

PUBLIC WORKS & TRANSPORTATION COMMITTEE

Of the

Suffolk County Legislature

A regular meeting of the Public Works & Transportation Committee was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on February 26, 2008.

Members Present:

Legislator Brian Beedenbender - Chairman
Legislator Steve Stern - Vice-chair
Legislator Wayne Horsley
Legislator John Kennedy
Legislator Daniel Losquadro
Legislator Rick Montano
Legislator Edward Romaine

Also in Attendance:

George Nolan - Counsel to the Legislature
Adam Santiago - Aide to Legislator Beedenbender
Linda Bay - Aide to Minority Leader Losquadro
Paul Perillie - Aide to Majority Leader Cooper
Bob Martinez - Aide to Legislator Montano
James Montalto - Aide to Legislator Losquadro
Bill Faulk - Aide to Legislator Romaine
Michael Cavanaugh - Aide to Presiding Officer Lindsay
Kara Hahn - Director of Communications/P.O. Lindsay's Office
Debbie Harris - Aide to Legislator Stern
Rosalind Gazes - Budget Review Office
Kevin Duffy - Budget Review Office
Robert Doering - Budget Review Office
Ben Zwirn - Deputy County Executive
April Ortiz - County Executive Assistant
Tom Vaughn - County Executive Assistant
Ryan McGarry - County Executive Assistant
Gail Lollis - County Attorney's Office
Gil Anderson - Commissioner/Suffolk County Department of Public Works
Tom LaGuardia - Chief Deputy Commissioner/SC Department of Public Works
Lou Calderone - Deputy Commissioner/SC Department of Public Works
Bob Shinnick - Director-Transportation Division/Dept of Public Works
Ben Wright - Director-Sanitation Division/Dept of Public Works
Bill Hillman - Chief Engineer/Suffolk County Department of Public Works
Rick Brand - Newsday
Debra Alloncius - Legislative Director/AME
Marc H. Schneider - Marc H. Schneider PC
Mike Kaufman - LWRP Nissequoque
All Other Interested Parties.

Minutes Taken By:

Alison Mahoney - Court Stenographer

Minutes Transcribed By:

Kimberly Castiglione - Legislative Secretary

*(*The meeting was called to order at 2:27 P.M. *)*

CHAIRMAN BEEDENBENDER:

I would like to call the Public Works and Transportation Committee to order. Would everyone please rise for the salute to the flag.

Salutation

If everyone would remain standing for a moment of silence for all the troops who are fighting for us.

Moment of Silence Observed

Okay, thank you. Legislator Losquadro.

LEG. LOSQUADRO:

Yes, if I could just make a request before we have our presentation. I would just like to make a motion to take 1088 out of order.

CHAIRMAN BEEDENBENDER:

I'll second that motion.

LEG. LOSQUADRO:

Thank you.

CHAIRMAN BEEDENBENDER:

We're going to do the cards first, but Legislator Losquadro has a personal matter and he would like to take this up before he leaves. We have a motion and a second to take it out of order. All in favor? Opposed? Abstentions? Okay, IR 1088.

IR 1088, Amending the 2008 Operating Budget for Suffolk County Sewer District No. 2 - Tallmadge Woods, appropriating funds for operation and maintenance, authorizing the creation and release of positions and approving the user charge (County Executive). Do I have a motion?

LEG. LOSQUADRO:

I'll make the motion, Mr. Chairman.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. On the motion.

LEG. LOSQUADRO:

If there are any questions about the rate I worked with the Department of Public Works on this and the new yearly rate will be \$503 upon the takeover, which is actually slightly less. The original charge was going to be 420 when it was first discussed back in 2002, but that was based on the full SFE's, the single family equivalents, and that's not the case because not all the units are built. So if you adjust that and for the inflation it actually comes out slightly less than what they had projected back in '02. So, it's a fair rate and the communities that will be affected by this are in support of it.

CHAIRMAN BEEDENBENDER:

All right, are there any other questions on the motion? All right. All in favor? Opposed? Abstentions? Motion passes. **(Vote: 7-0-0-0).**

We are going to return to the beginning of the agenda and we have one card, Joseph Carabott. Mr. Carabott, come on up.

MR. CARABOTT:

Members of the Legislature, my name is Joe Carabott. I live 135 VanBuren Street in Mastic, New York. I speak on behalf of the residents along Floyd Road, Somerset Avenue and the adjoining roads.

The Suffolk County Department of Public Works wants to add another left turn lane from William Floyd Parkway, CR 46, into Surrey Circle. Using eminent domain they want to add another east bound lane on Surrey Circle, and a merge lane on Floyd Road. This project is known as the Surrey Circle Project.

Our proposal is a left turn arrow at Linden Avenue that will be operational between one and eight in the afternoon. This project is known as Our Proposal.

Our Proposal has all the benefits that the Department of Public Works consider in the Surrey Circle Project at a much cheaper price. It fairly distributes traffic while the Surrey Circle Project unfairly concentrates traffic. The combination of Floyd Road and Somerset Avenue carry daily between 10,000 and 11,000 cars, while Linden Avenue daily carries about 800 and 900 cars.

Most of the traffic along Floyd Road and Somerset Avenue makes right turns into adjoining roads -- if somebody has got the map, Surrey Circle is the yellow one, and the straight one, north to south, is Floyd Road. The green is Linden Avenue and Pawnee Avenue -- and in doing so they will be traveling south, parallel with County Road 46, that is William Floyd Parkway, and crossing either Linden or Pawnee. Floyd Road and Somerset Avenue are being used just for two-thirds of a mile. The combination of Linden and Pawnee is much longer than the combination of Floyd Road and Somerset and thus can serve more community.

Mr. Bill Hillman expects traffic to use intersection of County Road 46 and Stuart Avenue. Only about 1,000 vehicles use Stuart Avenue and most of them do not go through the intersection as they either stop at the dentist's or lawyer's office that are at the corner. This intersection is by far the least used south of Montauk Highway. Mr. Bill Hillman tells us that the left turn arrow at Linden is a waste of taxpayer's money. What is a waste of taxpayer's money is this intersection. What is a waste of taxpayer's money are the Montauk Highway Plans 1, 2, 3, 4, 5, 6 that revert to Plan 5.

The Surrey Circle Project would definitely add more traffic. As I have been told more than once that once there will be more room in the two lanes there would be no need to use the intersection of County Road 46 and Stuart Avenue.

Once the left turn arrow at Surrey Circle and at Linden Avenue turn green, then there will be two separate lanes onto two different neighborhoods rather than two adjoining lanes from County Road 46 onto one neighborhood.

A handyman commented I never realized the heavy volume on this road, Somerset Avenue. I told him I am working very hard for the left turn arrow at Linden Avenue. No sooner had I finished my diction when he said, without even thinking about it, this will get rid of 50 percent of this traffic. He was born on Pawnee Avenue 45 years ago where he still resides. Now, if this gentleman with such an experience of neighborhood traffic flow can make such an unsolicited comment, who is Mr. Bill Hillman to tell us how traffic should flow in our neighborhood?

CHAIRMAN BEENDENBENDER:

Could you just wrap up please, sir?

MR. CARABOTT:

I'm about done, another minutes. Ms. Carol Bissonette, Ed Hennessy, Esq., Pattersquash Civic Association, Assemblyman Fred W. Thiele, Jr., Congressman Tim Bishop, the Montauk Highway Merchants Association, and many others, who are not affected by the traffic in our neighborhood, are wise enough to understand that Our Proposal is the correct solution. Ed Hennessy recently told me that the combination of Linden and Pawnee Avenues is the most direct route.

At a meeting that took place on June 15, 2006 at Kate Browning's office, Mr. Bill Hillman told me that he could not find anything wrong with what I say or what I write. Thus he inferred that he accepts the danger inherent in the Surrey Circle Project and concedes that there are no inherent flaws in Our Proposal.

We cannot enjoy our outdoors, our backyards, due to excessive noise, odor and pollution that gets into our food, cabinets and closets. It is only fair that other communities somewhat share the burden of their traffic.

We hope that when we oppose the Surrey Circle Project and advocate Our Proposal we are being fair and correct. Thank you for your attention.

CHAIRMAN BEEDENBENDER:

Thank you, Mr. Carabott. All right. The next thing we're going to do, we are going to have a presentation from BRO on the South Ferry, or at least a discussion, and we have the representatives from the South Ferry. So if you would like to come up and sit at the table, the representatives from the South Ferry, we can at least get an education on this particular situation. Kevin, if you would.

MR. DUFFY:

Sure. I will keep this fairly short. South Ferry has applied for a rate alteration. Chapter 287 of the Suffolk County Code provides the authority under which the County regulates ferries that operate solely from the County. Currently the County regulates seven ferries. We do not regulate those such as the Cross Sound Ferry since they're interstate. We only regulate those which are run entirely from the County.

The Budget Review Office does not audit ferry companies. We review the audited financial statements that are prepared by the company's independent accountant. As part of the review the outside accountant must furnish proof of satisfactory peer review. We review the ferry's revenue and expenses. Projected expenses are reviewed for appropriateness and reasonableness. Revenue, which is a combination of ridership and rates, we look at their projections.

Unlike the Fire Island ferries, the Shelter Island ferries operate year round, no matter what the weather. The Shelter Island ferries are not as dependent on the weather as the Fire Island ferries, but the weather does have an effect. Shelter Island ferries, unlike Fire Island ferries, carry passengers, cars, trucks, where Fire Island ferries more or less carry passengers.

In looking at the application there are a couple of good points that I can bring up. South Ferry's last rate increase was in March of 2004. On the average a rate increase lasts approximately three years. South Ferry usually goes much longer. Its last increase was in 2004, the one before that was in 1997. During the period from 1997, South Ferry has purchased three new 18 car boats. The Southern Cross was purchased in 1998 at a cost of a million dollars, which has been paid in full. The Sunrise built in 2002 at a cost of one million-four. Approximately \$900,000 has been paid on it. And the third boat, which the company is under contract with, will cost approximately one million-nine, of which \$300,000 has been paid on account. In addition, as part of its rate request, the company has proposed a number of capital projects which are discussed in the report that total approximately \$1,150,000.

The rate request that they're appearing before you with asks for 17%. Since their last rate increase in 2004 the cost of living has increased 14.66%, so they're asking to do basically quite a lot and cost of living has not -- has gone up quite significantly during that time period.

With South Ferry, when they appeared in 2004 they attempted to do a change in the rate structure that was significant. They discontinued charging for passengers and cars. This generated approximately \$350,000 in revenue. South Ferry does not have significant walk on passenger traffic. Most of the traffic or passengers that they charge for are those riding in the cars. What they sought to do was eliminate this charge and reassign the \$350,000 in revenue to the various car categories. Because of when they first came, their first proposal, we were much happier with because it sought to spread the passenger loss of revenue over all rate categories. What happened was there was quite a bit of pressure from the Islanders and the request was amended and basically the costs of revenue was given almost exclusively to the one way casual user.

This has been our main problem in dealing with South Ferry. It's not really a -- it's a difference of opinion. We in looking at their rate request view that the role of the Legislature is to protect all rate categories and to see that there is an equitable distribution of the fares, that there should be some relationship between the cost and the benefit received. It's our understanding that the cost of a ferry ride for a car and driver is approximately five dollars. What has happened is that when we look on the report, if you look on page 13, we detail under the new rate structure what the per ride cost will be in the last column. A one way fare, which is the casual one way user, will pay \$12 for that ride, and if he happens to be sitting next to a driver and his six day commuter ticket, that car will pay \$2.17. We have for years said that we felt that some of these discounts are too deep, there should be a relationship between the cost and the amount that a passenger pays.

As part of the review what we looked at is we looked at the percent of -- we just took cars, which is 88.5% of the revenue of the company and we looked at the revenue contribution of this 3.6 million that the cars generate. The one way cars constitute in 2006 approximately 41% of the revenue for cars, but they only constitute 19% of the volume. Tickets such as the round-trip book of resident ten, which is one of the fares that we're saying should be increased, what we're saying in our report is that the one way ticket instead of being set at \$12 should be set at \$11. To make up for this loss of revenue we suggest that two fare categories should be changed; the resident round-trip book of ten, which constitutes 8% of the revenue but 16% of the volume, and the commutation tickets, which constitute 33% of the volume and 14% of the revenue.

What we're suggesting is that these fares be increased. We're suggesting increasing, if you look on the schedule, the book of ten resident roundtrips cost \$2.60 per trip. We're suggesting that each trip be set at \$3, which is significantly still lower than the \$5.05 cost for transporting the car. With regard to the commutation tickets, you will see them, that's the five, six, and seven day which range from 2.20 for the five day, 2.17 for the six day, and 2.21 for the seven day. We're suggesting that they be set at \$2.75. Again, this is significantly lower.

We agree to a certain extent that there should be a discounted rate for people who are forced to commute, but we believe that the fares that the company are suggesting are way too low and we are looking to attempt to move them to a higher place that there's more of an equity.

With regard to Resolution 1029, we had three issues with it. The first being, if you look at our report on page nine, the resolution uses that the fares shall not to exceed. What this does, as we discuss in the report, is that it just sets a ceiling on the fare, that if the fare is not to exceed \$12, the company has the latitude of charging ten, eight, five, because that number does not to exceed.

Starting in I think in 1994 Legislative Counsel at that time starting taking out the not to exceed language in the ferry applications for rate increases. The only one that still has not to exceed language, because in 2004 South Ferry defended this position to the Legislature, and they went along with their belief that they should have that flexibility.

The second issue in the resolution is the COLA provision, which we discuss on page ten of the report.

Our concern with the COLA is that this was something that was introduced back in 1986 and it has never really been used successfully by any ferry. The mechanics behind it, which have never really been quantified, is that a ferry company would file a notice with the Clerk of the Legislature that it intends to raise its fares and if the Legislature does not act within 60 days then that rate increase would become -- go into effect.

Our concern has been that basically two ferries had the COLA provision, the first being Fire Island Ferry, and the Legislature took that away from Fire Island Ferry in 1992 when there were allegations that there had been approximately \$6 million worth of embezzlement over a ten year period by one of the partners. Just to set the record straight, it is not the current owner of Fire Island Ferry, Mr. Ed Mooney, who brought this to the attention of the Legislature, that his partner had been taking money from the ferry company. And the second one was Davis Park Ferry, which had been given the COLA in 1990 and used it for seven years and raised fares six times and never notified the Legislature. Because of the experience that has occurred with the COLA and the lack of a detailed procedure, we do not agree with that.

And the final thing that we discuss is the -- on page 12, the company seeking to phase in over a three year period the fares for trucks carrying hazardous cargo. Our concern with this is that we don't think that a ferry rate schedule should have rate increases that automatically increase over time. We think it would be a bad precedent to establish a fare that next year goes up automatically. We think that each fare should be set at a proper level when the company comes in and that if it appears to be inadequate that at their next rate increase the company can increase it.

That's our report in a nutshell. If there are any questions, I will try and answer them.

CHAIRMAN BEEDENBENDER:

Mr. Clark, either one of you.

MR. CLIFF CLARK:

Yes, Presiding Officer Beedenbender and Public Works, Transportation Committee, thank you for the opportunity. My name is Cliff Clark and this is my brother, Bill Clark, and we are the two owners of the South Ferry Company. I look forward to addressing each of these four things.

The South Ferry Company has been run by the Clark family in the same location since 1797 as best as our records show. We are the oldest continuous same family run ferry company in America and it's been handed down in one form or another. It's getting more difficult under the present laws than it was for our great-great-great grandfather, but its been handed down from father to son continuously since 1797.

There are two ferry companies on Shelter Island -- which service Shelter Island. One is the North Ferry -- and we are a completely separate entity of North Ferry. There's no commonality other than the fact that we do a similar service to the same community. North Ferry services, appropriately named the North Fork of Long Island and Greenport to Shelter Island. It's owned by the Heights Property Owners Association, about 150 members of the Board of Directors that are ownership, and they have a Board of Directors that runs their operation. They service that area and we separately, four and a half miles south of there, operate from Shelter Island to North Haven, which is in Southampton Township and three miles north of the Village of Sag Harbor.

Mr. Duffy did a good job of describing what we do. We do trucks, cars, and anything that rolls on the highway pretty much. On the issues that he spoke about -- and I have to say, you have an incredible servant here in Kevin Duffy, because as much as we disagree on these four issues, he's tough, he's good and he's -- you got a good guy there, so my hat's off to him and though I disagree with him philosophically --

MR. DUFFY:

Could we say professional as opposed to servant?

CHAIRMAN BEEDENBENDER:

Duly noted, Kevin.

MR. DUFFY:

Clark and I are friends. We can kid each other.

MR. CLIFF CLARK:

Absolutely. Kevin has a 427 Corvette that he runs around, I've got a 426 Hemi Plymouth that I run around in and we like to talk cars a little bit, too.

But getting back on to the topic, I couldn't agree with him more about his philosophy, general philosophy, about equitable distribution of fares. I think that that is important. However, I disagree with the analysis of how to distribute these. And I underscore how seriously my brother and I disagree with that or have a different philosophy in the sense that if we do it the way he suggests we will net about \$40,000 a year more in revenue by shifting it the way he wants to.

We will respectfully decline that offer on the basis of what we feel is equity. And let's just take the categories in question. They are the prepaid ticket categories and they amount to commuter tickets, which are available to any person who works or goes to school on or off of Shelter Island. They will buy either a five, six, or seven day commuter ticket, which is five roundtrips on or off Shelter Island to go to work or go to school, and that's the deepest discount we have. And he said that they representative 33% of our volume. These are your working people and students who have to use Shelter Island daily and they represent 33% of our volume traffic because of the regularity that they use. And they only representative 14% of our revenue, but here's the thing. I want to put this -- I want to put some flesh on that bone.

They represent only 400 people, okay, so they do do 33% of the volume, but it's only 400 people and these 400 people pay about \$1,260 a year for those commuter tickets. And if we increase their fare by the amount we ask, which is lower than the cash fare we're asking for, they'll end up paying another \$142 a year, one person will, each person. To the extreme other end of that is a cash fare. So if we increase the cash fare like we're suggesting to help subsidize that ticket, let's just take arbitrarily, and I think this is generous on the ridership. Let's just take somebody who uses South Ferry and pays cash five times a year. My suggestion is that probably nobody in this room uses South Ferry five times a year except my brother and me, and Nicholas Morehead, who is part of our staff and Ed. Ed is on there a lot, okay. But I'm thinking that probably most people don't use it five times a year.

So I'm going to throw a high number out, if you use it five times a year, now keep in mind \$142 for a commuter. It's going to cost that person on a rate increase an extra \$10 a year versus \$142 for the commuter. And a round-trip is going to cost them, five of them a year, an extra \$15 a year. Now, those same people using five times a year still have available to them another discount ticket, not as much as a commuter, but they can get 45% off. If they think it is worth it for that five times a year to buy this ticket, they can buy a ten round-trip ticket under our new rates for \$84, that makes it 8.40 a round-trip, and they can use it five this year, five next year, two this year, ten -- no six next year and two the following year. No time limit. The sun never goes down on these tickets we sell. So every resident, every citizen, Suffolk County, Connecticut, Massachusetts, Sag Harbor, anywhere, can buy a discounted ticket.

Our philosophy is, and this is where we separate with Kevin, our philosophy is that the casual user, whether it be a tourist from out of the state, from out of town, or even a member of Suffolk County who might be one of your constituents, who comes out to Shelter Island once or twice a year, there's almost no impact that's going to be significant. And if they feel an impact and they now use it a couple of times a year, they can buy that ticket and it's good forever to go back and forth ten times.

And then taking the other fare categories, where we started the commuter, the Shelter Island resident, who has the next highest volume of use, which is 19%. And there is a special ticket for Shelter Island residents that's higher than the commuter but lower than the non-resident, and they represent 19% of the volume, 11% of the revenue. And the increase we that we are looking to give them is going to be -- they pay \$259 a year on about an average to go back and forth on the Island, and so they are going to increase \$28 for the year. And then the people that your constituents would be, if they want to buy that ten trip non-resident ticket, under our policy they can buy ten round-trip tickets which would be about \$147 a year based on average usership of those that buy those tickets, it's going to cost them \$22 a year.

So we think that we are consistent in our equity and fairness over the rate structure. The commuters, though they use it more, they are going to pay \$142 more a year, and Kevin's point is that they are not paying enough. And I say out of real dollars when it comes to what people really need, they are paying plenty. And we would give up the 40,000 that we could get on Kevin's revenue to take care of our neighbors, our citizens, our regular ridership, and give them a discount that we think is reasonable.

Any questions? That's my presentation. Bill, is there anything I missed?

CHAIRMAN BEEDENBENDER:

Can you just address the two other points, the not-to-exceed language and the COLA?

MR. CLIFF CLARK:

I certainly can, yes. On the not to exceed language there's a reason for this and we would like to keep it. The reason for this is as follows. Those are not given -- like it was mentioned that they could go like for a \$12 fare we can charge them ten, eight, nine, etcetera. I know Kevin didn't intend that, but it almost sounds like it's arbitrary, like if we know somebody you can pay ten, you pay 12. That's not it at all as far as what we use it for.

What we use it for is for commercial traffic only and it's if there's a trucking company that has the discretion perhaps of coming from this part of Long Island and going north side or south side and I want to generate -- I want to draw their business to South Ferry to help us and to help our business stay solvent, I will speak to the company owners. I'll say, listen, I see you going to Greenport and I know you come from Ronkonkoma, Hauppauge, you've got their discretion, why are you going that way? Well, you know, it's a little shorter ride, North Road is a little easier to get down. They don't want to go to County Road 39 which has been a problem. So I will say listen, I am going to give you -- you got to buy a ten trip ticket book, but I will offer you a 15% discount because you buy ten at a time, to come to South Ferry instead of North Ferry. It's a business tool and I would like not to have that tool taken out of my tool chest.

It's a tool that I use to talk to commercial traffic. It's not given out to a citizen that just wants to come to Shelter Island. That's not what it is for. We have tickets for them, for the cars and drivers. So that's the only purpose for that and it helps me. It helps me to be able to be competitive, it helps me be able to even in some case where people want to do business on Shelter Island, they want to come over three or four times a week. They will call me and say you know I'm getting killed by this ferry. I'll say how often do you come, come on in, we'll sit down, and I work out a price for them. So it's a business tool that I use just like a restaurant. If you bring 25 people in for a restaurant to eat a meal, they're going to give you a little discount off the per meal price so that they can draw your business. And so that's the only reason for that particular one.

The third item is the COLA. This is personal and it also I think is practical. Back in the 80's Ken Stein, Sr., Sayville Fire Island Ferry, and I were asked to come to this body and speak to the issue of the very difficult and costly process of a rate change. And in emergency situations or in situations where companies would come in for rate increases that were less than the cost of living for that period of time, the ferry owners of Suffolk County felt like it would be appropriate to streamline your process. It cost me about \$40,000 in legal and accounting costs, not counting any of my own time, to put this package before you as you see it. It costs the County a certain amount of money that

the Legislature and the Budget Review need to put it together. So we as the ferry owners back in the 80's felt like it was appropriate to approach the Legislature and the Legislature agreed at the time.

The purpose for this was if you came in for less than the cost of living or if there was an emergency, like for example, if there was a hurricane and the slips got wiped out or an ice flow came through and your insurance wasn't going to cover it and you had to get it up and running and you needed to borrow money and you needed to have a guarantee of additional income, if you brought a letter to the Legislature saying your intention and the Legislature, this body, you would have 60 days to consider this letter. In this letter we would say we intend to raise our rates 5% in order to address an emergency.

We used it two years ago. For about two years in this rate package we had absorbed the fuel costs. It went from 84 cents a gallon to 250 cents a gallon and we'd absorbed all that cost and we applied to this body in November. We said with 60 days notice we intend to raise our rates. Sixty days came and went. Now, the Legislature has the obligation to look at this letter and say we agree or we don't agree. If you disagree you folks can say nope, we want the full process, there's no recourse, and we do the full process. But if you look at our cause, our case, and say we agree with you, you can let it go through, and after 60 days we can begin charging those rates. Well, we did this to address the fuel problems. We asked for about a three and a half percent increase narrowly and specifically with documentation showing that we were just covering our additional fuel costs.

We let the 60 days go, we sent copies to all the Legislators, to the Budget Review, and 60 days came and went. We put an article in the paper that said that we intended to go up and the following week we went up and a week after we did it Counsel Nolan informed us that it was inappropriate for us to do that and we should stop and we stopped. And so we did it for one week, he said it wasn't right, we didn't fight it, we didn't make a big deal. We felt we were right, but it's up for discussion, and we stopped. But that is the kind of thing that this Public Law 10 was designed to address. We felt we used it appropriately and we would like to keep it in there in an emergency in order to streamline the process and save everybody a lot of money, but you have folks have veto power and authority over anything within that 60 days.

So we feel like that is something that is a tool that is not -- it doesn't take anything away from this body and it might help to serve to where we could all move quickly. If you don't have that in place then this body could not move on fuel problems or hurricane damage or ice damage. You couldn't do it by law, you'd have to go through the whole process.

And the third item, the three year phase in is simply this. When we -- the phase in that we want on this hazardous material thing. We carry gasoline trucks to Shelter Island. We're the only -- North Ferry won't carry -- well, they will carry, but while we charge for a small propane tank, we charge \$35 each way, they charge \$100 on one boat and \$250 on the bigger boats, so nobody goes North Ferry. That was designed to keep them coming South Ferry. When we -- last time we came in, made the risky decision to no longer charge for passengers in our vehicles because it was a big revenue item and we weren't sure if we could cover it with our shift of rates, which we ended up doing and it worked out fine. But we have the concept that we sell deck space, a footprint. And a car goes over and if you have got five people in it, it doesn't really cost me anything more to take the five over in the car than it does with the car and driver. So all Suffolk County residents, all ridership benefitted tremendously from that decision and we covered our expenses and it worked.

Taking that same logic of the footprint further we looked at our handling of hazmat material. A tractor trailer carrying 10,000 gallons of propane goes across the ferry channel and in today's fares pays \$130 for the round-trip over and back. That's \$65 each way. The little tanker things that come to your house and drop off your propane pays only \$35 each way now, over and back \$70. And with our footprint philosophy we have to take those hazardous material vehicles on one vessel. We can't put other vehicles on with them for safety reasons. We can't put civilians on there. So it's one truck, the whole crew and the whole boat over, and then when we come back off of the Island,

one truck, the whole crew and the whole boat back. They have rented the entire footprint of our boat just like the tractor trailer did. So we want to make it to where any size hazmat vehicle that charters the whole boat pays the same fare because it has written the same footprint.

Well, to go from \$35 up to 65 or \$70 each way, we feel, this is just us being sensitive to the companies, we feel that's a huge jump and we don't want to do that. What we wanted to do is go from 35 to 45 at your approval, and then one year from that date go to 55, and then one year from that date go to 65 so that the small business owners and the customers don't get hammered by going from 35 to 65 in one day. That's the only reason that's in there and we don't intend to make that a policy or a precedent, but it's in sensitivity to businesspeople that we just don't want to hammer them because they're our neighbors, we see them all the time. That's our response on the four. Bill, is there anything that you'd like to add to that?

MR. BILL CLARK:

Very little. I just wanted to comment on one thing. Cliff talked about the workman's pass and how it benefits everybody, no matter whether if you live on Shelter Island or off Shelter Island. It's our deepest discount. I just wanted to hit very briefly on the situation. We do look at Shelter Island -- people that live on Shelter Island as different from people who don't live on an Island because for virtually all essential services, and other services for that matter, they have to use the ferry. State Highway 114 comes from East Hampton, it runs through Sag Harbor and it comes through our terminal on the south fork and then it picks right up again on Shelter Island and goes across Shelter Island. And the State of New York, even though they put the State highway in there, has done nothing to support the people that live on Shelter Island and that's -- ferries are the only way they can get off the Island.

And so it seems to us that just recognizing that circumstance it's not unreasonable to give them special preference and Cliff has done the math and already talked about it, they're already impacted, even with the deep discounts, way more than the person that comes out there, just the casual users.

I will just end by saying this. The casual user who doesn't get any discount book and has to pay the full cash fare is still getting one of the best values on the east end of Long Island because they're going to a beautiful island and they are able to do a round-trip for \$12 right now and 15 under the prepared proposed rates. Thank you very much for your time.

CHAIRMAN BEEDENBENDER:

Do you have any questions? Anybody? Legislator Romaine.

LEG. ROMAINE:

No questions, I just have a comment. I have known the Clark family. They are widely respected on the Island and extremely fair businessmen that work for the benefit of the Island. I agree with their philosophy. I disagree with BRO because it gives an advantage to people that live on the Island. I can tell you now, having represented several islands, that populations on the east coast, on islands, are getting far more difficult to sustain, be it Fisher's Island or any of the other islands that are populated in my district including Shelter Island. Without a little consideration people can't get to their homes. It's the only place in Suffolk County you cannot drive to other than Fishers Island or Plum Island and Little Gull, I guess, and Great Gull and Little Dumpling and Great Dumpling but other than -- well. Fire Island you can actually drive to. You can over Robert Moses and if you get a permit you can actually drive up the beach. All the islands you can't drive to are on the east end and it becomes very difficult to sustain anything, construction, delivery of services, anything.

So I've looked at their proposal, I've considered it. We will -- I just want to indicate to the Legislature there will be a hearing on Saturday morning at eleven o'clock, I think Kevin is coming, in which we will have -- take over the Town Hall and everyone will show up and as all meetings are on

Shelter Island, they will be televised for the entire population to watch on Channel 22. And we will listen to what everyone has to say. This presentation will be made in some greater detail and far more questions will be asked. But I've looked at this. I consider their rate request reasonable when you consider what has happened to the price of gasoline, of diesel fuel, in the last four years. I believe this to be a fair proposal and I just wanted to put that on record. Obviously I'm going to withhold any judgment, final judgement, until we vote, which I believe will be March 18th. We will have a public hearing on Tuesday the 4th so we will have two public hearings, one for the locals and one for the Legislature.

CHAIRMAN BEEDENBENDER:

And then we'll have to vote it out of committee next time, too, or vote it down, whatever we do.

LEG. ROMAINE:

Right.

CHAIRMAN BEEDENBENDER:

All right. If there are no other questions, thank you very much for the presentation.

MR. CLIFF CLARK:

Thank you very much.

MR. BILL CLARK:

Thank you very much.

CHAIRMAN BEEDENBENDER:

And like you said, we'll have the hearing on Tuesday so I'm sure we'll see many of you again. All right. We're going to go directly to the agenda now. We'll start right at the beginning.

Tabled Resolutions

IR 1010, A resolution calling for a public hearing for the purpose of considering the dissolution of the proposed Sewer District No. 4 - Smithtown Galleria (County Executive).

I'm going to make a motion to table. Do I have a second?

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. On the motion? All in favor? Opposed? Abstentions? Motion is tabled. **(Vote: 6-0-0-1 Not Present: Legislator Losquadro)**

IR 1023, Directing the Suffolk County Sewer Agency and Department of Public Works to finalize the creation of the Sewer District No. 4 - Smithtown Galleria (Kennedy).

LEG. KENNEDY:

Motion to table.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Kennedy, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **(Vote: 6-0-0-1 Not Present: Legislator Losquadro)**

Introductory Resolutions

IR 1065, Authorizing transfer of one (1) surplus County Kodak Imagelink 70 to the Brentwood Public Library (Montano)

LEG. MONTANO:

Motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Montano, seconded by Legislator Stern. All in favor? Opposed? Abstentions?
(Vote: 6-0-0-1 Not Present: Legislator Losquadro)

Oh, I skipped 1029, I'm sorry.

IR 1029, Authorizing alternation of rates for South Ferry, Inc. (Presiding Officer). We need to table this for a public hearing.

LEG. ROMAINE:

Motion.

CHAIRMAN BEEDENBENDER:

Motion to table by Legislator Stern, seconded by Legislator Romaine. All in favor? Opposed? Abstentions?
(Vote: 6-0-0-1 Not Present: Legislator Losquadro)

All right. We'll go back to **IR 1066, Authorizing transfer of one (1) surplus County Kodak Imagelink 70 to the Central Islip Public Library (Montano)**

LEG. MONTANO:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Montano, seconded by Legislator Stern. All in favor? Opposed? Abstentions?
The motion is approved. **(Vote: 6-0-0-1 Not Present: Legislator Losquadro)**

We already did IR 1088.

IR 1090, Approving a voluntary land exchange between the County of Suffolk and Brian V. Klug and Monica Klug, his wife (County Executive)

Do I have a motion?

LEG. STERN:

Motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Stern, seconded by Legislator Horsley. Any questions? All in favor? Opposed? Abstentions? Motion is approved. **(Vote: 6-0-0-1 Not Present: Legislator Losquadro)**

IR 1116, Appropriating funds in connection with the purchase of sewage pump-out vessels (CP 8229)(County Executive).

LEG. ROMAINE:

Motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Romaine.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley.

LEG. ROMAINE:

A quick question.

CHAIRMAN BEEDENBENDER:

On the motion.

LEG. ROMAINE:

Will the vessels that will have the pump out boats, will they frequent Peconic Bay? Where are they slated to frequent?

COMMISSIONER ANDERSON:

The two boats that are currently planned for purchasing are from the Town of Brookhaven and will frequent Port Jeff Harbor and Mount Sinai Harbor. We are in preliminary discussions with Babylon and Huntington for I guess the other -- you know, for some more boats.

LEG. ROMAINE:

What about Moriches Bay or Great South Bay or Peconic Bay? There's no provisions for those -- Smithtown Bay? Huntington Bay? There's no provisions for --

COMMISSIONER ANDERSON:

Not at this point, no. This is -- I believe this is an annual fund that, you know, we help the various towns and municipalities, reimburse them for them purchasing the boats.

LEG. ROMAINE:

Where are the funds derived from, Commissioner?

COMMISSIONER ANDERSON:

They come from capital project 8229.511.

LEG. ROMAINE:

Which means?

COMMISSIONER ANDERSON:

That's a capital project for purchase of sewage pump out vessels.

LEG. ROMAINE:

Does it specify which waterways that these vessels are being purchased for?

MR. ZWIRN:

We give the money to the towns. If I might, Mr. Chairman.

CHAIRMAN BEEDENBENDER:

One moment. Commissioner?

COMMISSIONER ANDERSON:

It doesn't specify any of that. It basically just -- just that we give the money to the towns to help them get reimbursed for the purchase of the boats.

MR. ZWIRN:

Yes, we've done it with other towns as well, Town of Southampton. They pick the spots pretty much where they want to put them.

LEG. ROMAINE:

Okay. I have no further questions. Obviously I do, but maybe you could give me a list of how these funds have been appropriated and for what uses the various towns that we have given them to have used them say over the last four or five years. Just go back and take a look. I just want to make sure that, you know, this is a problem for many communities that we're distributing that fairly and equitably so that all of our bays get some type of coverage.

COMMISSIONER ANDERSON:

Very good.

CHAIRMAN BEEDENBENDER:

Legislator Horsley has a question, but before you do that, Legislator Horsley, I have a note here that indicates that there are eight in the County right now. There is one in East Hampton, one in Riverhead, one in Huntington, one in the Village of Greenport, two in Southampton, and two in Southold. I don't know if that's correct. Does that sound correct, Commissioner?

COMMISSIONER ANDERSON:

Yeah. I have a table here that states essentially two in Southampton, one in East Hampton, Riverhead. I can provide --

CHAIRMAN BEEDENBENDER:

Okay.

LEG. ROMAINE:

Right. Thank you. If you could send that to me I would appreciate it.

COMMISSIONER ANDERSON:

Sure.

LEG. ROMAINE:

Thank you very much.

CHAIRMAN BEEDENBENDER:

Legislator Horsley.

LEG. HORSLEY:

Good afternoon, Commissioner. Just quickly. My understanding of this program, I know that the Power Squadron and others were involved with initiating this going back a couple of years ago, remember I was on the town board. One of the things that the towns now, they hire the staff to run these pump out station boats?

COMMISSIONER ANDERSON:

I believe so.

LEG. HORSLEY:

They do.

COMMISSIONER ANDERSON:

Yeah.

LEG. HORSLEY:

So we have no responsibility for that.

COMMISSIONER ANDERSON:

Correct.

LEG. HORSLEY:

The other question I would have is there's generally a charge for pump out, is that correct? There might be a minimal charge.

COMMISSIONER ANDERSON:

Yes.

LEG. HORSLEY:

And where do those monies go to, they go to the towns or they go to the County?

COMMISSIONER ANDERSON:

I don't know. I can find out.

LEG. HORSLEY:

It might be --

COMMISSIONER ANDERSON:

I would assume it would go to the town.

LEG. HORSLEY:

We're always looking for revenue sources now.

COMMISSIONER ANDERSON:

I believe, I mean, to -- let me look at that. I don't know and I'd be guessing.

LEG. HORSLEY:

I don't know myself. My -- I guess is it would probably go to the towns but I'm not sure.

CHAIRMAN BEEDENBENDER:

We'll make sure we get that.

COMMISSIONER ANDERSON:

Well, they would have to pay for the disposal of the waste.

LEG. HORSLEY:

That's right.

COMMISSIONER ANDERSON:

So, somewhere down the line. But I can get that information as part of this.

LEG. HORSLEY:

Okay. I'm just curious how it works.

CHAIRMAN BEEDENBENDER:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. I would ask the Commissioner how do other towns go about availing themselves of this? As you know, Smithtown has a very active boating community by Long Beach, Little Africa and also the State based marina on the Nissegougue. Both of which, you know, clearly have slip based boating and probably would be appropriate for some type of an application along these lines as well.

COMMISSIONER ANDERSON:

I'll find out.

LEG. KENNEDY:

Okay. I would appreciate it.

CHAIRMAN BEEDENBENDER:

Legislator Stern.

LEG. STERN:

It's a follow-up on Legislator Kennedy's question. I'm sure there are other municipalities that can utilize this equipment. This past year or during this most recent process were there other municipalities that did make application, that were interested in this funding to get this kind of equipment that aren't going to participate this year?

MR. ZWIRN:

If you will indulge me.

CHAIRMAN BEEDENBENDER:

Mr. Zwirn.

MR. ZWIRN:

We have a list. Town of Southampton, two boats. Town of East Hampton, Town of Riverhead, Village of -- I'm going back to 2000, but you asked for a couple of years going back. This is 2000. Village of Greenport, Town of Huntington, Town of Southold, two boats. In 2005, Town of Southold, Town of Islip, Town of Brookhaven, which is this one, two barges, one boat; and the Town of Brookhaven with the request this year.

CHAIRMAN BEEDENBENDER:

Okay, but --

MR. ZWIRN:

And Babylon is also -- I think has one pending.

CHAIRMAN BEEDENBENDER:

I guess Legislator Stern's question was about do you have to make application for this or was there an application from the Town of Huntington.

LEG. STERN:

Not necessarily Huntington, but any other municipalities that made application that were not awarded is fine.

COMMISSIONER ANDERSON:

To the best of my knowledge I don't know. The only thing I can respond to is, you know, really it's up to the municipality. In some cases I'm advised some municipalities don't want the pump out boats. They would rather have a land based facility where they can pump out rather than a boat that actually travels the harbor and pumps out on the water. But that's -- like I said, I will get you that information on how you access the funds, you know, who does all that.

CHAIRMAN BEEDENBENDER:

Okay. Thank you. Any other questions?

LEG. KENNEDY:

Mr. Chair.

CHAIRMAN BEEDENBENDER:

Legislator Kennedy.

LEG. KENNEDY:

Yeah, I will go back one other time. So does this resolution exhaust all of the appropriation for this year, or is there still something with which, you know, a municipality or a village could go ahead and make application for?

COMMISSIONER ANDERSON:

According to this, there appears to be additional funds that are still available out of this.

LEG. KENNEDY:

Who do we write the letter to, Gil? Ben? You bet. As soon as I get out of the pet store I'll send one to him. Thank you.

CHAIRMAN BEEDENBENDER:

Legislator Stern.

LEG. STERN:

Does it indicate what dollar amount is still available?

COMMISSIONER ANDERSON:

According to the table there's about 52,000 that's left.

LEG. STERN:

Thank you.

CHAIRMAN BEEDENBENDER:

All right. If there are no other questions, I believe we have a motion and a second. All in favor? Opposed? Abstentions? The motion passes. **(Vote: 6-0-0-1 Not Present: Legislator Losquadro).**

IR 1117, Appropriating funds in connection with the reconstruction of CR 97, Nicolls Road, Town of Brookhaven (CP 5512) (County Executive)

I'll make the motion.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? Motion is approved. **(Vote: 6-0-0-1 Not Present: Legislator Losquadro).**

IR 1118, Appropriating funds in connection with strengthening and improving County roads (CP 5014) (County Executive)

Do I have a motion?

LEG. ROMAINE:

Motion.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Romaine, seconded by Legislator Stern. Legislator Romaine, on the question.

LEG. ROMAINE:

Quick question. Is there a list of the roads that are going to be strengthened and improved under this Capital Program?

COMMISSIONER ANDERSON:

Yes, there are.

LEG. ROMAINE:

Okay, and that's attached to the resolution?

COMMISSIONER ANDERSON:

Yes.

LEG. ROMAINE:

Thank you. I just want to make that clear for everyone. Thank you.

CHAIRMAN BEEDENBENDER:

All right. If there are no other questions, all in favor? Opposed? Abstentions? The motion passes.

(Vote: 6-0-0-1 Not Present: Legislator Losquadro).

IR 1119, Appropriating funds in connection with the reconstruction of drainage systems on various County roads (CP 5024) (County Executive).

LEG. STERN:

Motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Stern, second by Legislator Horsley. Any questions? Well, I believe -- is there a list attached to this one as well?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. All in favor? Opposed? Abstentions? Motion passes.

(Vote: 6-0-0-1 Not Present: Legislator Losquadro).

IR 1121, Amending the 2008 Capital Budget and Program and appropriating funds in connection with the construction of sidewalks on various County roads (CP 5497) (County Executive)

Again, I guess there is a list.

COMMISSIONER ANDERSON:

This list is specific to improvements on County Road 76, Townline Road, between Jackson Street and Walter Street.

LEG. ROMAINE:

Am I on the wrong -- that's Huntington?

MR. NOLAN:

No, that's the offset.

LEG. ROMAINE:

There is a Townline Road in Huntington, too.

COMMISSIONER ANDERSON:

Are we on 1121?

MS. GAZES:

Yes, that's it.

CHAIRMAN BEEDENBENDER:

No, you are correct. Yes, you are right. It's from Jackson Street in the vicinity of Walter Street in Islip and Smithtown. So I should correctly say motion by Legislator Kennedy?

LEG. KENNEDY:

Absolutely, Mr. Chair.

CHAIRMAN BEEDENBENDER:

Seconded -- I will second the motion. All in favor? Opposed? Abstentions? Motion approved.
(Vote: 6-0-0-1 Not Present: Legislator Losquadro).

IR 1122, Appropriating funds in connection with the reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle, Towns of Babylon and Huntington (CP 5560) (County Executive)

So motion by Legislator Stern, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? Motion is approved. **(Vote: 6-0-0-1 Not Present: Legislator Losquadro).**

IR 1132, Amending the 2008 Capital Budget and Program and appropriating funds in connection with Safety improvements at various intersections (CP 3301) (County Executive)

And this one is for a particular location, is it not?

COMMISSIONER ANDERSON:

Yes, it is. It is the intersection of William Floyd Parkway and County Road 46 with Surrey Circle in the Town of Brookhaven.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

Wasn't the gentleman that was up here, who was I believe a resident of Legislator Browning's district, speaking about that issue?

COMMISSIONER ANDERSON:

Yes, he was.

LEG. ROMAINE:

Okay. And what are you doing with Surrey Circle? Surrey Circle is that road that you encounter when you cross the railroad tracks immediately south. It's the next intersection immediately south, having represented that district at one time, immediately south of there. And most people are making a left turn, I believe there may be two left turn lanes there, to take them through Surrey Circle. They immediately go on to Floyd Road and there is a tremendous amount of traffic. And if I missed what that gentleman said, what he was saying is that a second left turn should be made, should be allowed on Linden, which also through its connecting streets gets you through on to -- you can go all the connecting streets through to Mastic Road, which is the other north/south road as it travels east there. He was suggesting a left hand turn lane there as opposed to some other intersection. I assume this has nothing to do with what that gentleman was talking about, or does it?

COMMISSIONER ANDERSON:

It does. The intersection in question is Surrey Circle with William Floyd. What we're doing is because we have a problem with cars queuing outside of the turn lane and going into the travel lane --

LEG. ROMAINE:

No question about it.

COMMISSIONER ANDERSON:

The plan is to add a second turning lane.

LEG. ROMAINE:

Right.

COMMISSIONER ANDERSON:

In doing that we're going to reduce the timing of the signal not to allow more cars to get through, but basically to get the same number of cars that have been stuck in that left turn lane through, but basically allowing them not to back up and block into the road.

LEG. ROMAINE:

I understand that. What is that going to do to Surrey Circle, though. That's a one lane highway that you are putting two lanes of traffic on to.

COMMISSIONER ANDERSON:

What will happen is we're not -- it's the same amount of traffic. We're not changing -- we're not increasing the flows by --

LEG. ROMAINE:

No, but you're sending them over in two's to a road that only allows one's.

COMMISSIONER ANDERSON:

Right. There will be a period or there will be a transition within Surrey Circle created by this project to allow them to go --

LEG. ROMAINE:

Are we paying for that transition on a town road? Are we paying to improve Surrey Circle to accommodate the two turning cars on to what is now a single lane?

COMMISSIONER ANDERSON:

Yes, we are. Because we have to -- we basically within a shorter timeframe we're sending the same vehicles into there. We have to give them the ability to transition into one lane.

LEG. ROMAINE:

Was the gentleman making any sense to suggest instead of that or in addition to that because that will funnel all the traffic essentially down because they take Surrey Circle to hit Floyd Road to connect --

COMMISSIONER ANDERSON:

That's been that way for a long time, though.

LEG. ROMAINE:

I know that, to connect with all the side streets.

COMMISSIONER ANDERSON:

Right.

LEG. ROMAINE:

He was suggesting could you alleviate that problem a little bit for Floyd Road and the surrounding streets by having -- going down a little further, a little further south on William Floyd to Linden, which also connects to Mastic Road and all the sub-streets that these people turn down Surrey for. Could you do that? Is that a better alternative? Is that a wise alternative?

COMMISSIONER ANDERSON:

We've looked at that and no, we do not agree. There is an existing left turn, it's an unsignalized intersection at Stewart, which is the, I guess the next -- no, it's a couple -- a little ways down. It's --

LEG. ROMAINE:

A little ways down. The dentist is on the corner and Ed Hennessy's law office is next to the dentist. I'm very familiar with the area. So, I mean --

COMMISSIONER ANDERSON:

We have reviewed it and we found it not to be --

LEG. ROMAINE:

But that Stewart doesn't connect with all the intersecting streets like Linden does.

COMMISSIONER ANDERSON:

Well, it certainly -- it does intersect the same way. If you went down Linden you would still have to make a right and a left to get on to either Pawnee or -- I can't read what that is, I'm sorry. Meadowmere --

LEG. ROMAINE:

Well, Meadowmere, right, if you are going to go down that way.

COMMISSIONER ANDERSON:

It's not a straight run. It wouldn't be like as though you are going to be going a straight run and down right into that area. You are still --

LEG. ROMAINE:

Have you discussed this with Legislator Browning?

COMMISSIONER ANDERSON:

I believe we have, yes.

LEG. ROMAINE:

And she's in support of this resolution?

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN BEEDENBENDER:

Just for the record. Mr. Carabott had contacted my office, too, and I think we referred it to the Commissioner about two weeks ago I think, so I know you had his comments. Legislator Romaine, are you finished? Okay. Legislator Stern.

LEG. STERN:

Thank you. Mr. Chairman, I just have a question about the offset. Could you just briefly describe 5168, which is work to be done on Pulaski Road.

LEG. ROMAINE:

That's the next resolution.

CHAIRMAN BEEDENBENDER:

About the offset. There's an offset --

COMMISSIONER ANDERSON:
Hold on. Actually, let me get Bill.

LEG. ROMAINE:
That's the next resolution.

CHAIRMAN BEEDENBENDER:
There's an offset in this bill for the same project.

COMMISSIONER ANDERSON:
The funds that we're offsetting are either right of way funds or construction funds that we are not ready to use for the project yet.
There's no point number attached to the reso.

LEG. STERN:
It shows that there's a cost reduction, is that what I'm saying? It was at 4.5 million and it is now down to a total estimated cost of 3.950? Am I reading it correctly? And that you're revising it now for a bonding amount of 1.45 rather than 1.5? That's where the \$50,000 difference is coming from, from the bonding amount?

CHAIRMAN BEEDENBENDER:
Do you have the information here, Commissioner or?

COMMISSIONER ANDERSON:
No, I don't. I don't have the information.

CHAIRMAN BEEDENBENDER:
Okay.

COMMISSIONER ANDERSON:
No, I'll have to get back to you on that.

LEG. KENNEDY:
Mr. Chair, if I can add to the dialogue for just a moment here. I'm very familiar with Pulaski Road, too, as a result of growing up in East Northport. My recollection over the last year or 18 months is that there was a sizeable amount of construction work that was identified for this two lane highway. It's a heavily traveled roadway running east and west. I really wonder about the fact that we're looking at monies being taken away from this project. I wonder if we couldn't table this resolution until we get a sufficient answer from the Commissioner.

LEG. STERN:
Commissioner, how long do you think it would -- it shouldn't take too long to get the information on that to see where it is at.

COMMISSIONER ANDERSON:
We can have it to you by tomorrow.

CHAIRMAN BEEDENBENDER:
Then I would recommend we discharge it without recommendation and if the answers aren't presented to us by Tuesday then we can either refer it back or table it again.

LEG. ROMAINE:
Motion to table.

LEG. KENNEDY:

I will yield to the sponsor. I mean, certainly, you know, it is in his district and ultimately his decision. But I can tell you I have personal knowledge of the roadway and it is heavily traveled. As a matter of fact, has quite a few bends in it, it has drainage issues with it, crosses into heavily traveled communities, a lot of signalized intersection and clearly a road in need of some significant work.

CHAIRMAN BEEDENBENDER:

I made a motion.

LEG. ROMAINE,

Motion to table.

CHAIRMAN BEEDENBENDER:

There is a motion to table. I've also made a motion to discharge without recommendation. Do we have a second for either motion?

LEG. STERN:

Do you know at what point along Pulaski, because there's a resolution following this one which addresses -- I think it's a different area of Pulaski. So I don't even know at what point along Pulaski this resolution applies to.

COMMISSIONER ANDERSON:

There are two projects on Pulaski. There are from the westerly end - from essentially Woodbury Road to 110 is one project we're going discuss further on today. There also is the one that Legislator Kennedy mentioned, which is I believe from Park Avenue to Bread and Cheese Hollow Road where we are going to do some realignment -- a reconstruction of the bridge, some realignment there to make an easier turn. So there is a significant amount of work in there going on.

LEG. KENNEDY:

How old is that bridge, Commissioner? It's about a 30, 40 year old bridge, isn't it?

MR. HILLMAN:

I think it is even older than that. I think it's more like 80 years.

COMMISSIONER ANDERSON:

It's been that way since I remember and I've been going through there maybe not as long as you, but.

CHAIRMAN BEEDENBENDER:

I'll withdraw my motion to discharge without recommendation.

LEG. STERN:

And I will second the motion to table.

CHAIRMAN BEEDENBENDER:

So we have a motion to table by Legislator Romaine, we have a second by Legislator Stern. All in favor? Opposed? Abstentions? Motion is tabled. **(Vote: 6-0-0-1 Not Present: Legislator Losquadro)**.

MR. HILLMAN:

If I could. I know you've made the motion.

CHAIRMAN BEEDENBENDER:

Bill.

MR. HILLMAN:

If I could just try and clarify a little bit, though. The next resolution that you are about to hear is for \$500,000 for design for CR 11, same CP, same section of road. The funds that we're using to offset are for construction and/or right of way. I'm unsure which, but they are for one of those.

CHAIRMAN BEEDENBENDER:

From within the project.

MR. HILLMAN:

From within the project. And we're nowhere near ready to access those funds. We haven't had public hearings, we are nowhere near construction, so the funds would have gone unused. So what we're using them as an offset for a project that's ready to move, just to clarify. But we can get you exactly whether it is right of way or construction. We'll get you that information by tomorrow.

LEG. STERN:

A couple of weeks shouldn't make a significant difference in what you are trying to do here, correct?

MR. HILLMAN:

No, that would be fine.

LEG. STERN:

Motion to table.

LEG. ROMAINE:

Second.

CHAIRMAN BEEDENBENDER:

I have to read it first. **IR 1133, Amending the 2008 Capital Budget and Program and appropriating funds in connection with reconstruction of CR 11, Pulaski Road, from Woodbury Road to Depot Road, Town of Huntington (CP 5168) (County Executive)**

Motion to table by Legislator Stern, seconded by Legislator Romaine. All in favor? Opposed? Abstentions? **(Vote: 6-0-0-1 Not Present: Legislator Losquadro).**

And, Gil, if you get me that information I will be happy to forward it out to everybody or whatever is easier for you.

COMMISSIONER ANDERSON:

Absolutely.

LEG. KENNEDY:

Mr. Chairman, before we conclude I have a couple of questions for the Commissioner as well.

CHAIRMAN BEEDENBENDER:

We have a Home Rule. Legislator Romaine has a couple of questions, and Legislator Montano, too. We have a list.

HR 02, Home Rule Message requesting State of New York to establish the Peconic Bay Regional Transportation Council. (Presiding Officer)

LEG. ROMAINE:

Motion.

CHAIRMAN BEEDENBENDER:

We have a motion by Legislator Romaine. I will second the motion. All in favor? Opposed? Abstentions? The motion is approved.

(Vote: 6-0-0-1 Not Present: Legislator Losquadro).

LEG. ROMAINE:

Clerk, please list me as a cosponsor.

COMMISSIONER ANDERSON:

Can I ask a question?

CHAIRMAN BEEDENBENDER:

Commissioner.

COMMISSIONER ANDERSON:

IR 1133, was that approved?

CHAIRMAN BEEDENBENDER:

It was tabled.

COMMISSIONER ANDERSON:

So both of them, 32 and 33 --

CHAIRMAN BEEDENBENDER:

Both of them were tabled. I know that Legislator Romaine has some questions for the Department of Public Works and then Legislator Montano and Legislator Kennedy. So, Legislator Romaine.

LEG. ROMAINE:

As the Chairman may know, my office is in Cornell Cooperative Extension right on Griffing Avenue as you cross the railroad tracks. Right outside my window sits a riding piece of locomotive called Engine 39. I've watched it for the last two years and two months. And I said to myself, wow, isn't that a County project? So I called the Commissioner. I think I said I was going to ask you some questions. I forwarded some of those questions and I thought I would just proceed.

First of all, could you tell me how much money is in this -- oh, we're going to get the heavyweights here. I don't mean that offensively, pejoratively at all. I mean that in a very positive way. Expert testimony. Because I'm the heavyweight. We've worked very closely together. Good guy.

DEPUTY COMMISSIONER CALDERONE:

That's quite all right, Legislator Romaine. I know what you meant.

LEG. ROMAINE:

How much money is in this? This is a Capital Program, is that correct?

DEPUTY COMMISSIONER CALDERONE:

Correct.

LEG. ROMAINE:

When was this Capital Program initiated for Engine 39?

DEPUTY COMMISSIONER CALDERONE:

I might have to defer to Jay Abbott. This has been going on, as you said, two years, two months -- I think it's closer to three years, but --

LEG. ROMAINE:

Oh, no, no, no, no. When was this capital project approved? When was this money appropriated?

DEPUTY COMMISSIONER CALDERONE:

Approximately about three years ago.

MR. ABBOTT:

Yeah, that's approximately right. I apologize I didn't --

LEG. ROMAINE:

I thought it was done in the late '90's. I'm going to ask you again to think about when this project was approved.

DEPUTY COMMISSIONER CALDERONE:

I can't answer it. I was not --

LEG. ROMAINE:

I know you weren't there and it's difficult because there's been a change of administration. But are you the gentleman -- I'm sorry, I don't know your name, sir.

DEPUTY COMMISSIONER CALDERONE:

It's Jay Abbott and he's the project manager for the construction project. So he got involved once it was bid out.

LEG. ROMAINE:

I believe this is a project that goes back multiple years. I believe this is a project that started in the late '90's, which is what really caught my attention when I noticed it, why is it taking so long. So I would ask if you would provide the members of our committee with a memo as to why --

DEPUTY COMMISSIONER CALDERONE:

Absolutely.

LEG. ROMAINE:

When this project was initiated. Two, could you tell me the funding that's involved in this project and from what source does that funding come.

DEPUTY COMMISSIONER CALDERONE:

I believe it's matching grant -- State grant which is matched by the County 50-50.

LEG. ROMAINE:

Okay. Could you confirm that also?

DEPUTY COMMISSIONER CALDERONE:

Yes.

LEG. ROMAINE:

Because I believe there is ISTEAM money in there in excess of a half a million dollars, okay, and I believe that ISTEAM money dates back several years ago. Could you tell us when that ISTEAM money was appropriated?

CHAIRMAN BEEDENBENDER:

Just curious. What is the intent? What is the intent of it? I'm not familiar with the project.

LEG. ROMAINE:

The engine -- it's a locomotive, Engine 39, that apparently several years ago was given a capital project designation to renovate and haul and the purpose of the Long Island Railroad Museum, which sits right across the street from my office, was to once that engine was renovated was to run

in essence something similar to a trolley service on the North Fork using the LIRR lines when the LIRR wasn't using it. Now, if you live out east you know you only get four trains a day. So beyond, I guess it's beyond Ronkonkoma, there is only four trains a day that you get on the main line, which ends at Greenport. It would be used as a -- I don't want to use the word trolley service, but as a light rail service between Greenport and Riverhead, which for me I'm very interested in transportation issues in moving population.

But what really astounded me, and this is no reflection of the people in front of us, is that this is a capital project in my estimation that's been going on for almost eight years. This is a capital project that involved the appropriation of federal monies, not State, although it came through the State, of ISTEA monies of well over a half a million dollars and involves a similar appropriation, although I believe a little bit less of County money. This is something that has sat and lingered and my understanding in reviewing some of the notes, because we get that monthly report, is that the monthly report on the description of this project hasn't changed in years.

And furthermore, it is my understanding that there was a meeting in August of 2006 where all the technical issues were supposed to be worked out and there was an agreement made. And since August of 2006 there's absolutely been zero progress on this and I'm concerned. Do we still have the ISTEA money available? Is this project going to move forward? What are the outstanding difficulties and I would like those described. Because let me tell you, I look at so many capital projects and I scratch my head, which you will when you are here long enough, and you wonder, gee, I know I voted for that, but wasn't that something I voted for ten years ago, what happened.

CHAIRMAN BEEDENBENDER:

Well, one of the things I said at the first meeting was that I think, you know, one of the goals of this committee should be to stay on top of the things that have already been approved. And since this is out there, I think Lou you said you could provide that information?

DEPUTY COMMISSIONER CALDERONE:

Well, I can give you a little bit of background. Ed, you are saying back to the 90's. I'm not sure about that, but.

LEG. ROMAINE:

Could you check it?

DEPUTY COMMISSIONER CALDERONE:

Absolutely. I have it written down. But this particular construction phase that we're in right now is approximately three years old.

MR. ABBOTT:

Yeah, approximately.

DEPUTY COMMISSIONER CALDERONE:

Almost three years old. So that was three years ago.

LEG. ROMAINE:

And I understand there were technical difficulties and those difficulties were worked out in a meeting that was held in August of 2006. Am I wrong on that? I will ask the gentleman up here.

DEPUTY COMMISSIONER CALDERONE:

It depends on your definition of worked out. In a nutshell this locomotive requires FRA certification. We went to --

LEG. ROMAINE:

FRA, just so members of the committee.

DEPUTY COMMISSIONER CALDERONE:

Federal Railroad Authority or Administration, it's one or the other. Something similar to an ASTM certification on a regular boiler except this is basically a boiler on wheels. I'm sorry?

CHAIRMAN BEEDENBENDER:

No, there's just some confusion about we're going to take a steam engine that's a boiler on wheels as you put it, and use it for transportation. It just seems odd. Why is the County involved in this? I'm not saying it is wrong, but, you know, if it is a railroad -- if it is an engine that is going to be used on the Long Island Rail Road --

DEPUTY COMMISSIONER CALDERONE:

The County -- I can only guess because we were saddled with the responsibility of putting this thing out to bid and to try to, you know, to try to get it.

LEG. ROMAINE:

Did the County make a motion to accept the ISTEAM monies with promise of matching some of that money to accomplish this project? Did someone in the County government at some point make application for the ISTEAM money.

DEPUTY COMMISSIONER CALDERONE:

I will have to check.

LEG. HORSLEY:

Is it a tourist or light rail? I'm confused at that.

DEPUTY COMMISSIONER CALDERONE:

I can't answer that. I am not a railroad expert. I really can't answer that.

LEG. KENNEDY:

It's a steam engine sitting in the dirt.

CHAIRMAN BEEDENBENDER:

Well, can you get, in addition to the questions that Legislator --

DEPUTY COMMISSIONER CALDERONE:

So to give you a little background.

CHAIRMAN BEEDENBENDER:

Yes.

DEPUTY COMMISSIONER CALDERONE:

So it needs federal FRA certification. We went to Strausburg Railroad, who does this for a living in Pennsylvania, and they gave us basically a sheet on this is what you have to do to get FRA certification. And, by the way, without FRA certification you can't use this thing, okay. And we're having a disagreement. What Ed is referring to is a disagreement between us and the railroad, the railroad museum people, on just that. That's where it stalled for the last two years. You need FRA certification, Strausburg tells us this is what you got to do to get it, and that is where the disagreement comes in and that's why it has come to a screeching halt. It's that simple.

LEG. ROMAINE:

I have a little bit of a timeline and I will try to share that with you. But on April 1, 1997 apparently the Long Island Rail Road Museum in cooperation with the County receives a copy of an ISTEAM agreement between Suffolk County and the State of New York. So this goes back to April 1, 1997. Eleven years later this project is still hanging out there. We have federal monies involved. One of my key questions to me is are these federal monies still available? Have we lost them?

DEPUTY COMMISSIONER CALDERONE:

When you go back to '97, again, I can't verify. There was another phase to this project which was a tender.

LEG. ROMAINE:

Right.

DEPUTY COMMISSIONER CALDERONE:

Which was, again, maybe five years ago, six years ago?

MR. ABBOTT:

It was the same time.

DEPUTY COMMISSIONER CALDERONE:

Oh, same timeframe, which was completed. So that was one phase of the project that was completed. Maybe that helps you, you know, with this timing. So first there was a tender. We did the tender. The tender went back to Riverhead and then we got into the locomotive. So that's that sequence. To answer your 1997 question, I don't know. I'd have to check.

CHAIRMAN BEEDENBENDER:

Well, in addition to the questions that Legislator Romaine raised, could you put together some background information, some just kind of historical information in addition. I know Legislator Romaine has some, but for the committee has a whole as a benefit so we can take a look at this.

DEPUTY COMMISSIONER CALDERONE:

Absolutely.

LEG. ROMAINE:

And you get the thrust of my questions, and very generally speaking, how much money is involved; where did that money come from; is that money still available; did we lose federal funds on this project; is this project still going forward; what seems to be the technical delays in moving it forward; did we select a bidder. I see Tom LaGuardia is there.

DEPUTY COMMISSIONER CALDERONE:

Yes, we did.

LEG. ROMAINE:

He was at the bidding conference. Did we select a bidder that in fact was not capable of finishing this job?

DEPUTY COMMISSIONER CALDERONE:

No, that's not -- I can question that question because when I got involved -- I got involved when it came to me as a problem. The contractor is absolutely qualified to rebuild this. Again, it is FRA certification.

LEG. ROMAINE:

Right.

DEPUTY COMMISSIONER CALDERONE:

We, as does the contractor, wants to do it to get it certified.

LEG. ROMAINE:

Yes.

DEPUTY COMMISSIONER CALDERONE:

And that's the disagreement between us and the museum. They don't agree with Strausburg Railroad on the FRA certification criteria. That's it in a nutshell.

LEG. ROMAINE:

Okay. And if you can get --

DEPUTY COMMISSIONER CALDERONE:

I will get you all that, yes.

LEG. ROMAINE:

I don't want to occupy the time of the committee any further with this, but if you could get this by our next -- not our next meeting, but our meeting in April.

DEPUTY COMMISSIONER CALDERONE:

Absolutely.

LEG. ROMAINE:

I want to give you some time and then come back and then tell me -- the other thing I want to know is how are we going to move this project forward, because as I understand, this is a Suffolk County capital project. This is not a Long Island Rail Road Museum project.

DEPUTY COMMISSIONER CALDERONE:

That's correct.

LEG. ROMAINE:

So I would like to move this forward. This is sitting outside my window. I watch it every day and I'm saying what's happening with this project that started 11 years ago. So, let me move very quickly to some other questions.

CHAIRMAN BEEDENBENDER:

Wait. Can I just say Hashamomuck? Is that how you say it?

LEG. ROMAINE:

Yes.

CHAIRMAN BEEDENBENDER:

All right. I have been trying to figure that out.

LEG. ROMAINE:

Hashamomuck Cove. As you know, Hashamomuck Cove is a cove in which the waters of that cove have eroded away the beach, is undermining the houses along that cove, and if action isn't taken very shortly, a storm surge will wipe out County Road 48. For those who don't know the east end and the North Fork, there are only two east-west routes on the North Fork, State Road 25 and County Road 48, better known as the North Road. If that road is wiped out, it will cut off Greenport, East Marion and Orient from the rest of the North Fork and there isn't abilities to redirect the road because the land immediately to the south is sensitive swampland that you can't build a road on.

So I'm concerned about Hashamomuck Cove. The federal government and the Army Corps of engineers has an interest in doing a project. Here's the problem. They need a local match because all federal funds need a local match. I believe it's less than -- correct me -- Bill has disappeared -- but I believe it is less than 20% is the local match. So we need to get some information on Hashamomuck Cove. And, Commissioner, we've worked on this, we've had I don't know how many discussions on this. I have had so many discussions with Congressmen Bishop's office and with the State, with the Army Corps of Engineers, with everyone, to have a solution on how to deal with Hashamomuck Cove.

So the question is what do we have to do to get a local match here so we can go to the Army Corps and say yes, we're ready to step up to the plate, we have a local match.

COMMISSIONER ANDERSON:

The Army Corps has essentially agreed to do an emergency project at this specific location. We're waiting for an estimate in construction. We provided them with our part of the estimate, which would be the traffic, you know, maintenance, protection and the traffic, of the project and that cost. The associated work for the actual pile driving, you know, securing of the edge of the road, we are still waiting for them. I requested I think last week or the week before from the Army Corps Deputy Director of Planning in the city to get us the information. He is working on that. As soon as I have that then we can make a determination on how much it is going to be. I realize it's 20%, but out of what I don't know.

LEG. ROMAINE:

It is an emergency situation which everyone will agree, because that cove is so eroded that it is going to threaten the road. And what I'd would like to do is if we are going to try to save the road, my goal is to not only save the road but the houses between the beach and the road, which certainly are half the distance of this room. It's not a long distance. Many of these houses, their basements, their pilings have water lapping under them all the time. So it's not a lot of distance because we can put pilings up against the road, but then we block these people off from their homes and these homes will eventually fall into the sea.

COMMISSIONER ANDERSON:

No, the one house -- and it is one houses in particular. The houses on either side of the one specific spot that we have been speaking about are bulkheaded.

LEG. ROMAINE:

Right, Mr. Corwin's property.

COMMISSIONER ANDERSON:

Right. Mr. Corwin is the only one who doesn't have a bulkhead across the front. I met with representatives of the DEC who have basically identified that we will never get the DEC to give us permission to build that one section of bulkhead across the Corwin property and the Army Corps said the DEC will not approve that. So that's why --

LEG. ROMAINE:

But there are other alternatives and one of the other alternatives is to build jetties, or grinds as you may call them, even on a temporary basis to stabilize the beach because without that, that beach is going to continue to erode, those homes are going to fall into the sea, and County Road 48 is going to be severed and cut off one of the major east-west routes. There's only two of them on the North Fork and that's a major concern for not only the people that live in those houses, but for my constituents who live to the east of that cove in Greenport, in East Marion, in Orient, in Orient Point.

COMMISSIONER ANDERSON:

I believe the Army Corps and as are we aware of, you know, the concern. This emergency project is something that would be done within the next two years, within the next year. Again, we can't really take that first step to verify that we other going to, you know, we're going to be able to provide the funding until we know what that funding is.

LEG. ROMAINE:

I'm just going to conclude, if you don't mind, Mr. Chairman, I'm just going to conclude by saying I would not want to be the Legislator of the district in which Suffolk County ceded its land and its roads and its transportation system to the sea, because that's essentially what we're looking at. We're ceding our properties, we're ceding a major roadway to the sea and that's going to cause tremendous disruption on the North Fork. It's a major concern of mine. I'm sure the County Executive shares that concern because we are going to surrender part of Suffolk County to the sea and the homes that reside on there and a major County road and that's a concern because we have

never done that in the history of Suffolk County. We have never ceded our lands and our roads to the sea.

CHAIRMAN BEEDENBENDER:

Legislator Montano.

LEG. MONTANO:

Yes. Good afternoon, Commissioner. Hopefully this is quite simple. My office has been -- Bob Martinez from my office called Bill Hillman, he called back. We have been missing each other. Essentially maybe you can do me a service. A while back in 2006 we passed capital program 5185, I believe. That was a \$200,000 appropriation for improvements on County Road -- I believe it's 100, Suffolk Avenue. And this was something that was worked out in conjunction with the town. I see Bill coming up and maybe you have the answer.

Since I have you here, Bill or the Commissioner, essentially the Commissioner of Planning the other day came up to me and said that in looking at their books the \$200,000 never made it to the Town of Islip and they're just looking to balance their books. I was under the impression that this has been resolved a while back. Do you know what the status is with respect to the 200 -- I believe the 200 was bonded. It was appropriated a while back and this project was in -- the work was done in conjunction with your department and the Town of Islip. Do you remember this particular project, Bill?

MR. HILLMAN:

I do. The work -- my recollection is that the funds were going to be transposed or given to the Town of Islip to do the work because they do street lighting.

LEG. MONTANO:

That's my understanding also.

MR. HILLMAN:

Correct. So I'm assuming that an agreement would need to be drafted up by the County Attorney to provide -- to actually provide those funds to the town.

LEG. MONTANO:

All right. So what I'm hearing, then, is that the money has not, in fact, been transferred to the town because there's no agreement in place?

MR. HILLMAN:

Again, that would be an issue for the County Attorney.

LEG. MONTANO:

Okay.

MR. HILLMAN:

I don't know that it is has or has not been transferred.

LEG. MONTANO:

Well, that's what I'm asking. Can we -- can you check and verify what the status is and what needs to be done or what should have been done to get -- because the work with respect to the improvements has been completed.

COMMISSIONER ANDERSON:

Legislator, we'll look into it and we'll advise you.

LEG. MONTANO:

Would you, please?

COMMISSIONER ANDERSON:

Absolutely.

LEG. MONTANO:

And one last question and I'm sorry I don't have the capital project number. This was asked of me last night at a late meeting and I'll just throw this at you. The Carleton Avenue project, which really -- it's not actually Carleton Avenue, it's the Wheeler Road section where the traffic light was going to be installed by the high school?

COMMISSIONER ANDERSON:

Yes.

LEG. MONTANO:

What's the status of that? If you know offhand, and I know you are not prepared for this, but.

MR. HILLMAN:

No, I am aware offhand. We are progressing the design in-house. We've completed the survey, we're in preliminary design. In fact, my Director of Traffic Safety came to me yesterday. They will be reaching out to the Superintendent for the high school to talk about traffic patterns and such. There will be a light installed in front of the high school, a left turn lane installed in front of the Alphonso School, and I think we'll be letting that end of this year, beginning of next.

LEG. MONTANO:

All right, so that project is still in the works and it's just maybe the end of this year or early next year.

MR. HILLMAN:

Without a doubt.

LEG. MONTANO:

Thank you very much. All right. If you can get back to me on the other issue, because the Town of Islip is looking for their, I guess their reimbursement.

CHAIRMAN BEEDENBENDER:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair.

LEG. MONTANO:

Thank you.

LEG. KENNEDY:

Mr. Commissioner, you know what I want to talk to you about. Tell me a story about dredge or two.

COMMISSIONER ANDERSON:

Actually, two dredges.

LEG. KENNEDY:

Are there two dredges there now? Because as of yesterday there was only one.

COMMISSIONER ANDERSON:

No, there aren't -- we directed JDP, and I met with the -- one of the principals this morning. They have a second dredge on its way. It's going to take probably the end of this week, the beginning of next week, to get into place, and a few days after that to get operational because they have to set the pipe up and do everything with the pipe. There is a second dredge coming in to supplement the first dredge. We've directed JDP to basically work on -- to have the first dredge, the one that seems

to be having all the mechanical difficulty now, start -- move their operation into the channel because that's our main concern. Then have the second dredge come and essentially work say towards the southerly end of that channel outward and then we can deal with the river portion itself.

LEG. KENNEDY:

Remind me again what we're looking at as far as the last date that we can actually dredge under the permit as it exists now.

COMMISSIONER ANDERSON:

Understand the existing limit of dredging is March 15th. We're in the process of requesting from the Army Corps the -- an extension to April 1st. The DEC, their limit was April 1st.

LEG. KENNEDY:

Have you sent that letter to Army Corps yet?

COMMISSIONER ANDERSON:

That will probably go out tomorrow.

LEG. KENNEDY:

All right. Could you copy my office on it?

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

Okay. Again, all I'm going to ask you is, is to just please keep me apprised if there is anything that we can do to help facilitate this.

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

We've talked about it extensively. You know the importance, not only for the boating community, but for the drainage matters as well.

COMMISSIONER ANDERSON:

Absolutely.

LEG. KENNEDY:

And especially with the, you know, environmental overlays that we have. It's scenic and wild rivers, you know, harbor area. I just -- I can't stress enough the importance of trying to go ahead and get this done. Thank you.

COMMISSIONER ANDERSON:

I agree.

LEG. KENNEDY:

Thank you, Mr. Chairman.

CHAIRMAN BEEDENBENDER:

All right. Commissioner, you're off the hook. I don't think we have any other information or any questions. I will take a motion to adjourn by Legislator Horsley, seconded by myself. All in favor? Opposed? Abstentions? We are adjourned.

*(*The meeting was adjourned at 3:50 P.M. *)*