Commander of the American Legion Pearl Harbor Memorial Post Number 1941 from Port Jefferson, New York. The Post received its American Legion charter in 1983 and has been keeping the memory of the attack on Pearl Harbor on December 7th, 1941, very much in the attention of the public. I'm sure you heard words of President Franklin Delano Roosevelt about "A Day in Infamy."

I want to thank Legislator Joseph Caracappa for introducing Resolution No. 2026-7, to authorize the installation of signs along CR 97 Nicolls Road on the north and south side of the Pearl Harbor Memorial Bridge in Centereach, New York. The New York State Pearl Harbor Memorial Bridge signs on the east and west side of the bridge on Middle Country Road measure 39 inches by 79 inches. I have a request to make, that the signs measure a minimum of 30 by 60 inches. This committee's support for the signs on CR 97 Nicolls Road will continue helping Suffolk County Residents to remember the Pearl Harbor attack.

If you notice, on the second page, there's signs -- pictures of the signs on Middle Country Road and also a sign up for James McNaughton. The sign that I have here today measures 18 by 36. So my whole thing is that we'd just like people to, when they pass by heading north or south on Nicolls Road, that they're able to see what the sign really says. The McNaughton sign, I'm glad to see it up there. Their son was killed in Iraq. But you really have to stop to see what that sign really says. And going 55 miles an hour on Nicolls Road, I don't think we want traffic stopping there.

But if it was to meet the dimensions I'm requesting, people will see the sign, and it's a good way of keeping people to remember Pearl Harbor. As you started today with the remembrance of your dad, I also thank him for his service to our country during World War II and Korea. My condolences to you. But it's the people that serve that keep this nation free. And I feel that 2400 people that were killed at Pearl Harbor should be remembered, because it was a day of infamy.

And I request that these signs be legible and visible. I mean, when you're traveling 55 miles an hour, you want to take notice of the sign, you really don't want to squint to see it. I would also encourage the McNaughton sign to be reconsidered also. But right now, I'm talking about December 7th and Pearl Harbor. So with that, I would request and I hope that you could pass that on to Public Works. And I'd be glad to work with Public Works on the dimensions. And like I said, this sign measures 18 by 36. So you can see the difference.

CHAIRMAN SCHNEIDERMAN:

Thank you Mr. Belsito.

MR. BELSITO:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Mr. Anderson, if you will come forward. That concludes our public portion. I don't think we'll take anything out of order, as the most controversial issues are toward the front of the agenda, starting with Resolution **1556, Directing the Suffolk County Sewer Agency and Department of Public Works to finalize the creation of Sewer District No. 4 - Smithtown Galleria (KENNEDY)**

Let me defer to Legislator Kennedy who's not on the committee, but is here. It's his resolution.

LEG. KENNEDY:

Thank you, Mr. Chair. It's my understanding as a matter of fact in conversation with Commissioner Anderson, both just before this meeting and earlier today, there is some additional assessment that

DPW had done. They're suggesting that we have another meeting to go ahead and discuss where the fiscal matters are concerning this. My constituents very much want to see this district formed, as I've stated here and the committee has heard many, many times before. They just don't want to be negatively or punitively impacted by an exorbitant annual fee. Obviously, I vehemently disagree with counsel for Galleria that dissolution is the answer. I think we need to find a methodology to reasonably charge the residents while having County formation. So I'd respectfully request that this resolution be tabled.

CHAIRMAN SCHNEIDERMAN:

I think this committee has been more than patient on this issue with the hope that there would be some kind of resolution that was amicable both to the County and to the residents of the Galleria development. So, Commissioner, are we close to the end of this discussion?

COMMISSIONER ANDERSON:

As the Legislator mentioned, we had submitted a response. We would like to discuss it with him. I think one way or the other, yes, we are close to a resolution.

CHAIRMAN SCHNEIDERMAN:

Are we seeing a change in the numbers? Have the numbers been revisited?

COMMISSIONER ANDERSON:

The numbers have been revisited, but, again, you know, if the committee so would allow, we just would like to talk to them about it. The numbers weren't as good as we anticipated. You know, having stated that, I think we'd like to give those involved -- no disrespect intended -- the first crack at, you know --

CHAIRMAN SCHNEIDERMAN:

So there has been some movement perhaps on both sides, okay. So I will entertain a motion.

LEG. EDDINGTON:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Legislator Eddington made a motion to table, Legislator Montano seconds. All in favor? Opposed? Abstentions? 1556 is **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa)**.

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

I've actually put this bill in at the request of Mr. Hymowitz from the Transportation Advisory Committee. There's been some discussion with Mr. Blower, who is, I don't believe, here right now. And also it sounds like Mr. Hymowitz wants me to change it as well. So it sounds like we should table it. But do you have anything to add? Are we getting anywhere in terms of coming up with an agreement as to how to proceed? The basic issue here was how do we best notify the riders of SCAT when there is going to be major changes in the scheduling of the -- you know, or the policies regarding the SCAT Transportation Service.

COMMISSIONER ANDERSON:

I believe the comments that we submitted to your office were addressed and the bill was amended. You know, there is still the question of funding for it, but otherwise I thought we were getting close. I haven't seen Mr. Hymowitz's request, so maybe at this point, I mean, I would say that it might be worth tabling.

CHAIRMAN SCHNEIDERMAN:

I'm not sure that he has seen the most recent version of it.

COMMISSIONER ANDERSON:

I mean, he could certainly access off line, because that's where I got my copy, or we could send it to him through the mail.

CHAIRMAN SCHNEIDERMAN:

Let me take a look at his comments. I'll make a motion to table it one cycle. Do the bills die, George, at the end of this year?

MR. NOLAN:

They do.

CHAIRMAN SCHNEIDERMAN:

So I'd have to resubmit it at that point.

MR. NOLAN:

It bumps up against the Six Month Rule.

CHAIRMAN SCHNEIDERMAN:

All right. Can I make a motion that we discharge it without recommendation? And when it gets to the floor, I'll be happy to recommit it if it's not resolved. Is that fair? Okay. So there's a motion to -- I'm sorry. Do you have a comment?

MR. DUJMIC:

Yeah, Mr. Chair. Joe Dujmic from the Office of the County Executive. We'd also ask from the County Executive's Office that this bill be tabled one more cycle just in order to give the Director of Handicapped Services the opportunity to look at, you know, the language that Mr. Hymowitz would like amended in it as well.

CHAIRMAN SCHNEIDERMAN:

All right. Fair enough. If I have to reintroduce it next year because we've run out of time, I'll have to do that. All right. So I'll withdraw my motion to discharge without recommendation. I'll make a motion to table, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

1623, Adopting a Local Law to reduce the emissions of pollutants from diesel-fueled motor vehicles operated by or on behalf of Suffolk County (COOPER).

I'll make a motion at the request of the sponsor to table, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? 1623 is **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

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

LEG. STERN:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Stern, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

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

I think we need to table that to stay consistent with 1556 tabling, so I'll make a motion, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? 1697 is **TABLED (VOTE: 4-0-0-1 -**

Not Present - Legis. Caracappa).

1879, Creating a Suffolk County Sewer District Assessment Request For Proposal Committee (PRESIDING OFFICER).

LEG. STERN:

Motion to table at the request of the sponsor.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Stern, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? 1879 is **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

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

We had tabled this to allow Legislator Kennedy, I believe, to comment and be present.

LEG. KENNEDY:

Mr. Chair, I would respectfully ask the committee to go ahead and table again. As a matter of fact, you heard residents speak about this earlier. I have a request for a meeting with the Supervisor of the Town of Islip and the Director of Planning, Gene Murphy. My understanding is that all the permits necessary to go ahead and construct the Mid Rise Tower are not in place at this point. This is a twelve-story tower. It would somewhat unprecedented, certainly in my district or throughout Suffolk County for a structure of this magnitude.

The physicality of the expansion really does get down to some of what we just spoke about before and the issue of where the groundwater divide lies, because notwithstanding -- you know, notwithstanding prior approvals for expansion, 750,000 gallons of effluent per day is a substantial step up from the current 200,000 gallons per day. And where that effluent migrates to and what impact it might have in that flood corridor certainly is something that I want to make certain that we all have a hard and fast answer on. And as I sit here right now, I certainly don't know where to call the groundwater divide at.

And the Commissioner and I have had some conversation about that as well, and I don't think either one of us is able to say dispositively or definitively right now where it is. We know where the proponent, the private engineering firm for this project, has located it. I did just call the Health Department. I'm not able to get anybody there who's willing to commit as to where the groundwater divide line lies either. Seven hundred and fifty thousand gallons of effluent on a daily basis is an awful lot of, you know, water to be moving. I certainly don't want to call it the wrong way.

COMMISSIONER ANDERSON:

If I could say something briefly. You know, we are -- Public Works is obviously aware of the concerns with the northeast branch and the impact of groundwater in the area. There are, we believe, two issues. You know, one, the engineer for the Mid Rise has certified that groundwater is traveling in a southward direction. He based it on -- as the Legislator stated -- on Health Department mapping. You know, again, I think there is another -- there are two issues, and they're somewhat detached, but they're not detached; does the effluent when it goes back into the ground, does it travel downward into the groundwater, and is the groundwater below the level of the water that's -- we believe -- and I believe the H2N Study considers being perched water.

And we are more than willing to look into that information to verify that, so you know -- to basically alleviate everybody's concerns. And we have no problem with tabling it for a cycle so that we can provide that information.

CHAIRMAN SCHNEIDERMAN:

Okay. Somebody want to make a motion?

LEG. EDDINGTON:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

There's a motion to table by Legislator Eddington.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

LEG. KENNEDY:

I thank you for the considerations of the committee. I appreciate it.

CHAIRMAN SCHNEIDERMAN:

Moving on to the main agenda. Introductory Prime.

1970, Authorizing transfer of one surplus County computer to St. John the Evangelist R.C. Church (BROWNING).

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

There's a motion to approve by Legislator Stern, seconded by Legislator Eddington. All those in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

2003, Amending the 2007 Capital Budget and Program and appropriating funds in connection with safety improvements at various intersections (COUNTY EXEC).

LEG. STERN:

Motion to approve.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Same motion, same second. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

2015, Appropriating funds in connection with replacing the existing well supply water for firefighter training at the Fire Academy, Yaphank (COUNTY EXEC).

LEG. STERN:

Motion to approve.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Same motion, same second. **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

2018, Amending the 2007 Capital Budget and Program and appropriating funds in connection with the County share for participation in the bridge replacement of CR 67, Motor Parkway over the Long Island Expressway (COUNTY EXEC).

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Eddington, second by Legislator Montano -- I'm sorry. Legislator Stern made the motion, seconded by Legislator Montano. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

2025, To amend Section 835 of the Suffolk County Administrative Code, the membership of the Transportation Advisory Board (CARACAPPA).

The sponsor had sent a note to -- that he wanted this tabled.

LEG. STERN:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Commissioner, did you want to comment on this at this point? I think you had asked me for more time to review as well.

COMMISSIONER ANDERSON:

Yes. We had asked for time. We had some concerns with the number of members on the board that it was being increased to as well as the make up.

CHAIRMAN SCHNEIDERMAN:

It would be going from what, a 14-member board to a 26-member board?

COMMISSIONER ANDERSON:

Twenty member, yeah.

CHAIRMAN SCHNEIDERMAN:

That's a big board.

COMMISSIONER ANDERSON:

That's a real big board.

CHAIRMAN SCHNEIDERMAN:

Who runs those meetings? Who currently runs them, do we know?

COMMISSIONER ANDERSON:

Well, to be honest with you, the board has not met in over a year, so I'm not really too sure of that.

CHAIRMAN SCHNEIDERMAN:

We're going to make it bigger now. All right. There's a motion to table by Legislator Stern, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

2026, To authorize installation of signs along CR 97 at the Pearl Harbor Memorial Bridge (CARACAPPA).

LEG. STERN:

Motion to approve.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion to approve and a second, motion being made by Legislator Stern, seconded by Legislator Eddington. Commissioner, there was some discussion about the installation or size of these signs.

COMMISSIONER ANDERSON:

Yes. We're governed by the Federal Highway Administration, and there is certain requirements on the signage. We'll certainly do what we can to make it more visible. If it's within the right-of-way or immediately adjacent to the right-of-way, it does become a concern. You know, certainly we can work with the Legislator's office as well as the gentleman who spoke during the public session to, you know, give them the best visibility we can. It may be some -- there may be some consideration to moving it farther outside of the immediate right-of-way to make it large so it's more visible. I don't know. But, you know, we certainly don't have a problem with the legislation as it is. And we will work with everybody.

CHAIRMAN SCHNEIDERMAN:

All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

2028, Amending the 2007 Capital Budget and Program and appropriating funds through the issuance of serial bonds for the expansion and improvements to Suffolk County Sewer District No. 18 - Hauppauge Industrial (COUNTY EXEC).

COMMISSIONER ANDERSON:

May I respectfully request this be tabled? We have to hold a public hearing on this. And we expect the findings immediately at the end of this month. Once we get the findings, we can then move this along.

LEG. STERN:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Stern, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).** Our list of tabled resolutions is growing. These too will die at the end of the year, so some of these will have to be reintroduced.

2033, Amending the 2007 Adopted Operating Budget, amending the 2007 Adopted Capital Budget and accepting and appropriating funds in connection with Sewer District No. 3 - Southwest - Fans Project - Deer Lake (COUNTY EXEC).

LEG. STERN:

Motion to approve.

COMMISSIONER ANDERSON:

This is basically taking operating funds and using them for planning and design study to mitigate -- design and mitigation of sewerage impacts on Deer Lake. Deer Lake is a lake on the north side of Southern State Parkway in, I believe, North Babylon. Water levels have dropped, some consider due to sewerage. We're looking at that to see what we can do to, you know, basically improve -- raise the water level back up.

CHAIRMAN SCHNEIDERMAN:

All right. There was a motion by Legislator Stern, is there second?

LEG. EDDINGTON:

Here.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

LEG. STERN:

Cosponsor.

2060, Amending the 2007 Capital Budget and Program and appropriating funds in connection with dredging of County waters (COUNTY EXEC).

Commissioner, this is half a million dollars in bonded fees for consulting services.

COMMISSIONER ANDERSON:

Yes. This is -- because of the continued and extensive experimental requirements that are being mandated by the Federal Government. We are looking to use these funds to hire a consultant to provide the studies that are required that we can't -- we don't have the -- we don't have the capability to do ourselves.

CHAIRMAN SCHNEIDERMAN:

Last time I asked this question about this exact subject -- I can't remember if I asked of Mr. Hillman or yourself -- but the number that's in my mind was a \$50,000 figure for outside consultants to help with this permitting. How did we get up to half a million dollars?

COMMISSIONER ANDERSON:

Well, we've only gotten a handful of permits so far. We've got a number of permits that are still out there. And all these requirements are still really being, you know -- while they're being mandated, we have -- there's a significant amount of work. We thought we had a boiler plate that we could follow. We find that each site is specific, and they're asking more questions. In order to get these dredging permits through, we need to get an environmental consultant to prepare these reports.

CHAIRMAN SCHNEIDERMAN:

I know that many of the sites are in my district or on the East End. The towns have great natural resources, planners, environmental planners. Is there any way we could bring the towns in? They are so much more familiar with the -- you know, the benthic communities in these areas, the underwater communities, the ecology in the area. Rather than bringing somebody who may not be so aware who has to really take a lot of time and money to come up to speed, this is something we might be able to coordinate with the towns and have them assist us with this permitting process.

LEG. MONTANO:

Jay.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano.

LEG. MONTANO:

Commissioner, you don't have staff to do this?

COMMISSIONER ANDERSON:

We don't have staff that have the environmental background. This is -- these are issues regarding marine biology, things like that. Our staff are engineers, they are, you know, familiar with --

LEG. MONTANO:

Has this always been contracted out, or is this something new?

COMMISSIONER ANDERSON:

No. This was actually -- all of these reports were originally -- prior to this year, we done by the Federal Government. The Federal Government then handed down or dictated that we were to do the preparation of the reports. And we've never had to deal with them. You know, basically what you did was you submitted your Army Corps permit, the Army Corps then handed it to the various agencies, and Fish and Wildlife and all the rest of them would prepare these reports in house. They're no longer doing that. They're making us do it.

LEG. MONTANO:

Have you already decided on who the consultant will be, or is this going to be an RFP? How is this going to work?

COMMISSIONER ANDERSON:

We have a consultant on board right now who is doing the work. We feel they are the most qualified.

CHAIRMAN SCHNEIDERMAN:

Who is that consultant?

COMMISSIONER ANDERSON:

EEA, they're a firm out of Stony Brook. Let me let Bill chime in here.

MR. HILLMAN:

The \$50,000 that we previously spoke about was to do the first 15 locations that we were going to be trying to dredge this year. We have a laundry list of probably 100 locations that we'll need to do these environmental reports on. So that's why -- and it's -- depending on if it's in the Peconic, The Sound or if it's in the Great South Bay, it can range anywhere from five to \$15,000 per location also depending on the extent of what's required. EEA has been extremely successful in dealing with the Army Corps and the Fish and Wildlife. They have a tremendous rapport and coordination with them, previous coordination.

We did an RFP process for the original contract. We brought the top two firms in and interviewed them. And after those interviews, it was evident that EEA was head and shoulders above the next closest consultant. And we strongly feel that they are the most appropriate consultant to continue this. They have the working knowledge of what we're doing, and they have tremendous experience with working with the towns. They know all the town players. They're really truly an extension of our staff at this point.

CHAIRMAN SCHNEIDERMAN:

Two questions. One is why don't we just hire a senior environmental analyst to do this for us or maybe two? Wouldn't it be much cheaper down the road? And we could use them for, you know, other -- other environmental related analyses on DPW projects.

COMMISSIONER ANDERSON:

We are looking, I, believe to --

CHAIRMAN SCHNEIDERMAN:

And my other --

COMMISSIONER ANDERSON:

-- bring somebody on board that could handle this. But this is -- I mean, this is a pretty large task, and it would certainly take, I honestly believe, more than two -- I mean, we've got EEA -- a number of their personnel scrambling all over trying to get these reports out. And they've been on board

since the beginning of the summer.

CHAIRMAN SCHNEIDERMAN:

What about our own Office of Ecology? They have environmental planners there; Kim Shaw is a good example. Couldn't they help?

MR. HILLMAN:

When this first came up, we talked to the Department of Energy and Environment, the Health Department, our own Vector Control to try to tap into County resources, and no one had the time and/or experience to really focus on this. It truly is a very, very specific -- you know, just being an environmental planner, I'm not sure is going to be the credentials that are required. Having the knowledge of how to go about getting a dredge permit, knowing the people to talk to. You know, I mean, we're getting into a winter flounder study where they take a sled and, you know, in January and February and March and test for flounder eggs. And, you know, things that, I mean, I have no -- if someone was given -- if I was given an environmental planner, I don't even know how I would supervise them, because I don't know any of this. I mean, when we talk about designing a bridge --

CHAIRMAN SCHNEIDERMAN:

Can I ask a little bit -- a question. Let's say we did go this route, I have a question about sequencing. You talked about 100, 150 -- I think you mentioned 100 inlets that need to be dredged. We have one dredge, we're going to have another dredge when that booster pump is retrofitted sometime next year. What are we looking at on a per-year basis? We're not looking at doing 100 a year, we're looking at doing a quart of that at best, right?

MR. HILLMAN:

We can probably do 15 to 20 per dredge. So we're talking 60 to -- maybe 60 a year.

COMMISSIONER ANDERSON:

And a lot of these permits we're getting are ten year permits, they're not a single year. So what happens is you know you have to go back on a yearly basis, once we have these ten year permits, we can then -- obviously over the next ten years -- go back as needed to each of those water bodies.

CHAIRMAN SCHNEIDERMAN:

Well, that's kind of my concern, maybe you've answered it, is that you go ahead and you do this permitting process, but then we can't actually get to it for three years, and then they make you go back and update all the information because the environmental conditions may have changed.

COMMISSIONER ANDERSON:

That's one of the reasons they're being so restrictive is because we're asking for ten years. I mean, they've told us, if we wanted to come back every year and do it, it would be less restrictive. But at the end of the day, you're just biting your nose to spite your face.

CHAIRMAN SCHNEIDERMAN:

Legislator Montano. I am really just trying to resolve the number. Half a million dollars is a lot of money for consultants on this. I'd prefer if we were hiring people in-house. But maybe you are right, Mr. Hillman, that we don't even have the capacity to really guide the people we'd be hiring, so. Legislator Montano.

LEG. MONTANO:

I don't actually know enough about it to -- but the 500,000 that we're taking is coming from which project? Gail, would you -- I'm reading here --

COMMISSIONER ANDERSON:

It's an intersection improvement at County Road 83, which is North Ocean Avenue and Mount Sinai Road. We just haven't gotten -- it's up in Mount Sinai. It's a intersection improvement project.

We're still in the design phase, we're, like, maybe 20, 25% through it. The funds won't be used this year and were available to be used this year -- I mean, the project won't be available to, you know, use the funds.

LEG. MONTANO:

That's not the sound wall, right?

COMMISSIONER ANDERSON:

No. No. This is actually an intersection -- you know, we're looking at an intersection to improve it.

MR. HILLMAN:

It's the intersection just south of 25. The intersection escapes me.

LEG. MONTANO:

What's the status of that project now?

CHAIRMAN SCHNEIDERMAN:

Is that one that was the noise reduction project?

COMMISSIONER ANDERSON:

No. This is a physical -- this isn't looking at a sound wall or sound reduction structure. This is the physical alignment and turn lights -- turn lights at the intersection.

CHAIRMAN SCHNEIDERMAN:

All right. There's a motion to discharge without recommendation.

LEG. MONTANO:

I'm make that motion.

CHAIRMAN SCHNEIDERMAN:

By Legislator Montano.

MR. HILLMAN:

If I can just add that if these funds are not approved, then we have limb chance of, you know, staying on schedule with the -- with dredging.

LEG. MONTANO:

You're talking about this -- the funds for 2060.

CHAIRMAN SCHNEIDERMAN:

Rick, let's just discharge it without -- normally. Because, I mean, I don't want to fall behind on our dredging.

LEG. MONTANO:

It wouldn't make any difference either way, as long as it's discharged.

CHAIRMAN SCHNEIDERMAN:

I just don't want to send a message that we're -- that I'm not in favor of moving forward with -- I don't want to hold up the dredging. It's too important in my district. But if you want -- we have a motion to discharge without recommendation. I'd rather a normal discharge. Either way, it's fine.

LEG. MONTANO:

I don't think it matters. I just don't have enough information on this to really make the -- I'd rather discharge without recommendation. It has no impact on whether or not we can vote on it. The issue that's brought up is that it may highlight that there are some concerns about it, which I think, you know, are fair, because I do have some concerns about it. That's not to say that we don't -- I

don't think it should be done. I'm concerned about the fact that we're spending \$500,000. You know, at this shot, you're looking at a consultant -- you're not really going to bid this out, you're just going to add another 500 to an existing consultant, am I correct in that?

MR. HILLMAN:

We could go out to RFP again.

LEG. MONTANO:

I'm not suggesting that. You do what you think is best. But in terms of the information here, I don't have a problem discharging it without recommendation. Do you have a problem with that?

CHAIRMAN SCHNEIDERMAN:

I'd prefer to just do a regular discharge at that point, but whatever the committee wants to do. Having that red flag on it of the discharge without recommendation may spur a debate about it, and maybe that's --

LEG. MONTANO:

That's the idea.

CHAIRMAN SCHNEIDERMAN:

-- a good thing.

LEG. EDDINGTON:

On the motion.

CHAIRMAN SCHNEIDERMAN:

I don't want to overstate the caution either.

LEG. EDDINGTON:

I would rather pass it out. I mean, we have our experts here asking for it. I'm not looking to micromanage, I'm not hearing that there's a problem really with it. At some point, I'm willing to give my trust to DPW. So I'm going to look to discharge this normally.

LEG. STERN:

On the motion. I don't think it's blind trust. I think our Commissioner and our Chief Engineer are here. They made a compelling case to continue with the process. I would make a motion to approve.

CHAIRMAN SCHNEIDERMAN:

All right. So we have a motion to discharge without recommendation. Do we have a second on that? All right. So that fails for a lack of a second. We have a motion to approve by Legislator Eddington and a second by Legislator Stern. All in favor? Opposed? Abstentions?

LEG. MONTANO:

Abstain.

CHAIRMAN SCHNEIDERMAN:

One abstention. **APPROVED (VOTE: 3-0-1-1 - Abstention - Legis. Montano - Not Present - Legis. Caracappa) .**

2061, Transferring Assessment Stabilization Reserve Funds to the Capital Fund and appropriating funds for the abandonment of sanitary facilities in Suffolk County Sewer District No. 8 - Strathmore Ridge (COUNTY EXEC).

CHAIRMAN SCHNEIDERMAN:

Commissioner, I need some background here.

COMMISSIONER ANDERSON:

The Strathmore Ridge facility is being abandoned. This is a \$50,000 loan from the Assessment Stabilization Relief Fund to complete the demolition of the facility. It reflects the cost of the final abandonment.

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Stern, seconded by Legislator Eddington. All in favor? Opposed? Abstentions? Motion **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa)**.

2062, Amending the 2007 Adopted Operating Budget, amending the 2007 Capital Budget and Program and accepting and appropriating funds in connection with Sewer District No. 3 - Southwest Sludge Management Plan (COUNTY EXEC).

CHAIRMAN SCHNEIDERMAN:

Again, Commissioner, a little background.

COMMISSIONER ANDERSON:

This is -- this is moving -- transferring \$510,000 from the Operating Budget to the Capital Program for the development of the flood -- Sludge Management Program. Due to just slower a process in bringing the consultant on board, it's just taking longer to move this project along. We do have a consultant, we just want to make sure that the funds are available. We had always planned on using Operating funds. By moving it to the Capital Program, it allows us to hold on to the funds so we can do the project.

CHAIRMAN SCHNEIDERMAN:

Is this more money than originally believed we'd be spending here?

COMMISSIONER ANDERSON:

I don't believe so.

CHAIRMAN SCHNEIDERMAN:

And we're not taking the money from other projects?

COMMISSIONER ANDERSON:

No. This is Operating funds. These are Operating funds that would be expended by the end of the year?

CHAIRMAN SCHNEIDERMAN:

All right. Is there a motion?

LEG. EDDINGTON:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Eddington.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa)**.

2063, Appropriating funds in connection with improvements to Suffolk County Sewer District No. 3 - Southwest (COUNTY EXEC)[.]. [.]

Again, some detail, Commissioner.

COMMISSIONER ANDERSON:

The improvements involve infrastructure and improvements to various treatment process, which include installation -- I guess, certain rehabilitation of certain processes within the plant, a new fire -- fire suppression system, odor control as well as engineering assistance in the construction.

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Stern.

LEG. EDDINGTON:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Eddington. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 - Not Present - Legis. Caracappa).**

I have a couple quick questions while I've got you. Other committee members may as well on other Capital Projects. Let me start on Cupsogue Beach. There's an extension of a boardwalk that's in the 2007 Capital Program. I've been trying to find out what's happening with that, whether it's in the Parks Department, whether it's in your department, whether we need to do the authorization before the end of the year. One of the Park Trustees has been calling me looking -- looking for this boardwalk extension. So if you have any information.

COMMISSIONER ANDERSON:

That's us. We're doing -- we're in the process of doing it. I believe it's our structural group in combination with --

CHAIRMAN SCHNEIDERMAN:

Will you be coming forward with an authorization resolution? Have you already on that?

COMMISSIONER ANDERSON:

I can find out.

CHAIRMAN SCHNEIDERMAN:

We're running out of time if we're going to encumber the money from this year.

COMMISSIONER ANDERSON:

I can certainly find out, you know, by tomorrow.

CHAIRMAN SCHNEIDERMAN:

If the County Executive isn't going to put it forth, I'm certainly willing to do that. But the time is running out in terms of '07 authorization so. I'd like a quick update on County Road 39. Are we ahead of schedule, behind schedule, on schedule, any unanticipated problems?

COMMISSIONER ANDERSON:

We are on schedule. We're in the process -- we expect to have the first two phases complete before the end of the year, the holiday season. And weather providing, we'll continue into the next phase, which is east of -- I'm sorry -- west of the St. Andrew Road Bridge. You know, if that's the case,

you know, we hope to get it done early. But, you know, it's all really contingent on the weather over the winter.

CHAIRMAN SCHNEIDERMAN:

Any other Legislators have Public Works questions in general? All right. You might as well sneak out of here while they're in conversation. We are adjourned. Thank you.

(*THE MEETING WAS ADJOURNED AT 3:39 P.M. *)

{ } DENOTES BEING SPELLED PHONETICALLY