

**PUBLIC WORKS & TRANSPORTATION COMMITTEE**  
**OF THE**  
**SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A regular meeting of the Public Works & Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Tuesday, March 11, at 2:00 p.m.

**Members Present:**

Legislator Brian Beedenbender, Chairman  
Legislator Steve Stern, Vice-Chair  
Legislator Wayne Horsley  
Legislator John Kennedy

**Members Not Present:**

Legislator Daniel Losquadro  
Legislator Rick Montano  
Legislator Edward Romaine

**Also in Attendance:**

Presiding Officer Bill Lindsay  
George Nolan, Counsel to the Legislature  
Renee Ortiz, Chief Deputy Clerk, Clerks Office  
Lance Reinheimer, Assistant Director, Budget Review Office  
Kevin Duffy, Budget Review Office  
Kate Boyd, Legislative Aide to Legislator Beedenbender  
Bill Faulk, Legislative Aide to Legislator Romaine  
Mike Cavanaugh, Legislative Aide to Presiding Officer Lindsay  
Debbie Harris, Legislative Aide to Legislator Stern  
Jim Montalto, Legislative Aide to Legislator Losquadro  
Ben Zwirn, County Executive's Office  
Ryan McGarrey, County Executive's Office  
Gil Anderson, Commissioner, SC Department of Public Works  
Lou Calderone, Deputy Commissioner, SC Department of Public Works  
Bill Hillman, Chief Engineer, SC Department of Public Works  
Bob Shinnick, Dir of Transportation, SC Department of Public Works  
Ben Wright, Director of Sanitation, SC Department of Public Works  
Anita Katz, Commissioner, Board of Elections  
Gail Lollis, County Attorney's Office  
Debra Alloncius, AME Legislative Director  
Cliff Clark, South Ferry  
Lorne Brusseau, Cornell Cooperative Extension, Resource Educator  
Angel Dybas, Cornell Cooperative Extension, Resource Educator  
Joseph Carabott, Suffolk County Resident  
Christopher MacDowell, Suffolk County Resident

**Meeting Taken By:** Alison Mahoney, Court Stenographer

**Meeting Transcribed by:** Kim Castiglione, Legislative Secretary

*(\*The meeting was called to order at 2:08 P.M. \*)*

**CHAIRMAN BEEDENBENDER:**

We have all the Legislators. All right, if everybody could rise for the Pledge led by Presiding Officer Lindsay.

***Salutation***

**CHAIRMAN BEEDENBENDER:**

Good afternoon, everybody. We have four cards. The first card is Joseph Carabott. Joseph, you can either go up to the podium or come to the table, whichever is easier for you. After Mr. Carabott is Mr. MacDowell, Christopher MacDowell. I'm just letting you know you're next. You can stay seated. Good afternoon, Mr. Carabott.

**MR. CARABOTT:**

Good evening, sir. How are you?

**CHAIRMAN BEEDENBENDER:**

Good.

**MR. CARABOTT:**

Good afternoon to all of you.

**CHAIRMAN BEEDENBENDER:**

Make sure you talk into the mike, sir.

**MR. CARABOTT:**

Thank you. Again, I speak on behalf of the residents along Floyd Road, Somerset Avenue and the adjoining roads.

When the last vehicle that went through the intersection of William Floyd Parkway and Surrey Circle goes through the intersection -- and comes to the intersection of William Floyd -- of VanBuren and Somerset, it will be followed, within a few seconds, by the following first vehicle that went through the intersection of William Floyd and Surrey Circle. Those few seconds would be cut shorter if vehicles have to come to a complete full stop due to other vehicles at the intersection of VanBuren and Somerset. What I'm saying is basically we have a quartet of cars following one another.

The Surrey Circle will allow more cars to go through the intersection of William Floyd and Surrey Circle. This will result in cars idling on a residential road as opposed to idling on a County road.

The Evacuation Committee will be requesting and opening at the intersection of William Floyd and Linden Avenue. Then why not first open this intersection with just a left turn and if the stacking problem on William Floyd is not totally solved, then consider the Surrey Circle project. The former is much cheaper than the latter.

I understand the Surrey Circle project was tabled because you wanted to know where the money was coming from. Whether it is coming from the County, the State, or the Federal, it is still taxpayer's money. Please do not waste it unless there is absolutely no other choice to solve the second problem.

I have not come across anyone opposed to the left turn arrow at Linden, but I have come across many totally opposed to the Surrey Circle project. We have the support of the Montauk Highway Association, the President of the William Floyd School Board, other civic leaders and elected officials. If you examine the map carefully that I gave you, I feel confident that you will also agree with us. Therefore, I urge you to vote what you believe is just and fair. We're going to have a major

congestion problem on Floyd Road and on Somerset, okay, and that's not fair.

**CHAIRMAN BEEDENBENDER:**

Thank you.

**MR. CARABOTT:**

Thank you.

**CHAIRMAN BEEDENBENDER:**

Thank you. Christopher MacDowell. Good afternoon.

**MR. MacDOWELL:**

Good afternoon. I'm here to echo basically what Joe just said. I live over by the intersection. I live at 127 VanBuren Street, which is the intersection of Somerset and VanBuren. And if they go ahead with the proposed two lanes to Surrey Circle, when they have to make that right turn on to Floyd Road, they are going to take two lanes which are going to come into one. You already have heavy traffic there every day. You're going to really have a bottleneck. You are going to have cars nonstop when they come up to the stop sign by Somerset and VanBuren. It creates a lot of congestion, a lot of pollution.

My main thinking is you can go down to Linden, you can remove that little section that's going to happen anyway and let those cars make the left turn there, because many of those vehicles that come up to Somerset and VanBuren end up making a right turn and running parallel with William Floyd because they're really going down in that direction. I think it makes a lot of practical sense to ease the burden of traffic in that area by opening up on Linden, at least during those heavy traffic hours. And just as a resident I would just appreciate it if you would take that into consideration. Okay? Thank you for your time.

**CHAIRMAN BEEDENBENDER:**

Thank you. Cliff Clark?

**MR. CLARK:**

Good afternoon. Thank you, Mr. Beedenbender, and committee.

**CHAIRMAN BEEDENBENDER:**

No problem, Mr. Clark.

**MR. CLARK:**

I am here simply to be available to answer questions should you have any. Our resolution for rate increases, it went out of -- I think closed the public hearing last week and I'd appreciate it if it would be possible to have you move it out of this committee for a vote on the 18th. I'm just here in case there's any reason why that can't happen to answer any questions that might be able to help move it along.

**CHAIRMAN BEEDENBENDER:**

Okay. Well, we don't have any presentations so we should be able to come up to that quickly, so within 15, 20 minutes.

**MR. CLARK:**

Okay. Fine. Very well. Thank you.

**CHAIRMAN BEEDENBENDER:**

Anita Katz. Good afternoon, Anita.

**MS. KATZ:**

Good afternoon. This is the first Legislative meeting that I have been able to come to where I could

talk about the machine we've picked.

**CHAIRMAN BEEDENBENDER:**

Anita, can you just hold on one sec so the stenographer can get back to the machine?

**MS. KATZ:**

That's okay. That was off the record.

**CHAIRMAN BEEDENBENDER:**

That's okay. All right, go ahead, Anita.

**MS. KATZ:**

As I was saying, we have spoken many times before Ways and Means. This is my first time in front of Public Works. We appreciate the opportunity. It's nice to come here today to say that the State has issued a certified list or a list of certified voting machines and the County of Suffolk has chosen the voting machine that we will be using for this year and for next year. That's the picture that we just handed out. I thought it would help explain a little bit about why we need resolution 1215, which is why I'm here today.

We've chosen the Sequoia scanner. It's probably not what you expected the picture to look like. It's not a DRE. Many people who were advocating the scanner, and many of you are on this committee, the scanner itself, if you look at the picture, is underneath the hood. It's the small square. It looks like a printer you might have at home if you had a home office. That's the actual scanner.

The important thing to know is that for this year, 2008, we will be voting on the old machines. I'm getting a lot of calls from people and we're trying to explain it. The law says there has to be one handicapped HAVA compliant machine, which is this, in every polling place. The only people who can vote on those machines this year are people who are handicapped and who will use it in that way. If you want to try out the new system the law says you will not be able to. There will not be paper ballots for you to try it. It's only if you cannot fill out a ballot yourself. It is a ballot marking device, so that if you are able to push a button when the headphones read off the name of a candidate, it will fill in the circle for the handicapped person.

So this year there will be one in every polling place, but in 2009 when all the towns are up and the Legislature is up, the law has said that we have to get rid of the old machines. So this year old machines and one in every polling place if you are a handicapped person; 2009, all new machines, which is why we're here today, to talk about the expansion of the warehouse. What we were expecting, if you take a look at the picture, the small scanner that's the size of a printer is what we thought we would be getting when we ordered scanners. The actual footprint is a bit larger than the old machines that we currently have that you're all familiar with.

If you look at the picture you will see that the scanner, the little box in the left middle, is actually bolted to a huge metal box. It's not something that just sits on it like this laptop sits on this table. It's bolted to the box so that you would come in to vote, you'd fill out the circles like an SAT test or a lottery. Fill out the circles, you put it through the scanner and it automatically goes into the attached box. Because if you think about it, we do not want those loose filled in ballots -- that is someone's vote lying around the tables, you know, getting coffee spilled on them. It goes into a locked box.

That giant black box that you see in the picture is the actual machine. All the manufacturers were pretty much the same. As I was saying to Legislator Lindsay, we did not have an option between DRE's and scanners. The State only put out a list of scanners and we, each County, got to choose which manufacturer we chose. We chose Sequoia and, as an aside, so did Nassau County, which actually works out very well for us because we have one newspaper and a lot of us share the same cable systems. We'll be able to reach out, put an ad in Newsday and not have the voters confused if they buy a Suffolk version or a Nassau version. So, as it happened we both picked this machine, but

it takes up even more room than the old ones.

We also have the issue of paper. Scanners by definition -- I know the Legislature is trying to save paper and I realize we've probably just ruined your record; didn't have much of a choice. There will be millions of pieces of paper for each election and the law says that we have to keep two years of those filled in ballots, whereas now we keep let's say two years of absentee ballots or emergency ballots, of which there are not many. This will be every single voter in Suffolk County. So we also need room to store the plain paper that becomes the ballot, we need room to store two years of filled in ballots, and we need room to store the actual machines. You looked like you were asking a question. Yes?

**CHAIRMAN BEEDENBENDER:**

I have many questions.

**P.O. LINDSAY:**

So do I.

**MS. KATZ:**

Okay.

**CHAIRMAN BEEDENBENDER:**

Are you done, Anita? I won't interrupt you if you are not complete -- finished.

**MS. KATZ:**

Okay. Let me just speak exactly to the resolution so everyone will understand. We met with Public Works. This was not something we could have dealt with any earlier because we did not know that this would be the machine we chose. We only chose it about two months ago, which is when the State made the list. Again, we had not seen the final prototypes until a couple of weeks before that. The State gave us two weeks to make this choice from their list.

This resolution today, I'm here to speak about 1215, it appropriates \$1.5 million from project 1459. We're asking to amend the capital budget of 1459 to add 6500 square feet of warehouse space to the back of the warehouse, of the third warehouse, at the Board of Elections. This is as much room as we have in the parking lot in the back. The DPW has suggested that this would be sufficient. We've given them all the specs on our new machines. It's the best we can do with the time we have available and now for us -- although in government money is always the enemy, the truth is now time is the enemy. According to DPW, if we don't do this immediately they will not have enough time to have the warehouse done in time for the election.

We have already purchased 400 of these machines, as I said earlier, for this year, one in every polling place. Those 400 will be here in a couple of months. Then we will be purchasing another 900, which will be for 2009 when every machine is the new scanner. At that point we certainly aren't going to put them under a tent in the backyard, so we need as much consideration as you can give us to make these amendments so that we can give DPW as much time as possible. They have said if we pass it in a timely fashion they'll be able to make it. It's just four sides and a roof basically -- or three sides and a roof. They're doing it very simple, it's not exotic. It's just a metal warehouse with air-conditioning and electrical. So I will open it up to your questions now, Mr. Chairman.

**CHAIRMAN BEEDENBENDER:**

Presiding Officer, did you have a question? I heard you say you had questions first. I will defer.

**P.O. LINDSAY:**

Anita, this is -- the photo we have is going to be the standard typical machine in all of our polling places or is this just for handicapped? Is all the machines going to look like this?

**MS. KATZ:**

Yes, and no. If you look at the picture, this year is what this machine will look like when you vote in November. If you look at the photo you see the arm in the middle and the hood with the screen, that is the addition. That's the addition for a handicapped person to see the screen, listen to the headphones. If you were to just remove that arm or push it down, the rest of everything else --

**P.O. LINDSAY:**

Is the same.

**MS. KATZ:**

That's it.

**CHAIRMAN BEEDENBENDER:**

That's what we'll have in 2009.

**MS. KATZ:**

Right, eight and nine. Right, right. So there will be one, probably one or two depending on the size of the polling place; one or two with the handicapped attachment.

**P.O. LINDSAY:**

So these are permanent. We're going to keep these. This isn't a temporary situation.

**MS. KATZ:**

Right. There was a story going around originally that we were going to buy something and I myself had spoken in committee meetings and talked about it, that we would be forced to buy something and throw it away.

**P.O. LINDSAY:**

Well, that's good. At least we don't have to throw it away.

**MS. KATZ:**

So we have at least convinced the State that they were to get what we call Plan A machines into our hands.

**P.O. LINDSAY:**

Okay. So you take the hood away. Where do you mark your ballot? Do you mark the ballot right there or do you mark it in a separate booth?

**MS. KATZ:**

Depending on which set-up we choose there can either be tables -- this is probably the least efficient, but there could be tables with little paper squares --

**P.O. LINDSAY:**

Privacy hoods, yeah.

**MS. KATZ:**

And you would sit in there and fill it out because then you have to store and buy the chairs and the tables. And if you've seen on television in other states sometimes there are standing tables, almost like a bar height and you would stand in that little booth and they collapse up so obviously the storage is smaller. So there will be lots of booths for people to vote and then depending upon how we judge the number that we need there will be a certain number of scanners. There could be 15 booths in a big polling place and three or four scanners or eight or nine because you stand in the little booth, you fill it out, you take as long as you need to. If you make a mistake or you wrote in the wrong one, you know, you can just give it back. It gets voided and put in a special box, and then you'll get a fresh one. When it's done you get on line, you zip it through the scanner, and it

goes into the metal box.

**P.O. LINDSAY:**

So it's two step process. You have to stand on line to use the booth and then you have to --

**MS. KATZ:**

Hopefully not, but in theory.

**P.O. LINDSAY:**

And then stand in line to use the scanner.

**MS. KATZ:**

Hopefully you won't have to stand on line to use the booth, but yes, it's a two step process.

**P.O. LINDSAY:**

You are still going to have to check in with the poll workers, right, to make sure your name and sign the book and all that.

**MS. KATZ:**

Absolutely. That part doesn't change. Right, you still sign in in the roster book.

**P.O. LINDSAY:**

All right.

**LEG. BEEDENBENDER:**

All right. Well, I have a couple of questions, Anita, besides the fact that this scares the hell out of me.

**MS. KATZ:**

I understand.

**CHAIRMAN BEEDENBENDER:**

You said 6500 square foot is what we need. I'm assuming that includes all the machines we will have to buy for 2009, that's space for them, or is that just space for the 400 we are going to need for this November?

**MS. KATZ:**

That would be included, including for 2009, because at that point we would add the additional new machines but we will also move to some other location the old machines.

**CHAIRMAN BEEDENBENDER:**

That was my second question. We're keeping the old machines.

**MS. KATZ:**

We would like to. It's one of the things that Budget Review suggested. We obviously can't keep them at the Board of Elections. We have a little committee who is trying to find a place. Obviously if there was a place that the County could give us for a year or two just to store them. Everyone is nervous about the fact that if New York -- if it turns into disaster, not in Suffolk of course, but if other counties have major crises the State could say this isn't working out, we have to go back until we figure it out, and then what would we do.

**CHAIRMAN BEEDENBENDER:**

Well, I was thinking that there is the BOMARC facility that the County has, that we have lots of hangars and buildings. I don't know, maybe we could ask DPW later. I see Gil is laughing. Maybe we don't have room there.

**MS. KATZ:**

I think space seems to be at a premium.

**CHAIRMAN BEEDENBENDER:**

That's certainly something I'm sure this committee would be willing to help you out with.

**MS. KATZ:**

That would be great.

**CHAIRMAN BEEDENBENDER:**

I would very much like to keep those machines around because I know that there are a lot of people that are nervous with the new technology, and even at 27 I'm still -- I like the old machine, especially now that my name is on one of them.

**MS. KATZ:**

It's amazing how it changes it.

**CHAIRMAN BEEDENBENDER:**

Do we have any other questions? John.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Anita, how did you come to select this Sequoia machine? You and Commissioner Geier were given a handful of scanners from which you could make a selection?

**MS. KATZ:**

The State came out with a certified list. Now, as many of you know, if you've been on Ways and Means, we have been talking about this for many years and we have seen these machines before, although they've changed as they've gone along.

We had presentations at the Board of Elections. We invited all of the companies, even before the list came out, anyone who seemed like a possible, a potential vendor, we had them come spend three or four hours, make a presentation. We had all of our employees there, we've checked it out, we've seen them many, many times. And then in the end there was I think three or four that came out on the certified list and we had our two weeks to make the pick. This is the one both Commissioner Geier and I chose together.

**LEG. KENNEDY:**

Amongst the three or four all of them physically had a very similar footprint?

**MS. KATZ:**

Yes.

**LEG. KENNEDY:**

Okay. So, the selection, I mean, you went through the selection criteria and obviously I know you have lived this for a long time so I have confidence in your selection process, but it really would have been immaterial as far as the physical needs that we have to store based on what you selected. You made the selection based on reliability and ease of use and all the other kind of things that you factored in there. But physical configuration was really immaterial?

**MS. KATZ:**

It was not a criteria because in the end the things that we chose to be important are items that affect the voter directly, as in ease of use, how easily can it be seen, the company itself, what kind of customer service they are going to give, the kind of training they are going to give our employees. We had faith that whichever we chose the Legislature would be there, frankly, to give us whatever we needed in terms of the physical building.

**LEG. KENNEDY:**

That leads to another question that I have. Who will wind up servicing these things when we got a gymnasium full of voters trying to feed this thing and it is spitting it back out, our people or their people?

**MS. KATZ:**

Yes, there will be employees from the company.

**LEG. KENNEDY:**

Uh-huh.

**MS. KATZ:**

Our employees will also be trained, and this is something Legislator Lindsay had brought up. And as the Chairman is saying, just remember, the one thing about scanners, expense, space, paper, curling corners of paper, all of it notwithstanding, you will always have the paper ballot. If that scanner, you know, turns blue and explodes in the middle of the room, people will still be able to vote. They will vote, they will fill it out, and even if we have to hand count it at the end, you will always have that vote and that really -- that's why people like scanners. For all the negative things about it, you will always be able to do a manual recount even if it takes a month. It will always be there.

**LEG. KENNEDY:**

At what point does the voter tender the ballot? Is it when they get to the scanner or when they leave the booth? Do our people collect from the booths or does the voter?

**MS. KATZ:**

No. When you go in you fill it out, you take it, the voter themselves, unless it's a handicapped person, in which case they obviously might need help. But that notwithstanding, you don't hand your ballot off to anyone. You put it through the scanner, assuming it wasn't broken and there was an issue, but in the normal course of business you're the one who scans it and if you over vote or under vote it may spit it out again. You get another opportunity. Obviously if something like that happens our employees are there to help explain it.

**LEG. KENNEDY:**

And those voters would step to the side and then recast at another booth?

**MS. KATZ:**

Exactly, and the next person could scan it. It automatically feeds it in. When you just put the edge in it sort of goes -- sucks it right in and it goes right into that giant metal box and then no one can touch it after that.

**LEG. KENNEDY:**

The building configuration, you speak about, I guess, block masonry, metal, whatever it is going to be.

**MS. KATZ:**

Metal I think.

**LEG. KENNEDY:**

But any kind of computer equipment, the essence most times with maintaining it is temperature and humidity control. So we'll have air-conditioning, but we have to have fairly sophisticated air-conditioning systems here for the storage, don't we?

**MS. KATZ:**

Well, there is another million dollars that's coming from capital project 1461 which was the original

HVAC resolution that you all passed. And according to DPW, that will also be included and that will be sufficient. Everyone understands that you can't put it in a hot warehouse, that air-conditioning and electrical wiring is all part of the package and the building.

**LEG. KENNEDY:**

Okay. Thank you. I'll yield, Mr. Chair.

**CHAIRMAN BEEDENBENDER:**

Legislator Horsley.

**LEG. HORSLEY:**

Good afternoon, Anita. This is kind of a fun relationship, I like this, this is good. I have a couple of quick questions.

**MS. KATZ:**

Sure.

**LEG. HORSLEY:**

The training of voters, how are we planning on -- there are going to be people, you know, as Brian says, he's 27 and he's concerned. What about, you know, myself or yourself or even a little older than us, you know, that are a little concerned about the technology, you know, it's overwhelming. What are we going to be doing for them?

**MS. KATZ:**

In many ways I think scanners are easier in terms of the technology, although that's something we can certainly debate. We feel very strongly that that is a huge component.

**LEG. HORSLEY:**

It is.

**MS. KATZ:**

That's the most important thing. There is the working of the machines, but in the end the voter has to feel comfortable and know how.

**LEG. HORSLEY:**

It's an intimidation issue.

**MS. KATZ:**

Change, you know.

**LEG. HORSLEY:**

Change. There you go.

**MS. KATZ:**

It's always difficult for people, there's no question. We intend to have forums at town halls, we intend to go out to VFW halls and senior centers. We'll take ads in the paper. There's actually some of the federal funding that we can use as well.

**LEG. HORSLEY:**

Okay. That was going to be my next question; how are you going to pay for that training.

**MS. KATZ:**

Right. Well, that's the most important part and no matter how, we will figure out a way to do it. But there is some of the HAVA funding that we can use for that. Also, this -- one of the things we liked about a company that was chosen by the State Board of Elections is on the State website there

will be computer models for people to look at beforehand.

**LEG. HORSLEY:**

You have to get to the website first.

**MS. KATZ:**

Admittedly, I realize that that's an issue for the more modern people, and for everyone else, we will all be there. This does not change the number of employees, it doesn't change the number of inspectors. In the end the intimidating part I think will be trying to figure out how to get it through the scanner and if you skip one -- sometimes people don't vote for judges or they will bullet vote on a particular race and then the machine is smart technology, it will spit it out and say on the little screen you forgot to vote on a certain race. Well, it may have been intentional and you just have to push a button and put it back in. We will have employees standing there. I think the easiest thing will be for people to fill it out as long as they have the physical dexterity to do it. And the rest of it, we'll be there to help them feed it into the machine, refeed it, revote if they need to.

**LEG. HORSLEY:**

Right. Okay.

**MS. KATZ:**

We'll have lots of people there. We're reaching out to the colleges in hopes of getting students to come and become inspectors. If you know anybody we're always looking for new people who won't be afraid of the technology.

**LEG. HORSLEY:**

We should reach out to the colleges. I think that's a good idea. We've got Suffolk Community right here at our fingertips. That's great. Glad to help you with that.

**MS. KATZ:**

Okay.

**LEG. HORSLEY:**

Let me also add -- you know that I have been talking about it, an advocate for vote by mail and dropping the phony baloney rationale that we need to have someone have an absentee ballot. I just feel it's not only onerous but it makes people lie to the Board of Elections. Are you as our person behind the scenes in the election process and your colleague in the Republican party, are you going to be reaching out to our Legislature to see if we can broaden the possibility of vote by mail like 31 other states are doing in this country? It seems like maybe this is the time because there's going to be this intimidation factor, you are going to have seniors out there that are going to say I may not vote because I -- even though I'm going to be home and I'm not disabled, because of these new machines, fangled machines.

**MS. KATZ:**

I'm speaking only for myself. It isn't something I have discussed with Commissioner Geier so this isn't an official Board position. I'm just speaking on behalf of myself in this regard.

I think, first of all, there are two issues. There's the phrase vote by mail, which has a terrifying sound to it and a lack of control when people talk to me about it. Then there's loosening up the absentee ballot procedure, and that's what I support. We get calls close to every election from elderly women whose husbands are permanently disabled and get an automatic absentee ballot and they're the caretaker. They don't have someone to find to take care of their spouse for 45 minutes while they go out and vote and they cannot vote absentee. We often get calls from people who, you know, leave very early in the morning and commute to Manhattan. Yes, they may get home eight or 8:30, but maybe they don't if there's a problem with the train or they have to work late. They can't vote absentee. So personally I'm in favor of loosening up the absentee ballot criteria.

I did get a call from one Assemblywoman who was concerned that this would lead to people who are not legitimately registered to vote, voting. You have to remember that on an absentee ballot you can't -- you can download an application from the State Board, but you can't download a ballot, and there's a big distinction. So you fill out an application, you send it into the Board of Elections, we look it up. If we don't find a Wayne R. Horsley registered at the address you write, you don't get a ballot. So it is not a vehicle for people who are not legitimately registered to suddenly vote. I think that's what worries people on mail in vote.

It would be a nice step if we could not force people into lying on their absentee ballot application, which often happens. Mothers with very young children, it isn't always easy for them to get out and vote. It would be -- we talk a lot about encouraging people to vote and teaching them about the new machines. I think that loosening up the absentee ballot procedure would be a great step towards that.

**LEG. HORSLEY:**

Thank you. Vote by mail next, then. We'll get you, you know, step by step, Anita.

**MS. KATZ:**

One step at a time.

**CHAIRMAN BEEDENBENDER:**

All right. If we have no other questions --

**P.O. LINDSAY:**

Just a comment. I mean, most states or a lot of states now have periods of time that --

**MS. KATZ:**

Early voting, right.

**P.O. LINDSAY:**

You know, I mean, you can vote for what, a month sometimes or a couple of weeks anyway? They start the balloting process.

**MS. KATZ:**

New York State has some of the most antique and unusable election laws in the country. That's the truth. But those are our laws. Those of you who have carried a petition over the years and remember when you have to have -- you had to have the middle initial, that you couldn't sign A. Katz, that you had to write Anita Katz, or your petition wasn't valid. Things have loosened up, but not lot. And anyone who can influence the State Legislature, that would be fine with us.

**CHAIRMAN BEEDENBENDER:**

Legislator Stern.

**LEG. STERN:**

Thank you, Mr. Chairman. Anita, Hi. First of all, I agree with you. I mean, the intimidation here is not necessarily going to be the technology, it's just change.

**MS. KATZ:**

Absolutely.

**LEG. STERN:**

Because you can make an argument here that actually this is going to make the process, the actual process of voting even easier, easier to understand, easier to see. So, yeah, it really just -- it seems like an education effort that doesn't really take all that much in educating voters on actually how to use these machines because it seems pretty straightforward.

A question about the site, the physical site. Did I hear you correctly that after this expansion to house the new machines that you're essentially out of space, that this is it, that this is going to take up the rest of the available footprint there? Did I hear that correctly?

**MS. KATZ:**

After 2009, the machines?

**LEG. STERN:**

Yes.

**MS. KATZ:**

Yes, just like we're pretty much out of space now.

**LEG. STERN:**

So this is it. This is the project, this is the space that's going to be required for what's coming, and after that there's nowhere else to go.

**MS. KATZ:**

Correct.

**LEG. STERN:**

Thank you.

**CHAIRMAN BEEDENBENDER:**

Just one last question, Anita. I suppose there's some sort of guarantee that this company, which I am assuming is producing voting machines for many other municipalities, will be able to provide us with all the ones we need in time?

**MS. KATZ:**

Absolutely. I think that just as it turned out they won the three big counties in the bid process, Westchester, Nassau and Suffolk. They did not win New York City, which in many ways is better for us because we are the second largest county after New York City, even larger than Nassau, but no one can ever compete with New York City as the big get for a vendor. So it's us, Nassau and Westchester. They have no problem. Their machines are also made -- a good portion of their machine are made at Jaco Electronics here in Hauppauge, which is great for us in terms of parts and everything else. It's right around the corner. I think the fact that New York City did not go with the same one we chose is going to make it perfect for us. There's no doubt they will not have the machines now.

**CHAIRMAN BEEDENBENDER:**

Okay.

**P.O. LINDSAY:**

Just one more, if I might. I'm sorry. The 1215 is appropriating funds but actually aren't we switching an appropriation or something here? Maybe you could clarify that, Lance. This wasn't scheduled until next year, right?

**MR. REINHEIMER:**

No, there was 1.5 million scheduled in the 2008 Adopted Capital Program. The scope of the program changed from modification to the office space --

**P.O. LINDSAY:**

That's what I mean.

**MR. REINHEIMER:**

Renovations. So the scope has changed, the dollar amount is the same.

**P.O. LINDSAY:**

Okay. But instead of doing the office renovations this year we're going to do the warehouse and next year we are going to do the office renovations?

**MS. KATZ:**

Yes, because we realized the most important thing, although we desperately need office space and that a whole other series of conversations, the most important thing is getting the warehouse done for us and DPW suggested this would be the way to handle it.

**P.O. LINDSAY:**

Okay.

**CHAIRMAN BEEDENBENDER:**

With that, since you are here Anita, I know you said you had to go, I am going to make a motion to take 1215 out of order.

**LEG. STERN:**

Second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Stern. On the motion? All in favor? Opposed? Abstentions? 1215 is before us.

**IR 1215, Appropriating funds in connection with improvements to the Board of Elections (CP 1459). (Presiding Officer)**

Do we have any other comments? Legislator Kennedy.

**LEG. KENNEDY:**

Just to kind of ask again what Legislator Stern had spoken about. We construct 6500 square feet that we add to your existing plant and when we take delivery of all the machines for the '09 election we have no space. Is that about it?

**MS. KATZ:**

We don't have a lot of space, correct. I don't know if we have zero. We might have some, but that's the only amount of space we have to add on. There's nowhere else to go. We're taking the whole footprint in the back. So if you give us that --

**LEG. KENNEDY:**

Oh, so even if we wanted to and if we found some more money we couldn't run it to eight or 9,000 square feet.

**MS. KATZ:**

No.

**LEG. KENNEDY:**

Okay. Thank you.

**MS. KATZ:**

Thank you.

**CHAIRMAN BEEDENBENDER:**

If there are no other comments, all in favor? Opposed? Abstentions? Motion is approved. Thank you, Anita.

**MS. KATZ:**

Thank you all very much.

**MS. ORTIZ:**

You didn't make the motion.

**CHAIRMAN BEEDENBENDER:**

Oh, I'm sorry.

**MS. ORTIZ:**

Only to take out of order.

**CHAIRMAN BEEDENBENDER:**

Oh, okay. I'll make the motion to approve.

**LEG. STERN:**

Second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? Motion passes. Thank you.

**(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

We will go to the beginning of the agenda now and the tabled resolutions.

### **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.

**LEG. STERN:**

Second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Stern. Are there comments on the motion? Presiding Officer Lindsay?

**P.O. LINDSAY:**

Well, I know that we were in a meeting about this. I guess it has to take place a little bit further as far as the hookups approved for the industrial -- the commercial properties. Maybe John can -- John's been monitoring this.

**CHAIRMAN BEEDENBENDER:**

Legislator Kennedy.

**LEG. KENNEDY:**

Yeah, through the Chair. Yes, we actually both just received some correspondence, I think, that came from the Commissioner relative to that January 18th meeting. There's been some opinion, I guess, that's been furnished by the County Attorney's Office about the actual connection and the amending of the boundaries and actually a suggested legislative schedule, I believe, looking to go ahead and possibly bring a CN to us on Tuesday, which sounds like we may be moving in a positive

direction. Hypothetically we may even be coming down somewhat in a per anum charge. So to the administration's credit they moved forward in a particular direction it appears and it looks like we may be able to meet some of the needs all the way around. So obviously it's my intent to table my resolution. I think we have what appears to be a remedy that's emerging from this. I appreciate the administration's willingness to sit down on this, and yours as well, Mr. Presiding Officer. Thank you.

**CHAIRMAN BEEDENBENDER:**

Okay, well, if there are no other comments? Gil, did you -- okay. If there are no other comments we have a motion to table and a second. All in favor? Opposed? Abstentions? Motion is tabled.

**(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

**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)**

Motion to table by Legislator Kennedy, seconded by Legislator Stern. All in favor? Opposed? Abstentions? Tabled. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

**IR 1029, Authorizing alteration of rates for South Ferry, Inc. (Presiding Officer)**

**P.O. LINDSAY:**

I'm going to make a motion to approve for the subject of discussion.

**CHAIRMAN BEEDENBENDER:**

All right. I'll second that motion.

**P.O. LINDSAY:**

And my question is to Budget Review. We're all set on this? Where are we on South Ferry?

**MR. REINHEIMER:**

Do you want to speak on this?

**MR. DUFFY:**

It's my understanding that the resolution has been amended to remove the COLA provision, which we had concerns with. The other concerns that we had the resolution still does not address, which was not to exceed language, the phase-in of the rate for the hazmat truck, and we had looked at the idea of not increasing the one way casual user to \$12 but to eleven and raising the cost of the resident commutation tickets and the resident ten trip book.

**P.O. LINDSAY:**

Okay. So we got some of the changes that Budget Review --

**MR. DUFFY:**

We got one of the four.

**P.O. LINDSAY:**

-- recommended but not the rest of them.

**MR. DUFFY:**

Correct.

**CHAIRMAN BEEDENBENDER:**

Does anybody else have any other questions? I know BRO, DPW or -- I know Mr. Clark is here from

the ferry company. Any other questions?

**P.O. LINDSAY:**

Maybe we should hear from Mr. Clark at this point --

**CHAIRMAN BEEDENBENDER:**

Mr. Clark, if you can come up to the podium.

**P.O. LINDSAY:**

-- on why some of the other modification weren't made or couldn't be made or wasn't feasible to be made.

**CHAIRMAN BEEDENBENDER:**

I think he did provide a memo. I think it was distributed amongst the Legislators. Do we have it?

**P.O. LINDSAY:**

Well, Mr. Clark's is here. He can --

**CHAIRMAN BEEDENBENDER:**

Okay. Go ahead, Mr. Clark.

**MR. CLARK:**

Thank you, Mr. Beedenbender. The area that we have withdrawn from the resolution is the COLA. Just a quick back grounder. There is a Local Law 10 that this Legislature back in 1986 approved. It would help to fast stream rate application situations, the rate application process, in an emergency. And if the corporation was seeking a rate increase it was lower than the CPI for that period of time from the previous rate increase. I, with Ken Stein, Sr., were the ferry owner representatives to this Legislature and our thinking was that there would be opportunities or times when it would be both in the public interest and in the corporate interest to not have to go through the costly, both to the company and the County, process and would get it done quicker than the usually six to seven months that it takes to go through the process in a routine manner.

In speaking with Counsel Nolan and with Legislator Romaine, they both have agreed that they would be happy to work with the Legislature, and with us involved, to craft language in that law or to amend that law to where it would fit the needs that are outlined by Budget Review of the Legislature and also the company so there would be a fast track opportunity.

For example, two years ago when we experienced fuel increase, it went from 84 cents to 2.50 a gallon in a very short time, we sought a 3 1/4 percent increase strictly structured against the fuel cost to come in and get this in place. And it didn't please Counsel that that be done so when asked to withdraw we withdrew that immediately. We went through the process as the Local Law provides. We feel still that that's an important thing to have and we would welcome the opportunity to work with Counsel and other Legislators of the Legislature to craft new language. So we have withdrawn that with that in mind.

The area of not to exceed, that's an important tool for us to be able to run our business. If there is -- if there is a corporation and it's always done on commercial organizations, ready mix companies, trucking companies, large vendors who come cross with commercial traffic. There are opportunities where I have the chance to speak to their owners and if they have the option of going South Fork or North Fork to come to Shelter Island then I will come to them and I will say listen, if you buy ten trips at a time I will offer you incentive to wade through County Road 39, which puts me in a tremendous disadvantage business wise because Sound Avenue is just a straight shot to Greenport. And I will use that with the owner to offer them a modest discount of 15, maybe 20 percent discount off of a large truck cost if they buy it in a block of ten and they are going to be regular customers. It's never used on an individual sale or just because I arbitrarily like someone I'm going to offer

them a break because they are somebody that I like.

It is strictly a business tool as if somebody had a hotel and they had a convention where a group of people were coming in, they give them a little less per room or if they have somebody that comes in 12 times a year and they know they are coming in certain weekends every year, they might give them a discount. That's all that is used for, ever. And I really feel strongly that that's an important part of my business plan to be able to be competitive and to recognize the high volume user.

The second -- the third item that Mr. Duffy has mentioned is the hazmat trucks. We have to take a 2500 gallon hazmat truck on a single boat by Coast Guard regulation. We're not allowed to put any civilians on board with it. My cost in time and labor and cost of operation is the same to move a small 2500 gallon truck as it is to move a 10,000 tanker. So we have gone to this footprint mentality on our boats. We sell deck space. And consistent with that, if they take the whole boat and go cross the channel and then come back from Shelter Island and take the whole boat to go back, I feel that that vehicle, because it takes the whole boat, should pay the same as a 10,000 gallon tanker that takes the whole boat. Typically a larger truck pays more than a smaller truck.

But in order, just this one time, I don't plan as a strategy for the corporation or as a precedent for future rate applications, the jump for the small truck is going to be quite significant. We're only looking at about an 8% increase in the larger truck in this rate increase. The smaller truck is almost going to double in price over -- what I would like to do is rather than hit them all with that at one time, just in this one instance go up \$10 each way for the truck, at your approval and when we can put the rates in, then one year later go up ten more dollars and one year later go up ten more dollars. Then that ends this policy. It's not going to be an ongoing policy where we plan to do that as a matter of course.

I think Mr. Duffy's concern was that it is a precedent that is being set and I agree, you don't want to have a precedent where you just sequentially every couple of years go up in your fares. We don't intend that. But I think out of sensitivity to the customer and to the trucking company, rather than hit them with a large jump this one time to bring it up to what it should be, I just want to increment it over a two year period, three increments over a two year period. Those are my -- the mires that I would like to present.

**CHAIRMAN BEEDENBENDER:**

Legislator Kennedy.

**LEG. KENNEDY:**

Mr. Clark, I recall when you talked about the variety of the pricing schemes, that there was some kind of an accomodation that was being made for Shelter Island residents.

**MR. CLARK:**

Yes, sir. Yes.

**LEG. KENNEDY:**

In contrast to the balance of the business that you do.

**MR. CLARK:**

Yes.

**LEG. KENNEDY:**

How is that being represented? I don't recall.

**MR. CLARK:**

Oh, okay. I'm sorry. That was the fourth thing that Mr. Duffy mentioned. We have people who live

on Shelter Island, obviously, and we're not talking about necessarily just a lot of high end people. We have a lot of people that are out there right now who are working class people. We provide a deep discount for commuters who go back and forth to school or to work daily, five, six, or seven times a week. And we also provide the second level of discount is a roundtrip or one way ticket that is available to people who are property owners or renters who rent ten months or more on the Island. Basically your year round renter on Shelter Island. We provide them with a ticket that is able to be used originating on Shelter Island for the round trip only. They can't originate off the Island. It provides them with a deep discount that allows them to do -- we have a limited number of medical services, to go off and buy shoes, to go to the movies, you know, people just going on and off the Island.

Where it's easy to go from Hauppauge to perhaps Patchogue, you just drive and it's gas and time, there is a ferry issue that every Shelter Islander has to deal with. We believe a deep discount for that group and for the commuters is essential and a less deep but a good discount also for any resident, whether it be from Hauppauge, Sag Harbor, Connecticut or Massachusetts, any user on South Ferry can buy a ten trip ticket book. And all of these that I am talking about are in blocks of ten only, you can buy a ten trip ticket book. Anyone can use it any number of times they want to if it's worth their while.

Where Mr. Duffy and I disagree or differ on, he feels like the cash fare payer should pay less of the burden, the casual user, and that the regular user should pay more of the burden. I just philosophically disagree. The Supervisor of Shelter Island has a letter on record disagreeing. We feel like it is appropriate because the people that come over once or twice a year, they'll leave more than that as a tip at the restaurant, the difference in the fares. And their cost -- if somebody came five times a year, for example, at our proposed rates, the total package would cost them \$15 more a year as an individual, if they came five times. The commuter is going to pay \$142 more a year as an individual in the numbers we're asking for, which is a lower number. We feel like if those people that come five times a year would like to buy our ten trip ticket, they can do it in two years. They can use it up over that period of time.

**LEG. KENNEDY:**

Okay. But your policy to keep that plan in place for the residents is still here in the resolution we have before us.

**MR. CLARK:**

Oh, yes, sir, Mr. Kennedy. I'm sorry. It is in place and I would petition for that to stay in place. Thank you.

**LEG. KENNEDY:**

Thank you.

**CHAIRMAN BEEDENBENDER:**

Any other questions? If not, do we have a motion?

**MR. CLARK:**

Thank you very much.

**LEG. KENNEDY:**

Motion to approve.

**LEG. HORSLEY:**

Second.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Kennedy. Seconded by Legislator Horsley. All in favor? Opposed? Abstentions? The motion is approved. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro,**

**Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

Mr. Clark, have a nice journey back to Shelter Island.

**MR. CLARK:**

Thank you very much.

**CHAIRMAN BEEDENBENDER:**

**IR 1132-08, Amending the 2008 Capital Budget and Program and appropriating funds in connection with Safety improvements at various intersections (CP 3301). (County Executive).** Do I have a motion?

**P.O. LINDSAY:**

I'll make a motion again for the purpose of discussion.

**CHAIRMAN BEEDENBENDER:**

Motion by Legislator Lindsay.

**LEG. STERN:**

I'll second for discussion on the motion.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Stern. Presiding Officer Lindsay first I suppose.

**P.O. LINDSAY:**

Maybe you guys, I know we have a couple of resident here. We're certainly not familiar with those local intersections. Maybe you -- I guess you guys are well aware of the problems that they've described.

**COMMISSIONER ANDERSON:**

Yes. The main issue that we're addressing with this project is this is an existing intersection. There is a signal, but it's a single turning lane. What we're proposing here, and the main reason we're proposing it here, is under the existing condition vehicles backup into traffic during the -- while they're queuing up waiting for the light to change.

What we're proposing here is to run -- basically create two turning lanes from William Floyd Parkway on to Surrey Circle and widen a little short distance of Surrey Circle on the south side. Basically we're not -- what we're doing is we're not going to increase the volume of traffic coming through the intersection because we're actually going to reduce the protected turn. Right now they have X number of time to make that turn. We're going to reduce that. In theory that will allow the same number of vehicles that are going through the intersection that are currently using the intersection.

This is an existing road that's used as basically a cut through. It's been that way since we built William Floyd. There is another unsignalized left turn further down at Linden Avenue.

**UNKNOWN AUDIENCE MEMBER:**

At Stewart.

**COMMISSIONER ANDERSON:**

I'm sorry, Stewart. We are aware of Mr. Carabott's issues and suggestion to move and create another signalized intersection where there isn't one down near Linden Avenue and we disagree with that.

We feel that right now you can't -- you can't basically go southbound, turn, go eastbound on Linden. We'd have to do median improvements. Right now you do have an existing signalized intersection at Surrey Avenue. That's really -- it's been that way for a long time. To create another signalized

intersection at Linden Avenue -- I mean, right now I understand Mr. Carabott's issues and concerns with traffic, but you're taking from one area and dumping into another. This is an existing condition. They are cutting through there now.

What we're trying to do is basically improve the safety of the intersection by adding an extra lane and creating enough room so cars can basically queue up without sticking out into the southbound travel lane.

**CHAIRMAN BEEDENBENDER:**  
Legislator Stern.

**LEG. STERN:**

Yes, thank you, Mr. Chairman. Gil, really the same question from last time. This applies to 1132 and 1133. There was one a little further on, 1204. These are resolutions that seek to do work in other areas taking money from -- money that had been set aside in the capital budget for work on Pulaski. I was wondering if you can speak to the specific projects that these resolutions take money from, the status and why we think we should be taking money from one for the other.

**COMMISSIONER ANDERSON:**

For both 1132 and 1133, the offset which is 5168, reconstruction of Pulaski Road, that project we're still in the early stages of design. This is construction funds where we were not ready for construction and we would then, you know, put in for subsequent years to do this construction when we're ready for it. The 1133, you know, essentially takes some of the construction money and puts it into the design portion of the contract. But right here we're just taking I believe it's -- bear with me a second. We're taking \$100,000 and -- \$150,000, I'm sorry, and moving it from the construction which we're not doing and putting it into this.

**LEG. STERN:**

So on 1132 there's still sufficient funds there for the design phase of that project?

**COMMISSIONER ANDERSON:**

Well -- yes. 1132 yes, there is -- I apologize. Hold on. A hundred thousand dollars will be used for engineering to complete the design. The 50,000 will be added to the construction funds to do the work.

**LEG. STERN:**

To do the work on the -- that you're looking to transfer to.

**COMMISSIONER ANDERSON:**

Yes.

**LEG. STERN:**

Okay. And 1133, it's a different portion of Pulaski Road. I understand that, it's not the same project as 1132. But can you discuss the actual work that's going on there under 1133 and where you're at? That's at a different phase in 1133.

**COMMISSIONER ANDERSON:**

1133 right now we've done a report on that. What we're asking for is additional funds to basically continue the engineering. We're into the final design, hook plan preparation portion of the project so we can go out to bid. This is for extent of Pulaski from Woodbury Road up to Depot Road. Depot Road itself, that intersection is going to be another phase of the project because we have to do some takings and things like that.

**LEG. STERN:**

So, again, there's sufficient moneys available to complete the engineering and design work and this takes it from construction, which is nowhere near ready at this point.

**COMMISSIONER ANDERSON:**

Yes.

**LEG. STERN:**

Especially under 1133 because a lot more design work needs to be done.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. STERN:**

That's safe to say?

**COMMISSIONER ANDERSON:**

Uh-huh.

**LEG. STERN:**

Thank you.

**CHAIRMAN BEEDENBENDER:**

If there are no other questions, we have a motion and a second. All in favor? Opposed? Abstentions? **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*)**.

**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 by Legislator Stern?**

**LEG. STERN:**

Sure.

**P.O. LINDSAY:**

Second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Presiding Officer Lindsay. On the motion, any questions? Okay, if none, all in favor? Opposed? Abstentions? **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*)**.

All right. We'll move on to the Introductory Resolutions.

### **Introductory Resolutions**

**IR 1173, Authorizing public hearing for approval of ferry rates for Davis Park Ferry Company. (Presiding Officer)**

**P.O. LINDSAY:**

Motion.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Presiding Officer Lindsay.

**LEG. HORSLEY:**

Second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Horsley. Are there any questions on the motion? All in favor? Opposed? Abstentions? **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

**IR 1174, Approving rates established for Davis Park Ferry Co. (Presiding Officer).**

We have to table this until the public hearing is completed so I make a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? The motion is tabled. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

**IR 1178, Amending the 2008 Capital Budget and Program and appropriating funds in connection with strengthening and improving County roads (CP 5014). (Stern)**

**LEG. STERN:**

Motion to approve.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Legislator Stern. I'll second the motion. Do we have any discussion? All in favor? Opposed? Abstentions? IR 1178 is approved. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

**IR 1179, Amending the 2008 Capital Budget and program and appropriating funds in connection with planting trees and shrubs at various locations/roads (CP 5902). (Stern)**

**LEG. STERN:**

Motion to approve.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Legislator Stern, seconded by -- I'll second the motion. All in favor? Opposed? Abstentions? IR 1179 is approved. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

**IR 1185, Authorizing the use of County owned land at the H. Lee Dennison Building by the Hauppauge Girl Scouts for the purpose of burying a time capsule. (Kennedy)**

**LEG. KENNEDY:**

Motion.

**CHAIRMAN BEEDENBENDER:**

Motion by Legislator Kennedy, seconded by Legislator Horsley.

**P.O. LINDSAY:**

Let me ask.

**CHAIRMAN BEEDENBENDER:**

On the motion, Presiding Officer Lindsay.

**P.O. LINDSAY:**

Maybe it's really an opinion of Counsel. Is this something that would have to go through the Siting Committee? Monuments?

**MR. NOLAN:**

It's my opinion no, it would not.

**P.O. LINDSAY:**

Okay.

**CHAIRMAN BEEDENBENDER:**

Well, my only question would be Legislator Kennedy is this capsule going to go in Ben's parking spot?

**MR. ZWIRN:**

Legislator Kennedy will be in the capsule.

**LEG. KENNEDY:**

With some do-si-do's and thin mints maybe?

**CHAIRMAN BEEDENBENDER:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions? **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

**IR 1186, Amending the 2008 Capital Budget and Program and appropriating funds in connection with the County share of the reconstruction of CR 80, Montauk Highway, Shirley/Mastic (CP 5516) for construction of sewer infrastructure. (Browning).** Do I have a motion?

**LEG. STERN:**

Motion to table.

**CHAIRMAN BEEDENBENDER:**

Motion to table.

**P.O. LINDSAY:**

Why are we tabling?

**CHAIRMAN BEEDENBENDER:**

Motion to table on the request of the sponsor. I'll second the motion. All in favor? Opposed? Abstentions? 1186 is tabled. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

**IR 1189, To approve the lease of one (1) replacement fifteen (15) passenger van in the Suffolk County Department of Labor, in compliance with Local Law No. 20-2003. (County Executive)**

**LEG. STERN:**

Motion to approve.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Legislator Stern, seconded by Legislator Horsley. Any questions on the motion? All in favor? Opposed? Abstentions? IR 1189 is approved. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*).**

**IR 1191, Authorizing the transfer of fifty (50) surplus County radio units to the Centerport Fire District (County Executive).**

**P.O. LINDSAY:**

Boy, that seems like a lot, doesn't it?

**CHAIRMAN BEEDENBENDER:**

I'll make a motion to approve for the purpose of discussion.

**LEG. STERN:**

I'll second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Stern. Gil, do you have any information on this? I agree with the Presiding Officer, 50 sounds like an awful lot of radio units.

**COMMISSIONER ANDERSON:**

These are basically outmoded radio units that we've installed a new system. It went through FRES but FRES contacted all the area -- all the fire departments within Suffolk County to see if they'd be interested in these before we essentially got rid of them and Centerport was the one who responded that they would like these.

**P.O. LINDSAY:**

They were the only one?

**COMMISSIONER ANDERSON:**

They were the only one.

**P.O. LINDSAY:**

Okay.

**CHAIRMAN BEEDENBENDER:**

All right.

**LEG. KENNEDY:**

On the motion.

**CHAIRMAN BEEDENBENDER:**

Legislator Kennedy.

**LEG. KENNEDY:**

I mean, I guess if they have 50 vehicles or 50 units or are they individually carried radios? Are they personal radios?

**COMMISSIONER ANDERSON:**

Yeah, they're --

**DEPUTY COMMISSIONER CALDERONE:**

Some are, some aren't.

**COMMISSIONER ANDERSON:**

Some are, some aren't, right.

**DEPUTY COMMISSIONER CALDERONE:**

Most of them are actually the old Motorola's. This is not the 800 megahertz system. This is --

**CHAIRMAN BEEDENBENDER:**

Use the mike.

**DEPUTY COMMISSIONER CALDERONE:**

Legislator Kennedy, some were handheld, the bulk of them are the vehicle mounted, the old box type, and I forgot the megahertz, but it is the old system. These are not the 800 megahertz. When we switched to the new system we have been, you know, installing the new radios. These are just antiquated, really not worth repairing. You can't get parts f them. I'll assume if they're going to take 50 they'll probably cannibalize some to, you know.

**LEG. KENNEDY:**

Okay.

**CHAIRMAN BEEDENBENDER:**

Do we have a motion and a second? I believe we do. All in favor? Opposed? Abstentions? IR 1191 is approved. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*)**.

**IR 1192, Authorizing the execution of an agreement between the County and the New York State Department of Transportation for Federal and State Aid funding for the continuation of the HOV Bus Service on the Long Island Expressway for 2008. (County Executive)**

**LEG. STERN:**

Motion to approve.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Legislator Stern. I'll second the motion. Any discussion? All in favor? Opposed? Abstentions? IR 1192 is approved. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*)**.

To the stenographer, am I talking slow enough? I know I talk too fast. I'm good? All right.

**IR 1203, Appropriating funds in connection with the renovations, construction, and addition to Police Precincts (Fourth Precinct) (CP 3184). (County Executive).** Motion by Legislator Kennedy?

**LEG. KENNEDY:**

Yes.

**LEG. STERN:**

Second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Stern. On the motion, Legislator Kennedy.

**LEG. KENNEDY:**

Where are we at with this at this point as far as ground breaking? Last I recall we were looking at mid-spring for ground breaking.

**DEPUTY COMMISSIONER CALDERONE:**

That's correct. We're just about finalizing the signatures of the contracts, receiving bonds, insurances. We're still looking for ground breaking sometime early April, very early April, maybe two or three weeks.

**LEG. KENNEDY:**

The contractor or all the contractors have been selected on this?

**DEPUTY COMMISSIONER CALDERONE:**

That's correct.

**LEG. KENNEDY:**

Do you recall who the GC is?

**DEPUTY COMMISSIONER CALDERONE:**

Hold on, I might have that here. I don't, Legislator Kennedy, because we bid out so many contracts. Hold on.

**LEG. KENNEDY:**

If you don't have them at your fingertips, I mean, if you could just share with me in the office.

**DEPUTY COMMISSIONER CALDERONE:**

Let me just see if I have it here. If not, I'll get them back to you.

**LEG. KENNEDY:**

Seems like we all talk an awful lot about municipal work these days.

**DEPUTY COMMISSIONER CALDERONE:**

No. Believe it or not I have the prices, I have the bid awards, but I don't have the people. So I will get that back to you.

**LEG. KENNEDY:**

If you could make that available to me in the office I'd appreciate it, Lou.

**DEPUTY COMMISSIONER CALDERONE:**

Not a problem.

**CHAIRMAN BEEDENBENDER:**

Gil, I just have a question. I scanned over the most recent report this morning. Did it say something about the PLA -- there was one project, I thought it was this one, that there was a PLA being debated. It's not this one, is it?

**DEPUTY COMMISSIONER CALDERONE:**

Yes, it is.

**CHAIRMAN BEEDENBENDER:**

Okay. So that's something else we have to finalize before we can ground break.

**DEPUTY COMMISSIONER CALDERONE:**

Hopefully we're almost there, yes.

**CHAIRMAN BEEDENBENDER:**

Okay. All right. If there's no other discussion, all in favor? Opposed? Abstentions? IR 1203 is approved. **(VOTE: 5-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine \*\*P.O. Lindsay included in affirmative votes\*\*)**.

**IR 1204, Amending the 2008 Capital Budget and Program and appropriating funds in connection with intersection improvements on CR 16, Smithtown Boulevard at CR 93, Lakeland Avenue/Rosevale Avenue, Town of Smithtown (CP 5118). (County Executive)**

**LEG. KENNEDY:**

I'll make a motion to approve.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Legislator Kennedy. I'll second the motion.

**LEG. STERN:**

On the motion.

**CHAIRMAN BEEDENBENDER:**

On the motion, Legislator Stern.

**LEG. STERN:**

Thank you, Mr. Chairman. Gil, again, this is taking money from 5168, which are funds dedicated to construction work on Pulaski, so again I'll ask the question. These are construction funds that are being taken from 5168?

**COMMISSIONER ANDERSON:**

Correct.

**LEG. STERN:**

And because you're still in the design phase?

**COMMISSIONER ANDERSON:**

Correct.

**LEG. STERN:**

And there are sufficient funds available to complete the design work?

**COMMISSIONER ANDERSON:**

Yes, sir.

**LEG. STERN:**

Thank you.

**LEG. KENNEDY:**

If I may, Mr. Chair.

**CHAIRMAN BEEDENBENDER:**

Legislator Kennedy.

**LEG. KENNEDY:**

We have been quite advanced with this project to the point where the takings -- I keep hearing they're going occur, they're going to occur, they're going to occur. Have we actually acquired title to these three properties? There's that one building that's been sitting there just aching to be demolished. Do we own that property yet?

**COMMISSIONER ANDERSON:**

I have to defer to the Chief Engineer.

**CHAIRMAN BEEDENBENDER:**

Good afternoon, Bill.

**MR. HILLMAN:**

You guys ask me tough questions so I bring my book now. In December of 2008 we settled all the maps. We are in discussions with the County Attorney as to exactly the format and procedure to settle all those maps, but we do have title to all those properties.

**LEG. KENNEDY:**

So if we own them, then do we have the ability to go on to the site now and demo that structure? There's a boarded up old, I don't know what it is, party store/bar slash whatever that's been sitting there rotting away for years and years.

**MR. HILLMAN:**

We intend to let the project, the full construction project, mid-May and that will include the first phase which would be demolition of the building.

**LEG. KENNEDY:**

Okay. And now what's going to happen is on the Gibb's Pond side we're going to get a straightening of that dog leg, and I guess we'll have new signaling. But is 93 going to move where it meets 16 or no?

**COMMISSIONER ANDERSON:**

Correct. Both intersections will be realigned so that you have a straight run through.

**LEG. KENNEDY:**

All right. So mid-May we're thinking we're going to begin to see some kind of work on the site there?

**MR. HILLMAN:**

Mid-May will be the letting. Then we need to award the contract and go through that rigamarole.

**LEG. KENNEDY:**

Okay. All right. Good enough. Thank you.

**CHAIRMAN BEEDENBENDER:**

Okay, if there's no other discussion, all in favor? Opposed? Abstentions? **(VOTE: 4-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine)**

**IR 1205, Appropriating funds in connection with the replacement and rehabilitation of dredge support equipment (CP 5201). (County Executive)**

I will make a motion to approve. Seconded by Legislator Horsley. Any discussion? All in favor? Opposed? Abstentions? **(VOTE: 4-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine)**

**IR 1208, Appropriating funds in connection with safety improvements at various intersections (CP 3301). (County Executive)**

I'll make a motion to approve.

**LEG. STERN:**

Second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Stern. On the motion? All in favor? Opposed? Abstentions? IR 1208 is approved. **(VOTE: 4-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine).**

**IR 1209, Appropriating funds in connection with the Civil Court renovation and addition -**

**courtrooms, Riverhead (CP 1130). (County Executive)**

**LEG. STERN:**

Motion.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Legislator Stern. I'll second that motion. All in favor? Opposed? Abstentions? IR 1209 is approved. **(VOTE: 4-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine).**

**IR 1212, Authorizing the execution of an agreement between the County and the New York State Department of Transportation for Federal Aid for Suffolk County Transit Bus Route S92 Service Enhancements. (County Executive)**

**LEG. STERN:**

Motion to approve.

**CHAIRMAN BEEDENBENDER:**

Motion by Legislator Stern. I'll second the motion. All in favor? Opposed? Abstentions? IR 1212 is approved. **(VOTE: 4-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine).**

We've already done IR 1215.

**IR 1225, Amending the 2008 Capital Budget and Program and transferring budgeted funds from Fund 261 - sewer maintenance and operations to the Capital Fund and appropriating funds for the purchase of sewer facility maintenance equipment (CP 8164). (County Executive)**

**LEG. STERN:**

Motion.

**CHAIRMAN BEEDENBENDER:**

Legislator Stern makes the motion to approve. I'll second the motion. Any questions on the motion? All in favor? Opposed? Abstentions? IR 1225 is approved. **(VOTE: 4-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine).**

**IR 1226, Amending the 2008 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital Fund and appropriating funds in connection with design of improvements to Sewer District No. 6 - Kings Park (CP 8144). (County Executive)**

**LEG. KENNEDY:**

I'll make the motion.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Legislator Kennedy. I will second the motion. On the motion, Legislator Kennedy.

**LEG. KENNEDY:**

Have we seen a report from {Camron} yet on this?

**COMMISSIONER ANDERSON:**

No. We expect a report shortly from them and these funds are --

**LEG. KENNEDY:**

These were the '08. There was two million that we had put in to the '08.

**COMMISSIONER ANDERSON:**

This is for the environmental -- basically the environmental portion of the work that's involved along with the final design.

**LEG. KENNEDY:**

For the expansion.

**COMMISSIONER ANDERSON:**

Yes.

**LEG. KENNEDY:**

Or for the undergoing upgrade. This is for the expansion?

**COMMISSIONER ANDERSON:**

Yes.

**LEG. KENNEDY:**

Okay. All right. Thank you.

**CHAIRMAN BEEDENBENDER:**

Is there other discussion? We have a motion and a second, right? All in favor? Opposed? Abstentions? IR 1226 is approved. **(VOTE: 4-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine).**

**IR 1227, Amending the 2008 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital Fund, and appropriating funds for the Safety and Security Improvements Program for sanitary facilities in Suffolk County Sewer Districts (CP 8103). (County Executive)**

**LEG. STERN:**

Motion.

**CHAIRMAN BEEDENBENDER:**

Motion to approve by Legislator Stern. I will second the motion. All in favor? Opposed? Abstentions? IR 1227 is approved. **(VOTE: 4-0-0-3 Not Present: Legislators Losquadro, Montano & Romaine).**

**IR 1231, Adopting Local Law No. 2008, A Local Law to prohibit illicit discharges and illicit connections to Suffolk County's Municipal Separate Storm Sewer System. (County Executive).** This has to be tabled for a public hearing. I'll make that motion.

**LEG. STERN:**

Second.

**CHAIRMAN BEEDENBENDER:**

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? The motion is tabled. **(VOTE: 4-0-0-3 - Not Present: Legislators Losquadro, Montano & Romaine).**

I just have one question, Gil, and it's about the Nicolls Road project, the early implementation project. I know we passed the funds for it and I think -- I believe later in this year we're hoping to start the project? Do you have a timeline?

**COMMISSIONER ANDERSON:**

Again, I'm going to defer this one to the Chief Engineer.

**CHAIRMAN BEEDENBENDER:**

No problem. I know I read something about later on this year, Bill, but if you could just clarify that timeline for me.

**MR. HILLMAN:**

Sure. We'll be letting it probably within a month. Typically three months to sign a contract. The goal is to complete the project during the summer so we don't disturb Suffolk Community College. So it should be done by the end of August, completed.

**CHAIRMAN BEEDENBENDER:**

This year.

**MR. HILLMAN:**

This year.

**LEG. BEEDENBENDER:**

I thought this project was going to be done next year. I thought I read it was going to take like a year.

**MR. HILLMAN:**

No.

**CHAIRMAN BEEDENBENDER:**

That's good news. All right. Well, good. That makes my drive home much easier. If there are no other questions -- Legislator Kennedy.

**LEG. KENNEDY:**

Just one quick one on the dredging. How are we doing?

**COMMISSIONER ANDERSON:**

Second dredge arrived and is on site right now. It probably is being put into position as we speak. Unfortunately, the first dredge broke down again, but the second dredge is the one that we're really relying on to do the work that, you know, we envision getting done before April first. I believe the Town of Smithtown passed a resolution expanding the limits from their end to April first. We're only waiting for one portion of the Army Corps permit which is --

**MR. HILLMAN:**

They verbally approved it.

**COMMISSIONER ANDERSON:**

Oh, okay. I just found out they verbally approved the extension to April 1st, so it looks like all the --

**LEG. KENNEDY:**

National Marine Fisheries, too, are they on board?

**COMMISSIONER ANDERSON:**

I'm sorry?

**LEG. KENNEDY:**

National Marine Fishery Service?

**COMMISSIONER ANDERSON:**

Yes, they were the last one according to Bill.

**LEG. KENNEDY:**

They are all on board until April one?

**COMMISSIONER ANDERSON:**

Yup.

**LEG. KENNEDY:**

Is this debacle suffice to bar this original operator from bidding on any more or being considered or accepted for any more projects?

**COMMISSIONER ANDERSON:**

I'm not sure to what extent that would be, but I can tell you, it will be the last contract he does with Suffolk County, and if I have anything to say it will be the last one with any municipality.

**LEG. KENNEDY:**

Fair enough. Thank you.

**CHAIRMAN BEEDENBENDER:**

If there's no other debate, I will take a motion -- well, I'll make a motion to adjourn, seconded by Legislator Stern. All in favor? Opposed? Abstentions? We stand adjourned.

(\*The meeting was adjourned at 3:20 P.M.\*)

{ } Denotes spelled phonetically